
Advance unedited version

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Report of the Independent International Commission of Inquiry on the Occupied Palestinian Territory, including East Jerusalem, and Israel

Note by the Secretary-General*

The Secretary General has the honour to transmit to the General Assembly the report of the Independent International Commission of Inquiry on the Occupied Palestinian Territory, including East Jerusalem, and Israel, submitted in accordance with Human Rights Council resolution S-30/1.

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

Report of the Independent International Commission of Inquiry on the Occupied Palestinian Territory, including East Jerusalem, and Israel

Summary

The Independent International Commission of Inquiry on the Occupied Palestinian Territory, including East Jerusalem, and Israel submits its fifth report to the General Assembly. The report mainly examines killing and causing bodily and mental harm by members of the security forces of the State of Israel and of the State of Palestine since October 2023.

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I. Introduction, methodology and legal framework

1. In this report, the Commission sets out its findings regarding the drivers of Israeli and Palestinian state violence, in particular killings and bodily and mental harm, including sexual and gender-based violence. As part of a broader investigation into the root causes of recurrent tensions, instability and protraction of conflict, this report also reviews policies and practices, examining drivers of violence.
2. The Commission applied the same methodology and standard of proof previously adopted for its investigations and collected and preserved information from a variety of sources, in accordance with its standard methodology of evidence preservation.¹ The report should be read in conjunction with the Commission's previous reports and conference room papers.²
3. The Commission issued a call for submissions on 30 September 2025 soliciting information concerning killing and causing serious bodily or mental harm committed by any state or non-state actor since 7 October 2023. As part of its mandate to look into underlying root causes, the Commission also asked for information relating to incidents from the periods 1948-1949, the 1950s, and the years 2000-2005. The Commission proposes to separately deal with this in its reports to be hereafter submitted.
4. The Commission has sent two requests for information to the Government of Israel, and two requests for information to the State of Palestine. The Commission received a response from Palestine but has not received any response from Israel.
5. The Commission relied on the legal framework adopted throughout its work and reflected in its terms of reference. The Commission is guided by the 2024 Opinion of the International Court of Justice on, inter alia, the effects of Israel's policies and practices on the exercise of the Palestinian people's right to self-determination.

II. Killings and causing bodily and mental harm by Israeli forces

A. Introduction

6. The Commission carried out its analysis against the backdrop of the United Nations General Assembly Resolution 181 from 1947, which terminated the British Mandate on Palestine and adopted the Partition Plan, dividing the territory into three parts: two States, one Arab and one Jewish, and Jerusalem under international control. The plan granted almost 56 percent of the land to a Jewish state, Jews then being about one-third of the total population. The proposed Jewish state had an Arab population of about 47 percent. After the war of 1948, the newly established State of Israel occupied over 75 percent of the former British mandate.
7. The State of Israel was established in May 1948 during what Israelis refer to as the "War of Independence", when 6,000 Jews (reportedly around 4,000 combatants and 2,000 civilians) were killed. The same war, referred to by Palestinians as the *Nakba* ("the catastrophe"), resulted in the killing of 13,000 to 15,000 Palestinians (the majority being civilians), and the destruction and/or depopulation of about 530 Palestinian towns and villages. Yishuv Jewish militia and Israeli military forces, including violent extremist Zionist militant organizations - the Irgun (Etzel) and Lehi (Stern Gang) - were the perpetrators of attacks against Palestinians civilians.³ All Yishuv militias were later integrated into the regular Israeli army in May 1948, but some continued to operate independently for some time.
8. With central direction and authorization, Yishuv forces systematically forced the Palestinian people from towns and villages with the intention of ensuring a greater Jewish demography. Yishuv forces expanded Israel's borders beyond what was decided on in the

¹ https://www.ohchr.org/sites/default/files/2022-01/TORs-UN-Independent_ICI_Occupied_Palestinian_Territories.pdf.

² <https://www.ohchr.org/en/hr-bodies/hrc/co-israel/index>.

³ The term "Yishuv" refers to Jews living in Palestine prior to the establishment of the State of Israel in May 1948.

United Nations' Partition Plan. Killings and expulsion were ordered and carried out to reduce the Palestinian population and make a Palestinian state less feasible. Israeli authorities have long denied that atrocities were carried out by Yishuv forces in 1948, and the vast majority of the records in official Israeli Archives remain inaccessible to the public.

9. Already in October 1947, David Ben Gurion, then leader of the Yishuv, reportedly stated his intention to create a military force to repel potential attacks and occupy as much land as possible. One year later, as Prime Minister, Ben-Gurion reportedly told the Cabinet that, with the renewal of fighting, the Galilee would be emptied of Arabs. Explicit military orders to expel the Palestinian population were issued and, evidence indicates, carried out. An Israeli intelligence document from 1948 confirms the systematic depopulation of Palestinian villages, through offensives and intimidation tactics by Yishuv forces and "dissidents" [Irgun, Lehi]. Yishuv and Israeli leaders believed that the expulsion of the Palestinian population was necessary to securing the Jewish state, opposing a Palestinian state and blocking the exercise of the Palestinians' right to self-determination. About 750,000 Palestinians were displaced, including about 80 percent of the Arab inhabitants of what became Israel. They and their descendants continue living as refugees to date.

10. The so called "maximum land minimum population" policy is a continuous trend until today. In September 2025, the Minister of Finance, and additional Minister in the Ministry of Defense with responsibilities for the West Bank, Bezalel Smotrich, insisted that a clear Jewish majority in a Jewish and democratic State of Israel will be preserved, stating that Israel must not seek sovereignty over a population that seeks its destruction: the overriding principle for applying sovereignty is: "maximum land with minimum population". Israeli officials have also repeatedly asserted that Palestinian statehood is a threat to the existence of Israel and equated Palestinians with enemies of the State. The Knesset passed a resolution in July 2024 confirming that the establishment of a Palestinian state west of the Jordan river would pose a threat to the State of Israel and its citizens, perpetuate the conflict and destabilize the region.⁴ This was already reiterated in February 2024 by the Minister of Settlements and National Projects, Orit Strock, when he stated in the Knesset that "...there will never be a Palestinian state in the land of Israel, because there is *no such thing as a Palestinian people*", and because it would constitute "an existential threat to the State of Israel and world peace".⁵

11. The perception of Palestinians and a possible Palestinian state as a threat to Israel and the desire to reduce the Palestinian population contribute to a permissive military culture where Israeli soldiers, with or without directives from commanders, directly target Palestinians whether or not they pose a real or immediate threat.⁶ Testimonies by Israeli soldiers in Gaza display a disregard for Palestinian lives and a military culture where Palestinians are dehumanized, equated with "terrorists", trivializing the killing of civilians. From 7 October 2023 to 9 October 2025, over 72,600 Palestinians have been killed in Gaza and over 1,000 in the West Bank. From 10 October 2025 to 30 September 2026, 1,431 Palestinians were killed in Gaza and 137 in the West Bank.⁷

B. Previous findings of the Commission

12. The Commission has made findings in its previous reports⁸ on the actions of Israeli forces in Gaza amounting to genocide, crimes against humanity and war crimes, in addition to violations of international humanitarian and human rights law.

13. Since October 2023, Israeli officials have demonstrated a consistent intent to establish permanent military control over Gaza and to change its demographic composition while

⁴ <https://main.knesset.gov.il/EN/News/PressReleases/Pages/press18724w.aspx>.

⁵ <https://www.youtube.com/watch?v=PS1nAoW3iA8>.

⁶ See A/HRC/62/CRP.2.

⁷ Figures include settler violence. <https://www.ochaopt.org/data/casualties>. All OCHA data was last accessed on 9 October 2026; <https://www.ochaopt.org/content/humanitarian-situation-report-2-october-2026>; <https://www.ochaopt.org/content/reported-impact-snapshot-gaza-strip-30-september-2026>.

⁸ A/HRC/56/26; A/79/232; A/HRC/58/CRP.6; A/HRC/59/26; A/HRC/60/CRP.3; A/80/337; A/HRC/62/CRP.2.

systematically destroying Palestinian life.⁹ The Israeli government and security forces have deliberately carried out acts inflicting death and severe bodily and mental harm on Palestinian children, amounting to age-based persecution of children in Gaza.¹⁰ Sexual and gender-based violence is used as a method of war by Israel to destabilize, dominate, oppress and destroy the Palestinian people.¹¹ The Commission also found that the killing and harming of children and sexual and gender-based violence are included among elements that established specific intent of the Israeli authorities to commit genocide against the Palestinian group in Gaza.¹²

14. Israel is increasingly applying the framework governing the conduct of hostilities to its law enforcement operations in the West Bank, applying unnecessary and excessive use of force which results in the killing and harming of Palestinians.¹³ The Commission previously concluded that settler violence in the West Bank functions as a means of implementing Israeli state policy, with both the state and violent settler groups working towards the same strategic objectives: the entrenchment of Israeli settlements, the annexation of Palestinian territory and the displacement of Palestinians from their land.¹⁴

15. The Commission has previously reported on the Israeli forces' use of artificial intelligence tools and autonomous weapons systems in Gaza such as 'Gospel' [*Habsora* in Hebrew] and 'Lavender', expressing its concern about these weapons' compliance with international law.¹⁵ The Commission is also aware of the use of 'Where's Daddy', an artificial intelligence assisted tracking system that monitors the location of targeted individuals and alerts operators when a target enters a designated location.

16. The Secretary General of the United Nations and the President of the International Committee of the Red Cross have urged states to adopt new international rules on autonomous weapon systems to regulate this rapidly advancing technology.¹⁶ The risks brought on by these systems continue to increase with advances in weapon technology, and as the weapons probabilistic outputs, speed, and automated bias conflict with core legal duties to protect civilians.¹⁷ The Commission highlights that, where artificial intelligence is used, the individuals who exercise effective control over the system and make the relevant decisions remain accountable.

C. Factual findings on the West Bank

17. The number of Palestinian fatalities in the West Bank has significantly increased since 2022, peaking in 2023 and 2024 with almost 500 Palestinians killed each year - the highest number since OCHA data collection on this topic began in 2005. Between 7 October 2023 and 30 September 2026, 1,080 Palestinians (including at least 784 men, 237 boys, 22 women and seven girls) were killed and 10,940 were injured by Israeli forces in the West Bank, including East Jerusalem.¹⁸

18. The rules of engagement of Israeli forces in the West Bank were reportedly broadened after 7 October 2023, resulting in more Palestinian civilians killed and injured. Israeli forces have increasingly broad discretion to use lethal force against a perceived threat, regardless of whether the target objectively poses an imminent and real danger. The commanding officer of the Army's Central Command, Major General Avi Bluth, reportedly stated in May 2026 that Israeli soldiers are "killing like we haven't since 1967".¹⁹

⁹ A/80/337.

¹⁰ A/HRC/62/CRP.2.

¹¹ A/HRC/58/CRP.6.

¹² A/HRC/60/CRP.3.

¹³ A/78/198.

¹⁴ A/HRC/62/22.

¹⁵ A/HRC/56/CRP.4.

¹⁶ <https://www.icrc.org/en/statement/renewed-call-un-secretary-general-and-icrc-president-adopt-rules-autonomous-weapons>.

¹⁷ <https://opiniojuris.org/2026/07/17/ai-enabled-targeting-and-the-structural-strain-on-international-humanitarian-law/>.

¹⁸ <https://www.ochaopt.org/data/casualties>.

¹⁹ <https://www.haaretz.com/israel-news/israel-security/2026-05-04/ty-article/.premium/west-bank-idf-chief-defends-differing-open-fire-policies-for-palestinians-jews/0000019d-ef42-dd9a-a79d-efebfd2f0000>.

19. These permissive rules are interpreted and implemented in a discriminatory manner, applying exclusively to Palestinians based on their nationality, race and ethnicity. Israeli security personnel are prohibited from using lethal force against Jewish Israelis in the West Bank. Israeli forces have been responsible for approximately 95 percent of killings and 82 percent of injuries caused to Palestinians in the West Bank since October 2023.²⁰

20. On 27 November 2023, Israeli Minister of Finance Bezalel Smotrich, reportedly claimed that there are “two million Nazis” in the West Bank, referring to a poll that indicated that most Palestinians there supported the 7 October 2023 attack.²¹ On 11 November 2024, he reportedly stated that “the new Nazis have to pay a price in the territory that will be taken from them forever both in Gaza and in Judea and Samaria”.²² On 6 January 2025, he stated on X that “Fondouk, Nablus, and Jenin [in the West Bank] must look like Jabalia [in Gaza]”.²³

21. For this report the Commission investigated seven cases, and documented six cases, of killings and acts causing bodily and mental harm against Palestinians between November 2023 and June 2026,²⁴ which are indicative of the more permissive rules of engagement. In these cases, the victims were unarmed and did not pose a threat; in the majority of instances, victims were children, including an infant. Israeli personnel used lethal force without warning, targeting victims’ head and/or upper part of their body. In all cases, security personnel should have been able to identify that the victim posed no imminent threat. The Commission concludes that Israeli soldiers intentionally killed all the victims.

22. An illustrative case of this is the killing of a Turkish-American woman, Ayşenur Eygi, on 6 September 2024, in conjunction with a protest in Beita against the outpost of Evyatar. The victim was peacefully observing the protest when she was shot in the head at an approximately 200-metre range. While clashes erupted at the protest, the victim was shot after the clashes had largely subsided about 20 minutes prior. The victim was the only person directly shot. The responsible Israeli soldier reportedly raised a fist to a colleague, signalling success.

23. In some cases, Israeli forces fired live ammunition at vehicles carrying Palestinian families, including children, claiming that they accelerated towards the forces and constituted a threat, when there was no evidence to support such a claim. In one example, on 5 June 2026, a seven-month-old baby was killed and the parents were injured, when an Israeli soldier opened fire on a car in Hebron. Video footage shows that the father slowed down and stopped the car when approaching the soldiers, raising his hands. Evidence shows that an Israeli soldier fired two rounds using an Israeli-manufactured X95 Tavor rifle with 5.56×45mm ammunition into the car, without warning, shooting the baby in the head. No medical assistance was provided to the family. According to the Israeli Army, a member of the Yehuda Brigade fired at the vehicle due to the car accelerating towards the soldiers. At a 10 metre range, the soldier would have had a clear, unobstructed view of the persons in the vehicle. In a similar case documented by the Commission, Israeli forces fired at a car carrying a family of six in Tammun, Tubas Governorate, on 15 March 2026. The mother, father and two of their youngest sons were shot in the head and killed inside the car, while two older sons were injured and subsequently assaulted by the soldiers.

24. Israeli authorities have repeatedly provided false justifications for the use of lethal force, intending to deflect responsibility. In three of the seven cases investigated by the Commission, Israeli authorities claimed that security personnel used lethal force in response to a threat posed by the victim or violent disturbances in the vicinity.²⁵ Witness testimonies, digital footage and open-source reports contradict these assertions. In one illustrative case,

²⁰ The rest of the casualties are attributed to the settlers. Based on data available at: <https://www.ochaopt.org/data/casualties>.

²¹ <https://www.timesofisrael.com/there-are-2-million-nazis-in-west-bank-says-far-right-finance-minister-smotrich/>.

²² <https://www.timesofisrael.com/smotrich-says-trumps-victory-an-opportunity-to-apply-sovereignty-in-the-west-bank/>; <https://www.al-monitor.com/originals/2024/11/israels-smotrich-calls-annexation-occupied-west-bank-what-we-know>; <https://www.haaretz.com/israel-news/2024-11-12/ty-article/smotrich-says-israel-a-step-away-from-annexing-west-bank-after-trumps-election-victory/00000193-1dcf-db8b-addf-5ddf3c210000>.

²³ <https://x.com/bezalelsm/status/1876184590206844987>.

²⁴ See details in A/HRC/62/CRP.2, paras. 89, 90, 94, 95, 309 and 311.

²⁵ A/HRC/62/CRP.2.

on 25 June 2025 in Shu'fat refugee camp, a 67-year-old Palestinian woman was shot in the face by a Border Police member, while sitting on the rooftop of her house with family members, including children. Israeli authorities claimed that its forces shot in response to an attack by rocks and stones. Witnesses' accounts, however, indicate that there was no stone-throwing in the vicinity of the victim and that Israeli forces targeted and killed the victim who posed no threat.

25. The expanded rules of engagement reportedly include a provision to use lethal force against Palestinians seen to be "messing with the ground", ostensibly in response to the potential planting of improvised explosive devices.²⁶ In one case documented by the Commission, an eight-month pregnant woman was killed on 9 February 2025 while trying to flee with her husband and another relative by car from Nur Shams refugee camp during an Israeli military operation in the area. Her husband was shot in the head and left with permanent partial paralysis due to brain injury. The woman was shot at least twice in the back and pelvis, while reportedly seeking help. The Israeli military said in justification that she "looked suspiciously at the ground".

26. The Commission documented cases indicating a pattern of extrajudicial executions of Palestinians by Israeli forces. In one case in Jenin on 27 November 2025, two members of a Palestinian armed group were deliberately shot and killed after they surrendered with their hands raised. In another case in Nablus on 10 June 2025, Israeli forces beat, shot and killed two unarmed Palestinian brothers after they approached them with their hands raised seemingly posing no threat. Video footage of the incident refuted the Israeli claim that the two men attempted to snatch the soldiers' weapons.

27. The number of deaths caused by airstrikes in the West Bank increased significantly after 7 October 2023. Between 2008 and 6 October 2023, six Palestinians were killed by airstrikes in the West Bank; between 7 October 2023 and 30 September 2026, 254 Palestinians were killed.²⁷ Airstrikes have been increasingly used by Israeli forces since Operation Iron Wall began on 21 January 2025, mainly targeting refugee camps and areas in Jenin, Tulkarm, Tubas and Nablus.²⁸ Operation Iron Wall marks a strategic shift in Israeli military operations in the West Bank, towards widespread destruction of Palestinian housing and infrastructure, and "clearing" of refugee camps.²⁹ Israeli forces have indicated that the change is intended to dismantle "terrorist infrastructure and restore the operational freedom of action for IDF forces", while reconstruction of the infrastructure is considered to be "endangering the citizens of the State of Israel and the military forces".

28. The change reflects the import of the Gaza strategy of total destruction into West Bank operations. As a result, Palestinian residents in camps, have been killed or displaced, and large areas have been made uninhabitable. Military operations since January 2025 have led to the largest displacement of Palestinians in the West Bank since 1967;³⁰ with 34,176 Palestinians remaining displaced as of August 2026.³¹

29. Palestinians who have tried to return to their homes in refugee camps have been killed or wounded by Israeli forces, which declared these locations closed military areas. In one incident, on 8 September 2025, a 14-year-old Palestinian boy was shot in the chest and died near the entrance of the Jenin refugee camp. The camp had been closed since the beginning of Operation Iron Wall in January 2025, but rumours had spread about the military withdrawing and some 50-60 Palestinian residents sought to return to the camp to check on their homes. Israeli forces arrived by vehicle and without warning fired at the Palestinian residents, including the 14-year-old boy. According to reports, another 14-year-old boy was killed, and at least two others were injured in this incident.

30. The Commission is not aware of any effective investigations, disciplinary or judicial measures undertaken by the Israeli authorities or military in any of the cases it investigated,

²⁶ A/HRC/62/CRP.2.

²⁷ <https://www.ochaopt.org/data/casualties>.

²⁸ <https://reliefweb.int/report/occupied-palestinian-territory/un-human-rights-occupied-palestinian-territory-1001-palestinians-killed-west-bank-7-october-2023-one-five-are-children-enar>.

²⁹ See also: A/80/337.

³⁰ <https://www.unrwa.org/resources/reports/unrwa-situation-report-165-situation-gaza-strip-and-west-bank-including-east-jerusalem>.

³¹ https://www.ochaopt.org/sites/default/files/West%20Bank_info-graphic_14_September_2026.pdf.

as of 30 September 2026. Israeli forces reportedly conducted or were conducting internal investigations in the majority of the cases investigated by the Commission in Gaza and the West Bank; however, the Commission is not aware of any cases where family members and witnesses have been contacted for interviews. None of the victims' families has been provided any remedy, even in the four cases where the Israeli authorities acknowledged mistakes. The absence of accountability is particularly notable given the scale of civilian casualties, including a high proportion of women and children.

31. Since the publication of its March 2025 report on Israel's systemic use of sexual, reproductive and other forms of gender-based violence,³² the Commission has verified four additional cases of sexual violence in detention by Israeli forces, including gang rape, genital violence, groping of breasts and threats of sexual violence, forced nudity and cavity searches conducted without apparent security justification. Two of the victims were from the West Bank. In one case from 2025 which occurred at Meggido prison during interrogation, a male victim was blindfolded, forced to remove his lower garments and bend over on his knees exposing his genitals to male and female prison guards. He was then gang raped multiple times with objects while prison guards mocked and photographed him, squeezed his penis threatening him it would be cut off until he screamed in pain. He was also threatened that family members and colleagues would be raped. The victim sustained serious injuries, including bleeding from the rectum, for which he did not receive any medical treatment.

32. The Commission notes continuous conduct of invasive body strip and cavity searches accompanied by other abuse amounting to sexual and reproductive violence.³³ In a recently investigated case from 2025, a pregnant detainee was subjected to multiple strip searches accompanied by beatings. While in Damon prison, she was made to undress completely while a female guard touched and looked inside her vagina and anus while humiliating her. As a result of inadequate nutrition, compounded by mistreatment in detention, she was unable to produce breastmilk for her infant once released. The Commission received an account of another woman subjected to multiple invasive body searches and forced nudity during her detention and interrogation at Jalma Interrogation Center and Damon prison. On one occasion, she was made to undress, unveil and was searched in the presence of male guards which was particularly humiliating. On another occasion, female soldiers touched her breasts, made her squat naked while they looked inside her vagina and anus. During her interrogation, she was subjected to beatings, denied access to the toilet, inflicted with abusive gender-discriminatory slurs and asked, "how she slept with her husband", and denied sanitary pads, which stained her clothing and interrogation chair.

D. Factual findings on Gaza

33. Since 7 October 2023, Israeli forces have used heavy and unguided munitions in densely populated areas, alongside drones, quadcopters and sniper fire, resulting in the systematic destruction of civilian life and objects.³⁴ These patterns have continued after the so-called October 2025 ceasefire, with sustained air, artillery, drone and gunfire attacks resulting in over 1,431 people being killed, including at least 300 children and 130 women, and 5,026 injured as of 30 September 2026.³⁵ These findings contradict the report by the Board of Peace to the Security Council in May this year, pursuant to Security Council resolution 2803, which claimed that the ceasefire has largely held, bringing "enormous relief to the civilian populations".³⁶ Israeli officials allege that the attacks are in response to ceasefire breaches.

34. The Commission investigated a series of airstrikes carried out by Israeli forces across Gaza on 28-29 October 2025. As a result of the strikes, 104 Palestinians, including 46 children and 20 women, were killed and 253, including 78 children and 84 women, injured,

³² A/HRC/58/CRP.6.

³³ A/HRC/58/CRP.6, paras. 115-126.

³⁴ A/HRC/60/CRP.3; A/HRC/62/CRP.2.

³⁵ <https://www.ochaopt.org/content/humanitarian-situation-report-2-october-2026>;
<https://reliefweb.int/report/occupied-palestinian-territory/report-secretary-general-implementation-un-security-council-resolution-2334-2016-delivered-ramiz-alakbarov-acting-special-coordinator-middle-east-peace-process-28-september-2026>.

³⁶ <https://digitallibrary.un.org/record/4114041?v=pdf>.

according to the Palestinian Ministry of Health.³⁷ The Israeli forces' website listed eight of the dead as members of Hamas and Palestinian Islamic Jihad. On 29 October, the Israeli Army published a map of Gaza showing at least 48 specific sites hit during the airstrikes.³⁸ Israel maintained that every designated site was a 'terrorist target'.³⁹ Most of the targets were within or immediately adjacent to densely populated residential neighborhoods.

35. These attacks included airstrikes on two residential houses in Nuseirat refugee camp on 29 October. In the first strike, nine persons died, including four children (two boys and two girls, including a four-year-old) and two women. The second strike a few minutes later killed 10 more members of the same family, including three children (two boys and a girl) and four women. Two of the persons killed were listed by Israeli forces as Brigade Commander and Deputy Brigade Commander of the Palestinian Islamic Jihad. Visual and damage-pattern analysis indicated the use of two 1,000-pound (MK-83) unguided bombs, resulting in the complete destruction of at least two residential buildings and widespread collateral damage to surrounding structures. One of the houses was specifically referenced in the official Israeli map of targeted sites.

36. Land seizure by Israeli forces in Gaza is linked to a heightened risk of killings. The Commission has investigated the use of lethal force against Palestinians approaching or crossing the Yellow Line.⁴⁰ Between 10 October 2025 and early April 2026, at least 196 Palestinians were killed near the Yellow Line, including 18 women, 32 boys and 11 girls.

37. While initially presented as a temporary ceasefire demarcation, the Yellow Line has become a steadily encroaching *de facto* border, reflecting Israel's expanding territorial control of Gaza. By 2 September 2026, Israeli-controlled areas have expanded from 53 percent of Gaza envisaged under the ceasefire agreement to at least 60 percent. Ongoing fortification of the Yellow Line, including at least nine new military bases and supporting infrastructure, identified by the Commission since October 2025, indicates it is not intended only as a temporary demarcation line. The Chief of Staff Eyal Zamir has described the line as Israel's "new border".⁴¹ On 28 May 2026, Prime Minister Netanyahu stated that he had

³⁷ <https://www.facebook.com/MOHGaza1994/posts/%D9%88%D8%B2%D8%A7%D8%B1%D8%A9-%D8%A7%D9%84%D8%B5%D8%AD%D8%A9-%D8%A7%D9%84%D9%81%D9%84%D8%B3%D8%B7%D9%8A%D9%86%D9%8A%D8%A9-%D8%BA%D8%B2%D8%A9%D8%B9%D8%A7%D8%AC%D9%84%D8%A7%D8%AD%D8%B5%D8%A7%D8%A6%D9%8A%D8%A9-%D9%85%D8%A7-%D9%88%D8%B5%D9%84-%D9%85%D8%B3%D8%AA%D8%B4%D9%81%D9%8A%D8%A7%D8%AA-%D9%82%D8%B7%D8%A7%D8%B9-%D8%BA%D8%B2%D8%A9-%D9%85%D9%86-%D8%B4%D9%87%D8%AF%D8%A7%D8%A1-%D9%88%D8%A5%D8%B5%D8%A7%D8%A8%D8%A7%D8%AA-/1147289337576007/>. See also <https://www.ochaopt.org/content/gaza-humanitarian-response-situation-report-no-7>; <https://www.ohchr.org/en/press-releases/2025/10/un-human-rights-chief-says-appalled-deadly-gaza-strikes>.

³⁸ <https://www.idf.il/%D7%90%D7%AA%D7%A8%D7%99-%D7%99%D7%97%D7%99%D7%93%D7%95%D7%AA/%D7%99%D7%95%D7%9E%D7%9F-%D7%94%D7%9E%D7%9C%D7%97%D7%9E%D7%94/%D7%99%D7%95%D7%9E%D7%9F-%D7%94%D7%9E%D7%9C%D7%97%D7%9E%D7%94-%D7%AA%D7%9E%D7%95%D7%A0%D7%AA-%D7%94%D7%9E%D7%A6%D7%91-%D7%9C%D7%90%D7%95%D7%A8%D7%9A-%D7%94%D7%99%D7%9E%D7%99%D7%9D/%D7%99%D7%95%D7%9E%D7%9F-%D7%94%D7%9E%D7%9C%D7%97%D7%9E%D7%94-29-10-2025/>.

³⁹ <https://www.idf.il/%D7%90%D7%AA%D7%A8%D7%99-%D7%99%D7%97%D7%99%D7%93%D7%95%D7%AA/%D7%99%D7%95%D7%9E%D7%9F-%D7%94%D7%9E%D7%9C%D7%97%D7%9E%D7%94/%D7%99%D7%95%D7%9E%D7%9F-%D7%94%D7%9E%D7%9C%D7%97%D7%9E%D7%94-%D7%AA%D7%9E%D7%95%D7%A0%D7%AA-%D7%94%D7%9E%D7%A6%D7%91-%D7%9C%D7%90%D7%95%D7%A8%D7%9A-%D7%94%D7%99%D7%9E%D7%99%D7%9D/%D7%99%D7%95%D7%9E%D7%9F-%D7%94%D7%9E%D7%9C%D7%97%D7%9E%D7%94-29-10-2025/>.

⁴⁰ See A/80/337.

⁴¹ <https://www.idf.il/en/mini-sites/idf-press-releases-israel-at-war/december-25-pr/the-chief-of-the-general-staff-to-the-reserve-troops-in-the-gaza-strip>.

instructed Israeli forces to seize 70 percent of Gaza, indicating that territorial expansion will continue.”⁴²

38. Israeli authorities’ failure to clearly communicate the boundaries of the Yellow Line to Palestinians in Gaza has resulted in civilian casualties when civilians unintentionally approached or crossed the line. A web link to the demarcation map was disseminated primarily through a QR code posted by the Army spokesperson on 14 October 2025.⁴³ The Commission has not identified any supplementary awareness-raising measures. The Orange Line, established by Israeli forces in mid-March 2026, further intensified this trend encompassing an additional 11 percent of Gaza’s territory on top of the area already controlled by Israel behind the Yellow Line.

39. The Commission investigated two incidents of Palestinians being killed in the proximity of the Yellow Line.⁴⁴ In one case, Israeli forces attacked a car, killing 11 persons, including two women, five boys and two girls, on 17 October 2025. The car was targeted outside the area directly controlled by Israel, about 120 meters away from the unmarked Yellow Line. Access to the site was restricted by Israel until the next morning. Evidence suggests that at least one of the victims did not die immediately and could have been saved if access had been granted sooner. Reportedly, Israeli military told the media that the vehicle had crossed the Yellow Line, prompting the soldiers to fire warning shots and then open fire “neutralizing” the “imminent threat”. Satellite imagery analysed by the Commission shows the car outside the Yellow Line at the time of the strike.

40. The Commission notes an announcement published by the Israeli military on 19 August 2026 confirming the continuation of two criminal investigations into five serious incidents of killings in Gaza.⁴⁵ In two other cases that the Commission investigated involving rape and attempted rape by Israeli forces and settlers, the Military Advocate General’s Corps closed the files after preliminary inquiries despite the existence of digital evidence.⁴⁶

41. The Commission investigated two cases of sexual violence, one of which amounts to rape, accompanied with discriminatory intent against participants in the Global Sumud Flotilla in 2025. In one case, a victim was forced to undress completely at the infirmary of the detention facility where his genitals were searched with a metal detector. The handle of a metal detector was inserted into his anus multiple times. In another case, an HIV positive man was arrested and made to stand in the heat wearing a jacket after which he fainted. He was also denied water and his HIV medication which was destroyed in front of him. He was persistently humiliated, made to stick a sign on his file written “HIV” and was continuously singled out and insulted due to his perceived sexual orientation, appearance and associated illness, slapped in the face, threatened with rape, and a rifle was brushed against his buttocks. He was also subjected to partial forced nudity, and to homophobic and derogatory insults such as “faggot” and his penis being infected. The Commission also documented an additional six cases of sexual violence and torture against male detainees from Gaza in Sde Teiman since the Commission’s March 2025 report.⁴⁷ In one case, a plastic cord was tied around the victim’s genitals during interrogations for a prolonged period of time while he was told to urinate, in another, a victim was raped with a stick and forced to insert it into his mouth, until he vomited.

⁴² <https://www.instagram.com/reels/DZAkyq-CFoT/>.

⁴³ <https://x.com/AvichayAdraee/status/1978134175904317709>;

<https://www.idf.il/ar/%d8%ac%d9%8a%d8%b4-%d8%a7%d9%84%d8%af%d9%81%d8%a7%d8%b9-%d8%a7%d9%84%d8%a5%d8%b3%d8%b1%d8%a7%d8%a6%d9%8a%d9%84%d9%8a/%d8%ac%d9%8a%d8%b4-%d8%a7%d9%84%d8%af%d9%81%d8%a7%d8%b9-%d8%a7%d9%84%d8%a5%d8%b3%d8%b1%d8%a7%d8%a6%d9%8a%d9%84%d9%8a/swordsofir-on-181123-118/>

⁴⁴ See A/HRC/62/CRP.2.

⁴⁵ <https://www.idf.il/%D7%90%D7%AA%D7%A8%D7%99-%D7%99%D7%97%D7%99%D7%93%D7%95%D7%AA/%D7%99%D7%95%D7%9E%D7%9F-%D7%94%D7%9E%D7%9C%D7%97%D7%9E%D7%94/%D7%9B%D7%9C-%D7%94%D7%9B%D7%AA%D7%91%D7%95%D7%AA/%D7%94%D7%A4%D7%A6%D7%95%D7%AA/%D7%A2%D7%93%D7%9B%D7%95%D7%A0>

⁴⁶ A/HRC/58/CRP.6, para. 129-132.

⁴⁷ A/HRC/58/CRP.6.

E. Legal analysis

1. Israel's violations of international law in the West Bank

42. In analysing each element of crimes against humanity, the Commission has considered key factors in its conclusions: (i) the large numbers and status of victims killed, injured, detained or displaced; (ii) the strategies and methods of the Israeli forces, including mass destruction and targeting the civilian population; (iii) the locations of the operations in densely populated areas; (iv) the duration of the operations; (v) the expanded, permissive rules of engagement; (vi) the statements of the Israeli authorities as to the purpose of the operations; and (vii) the authorities' consistent practice of denying responsibility, blaming victims and granting impunity to perpetrators.

2. Crimes against humanity (chapeau elements)

A widespread or systematic attack directed against the civilian population

43. The Commission finds that Israeli military operations in the West Bank since 7 October 2023 constitute a course of conduct that forms part of a widespread and systematic attack against the civilian population. The attack requires a high level of coordination and organised planning, indicating the existence of a policy to attack the civilian population. The Commission finds that the Israeli authorities utilised settler violence⁴⁸ to target the Palestinian civilian population, and intended settlers' conduct to form part of the 'attack' against the civilian population. In relation to Ayşenur Eygi, the Commission underscores that she was perceived by the Israeli soldiers as part of the targeted population; her killing was therefore part of the attack directed against the civilian population.

44. The Commission finds that sexual and gender-based violence by the Israeli soldiers and settlers is instrumentalised not only as punishment against the individuals, but as part of a pattern of collective punishment to fracture, expel, humiliate and subjugate the Palestinian population in its entirety.⁴⁹ The Commission finds that the targeting of children by the Israeli soldiers and settlers in the West Bank is deliberate.⁵⁰ Similar to cases of sexual violence, the Commission finds that Israeli authorities knew and intended the conduct against children to form part of the attack against the broader civilian population.

State policy and nexus

45. The Commission considers (i) the statements of Israeli authorities; (ii) the pattern of militarised operations in the West Bank; (iii) the duration of the attack and the nature of the operations; and (iv) the status of victims and the number of casualties. The Commission finds that the targeting of Palestinian civilians across different locations in the West Bank indicates a high level of coordination and organised planning and is the product of state policy. At the same time, Israeli forces conducted large-scale and organised operations, for the alleged purpose of counter-terrorism, and detained Palestinian civilians from the West Bank.⁵¹ The Commission finds that the Israeli authorities intended to collectively punish the civilian population in the West Bank due to the attack of 7 October 2023 in south Israel and the alleged support and association of the civilian populations to Hamas. The Commission finds that there is a clear nexus between the acts committed and the widespread and systematic attack.

Mens rea

46. Considering (i) the widespread and systematic nature of the attack; (ii) the inferred policy of the state to commit such attack; (iii) the statements of the Israeli authorities; (iii) the duration of the attack; and (iv) the authorities' consistent practice of denying responsibility and blaming the victims, the Commission finds that the Israeli authorities and the security forces knew that the acts constituted part of an attack against the civilian population in the West Bank, and so intended them.

⁴⁸ A/HRC/62/22.

⁴⁹ A/HRC/60/CRP.3.

⁵⁰ A/HRC/62/CRP.2.

⁵¹ A/79/232.

3. Crimes against humanity (underlying crimes)

Extermination, and other inhumane acts

47. The Commission considered (i) the large number of victims killed; (ii) the methods used by the Israeli forces to target the civilian population (through the firing of live ammunition and airstrikes); (iii) the locations of the killings (densely populated areas); and (iv) the remarks and statements of the Israeli authorities, and finds that the cases it investigated and documented show a pattern where civilians in the West Bank were intentionally and directly targeted and killed by the Israeli soldiers on a mass scale since 7 October 2023. The Commission finds that, together with the mass killings by the Israeli forces, settler violence constitutes a component of the attack against this civilian population.⁵² Conduct of Israeli authorities indicate that they knew and intended settler violence to be part of the attack.⁵³ The Commission concludes that the Israeli authorities and security forces have committed the crime against humanity of extermination against the civilian population in the West Bank since 7 October 2023.

48. The Commission's findings on extermination apply equally to the crime against humanity of other inhumane acts. The Commission concludes that the Israeli authorities and forces have committed the crime against humanity of other inhumane acts, in particular causing serious injury to body and to mental or physical health against the civilian population in the West Bank since 7 October 2023.

Torture, rape and other forms of sexual violence

49. The Commission finds that investigated cases of torture, reproductive violence, rape and other forms of sexual violence of comparable gravity were not isolated incidents. Rather, these acts form part of the broader attack directed against the civilian population. Furthermore, the Commission finds that the Israeli authorities support and encourage such acts. The Commission therefore concludes that the Israeli authorities and security forces have committed the crimes against humanity of torture, rape and other forms of sexual violence of comparable gravity against the civilian population.

Persecution

50. The permissive rules of engagement in the West Bank are implemented in a discriminatory manner, applying exclusively to Palestinians.⁵⁴ Soldiers are prohibited from using lethal force against Jewish Israeli citizens in the West Bank in a similar manner. The acts were directed against Palestinian civilians in the West Bank on the basis of their nationality, race and ethnicity. The Commission therefore concludes that the Israeli authorities and military forces have committed the crime against humanity of persecution against the civilian population in the West Bank since 7 October 2023, based principally on nationality, race and ethnicity, intersecting with gender and age. Similar to Gaza, the Commission finds that, in the West Bank, Palestinian children are deliberately targeted on discriminatory grounds based on their age.⁵⁵

4. War crimes, and violations of law of occupation and international human rights law

51. Considering the factual and legal findings above, the Commission concludes that the Israeli forces intended to seriously harm and kill civilians in all the investigated cases (paragraphs 21-24 and 29). These acts amount to the war crimes of wilful killing and wilfully causing serious injury to body.

52. In relation to Ayşenur Eygi, the Commission notes that the Israeli soldier responsible for her death would have had a clear line of sight and would have known that she was unarmed and not posing any imminent threat. The Commission finds that the Israeli soldier deliberately targeted the victim, with the intent to kill her. The Commission finds that this conduct amounts to the war crime of wilful killing.

⁵² A/HRC/62/22.

⁵³ A/HRC/62/22.

⁵⁴ A/78/198.

⁵⁵ A/HRC/62/CRP.2.

53. As the occupying power, Israel has failed to ensure that the Palestinian population enjoys the respect for their persons, honour and family, and to ensure that persons protected in law are protected in fact and treated humanely. The Commission finds that Israel consistently – and unlawfully – applies the conduct of hostilities paradigm to law enforcement operations in the West Bank in violation of its obligation under international human rights law.⁵⁶ Israel's conduct violates its obligations to protect Palestinians under international human rights law, including: (i) right to life; (ii) right not to be subjected to torture or to cruel, inhuman or degrading treatment, including sexual violence; (iii) right to liberty and security; (iv) right not to be subjected to arbitrary or unlawful interference with privacy, family and home; (v) right to adequate standard of living, particularly housing; (vi) right to highest attainable standard of health; (vii) right to education; and (viii) right of children to engage in play and recreational activities.⁵⁷ Israel further breached international human rights law by neglecting to prevent foreseeable harm to Palestinians, including women and children, to prosecute perpetrators and to provide remedies for victims.

5. Israel's violations of international law in Gaza

54. The Commission has previously concluded that the Israeli authorities and forces have committed war crimes, crimes against humanity and the crime of genocide against Palestinians in Gaza.⁵⁸ The cases investigated for this report (paragraphs 34-35 and 39) show that the Israeli authorities and forces continue to commit genocidal acts with the genocidal intent to destroy, in whole or in part, the Palestinians in Gaza. Furthermore, the Commission found that much of the killing and harm caused to Palestinians is a direct result of Israel's expansion of territorial control.

55. In relation to the case where a male victim was severely mistreated (paragraph 41), the Commission finds that the acts of the guards amount to the war crimes of torture, rape and other forms of sexual violence, and outrages upon personal dignity, in particular humiliating and degrading treatment. In relation to the case where an HIV-positive man was stigmatised (paragraph 41), subjected to violence and forced partial nudity, and had his medication intentionally withheld, the Commission finds that these acts amount to the war crimes of torture, sexual violence, inhuman treatment and outrages upon personal dignity, in particular humiliating and degrading treatment.

56. The Commission also finds that the acts of sexual violence continue to be a part of a pattern to destroy the Palestinian as a group in Gaza. In relation to the two investigated cases of sexual violence by Israeli authorities and security forces against participants on the Global Sumud Flotilla heading for Gaza, the Commission finds that the acts are sufficiently connected to the armed conflict. In the two cases of sexual violence against the participants on the Global Sumud Flotilla, the acts amount to the crimes against humanity of rape and other forms of sexual violence, torture, other inhumane acts and persecution, based on gender, sexual orientation and political affiliation and support to the rights of Palestinians. Consistent with previous findings, the anal rape was perpetrated to degrade and humiliate the male victim by emasculation. In the other case, the victim was singled out due to his perceived sexual orientation.

57. Similar to the West Bank, the Commission finds that Israel has violated international human rights law in Gaza (see above, paragraph 53).

III. Conclusions

58. Since the 1947-48 war, Israel has continuously striven to expand territorially and displace Palestinians through violence. The intentional killing and harming of Palestinians have clear demographic and ethnic considerations that stem from Israel's colonising policies: seizing maximum land while minimizing the Palestinian population in relation to size, autonomy and viability. Such policies originate in historical practices and patterns of action and have resulted in the excessive and discriminatory application of lethal force, displacing and killing Palestinians over several generations, causing life-long physical or mental harm

⁵⁶ For example, A/HRC/62/CRP.2.

⁵⁷ A/HRC/62/CRP.2.

⁵⁸ A/HRC/60/CRP.3.

and disabilities. The Commission has repeatedly called for an end to the occupation, which has been ruled unlawful under international law, and an end to the cycle of increasing violence. Palestinians must be able to realize their right of self-determination.

59. Israeli state violence has accelerated since October 2023 and has, since the establishment of Israel, never claimed or impacted as many lives in the Occupied Palestinian Territory. Over 75,000 Palestinians across the Occupied Palestinian Territory have been killed since 7 October 2023, including at least 21,500 children, and 11,000 women. While Israeli authorities and security forces continue to commit genocide in Gaza, the situation in the West Bank has deteriorated drastically. Israeli military operations, complemented by sustained settler violence, form part of a widespread and systematic attack against the civilian population in the West Bank since 7 October 2023. Accordingly, the Commission concludes that the Israeli authorities and forces have committed the crimes against humanity of extermination, torture, rape and other forms of sexual violence in the West Bank, as well as persecution based on intersecting discriminatory grounds, with nationality, race and ethnicity at its core.

60. Sexual violence as a tactic of war has been used to displace, subjugate and destabilize the Palestinian people by humiliating and punishing on individual and collective levels. It includes the gravest forms, such as rape, reproductive violence and other forms of sexual violence also amounting to torture. People of all genders, ages and sexual orientations have been targeted for being Palestinian or due to their perceived political affiliation and support for the rights of Palestinians. The prevalence of sexual violence has been and continues to be widely reported, and met with almost complete impunity, indicating a tacit support of such practices by the Israeli authorities. Impunity for gender-based crimes against Palestinians indicates unwillingness, rather than inability, to act, underscoring the systematic and structural nature of the discrimination against Palestinians. Those responsible need to be punished to dismantle the permissive policy currently in place to guarantee non-recurrence.⁵⁹

61. Across the Occupied Palestinian Territory, Israeli forces deliberately killed and caused serious bodily and mental harm to Palestinian children on account of their status as Palestinian children. The Commission concludes that Israeli authorities and forces committed age-based persecution against Palestinian children in the West Bank, as they did in Gaza, which is a crime against humanity. The recurrence and widespread nature of attacks causing grave physical injuries and psychological harm demonstrate that the harm inflicted on children is not incidental or collateral to the broader violence affecting civilian population, but forms part of a pattern of intentional violence directed against Palestinian children. Notably, the absence of accountability has entrenched a discriminatory system in which violations and crimes against Palestinian children are repeatedly committed with impunity, normalized, and left without effective remedy or redress.

V. Killings and causing bodily and mental harm by Palestinian security forces

A. Introduction

62. The Palestinian Authority was established to assume interim governing responsibilities in parts of the West Bank and Gaza pursuant to the signing of the Declaration of Principles on Interim Self-Government Arrangements (1993 Oslo Accord) in September 1993⁶⁰ and the Gaza-Jericho Agreement in May 1994.⁶¹ Notably, the Palestinian Authority exercises differing degrees of legal authority in the West Bank across Areas A, B and C, with its jurisdiction excluding Israelis, pursuant to the terms of the Israeli-Palestinian Interim Agreement on the West Bank and the Gaza Strip (1995 Oslo Accord). In Area A, the Palestinian Authority has *de jure* civil authority and is responsible for internal security and public order for Palestinians, while in Area B, the Palestinian Authority exercises civil

⁵⁹ The Commission will continue to investigate sexual and gender-based violence against Israelis by members of armed groups.

⁶⁰ 1993 Oslo Accord, art. VI. <https://www.un.org/unispal/document/auto-insert-180015/>.

⁶¹ Agreement on the Gaza Strip and the Jericho Area ("Gaza-Jericho Agreement"), 4 May 1994, art. V, available at: <https://www.un.org/unispal/document/auto-insert-185298/>.

authority over Palestinians and is responsible for Palestinian public order, but Israel retains overriding security responsibility, for the protection of Israelis and matters related to counterterrorism. In Area C, Israel effectively retains full control over civilian and security matters.⁶² The Commission notes that Israel maintains full effective control of external security and movement in the whole of the West Bank and operates in all areas when it considers necessary for its security.

63. The Palestinian security forces were established pursuant to the Gaza-Jericho Agreement between the Government of Israel and the Palestinian Liberation Organization.⁶³ The primary functions of the Palestinian security forces include maintaining internal security and public order.⁶⁴ However, the Oslo Accords granted Israel the exclusive responsibility to guarantee “overall security of Israelis and Settlements” in the Palestinian territory⁶⁵ and, to that effect, institutionalised an elaborate system of security coordination between Israel and the Palestinian Authority, whereby the parties would exchange information and coordinate security policies and activities in the Occupied Palestinian Territory. The security cooperation has been described as the rationale for the Palestinian Authority’s existence, and thus compromised its legitimacy in the eyes of Palestinians. The cooperation has had adverse effects on civil and political rights, including the so called “revolving door policy” previously reported by the Commission.⁶⁶

B. Previous findings of the Commission

64. The Commission has previously made findings on the targeting of human rights defenders and civil society activists by the Palestinian Authority to silence dissenting opinions.⁶⁷ The eroding support for the Palestinian Authority, displayed by public criticism and nationwide protests in 2021, resulted in surges of repression and a legislative trend that the Commission concluded was crippling the vital work of civil society actors, violating rights to freedom of association, expression and opinion, and the right to peaceful assembly.

65. The Commission also concluded that the Palestinian Authority resorted to widespread sexual and gender-based violence to silence women human rights defenders and deter them from activism online or in public places through violence, threats and the reinforcement of negative gender stereotypes.⁶⁸ Harassment of women human rights defenders also resulted in their children suffering severe mental distress.⁶⁹ Cultural activists were also arbitrarily arrested and subjected to humiliating treatment during interrogations due to their actual or perceived sexual orientation, gender identity and expression.⁷⁰

C. Factual findings

66. According to OHCHR, there has been an increase in Palestinian security forces’ unnecessary or disproportionate use of force against Palestinians in the West Bank, resulting in the killing of at least 14 Palestinians, including two boys, between 7 October 2023 and 31 October 2025.⁷¹ Excessive force has been used during large-scale operations targeting Palestinians wanted by Israel while the Palestinian Authority attempted to reassert its control and authority, in particular Operation Protect the Homeland between 5 December 2024 and

⁶² Israeli-Palestinian Interim Agreement on the West Bank and the Gaza Strip (Oslo II), Annexes I and III. See for example, Annex I, art. III(b) and Annex III, art. IV.

⁶³ Gaza-Jericho Agreement, art. VIII and IX.

⁶⁴ Protocol Concerning Redeployment and Security Arrangements (“Protocol”), Annex I, art. IV, available at:

https://web.archive.org/web/20021125095250/http://knesset.gov.il/process/docs/heskemb2_eng.htm.

⁶⁵ Israeli-Palestinian Interim Agreement on the West Bank and the Gaza Strip (“Oslo II”), 28 September 1995, art. XII, available at: <https://www.un.org/unispal/document/auto-insert-185434/>.

⁶⁶ A/HRC/53/22.

⁶⁷ A/HRC/53/22.

⁶⁸ A/HRC/53/22.

⁶⁹ A/HRC/53/22.

⁷⁰ A/HRC/53/22.

⁷¹ A/HRC/55/28; A/HRC/58/28; A/HRC/61/26.

21 January 2025 in the Jenin camp and the surrounding area.⁷² Operation Protect the Homeland reportedly aimed at arresting members of Palestinian armed groups as part of the security cooperation between the Palestinian Authority and Israel.⁷³ Available information indicates that the operation was done with the approval of and in coordination with the Israeli authorities, who reportedly launched Operation Iron Wall in the Jenin camp a few hours after the Palestinian security forces' withdrawal.

67. On 9 December 2024 during Operation Protect the Homeland, Palestinian security forces killed a man and wounded his 15-year-old uncle in Al Jabryat neighbourhood. The two were riding a motorcycle and were stopped at a security checkpoint. One victim raised his hands and an officer shot at the ground near the motorbike, resulting in fragments hitting the victims. The Palestinian Authority initially denied any responsibility for the victim's death, attributing the killing to an armed group.⁷⁴ The Commission received information that the Palestinian Authority sought to conceal its responsibility for the killing and injuring of the victims. However, after footage of the incident was released, it announced on 12 December 2024 that the killing was an accident, a tragic mistake, caused by a warning shot gone wrong and that the security personnel had followed the rules of engagement.

68. According to reports, the Palestinian Authority has increased its repression of Palestinians who are perceived as critical of the Authority since October 2023, including intimidation, arbitrary arrest and detention, torture and ill-treatment of journalists, political activists and human rights defenders.⁷⁵ Protests across the West Bank in October 2023 against the Palestinian Authority and the war in Gaza were reportedly met with excessive use of force by the Palestinian security forces. At least two Palestinian men, one boy and one girl were killed during protests in Ramallah, Tubas and Jenin. The Palestinian Authority accepted responsibility for the killing of the boy who was run over by one of the security forces' vehicles during clashes with protesters.

69. The Palestinian Authority responded harshly to criticism of Operation Protect the Homeland. According to reports, protests against the operation were dispersed with tear gas and by beating women and men demonstrators.⁷⁶ Journalists, including women journalists, covering the events were reportedly targeted. The Commission investigated the killing of a woman journalism student, in Jenin refugee camp on 28 December 2024, who had been documenting violations committed by the Palestinian security forces in the camp, publishing critical content on social media. According to witnesses, a member of the Palestinian forces threatened to shoot the victim the previous day due to her perceived support of Palestinian armed groups. The victim was killed by a single shot to her neck in Mahyoub Street close to her home. There is conflicting information regarding whether there were ongoing clashes at the time of the victim's killing, but the Palestinian security forces had a significant presence in the street. Palestinian security forces fired multiple shots, initially hindering bystanders from helping the victim. The spokesman for the Palestinian security forces claimed that the victim was killed by "outlaws" in Jenin refugee camp and that the case was under investigation.⁷⁷ Key witnesses have not been asked to provide testimony.

70. The Palestinian Authority has announced that it would conduct investigations into every killing in Jenin camp and surrounding areas during Operation Protect the Homeland.⁷⁸ However, the Commission notes that such investigations seem to have been opened only on

⁷² A/HRC/61/26.

⁷³ A/80/337.

⁷⁴ <https://www.wafa.ps/Pages/Details/109496>. See also <https://www.un.org/unispal/wp-content/uploads/2024/12/Teen-killed-by-Palestinian-Security-Forces-in-the-Occupied-West-Bank.pdf>.

⁷⁵ A/HRC/61/26, para. 48; A/HRC/58/28, paras. 45 and 49; <https://www.un.org/unispal/document/ohchr-palestinian-authorities-must-stop-practices-of-arbitrary-detention-torture-and-ill-treatment-en-ar/>.

⁷⁶ <https://www.ohchr.org/sites/default/files/documents/countries/israel/2026-09-04-thematic-report-palestinian-refugee-camps-en.pdf>.

⁷⁷ <https://www.wafa.ps/Pages/Details/110797>.

⁷⁸ A/HRC/61/26.

an exceptional basis and that victims and witnesses have been pressured not to file complaints.⁷⁹

71. The Commission has previously reported on the lack of accountability by the Palestinian Authority and the failure to provide effective remedies to victims for violations of international law.⁸⁰ The Commission has received information indicating that this trend continues. There is a concerning number of cases of prisoners of conscience subjected to arbitrary detention. For prisoners of conscience and others detained because they were being pursued by the Israeli authorities, the Palestinian Authority reportedly also ignores court release orders, leading to persons being detained for periods exceeding the legally prescribed limits.⁸¹

G. Legal Analysis

72. The conduct of Palestinian Authority against Palestinians in the West Bank is analysed within the context of international human rights law.

73. In relation to the incident of 9 December 2024, the Commission finds that the Palestinian security forces used excessive and unlawful lethal force and wrongfully caused the death of one victim and the injury of another. As the acts of the Palestinian security forces are attributable to the State of Palestine, the Commission concludes that the State of Palestine has violated the right to life and the right to security of the person. The Commission also finds that the act against the child has further violated his rights under the Convention on the Rights of the Child, namely the rights to life, survival and development and the right to be protected from all forms of physical violence, including violence committed by state actors. In relation to the incident of 28 December 2024, the Commission received information that the victim was threatened for her perceived support of Palestinian armed groups; if verified, it would amount to a violation of her rights to freedom of expression and to hold opinion.

H. Conclusion

74. Palestinian state violence has targeted and continues to target members of opposing Palestinian armed groups and repress Palestinian civil and political opposition. The Palestinian Authority continues to struggle with credibility and legitimacy, more so following Israeli attacks on Gaza and the West Bank. It targets Palestinians who voice dissenting civil and political views, including journalists and human rights defenders, resulting in killings and physical and mental harm, leading to an increasingly diminished civic space.⁸²

75. The Commission concludes that the Palestinian Authority has violated the right to life and the right to security of person. The Palestinian Authority has also failed to conduct prompt, effective and impartial investigations into incidents of killings to establish the truth, and to ensure effective remedy, including financial compensation, to victims and their family members.

76. The Commission also concludes that in accordance with its previous findings, women journalists and protesters continue to be among those who are silenced through threats and violence. The Palestinian Authority must take all appropriate measures to ensure women's equal right to participate in civil society and public and political life in accordance with the Convention on the Elimination of All Forms of Discrimination Against Women.⁸³

VI. Recommendations

To the Government of Israel:

⁷⁹ A/HRC/61/26; <https://www.ohchr.org/sites/default/files/documents/countries/opt/occupied-palestinian-territory-overview-report-east-jerusalem-practices-en.pdf>.

⁸⁰ A/78/198.

⁸¹ <https://www.ichr.ps/public/page/125218>.

⁸² A/HRC/53/22.

⁸³ A/HRC/53/CRP.1.

- (a) In compliance with the advisory opinion of July 2024 of the International Court of Justice, immediately end the unlawful occupation of Palestinian territory, cease all new settlement activities, remove all settlers and settlements, and remove all obstructions to the full exercise of the Palestinian people's right to self-determination;
- (b) Immediately end the commission of genocide in Gaza, comply fully with the January, March and May 2024 orders for provisional measures of the International Court of Justice, and act immediately on obligations to prevent and punish genocide and incitement to genocide under the Convention on the Prevention and Punishment of the Crime of Genocide;
- (c) Comply fully with international humanitarian and human rights law in military and law enforcement operations, and cease targeting civilians and civilian objects indispensable to the survival of a people;
- (d) Ensure that the rules of engagement for military and security personnel strictly adhere to international standards, investigate, prosecute and punish those who commit violations of international humanitarian law and international human rights law;
- (e) Ensure effective investigation and accountability measures for any unlawful or wrongful use of artificial intelligence during its operations in the Occupied Palestinian Territory;
- (f) Provide effective remedies, including compensation, restitution and rehabilitation, for families of persons killed or injured, including victims of sexual violence, and those who suffered destruction of property;
- (g) End and reverse confiscation and appropriation of Palestinian property and reservation of Palestinian land for military purposes, including during military operations in the Occupied Palestinian Territory for the creation of buffer zones, corridors and access; return all confiscated land to its Palestinian owners;
- (h) Immediately cease the perpetration of rape and other forms of sexual and gender-based violence.⁸⁴ Establish gender-specific protocols and conditions of detention, including in relation to searching prisoners and access to reproductive health care. Duly investigate and prosecute all allegations of sexual and gender-based violence including reproductive harm and violence;
- (i) End impunity for violations and crimes against Palestinian children by ensuring independent investigations and prosecution of those responsible, in line with the Commission's previous recommendations,⁸⁵ dismantling security practices of Israeli occupation that expose children to recurring harm, and ensuring truth, reparation and guarantees of non-repetition for children and their families.

To the Government of the State of Palestine:

- (a) Conduct independent investigations into alleged violations of international humanitarian and human rights law and provide remedies for the harm suffered by victims who were wrongfully killed and injured by the Palestinian security forces, including restitution, compensation and rehabilitation;
- (b) Cease the targeting of human rights defenders, including women journalists, and take concrete actions to prevent, investigate, prosecute and provide remedies for such violent acts.

To all Member States:

- (a) Employ all means reasonably available to them to prevent and punish the crime of genocide in Gaza in accordance with obligations under international law;
- (b) Investigate and prosecute suspects where permitted or required under domestic law, including through forms of universal jurisdiction, of crimes that occurred in the Occupied Palestinian Territory;

⁸⁴ A/HRC/58/CRP.6.

⁸⁵ A/HRC/62/CRP.2.

- (c) Not recognise as legal the unlawful occupation of and settlements in the Occupied Palestinian Territory and not render any form of political, military and economic aid or assistance or cooperation in maintaining the occupation and settlements;
- (d) Establish clear regulations and frameworks governing the use of Artificial Intelligence, including its use during armed conflicts and law enforcement operations;
- (e) Cooperate and support the Office of the Prosecutor of the International Criminal Court in the *Situation in the State of Palestine* and counter efforts aimed at weakening the Court's independence and impeding its work, including sanctions directed at the Court and its officials.

To the Prosecutor of the International Criminal Court:

- (a) Examine, within its continuing investigation in the *Situation in the State of Palestine*, the crimes committed in Gaza and the West Bank, including genocide, crimes against humanity, and war crimes for amendment to existing arrest warrants and addition to future application for arrest warrants.

Advance unedited version