Analytical Report of the Impact on Women's Economic Status and Participation in the Labour Market in the West Bank: Restriction of Freedom of Movement and Economic Property

MIFTAH - Palestinian Initiative for the Promotion of Global Dialogue and Democracy

2025

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MIFTAH publications, 2025

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Table of Abbreviations

Acronym	Full Name
CEDAW	Convention on the Elimination of all forms of Discrimination Against Women
CSOs	Civil Society Organisations
GA	General Assembly
GCIV	Fourth Geneva Convention
ICC	International Criminal Court
ICJ	International Court of Justice
ICCPR	International Covenant on Civil and Political Rights
ICERD	International Convention on the Elimination of Racial Discrimination
ICESCR	International Covenant on Economic, Social, and Cultural Rights
ICL	International Criminal Law
IHL	International Humanitarian Law
IHRL	International Human Rights Law
IL	International Law
MIFTAH	Palestinian Initiative for the Promotion of Global Dialogue and Democracy
PA	Palestinian Authority
SC	Security Council
UN	United Nations
WB	West Bank
WPS	Women, Peace, and Security Agenda

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Executive Summary

Israeli measures, including settler violence and restrictions on freedom of movement, have profoundly undermined Palestinian women's access to economic rights, exacerbating their economic marginalisation and disempowerment. These measures, integral to Israel's settler colonial policy, systematically obstruct women's ability to work, sustain businesses, and achieve financial independence, with devastating consequences for their economic status and participation in the labour market.

Settler Violence and Economic Disempowerment

Settler violence disproportionately targets Palestinian women, particularly those in the agricultural sector, which constitutes a vital pillar of the Palestinian economy. Of the 260 women surveyed, 82.7% reported attacks while working in their fields, and 17.3% experienced violence targeting their homes. These attacks peak during harvest seasons, with 26% occurring in October and 10.3% in November, coinciding with the olive harvest. Women reported multiple forms of violence, including physical assaults (30.4%), crop destruction (47.6%), theft of equipment and crops (30.1%), and access restrictions (33.1%).

The economic consequences of settler violence are severe. Among women affected, 42.7% reported significant financial losses, including the destruction of crops, theft of agricultural equipment, and loss of herds. Attacks on homes resulted in economic damages for 44.8% of respondents, including high repair costs and loss of livelihood. Environmental degradation was reported by 13.2% of women, including soil pollution and burning of trees. Psychological and social impacts were also significant, with 17.6% of women reporting fear, trauma, and forced displacement. These compounded effects have led to increased poverty, unemployment, and family tensions, further undermining women's economic agency.

Restrictions on Freedom of Movement

Israeli checkpoints and mobility restrictions severely limit women's ability to access workplaces, markets, and essential services. Among the 266 women surveyed, 100% of employed women reported delays caused by checkpoints, with 92% facing problems with employers. These issues included salary deductions (9.4%), threats of termination (8%), and increased workloads (5.8%). As a result, 40.7% of employed women were forced to leave their jobs, while others experienced reduced salaries (7.6%), increased transportation costs (7%), or displacement closer to workplaces (3.8%).

Women entrepreneurs faced similar challenges, with 87.2% marketing their products outside their towns or villages. Among them, 35.5% reported economic losses due to

delays at checkpoints, and 29.5% experienced reduced productivity and competitiveness. Many were forced to adopt alternative strategies, such as relying on social media (29.5%), reducing operations (21.8%), or changing the nature of their products (19.2%). Despite these efforts, 8.3% of women were forced to close their businesses, while 4.7% accumulated debt and were unable to repay loans.

Women involved in family businesses also suffered significant setbacks. Among them, 26.8% reported decreased income, 14.6% faced debt accumulation and bankruptcy, and 20.5% experienced product spoilage due to delays. Additionally, 20.5% reported difficulty delivering products to markets, while 14.5% faced increased transportation costs. These restrictions not only undermine women's financial independence but also disrupt production chains and limit access to essential inputs.

Psychosocial and Social Impacts

The economic strain caused by Israeli measures has severe psychosocial consequences for women. Among employed women, 9.6% reported constant worry due to their inability to meet basic needs. Women entrepreneurs experienced psychological stress (8.9%), while 48.8% of women in family businesses reported feelings of anxiety, fear, and depression. Social isolation was reported by 26.7% of women, while 11.7% experienced increased family tensions. These impacts hinder women's ability to work, develop their businesses, and maintain social relationships.

Structural Barriers to Economic Empowerment

Israeli policies systematically obstruct women's economic empowerment by creating a coercive environment that limits mobility, access to resources, and opportunities for economic participation. The neoliberal definition of empowerment, which focuses on individual agency and access to markets, fails to address the structural conditions of occupation and settler colonialism. True economic empowerment for Palestinian women requires dismantling these structures and addressing the systemic violence that restricts their mobility and access to economic rights.

Legal Violations

These practices violate several provisions of international law, including the Fourth Geneva Convention, International Covenant on Civil and Political Rights, and International Covenant on Economic, Social, and Cultural Rights. They contravene women's rights to work, dignity, and an adequate standard of living, as well as protections against collective punishment and racial discrimination.

Recommendations

Israeli measures, including settler violence and movement restrictions, have devastating impacts on Palestinian women's access to economic rights. These policies not only violate international legal protections but also perpetuate structural discrimination and economic marginalisation. Women's empowerment in Palestine cannot be achieved

without addressing the root causes of occupation and settler colonialism, which systematically deny their economic agency and autonomy.

To address these issues, the report provides targeted recommendations to the international community, the State of Palestine, and Palestinian civil society. The international community should apply sustained pressure on Israel to remove checkpoints and end collective punishment and forced displacement, support the ongoing investigation at the International Criminal Court and pursue accountability for war crimes and crimes against humanity, and redefine the concept of women's empowerment in the Palestinian context to account for the structural effects of occupation and settler colonialism. The State of Palestine should mobilise international support to advocate for Israel's suspension from key international institutions and impose sanctions to end the occupation, and prioritise budget allocations for the agricultural sector to support women farmers and entrepreneurs affected by settler violence and movement restrictions. The Palestinian civil society should expand legal aid and psychosocial support services for women affected by settler violence and movement restrictions, particularly in remote areas, reframe the discourse on Palestine in international platforms to situate violations within the broader framework of settler colonialism and systematic elimination of the indigenous population, and lobby for a new UN Security Council resolution under the Women, Peace, and Security agenda to address the specific needs of women living under prolonged colonial occupation.

Introduction and Report Methodology

Israel's admission to the United Nations (UN) via Security Council (SC) Resolution 69 on March 4, 1949,[1] and General Assembly Resolution 273 on May 11, 1949,[2] was based on the borders demarcated in the Armistice agreement. In the 1967 war between Israel on one side and Egypt and Syria on another, Israel seized control of the West Bank (WB), including East Jerusalem, from Jordan, as well as the Gaza Strip from Egypt. In light of the inadmissibility of the acquisition of territory through the use of force, the control of the WB, including Jerusalem, and Gaza amounts to a military occupation.[3]

The Oslo II agreement in 1995 divided the WB, excluding Jerusalem, into three administrative zones for an interim transitional period that was intended to extend to five years; Area 'A', Area 'B', and Area 'C'. In Area 'A, which constitutes 17.2% of the total area of the WB, the Palestinian Authority (PA) enjoys full civil and military control. In Area 'B', which constitutes 23.8% of the total area of the WB, the PA is responsible for civil affairs and Israel has military control. In Area 'C', which constitutes 59% of the total area of the WB, Israel enjoys full civil and military control, which extends to include issues of zoning and planning. It is important to note that Area 'C' holds 63% of the WB's agricultural lands.[4]

This report analyses human rights violations perpetrated by the Israeli occupation against Palestinian women. Specifically, this report focuses on the gendered implications of checkpoints and settler violence in the WB, as well as the impact of restrictions on freedom of movement and economic losses related to property on women's economic status and their participation in the labour market. The report is based on 526 questionnaires collected by field researchers from the Palestinian Initiative for the Promotion of Global Dialogue and Democracy (MIFTAH). It highlights the Israeli occupation's practices as part of a broader settler colonial policy and covers two primary topics:

1.**Freedom of Movement**: 266 questionnaires address the impact of military checkpoints on women's economic status.

2. **Settler Violence:** 260 questionnaires focus on settler violence in the agricultural sector, a pillar of the Palestinian economy, and its economic impact on Palestinian women.

Israel's settler colonial policy refers to strategies and practices aimed at maximising the acquisition of Palestinian, while minimising the Palestinian population residing on it. To this end, Israel's settler colonial policy employs three mutually reinforcing strategies: i) land confiscation and denial of use, ii) increasing the number of Israeli settlers through

[1] United Nations Security Council Resolution 69 (4 March 1949).
[2] United Nations General Assembly Resolution 273 (11 May 1949).
[3] Charter of the United Nations, Article 2(4).
[4] PASSIA, 'Area C: The Key to the Two-State Solution' December 2012) <http://passia.org/media/filer_public/d0/fd/d0fd4de4-c909-413d-9cff-db058bece0fc/area-c.pdf> 2.

settlement expansion, and iii) decreasing the number of Palestinians through forced displacement, including the imposition of a coercive environment.[5]

Several practices are embedded at the core of this policy-including but not limited to- the restriction of freedom of movement through checkpoints and other means and settler violence. The network of military checkpoints, roadblocks, and fences,[6] particularly those forming part of the Apartheid Wall, prevents Palestinians from accessing their land, which is the most fertile agricultural land in the WB. This denial of access to land, is a key part of enabling land takeover by the Israeli occupation.[7]

The prevalence and persistence of settler violence is a key element of the coercive environment imposed by the occupation. This environment aims to undermine the resilience of Palestinians, and drive them out of their land and homes to enable settler takeover.[8] With this in mind, the Israeli occupation achieves two goals: the displacement of Palestinians, and land takeover for the purposes of settlement expansion.

The research team analysed the questionnaires and organised primary data from them to highlight key aspects of settler colonialism in the WB. This report aims to present these findings and provide an analysis of the international legal provisions violated by these practices. This legal framework includes international humanitarian law (IHL), international human rights law (IHRL), and international criminal law (ICL), in addition to the Women, Peace, and Security (WPS) agenda, where relevant.

Following this introduction, the report consists of four additional substantive sections:
1. **Settler Violence:** this section presents primary research findings related to settler violence. It offers an overview of settlement expansion and settler violence, the intensification of settler attacks -particularly under the current Israeli government and since October 2023. It also provides a legal analysis of the violations under IHL, ICL, IHRL, and the WPS agenda.

2. **Restrictions on Freedom of Movement:** this section provides an overview of Israel's permit regime and the broader system of movement restrictions, including checkpoints. It examines how these measures have escalated under the current Israeli government and since October 2023. The section includes a legal analysis of the **right to freedom of movement** under IHL and IHRL

[5] Osama Risheq, Tamara Tamimi, Raghad Adwan 'Where Have the Youth Disappeared? The Visible Invisibility of Youth Political Activism in the E-1 Bedouin Communities' (2024) Cambridge Journal on Law, Politics, and Art Special Edition The Human Agenda, 228.
[6] Amnesty International, *Israel's apartheid against Palestinians: a cruel system of domination and a crime against humanity* (Amnesty International, 1 February 2022) <https://www.amnesty.org/en/latest/news/2022/02/israels-apartheid-against-palestinians-a-cruel-system-of-domination-and-a-crime-against-humanity/>.
[7] Jason Burke and Sufian Taha, *'They lock us in like sheep': new Israeli checkpoints and barriers raise fears in the West Bank* (The Guardian, 15 March 2025) <https://www.theguardian.com/world/2025/mar/15/israeli-checkpoints-barriers-raise-fears-in-the-west-bank>.
[8] Office of Coordination of Humanitarian Affairs, *Israeli Settler Violence in the West Bank* (OCHA, November 2011) <https://www.ochaopt.org/sites/default/files/ocha_opt_settler_violence_FactSheet_October_2011_english.pdf> 2.

3. **Women's Economic Rights under International Law (IL):** this section provides a legal analysis of **women's economic empowerment** and **access to economic rights**, drawing on international legal frameworks.

4. **Recommendations:** the final section outlines **policy and legal recommendations** tailored to national stakeholders -namely the PA and **Palestinian civil society**- as well as **international actors**, including **UN agencies**, **states**, and the **International Criminal Court (ICC)**.

Systematic Settler Violence on the Agricultural Sector

This section is based on the 260 questionnaires documenting settler violence against Palestinian women, with a focus on the agricultural sector. Settler attacks, which have significantly increased under the current far-right extremist Israeli government, particularly since October 2023. These settlers have exploited what the UN, including special rapporteurs and the International Court of Justice (ICJ),[9] international organisations,[10] and scholars[11] have described as a genocide in Gaza to further entrench Israeli settler colonialism across the WB, including Jerusalem.

This section presents findings in relation to the impact of settler violence, particularly violence targeting agricultural land and farmers, on women's economic empowerment. It analyses patterns of settler violence, types of attacks, economic consequences, and the complicity of the Israeli occupation in enabling settler violence.

Primary Research Findings

Description of research sample:

1. The research sample exploring settler violence against Palestinian women, with a particular focus on the agricultural sector, covers seven governorates across the WB: Bethlehem (48 cases= 18.5% of sample), Salfit (43 cases= 16.5%), Tulkarem (43 cases= 16.5% of sample), Hebron (42 cases= 16.2%), Nablus (42 cases= 16.2%), Tubas (28 cases= 10.8%), and Jericho and Jordan Valley (14 cases= 5.4%).
2. Of the 260 women in the sample, the majority are married (211), followed by 31 single women, 12 widowed women, and six divorced women. At the family level, 31.5% of women have no children, 56.2% have one to four children, and 12.4% have five or more children.
3. The majority of the women do not have any kind of disability, with 253 women (97.3%) reporting no disability. Seven women (2.7%) reported having a disability: four women experienced partial or severe visual impairment, and three women reported physical disability among their children.

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[9] Human Rights Council, *Anatomy of a genocide: Report of the Special Rapporteur on the situation of human rights in the Palestinian territories occupied since 1967, Francesca Albanese* (General Assembly, 1 July 2024) <https://www.un.org/unispal/wp-content/uploads/2024/03/g2404611.pdf>.
International Court of Justice, *Application of the Convention on the Prevention and Punishment of the Crime of Genocide in the Gaza Strip (South Africa v. Israel) Request for the Indication of Provisional Measures* (ICJ, 26 January 2024) <https://www.icj-cij.org/sites/default/files/case-related/192/192-20240126-ord-01-00-en.pdf>.

[10] Amnesty International, *'You Feel Like You are Subhuman': Israel's Genocide Against Palestinians in Gaza* (Amnesty International, 5 December 2024) <https://www.amnesty.org/en/documents/mde15/8668/2024/en/>.
Human Rights Watch, *Extermination and Acts of Genocide: Israel Deliberately Depriving Palestinians in Gaza of Water* (Human Rights Watch, 19 December 2024) <https://www.hrw.org/sites/default/files/media_2024/12/gaza1224web.pdf>.
Boston University, *Is Israel Committing Genocide in Gaza? New Report from BU School of Law's International Human Rights Clinic Lays Out Case* (Boston University, 5 June 2024) <https://www.bu.edu/articles/2024/is-israel-committing-genocide-in-gaza/>.

[11] Raz Segal, *A Textbook Case of Genocide: Israel has been explicit about what it's carrying out in Gaza. Why isn't the world listening?'* (Jewish Currents, 13 October 2023) <https://jewishcurrents.org/a-textbook-case-of-genocide>.
Omer Bartov, *I'm a Genocide Scholar. I Know It When I See It* (New York Times, 15 July 2025) <https://www.nytimes.com/2025/07/15/opinion/israel-gaza-holocaust-genocide-palestinians.html>.

Patterns of violence:

4. Settler violence against Palestinians, particularly targeting agricultural land, has increased significantly since October 2023. The Israeli occupation has exploited the ongoing genocide in Gaza to advance its settler colonial expansionist endeavours. By March 2025, documentation has recorded 62 settler attacks, reflecting a troubling trend that suggests a rise in incidents from 2024, which saw a total of 195 settler attacks (an average of 16.25 incidents per month). In comparison, only 2 settler attacks were documented in 2023.
5. Documentations reveal that while settler violence against agricultural sector and farmers is persistent, it peaks during harvest seasons. For example, out of 260 settler attacks, 71 attacks (26%) occurred in October, and 28 attacks (10.3%) in November - both months coincide with the olive harvest. Additionally, 63.5% of the attacks occur during specific points in the agricultural season, including: the farming preparation phase (18.5%), harvesting stage (particularly olives and grapes) at 25.8%, the pasture and livestock breeding period (10.4%), and the crop growth period (such as irrigation, pruning, and crop care) at 8.8%. One woman from Tayasir village in Tubas governorate describes her experience as follows:

   'At the beginning of each agricultural season, their (the settlers) attacks and harassment increase. Every Saturday of each week we go to our land, taking a tractor to pave and prepare the land for planting. Each time the settlers attack us, steal our tractor, expel us from our land, and threaten to kill or arrest us.'
6. A clear pattern has emerged, showing that settler attacks primarily occur during the early hours of the morning. Of the recorded attacks, 49.6% occurred between 6:00 AM- 12:00 PM, followed by 24.6% between 1:00- 5:00 PM, then 16.9% between 6:00 PM- 12:00 AM, and last with 3.1% between 1:00- 5:00 AM.
7. Documentation also reveals that settler violence incidents often occur in the form of group attacks. Of the documented incidents, 33.4% were perpetrated by groups, comprising of more than 10 settlers, while 34.6% were perpetrated by groups of 6 to10 settlers, with a substantial number of these settler attacks taking place under the protection of the Israeli occupation army (further elaborated below).
8. The majority of the attacks are perpetrated by settlers from nearby settlements. Specifically, 57% of attacks took place by settlers whose settlements are located less than 1 kilometres away from the attack site, while an additional 25.8% where the settlement is 1-5 kilometres away.

Types of Attacks:

9. Documentations reveal a concentrated targeting of the agricultural sector in Palestine by settlers, with 82.7% of the attacks focused on farmers working in their fields and 17.3% targeting their homes. Attacks on homes result in significant damage, and in 84.4% of the cases, alternative housing is unavailable. The attacks on agricultural land take multiple forms, including physical assaults, crop destruction, theft, and access restrictions. Notably these often involve more than one type of violation.

10. **Physical assaults:** 30.4% of the respondent women reported that settler attacks on the agricultural sector involved physical assault against them and/or their families, resulting in physical injuries. These injuries included fractures (22.8%) such as broken ribs, arms, legs, chest, and skull; bruises across the body (31.6%); lacerations to the head, hands and back (8.9%); injuries from bullets, sticks, and knives and other white cold weapons (6.3%), burns or injuries caused by sound grenades and tear gas bombs (7.6%); injuries from red pepper spray to the eyes and respiratory system (10.1%); as well as psychological trauma, such as fear, shock, and fainting (8.9%). In cases where homes were attacked, 8.2% of the respondents reported being subjected to physical assaults that resulted in injuries.

11. As youth are the primary workforce in the agricultural sector, it is not surprising that they are the most subjected to physical attacks. Youth (aged 18-35 years) represent 42.2% of total victims, followed by middle-aged individuals (36-55 years) at 26.7%. Both children (aged 5-17 years) and elders (aged 56-68 years) account for 15.6% of the attacks each. One woman from Massafer Yatta in Hebron governorate elaborates her experience with physical assault as follows:

> *'I went with my son and daughter to our land. My son was herding the flock, I was collecting Akub (Gundelia), and my daughter was close to us, when the settlers came. One of the settlers was on a horse and other on a tractor, and they had trained dogs with them. They gave the dogs the order to attack us, and one of the dogs attacked me and the other attacked my son, aggressively lacerating his skin and bone. We yelled for others to come and help us and save us, but one of the settlers hit me on the head with his weapon, and then threw a grenade at my son which burned him and burned the crops. Then, the two settlers ran away, and the neighbours came to help us, called an ambulance, and took my son to the hospital. In this attack, I lost my gold earring.'*

12. **Crop damage**: 47.6% of the respondent women reported that settler attacks involved damage to agricultural crops and cropland. This includes destruction of crops (15.9%), uprooting of trees (13.7%), burning of crops and trees (7.1%), use of wastewater to pollute the land (3.5%), land levelling or destruction of agricultural facilities (6.5%), and urination on crops (0.9%). Assaults involving crop damage are associated with the involvement of the occupation's military forces and their complicity, as further explained below. A woman from Khirbet Maeen, in Masafer Yatta, in Hebron governorate shares:

> *'At about 6:00 AM at the beginning of the road separating Maon settlement from the house that we live in, and after about fifteen minutes, a group of settlers, approximately 20 settlers, invaded the iron door of the land area, broke it down, removed the fence surrounding the land, and then invaded the piece of land with a tractor, uprooting and destroying all the crops in the land. They uprooted more than 60 trees of olives and pinenuts and stole an electric motor and agricultural equipment. The settlers were accompanied by the*

occupation's military, which formed a shield around them to enable them to destroy our land.'

13. **Theft:** 30.1% of the respondent women said that the settler assaults involved theft of crops and equipment. This includes stealing crops (10.6%), agricultural equipment (9.3%), or herds (4%), as well as stealing both corps and equipment, and confiscating personal possessions (6.2%). A woman from Hares village in Salfit governorate shares:

'This is not the first time we are attacked by settlers who steal all our agricultural equipment for the olive harvesting season, including the axe, bans, ladder, and olive rugs, among others. Despite this, we don't give up and we buy new equipment every time and return to our land. Apart from that, they uprooted more than 100 olive trees and prevent us from harvesting our fruits. Even the land's fence and the rock barriers were destroyed and demolished.'

14. **Access restrictions:** 33.1% of respondent women reported that settler assaults were also associated also with access restrictions, often by the occupation's military and soldiers, as elaborated below. This includes preventing access to land (15.9%), prohibiting Palestinians from cultivating crops (15.3%), land confiscation or takeover (1.5%), and preventing herds from reaching water sources (0.4%). A woman from Burin village in Nablus governorate shares her experience:

'We went in the morning to the greenhouse to work, and were stopped by the guard of the settlement, who was present before we reached the land. He threatened us to use his weapon if we tried to enter this day or any other day. We were called by the Israeli civil administration (the military body responsible for administering the WB), who told us not to enter our land. We were prevented from entering our land for more than 15 days.'

Consequences of Settler Attacks:

15. In addition to the physical injuries and damages discussed earlier, settler attacks have several other far-reaching, consequences, including economic, environmental, and psychological impacts.

16. **Economic consequences:** 42.7% of respondents affected by attacks on agricultural land reported significant economic consequences. These include crop damage and theft, land confiscation, uprooting or burning trees, theft of agricultural equipment, loss of herds, and destruction of infrastructure. In attacks on homes, 44.8% of respondents confirmed the economic damages, which stem from the destruction of homes, continuous rehabilitation costs, high repair expenses, loss of sources of livelihood, and the destruction of infrastructure and resources.

17. **Environmental consequences:** 13.2% of respondents reported environmental consequences resulting from settler attacks. These include soil degradation, land pollution using wastewater, burning of trees and crops, and the destruction of water sources.

18. **Psychological and social consequences:** 17.6% of respondents clarified the wide-ranging psychological and social impacts of settler attacks. These effects include

fear, terror, loss of livelihood, forced displacement, and psychological shocks. Among respondents who experiences attacks on their homes, 46.9% reported severe psychological and social consequences, manifesting as ongoing fear and anxiety, shock in children, post-traumatic stress disorder, involuntary urination, decline in educational performance, inability to leave the house, loss of social relationships due to fear and isolation, a diminished sense of security and stability, a loss of personal identity and memories , and an inability to heal from the trauma.

19. Women's testimonies reveal the compounded and usually overlapping consequences of settler attacks.

> *'We live in a family environment that is dominated by fear, lack of safety and security, and continuous postponement of work to other times. In addition we face psychological pressures due to anxiety, continuous thinking of the future, and how we are going to make ends meet, in addition to the economic impacts of accumulation of debt, complete absence of sources of livelihood, and our inability to reach food security. All of this led to increasing family problems, which increased rates of poverty and unemployment.'*

> *'The continuous assaults and erection of settlement outposts have dire economic and psychological consequences on our families, including loss of source of income due to the destruction of our land, increase in rates of poverty and unemployment, inability to achieve food sufficiency and security, which led to family problems, lack of security and fear, displacement of so many families, and psychological impact especially on us as women and our children due to continuous violence and lack of security.'*

> *'The prevalence of stealing and of ruining the crops is costly at the economic level particularly as we have to pay the cost of water and seedlings, apart from cost of medicine, fertilisers, and employees. This is particularly the case as there isn't any side to compensate us for the losses. We feel utter despair many of the times because agriculture is costly and takes a lot of time and effort, and when we reach the harvesting point, all the effort put by farmers is gone as the crops are stolen or ruined by the settlers.'*

Occupation's Involvement and Complicity:

20. Documentation clearly reflects the involvement and complicity of the occupation's army in settler attacks against Palestinians and agricultural sector: 53.8% of respondents confirmed the presence of occupation soldiers during the attack. This presence took including direct participation in the attack, providing protection to settlers, or offering legal cover.

21. A total of 30.3% of the respondents described how occupation soldiers provided protection to settlers during assaults against Palestinians, monitoring the settlers and any reactions from Palestinian witnesses. As one respondent from Dura in Hebron governorate states:

'The occupation's soldiers were providing protection to settlers and monitoring if there is any reaction from the witnesses. This happened while my sister and I were picking olives from our land, and a group of settlers holding sticks attacked us with the soldiers looking at them and providing protection. When members from our village came, the soldiers restricted their access to the women to protect them, and then they warned all of us to leave and not to return to the land.'

22. Soldier's indirect involvement: in 18.2% of documents cases, respondents confirmed that occupation soldiers were present during settler assaults. For example, a women from Yasouf village in Salfit governorate, reported that she, her husband, and son where in the land when the attack took place:

'Our home is in close proximity to our land. We heard the sound of a chainsaw and immediately knew that the settlers have come to cut our trees. We rushed to our land and found the settlers cutting the trees with the soldiers there, who yelled at us, cursed us, expelled us from our land, and threatened to cut my husband's hands.'

23. Another key facet, witnessed in 15.2% of documented cases, soldiers did more than accompany -they actively joined in settler-led violence. One case from Farkha village, near Salfit, involved a women, her husband, and three sons being assaulted, she said:

'When we tried to access our land to harvest our olive trees, we were prevented from reaching our land by the settlers in the presence of occupation's soldiers, who protected the settlers.'

24. Other forms that demonstrate the complicity of the occupation's army include providing legal cover to settler attacks (12.1%), preventing Palestinians from extinguishing fires or accessing their land (9.1%), using violence to disperse Palestinians (9.1%), and facilitating settlement expansion (6.1%). One case from Bardala in Tubas governorate said:

'They closed the checkpoint in our area completely, and stopped our car, which was loaded with crops, at the checkpoint for long hours. This led to the complete ruin of the crops. They also attacked us through severe beatings and abuse, in addition to cursing and humiliating us, and trying to arrest us.'

This same woman was prevented several times from accessing her land, explaining that the occupation's army uses her land for military trainings.

25. The complicity of the occupation is also evident in the significant proportion of Palestinians who chose not to submit complaints to official entities. Specifically, 75% (195 cases) of Palestinians affected by settler attacks decided not to submit a complaint, reflecting a deep lack of trust in the available justice mechanisms. Of the 65 cases where complaints were submitted, 90.8% did not result in any compensation, further highlighting the ineffectiveness of these so-called remedy mechanisms.

Background and Policy Analysis of Settler Violence

26. Israeli occupation commenced in settlement expansion from the very outset of its occupation of the remaining land of historical Palestine. Since then, the occupation has confiscated more than two million dunums of land throughout the WB.[12]

27. Additionally, the Israeli occupation directly exploits 76% of the land within Area 'C' of the WB, with regional councils of settlements controlling 63% of this land. The areas surrounding Israeli settlements are designated 'closed military zones,' totalling approximately 542 km^2 by the end of 2021-representing about 10% of the WB's total area.[13] Furthermore, land confiscated for the purposes of building military bases and trainings constitutes 18% of the WB, and 353,000 dunums of Palestinian land have been designated as natural reserves in preparation for expropriation. The Apartheid Wall has also isolated more than 10% of the WB's land.[14]

28. By end of 2024, the WB had approximately 737,332 settlers, including in Jerusalem, spread across 147 Israeli settlements and 224 outposts.[15]

29. In 2024, Israel confiscated over 6,000 acres of Palestinian land as state land, marking a 50% increase from the Oslo Accords.[16] Settlement construction increased by 19% in East Jerusalem and Area 'C' of the WB, with 59 new settlements announced -8 of which are located in Area 'B';[17] This marks the first-ever construction of settlements in Area 'B' since the Oslo Accords.[18] Most recently, on May 29, 2025, the Israeli security cabinet approved the establishment of 22 new settlements in the occupied WB, including the retroactive legalisation of settlement outposts previously built without government authorisation.[19]

30. There is an artificial distinction between settlements and settlement outposts. While the latter are constructed without government authorisation and lack official building plans, in practice, settlement outposts function as settlements in every significant way. Often referred to as 'farms,' settlement outposts receive ongoing support from Israeli occupation authorities and are rarely demolished. In fact, the Israeli government has instructed the military to defend the outposts and has financed their security, infrastructure development, and essential services. Roads are paved,

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[12] B'Tselem- The Israeli Information Center for Human Rights in the Occupied Territories, *State Business: Israel's Misappropriation of Land in the West Bank through Settler Violence* (B'Tselem, November 2021) <https://www.btselem.org/sites/default/files/publications/202111_state_business_eng.pdf > 7.

[13] PCBS, H.E. Dr. Awad, highlights the Forty- Sixth Annual Commemoration of Land Day in Statistical Figures (PCBS 2022) <https://pcbs.gov.ps/post.aspx?lang=en&ItemID=4208>.

[14] Ibid.

[15] United Nations Office of the High Commissioner of Human Rights, *STATE OF PALESTINE: Israeli settlements in the Occupied Palestinian Territory, including East Jerusalem, and the occupied Syrian Golan* (OHCHR, March 2025) <https://www.ohchr.org/sites/default/files/documents/hrbodies/hrcouncil/sessions-regular/session58/a-hrc-58-73-infographic-march2025.pdf> 1.

[16] Ibid.

[17] United Nations General Assembly, *Israeli Settlements in the Occupied Palestinian Territory, including East Jerusalem, and the Occupied Syrian Golan* (UNGA, 12 September 2024) <https://documents.un.org/doc/undoc/gen/n24/264/51/pdf/n2426451.pdf> 6.

[18] Peace Now, *2024 in the West Bank- The Year of Annexation and Expulsion* (Peace Now, February 2025) <https://peacenow.org.il/en/the-year-of-annexation-and-expulsion-summary-of-settlement-activity-in-2024> 2.

[19] Lorenzo Tondo, *Israel confirms plans to create 22 new settlements in occupied West Bank* (The Guardian, 29 May 2025) <https://www.theguardian.com/world/2025/may/29/israel-new-settlements-occupied-west-bank-palestinian-state>.

and water and electricity networks are laid down for most outposts. Additionally, these outposts are supported through various government ministries, such as the Settlement Division of the World Zionist Organisation and the regional councils in the WB. The Israeli government has also subsidised agricultural ventures, provided financial aid to new farmers and shepherds, allocated water, and legally defended outposts in petitions seeking their removals.[20]

31. Settler violence has been steadily on the rise under successive far-right Israeli governments. This trend has escalated further since the current Israeli government took office on December 30, 2022, and especially since October 2023. The following table outlines the number of settler attacks against Palestinians that have resulted in casualties and/or property damage:[21]

Year/Period	Total # of Attacks	Average # of Attacks/ Day
2022	852 Attack	2.3 Attacks/Day
1 January- 6 October 2023	862 Attack	3.1 Attacks/Day
7 October- 31 December 2023	428 Attack	5.0 Attacks/Day
2023	1,290 Attack	3.5 Attacks/Day
2024	1,449 Attack	4.0 Attacks/Day
1 January- 30 April 2025	487 Attack	4.1 Attacks/Day

32. The table above clearly demonstrates the rise in settler violence against Palestinians since the formation of the current Israeli government and especially since October 2023. This surge can be attributed to the composition and policies of current government, which is predominantly made up of far-right extremist settlers, signalling a shift of the settler movement from the fringe to the heart of the Israeli government. Two of the most prominent settler ministers in this government, Itamar Ben-Gvir and Bezalel Smotrich, openly advocate for the ethnic cleansing of Palestinians and the annexation of the WB. They have enacted several policies to advance these goals.[22] Upon its formation, the government explicitly stated its intention to expand the settlement enterprise in the WB. Agreements signed with coalition parties included action plans for retroactively legalising Israeli outposts and annexing the WB. The appointment of Smotrich and Ben-Gvir to sensitive positions, along with the expanded power they were given during the coalition negotiations, sent a clear message of support for organised settler violence as a means to achieving the broader goal of land confiscation and eventual annexation of the WB. This agenda was further bolstered by the distribution of approximately 7,000 weapons to settlers in the WB.[23]

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[20] B'Tselem, *Settler Violence= State Violence* (B'Tselem, 25 November 2021) <https://www.btselem.org/settler_violence>.

[21] Office of Coordination of Humanitarian Affairs, *West Bank Monthly Snapshot: Casualties, Property Damage and Displacement* (OCHA, 27 May 2025) <https://www.ochaopt.org/sites/default/files/West%20Bank_infographic_19_May_2025.pdf> 1.

[22] Louis Imbert, *Bezalel Smotrich, the extremist settler, is making his mark on the Israeli government* (Le Monde, 9 March 2023) <https://www.lemonde.fr/en/international/article/2023/03/09/bezalel-smotrich-the-extremist-settler-is-making-his-mark-on-the-israeli-government_6018684_4.html>

[23] Yesh Din, *Data Sheet: Law Enforcement on Israeli Civilians in the West Bank (Settler Violence) 2005-2024* (Yesh Din, 16 January 2025) < https://www.yesh-din.org/en/data-sheet-law-enforcement-on-israeli-civilians-in-the-west-bank-settler-violence-2005-2024/> 3-4.

33. While settler attacks occur across all WB governorates, they are particularly concentrated in specific regions. Between January 1, 2024, and April 30, 2025, a total of 459 settler attack were reported in Ramallah governorate, followed by 391 in Nablus and 359 in Hebron. A second tier of attacks occurred in Salfit (147 attacks), Jerusalem (107 attacks), and Tubas (103 attacks). The map below shows the number of settler attacks per governorate, for the period of January 1, 2024, to April 3, 2025.

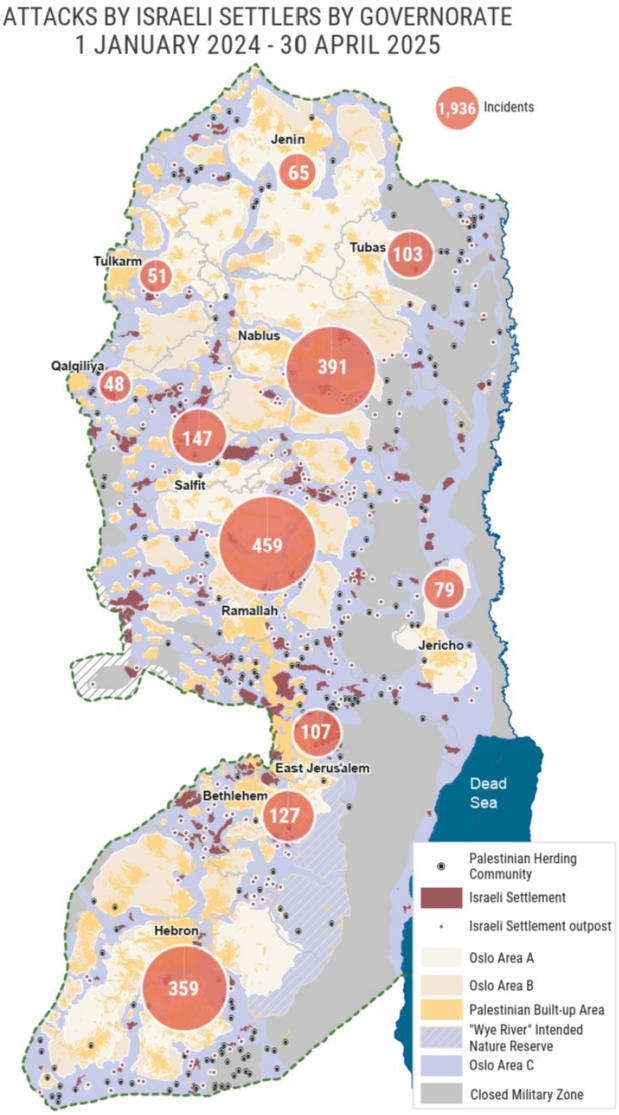

Figure 1: Number and Distribution of Settler Attacks by Governorate (January 2024- April 2025)[24]

34. Settler violence, often perpetrated by groups of settlers in organised mass riots, impacts Palestinians in numerous ways and is seen on a large scale across the WB. This violence is especially evident in the forms of fatalities, injuries, and displacement.

35. In terms of fatalities, settler violence resulted in the killing of 11 Palestinians, including 3 children, between November 1, 2023 and October 31, 2024. During the same period, 500 Palestinians were injured due to Israeli settler violence -388 men,

[24] OCHA (n 21) 1.

51 women, and 61 children, all boys.[25] In total, 17 Palestinians were killed and 392 were injured in 2023 due to settler violence. Comparatively, in 2024, of the death toll increased to 28 Palestinians, including 3 boys, with 764 individuals injured. From the beginning of 2025 until May 31, 2025, a total of 255 Palestinians were injured due to settler violence.[26]

36. In terms of displacement, a total of 680 Palestinians, including over 310 children, were displaced due to settler violence and access restrictions between November 1, 2023, and October 31, 2024. This displacement primarily affected Bedouin and other herding communities in Area 'C'.[27] Furthermore, between January 1, 2024, and April 30, 2025, out of a total of 41,272 displaced Palestinians, 908 were displaced due to settler violence and access restrictions.[28] While this represents only 2.2% of the total number of Palestinians displaced, this percentage rises to 15% when excluding the large-scale military aggression perpetrated by Israel in the northern WB, which led to the forced displacement of 35,196 Palestinians.[29]

37. Settler violence not only leads to the displacement of Palestinians but also targets Palestinian agriculture, particularly during productive periods in the harvest season. For example, between November 27-29, 2024, during the peak of the olive harvest season, Israeli settlers vandalised approximately 700 trees and saplings, mostly olive trees.[30] More recently, on April 30, 2025, a group of over 50 settlers, believed to be from Shilo settlement, raided lands in Duma village in Nablus governorate. They set fire to agricultural land and vandalised 16 olive trees located just 100 meter away from residential homes and livestock shelters.[31]

38. The impunity of Israeli settlers is well-documented and clearly reflected in the primary data section above, particularly in the lack of complaints or legal actions taken by Palestinians against Israeli settlers. Between 2005 and 2024, NGO Yesh Din documented 1,701 police investigation files related to settler violence against Palestinians. Of these 42% involved violent offences, including homicide, assault, threats, stone throwing, and harming animals, and 67% involved property offences, such as torching homes, vandalism, cutting olive trees, and trespassing. In 95% of these cases, no indictment was issued, and in 81% of cases, the police failed to investigate. This included instances where the offender was deemed 'unknown' or where there was insufficient evidence for an indictment.[32]

39. At the level of 95 concluded legal proceedings, only 9.5% resulted with full conviction, while 46% ended in partial conviction or plea bargains. Another 19%

[25] OHCHR (n 15) 3.
[26] Office of Coordination of Humanitarian Affairs, *Data on Casualties* (OCHA) <https://www.ochaopt.org/data/casualties>.
[27] OHCHR (n 15) 3.
[28] OCHA (n 21) 2.
[29] Ibid.
[30] OCHA, *Humanitarian Situation Update #244 West Bank* (OCHA, 5 December 2024) <https://www.ochaopt.org/content/humanitarian-situation-update-244-west-bank>.
[31] OCHA, *Humanitarian Situation Update #287 West Bank* (OCHA, 7 May 2025) <https://www.unocha.org/publications/report/occupied-palestinian-territory/humanitarian-situation-update-287-west-bank>.
[32] Yesh Din (n 23) 1.

involved findings of guilt without conviction, 17% had indictments vacated or dismissed, and 8.5% ended in acquittals.[33]

40. In 2024, 66% of Palestinians subjected to settler violence chose not to file complaints, reflecting mistrust in Israeli law enforcement and justice procedures.[34]

IHL, ICL, and WPS Agenda Protection Against Settler Violence

41. Based on primary data collected by MIFTAH field researchers, supported by secondary sources analysing Israeli policies and practices related to settler violence, clear patterns emerge. These patterns include the following:
    - **Physical assaults** against civilians, through violence with weapons and threats of violence.
    - **Forced displacement,** either due to settler assaults or access restrictions that force Palestinians to rent expensive properties in order to access work.
    - **Property damage,** including crop destruction, theft of equipment, uprooting of trees, and damage to personal homes.
    - **Access restrictions,** such as preventing access to land, prohibiting Palestinians from cultivating crops, land confiscation or takeover, and blocking herds from reaching water sources.
    - **Complicity of the occupation's state** in failing to protect civilians from violence and hold perpetrators accountable.
42. The above practices have wide-ranging consequences for women, affecting their right to life and personal security, freedom from discrimination, right to property, right to work, right to dignity and an adequate standard of living, and right to healthcare.
43. Israeli settler violence violates several provisions under IL. This section presents and analyses violations of IHL, ICL, and WPS agenda. A detailed analysis of violations pertaining to women's economic empowerment and broader human rights is covered in the section titled 'Legal analysis of women's economic rights under international law.'

International Humanitarian Law:

44. The Fourth Geneva Convention (GCIV) defines protected persons and stipulates that an occupying power has an obligation to protect them. According to the Convention, protected persons are 'those who at a given moment and in any manner whatsoever , find themselves, in case of a conflict or occupation, in the hands of persons a Party to the conflict or Occupying Power of which they are not nationals.'[35]
45. In accordance with the prohibition on the acquisition of territory through the use of force, and recognising that an occupation is meant to be temporary, an occupying power does not hold sovereignty or jurisdiction over the land it occupies.[36] Instead, sovereignty is vested in the people under occupation, not in the occupying power.

[33] Ibid 14.
[34] Ibid 1.
[35] Geneva Convention Relative to the Protection of Civilian Persons in Time of War (adopted 12 August 1949) 75 UNTS 287 art 4.
[36] Diakonia IHL Centre, *Occupation and IHL: The Protection of Persons Living Under Occupation* (Diakonia) <https://www.diakonia.se/ihl/resources/international-humanitarian-law/ihl-law-occupation/>.

Under IL, the occupied Palestinian territory, including Area 'C' of the WB, is not disputed territory. Consequently, the administrative classifications imposed on the WB are irrelevant to the protections and legal obligations outlined by IL.[37]

46. Israel, as an occupying power, has an obligation under Article 43 of the Hague Regulations of 1907 to maintain public order and safety in the territory it occupies. Israel's failure to protect Palestinian and its failure to end settler violence against Palestinians, directly violates its obligations under IL as an occupying power.

47. Furthermore, as part of the prohibition of colonisation, the transfer of civilians of the occupying power into the occupied territory -commonly known as settlement construction and expansion- is prohibited under IHL. This prohibition is primarily based on Article 49(6) of the GCIV, which states:

> *'The Occupying Power shall not deport or transfer parts of its own civilian population into the territory it occupies.'*

48. The principle of distinction prohibits attacks on both civilian and civil objects, through a myriad of provisions, including:

> *'The parties to the conflict must at all times distinguish between civilians and combatants. Attacks may only be directed against combatants. Attacks must not be directed against civilians.'*[38]

> *'Any destruction by the Occupying Power of real or personal property belonging individually or collectively to private persons, or to the State, or to other public authorities, or to social or co-operative organizations, is prohibited, expect when such destruction is rendered absolutely necessary by military operations.'*[39]

<u>International Criminal Law</u>

49. ICL is the body of IL that assigns individual criminal responsibility for perpetrators of international crimes, namely war crimes, crimes against humanity, genocide, and crime of aggression.

50. Israeli practices involving settler violence amount to several war crimes and crimes against humanity.

51. **Crimes against humanity:** settler violence contributes to the forcible transfer of the Palestinian population. According to Article 7(2)(d) of the Rome Statute of the ICC[40] this constitutes 'forced displacement of the persons concerned by expulsion or other coercive acts from the area in which they are lawfully present, without grounds permitted under IL.'

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[37] Alice Panepinto, *Expert Opinion in the Legal Responsibility of the Occupying Power under International Humanitarian Law (IHL) and International Human Rights Law (IHRL) for the Displacements of Palestinian Communities in Area C due to Settler Violence* (Norwegian Refugee Council, 22 March 2024) <https://www.nrc.no/globalassets/pdf/legal-opinions/expert-opinion-on-settler-violence.pdf> 23.

[38] Customary International Humanitarian Law, Rule 1.

[39] Fourth Geneva Convention (n 35) article 53.

[40] Rome Statute of International Criminal Court (adopted 17 July 1998, entered into force 1 July 2002) 2187 UNTS 3.

52. Settler violence also fulfils the requisite criteria for the crime against humanity of persecution, as elaborated in 'Article 7(2)(g): international and severe deprivation of fundamental rights contrary to IL by reason of the identity of the group or collectivity.'

53. **War crimes:** settler violence also amounts to several war crimes. First, as outlined in Article 8(2)(b)(viii) of the Rome Statute, the 'transfer by occupying power of parts of its own civilian population into the territory it occupies', commonly known as settlement expansion, amounts to a war crime.

54. Article 8(2)(b)(viii) further prohibits 'deportation or transfer of all or parts of the population of the occupied territory within or outside this territory' which is also classified as a war crime.

55. In addition to population transfer and settlement expansion, acts of violence against civilians and their property, are also prohibited and considered war crimes, based on the principle of distinction:

> *Article 8(2)(b)(i): 'Intentionally directing attacks against the civilian population as such or against individual civilians not taking direct part in hostilities.'*
>
> *Article 8(2)(b)(ii): 'Intentionally directing attacks against civilian objects, that is, objects which are not military objectives.'*
>
> *Article 8(2)(a)(iv): 'Extensive destruction and appropriation of property, not justified by military necessity and carried out unlawfully and wantonly.'*

56. **Individual liability:** Under the Rome Statute of the ICC, individual criminal liability is not limited to direct perpetrators of international crimes. The Statute recognises various forms of involvement, including:

- Liability as perpetrator or co-perpetrator (Article 25(3)(a)).
- Liability for ordering, soliciting, or inducing the commission of a crime that occurs or is attempted (Article 25(3)(b)).
- Liability for aiding, abetting or otherwise assisting in the commission or attempted commission of a crime for the purpose of facilitating the commission of such a crime (Article 25(3)(c)).
- Liability for, in any other war, contributing to the commission or attempted commission of such a crime by a group of persons acting with a common purpose (Article 25(3)(d)).
- Liability for superiors for failing to take all necessary and reasonable measures within their power to prevent or repress the commission of a crime (Articles 28(1) and (2)).

<u>Women, Peace and Security Agenda</u>

57. Settler assaults and attacks on Palestinian women violate state obligations under United Nations (UN) Security Council (SC) Resolution 1325[41] and other resolutions in the broader WPS Agenda. Specifically, such actions contravene the state's obligation to

[41] United Nations Security Council Resolution 1325, 31 October 2000.

uphold IL and protect the rights of women and girls, as contained in paragraph 9 of UN SC Resolution 1325:

> *'9. Calls upon all parties to armed conflict to respect fully IL applicable to the rights and protection of women and girls, especially as civilians, in particular the obligations applicable to them under the Geneva Conventions of 1949 and the Additional Protocols thereto of 1977, the Refugee Convention of 1951 and the Protocol thereto of 1967, the Convention on the Elimination of All Forms of Discrimination against Women of 1979 and the Optional Protocol thereto of 1999 and the UN Convention on the Rights of the Child of 1989 and the two Optional Protocols thereto of 25 May 2000, and to bear in mind the relevant provisions of the Rome Statute of the ICC.'*

58. This also contravenes state obligations to protect women and girls from violence during armed conflict, as contained in paragraph 10 of the same Resolution, which states:

> *'10. Calls on all parties to armed conflict to take special measures to protect women and girls from gender-based violence, particularly rape and other forms of sexual abuse, and all other forms of violence in situations of armed conflict.'*

59. Israel's continued perpetration of war crimes and crimes against humanity including settlement expansion, targeting of civilians, displacement, attacks on civilian objects, destruction of property, and acts of persecution—also contravenes the obligations of third states to prosecute those responsible for international crimes and to end impunity, as stipulated in paragraph 11 of UN SC Resolution 1325, as follows:

> *'11. Emphasizes the responsibility of all States to put an end to impunity and to prosecute those responsible for genocide, crimes against humanity, and war crimes including those relating to sexual and other violence against women and girls, and in this regard stresses the need to exclude these crimes, where feasible from amnesty provisions.'*

Restriction of Freedom of Movement on Women

This section is based on 266 questionnaires documenting the impact of restrictions on freedom of movement on the economic status of women. As will be demonstrated, these restrictions are primarily imposed through checkpoints, which have significantly increased since October 2023, exploiting the ongoing genocide in Gaza to advance Israeli settler colonialism across the WB, including Jerusalem.

This section presents findings related to the impact of movement restrictions on women's rights, including the right to work, dignity and adequate standard of living, and psychosocial wellbeing. A case study-based approach is employed to examine, present, and analyse primary data collected by MIFTAH's field researchers from three groups i) women employees (150 women), ii) women with their own businesses (78 women), and iii) women in family businesses (38 women).

Research Facts

Description of research sample:

60. The research sample examining the impact of restriction on freedom of movement on women's economic empowerment covers eight governorates across the WB: Jenin (56 cases= 21.1% of sample), Bethlehem (41 cases= 15.4%), Nablus (37 cases= 13.9), Hebron (35 cases= 13.2%), Salfit (35 cases= 13.2%), Tulkarem (33 cases= 12.4%), Tubas (20 cases= 7.5%), and Jericho and Jordan Valley (9 cases= 3.4%).
61. The majority of the 266 women surveyed are married (140 women- 52.6%), followed by 93 single women, 21 divorced women, and 12 widowed women. At the family level, 33.5% of women had no children, while 62% had between one and four children, and 4.5% five or more children.
62. The vast majority of women surveyed did not have any kind of disability (261 women - 98.1%). Among the five women who did, four had physical disability, and one had visual impairment.
63. A plurality of women in the sample (51.9%) reported being the primary breadwinner for their families.
64. Most women reported crossing one or two checkpoints to reach their place of work, with some crossing five or more. Specifically, among employed women, 26% cross one checkpoint, 40.7% cross two, and 31.3% cross three or more. Among women with their own businesses, 12.8% cross one checkpoint, 41% cross two, and 46.2% cross three or more.

Women's Freedom of Movement

65. 24% of both women employees and women who have their own businesses reported the absence of public transportation between their place of residency and work place.
66. The reasons behind this lack of public transportation are interconnected and all related to the Israeli occupation, particularly the presence of checkpoints. These include: the presence of military checkpoints, gates, and other movement restrictions;

the abrupt closure of checkpoints; fears of humiliation and physical abuse; inspections and delays on checkpoints; insecurity due to the continuous military presence; changes to usual routes, often making them unviable; geographic isolation and long distances between some villages and main roads, the proximity of these roads to settlements; and the lack of infrastructure or local support for providing public transportation.

67. In the absence of public transport, respondents rely on a variety of alternatives, which frequently carry overlapping physical, psychological, and economic consequences, which are further elaborated below.

68. These alternatives include: pooled private cars used by several women in exchange for a fee (23.8% of employed women), sometimes covered by the employers (19% of employed women); use of private vehicles owned by husband, parents, or friends (31.6% of women with their own businesses); private taxis (21.4% of employed women, 31.6% of women with their own businesses); walking long distances to reach the workplace or a main road (26.2% of employed women, 21.1% of women with their own businesses); and unlicensed vehicles, often used due to the high cost of licensed cars (9.5% of employed women, 15.8% of women with their own businesses).

Right to Work:

Women employees:

69. 100% of employed women reported that checkpoints cause delays in arriving to work on time. Among them, 92% indicated that these delays resulted in problems with the employer. However, 68.8% declined to elaborate on the nature of these issues.

70. These problems have had several consequences for women: 9.4% reported salary deductions or the deduction of annual leave due to delays or inability to attend work; 4.3% were forced to seek additional employment to compensate for the deductions, which prevented them from fulfilling family responsibilities, 8% of women stated that they were threatened by their employers or received formal warnings, negatively affecting performance evaluation and increasing workloads; 5.8% reported that workplace tensions impacted her productivity and quality of work; and 3.6% indicated that these challenges led to psychological and social problems, both with the employer and within their families.

71. As a result of these cumulative challenges, 40.7% of employed women reported being forced to leave their jobs, with severe consequences on their economic empowerment.

> *'I was forced to leave work because of continuous deductions from my salary, high cost of transportation due to taking alternative routes, and consequent delays in completing my studies.'*

72. 7.6% of employed women reported decreased salaries due to employers reducing their working hours or workdays, or transferring them to online work.

'Sometimes I am forced to return home when the checkpoint is closed, which leads to deductions from my salary when I spend half of my salary on transportation.'

73. A significant number of employed women experienced increased costs of accessing work. Specifically, seven percent resorted to using private transportation due to road closures or the absence of public transportation, while 3.8% were displaced from their homes and forced to rent accommodation closer to their workplace.
74. Seven percent of employed women were unable to take on additional work due to late return times or exhaustion, resulting in a loss of supplementary income that previously compensated for income deductions.
75. 6.4% of employed women noted that their workplaces lost clients due to delays in employee arrivals. This was particularly reported in time-sensitive sectors such as internet service provision, pharmacies, and commercial shops.

Women with Their Own Businesses:

76. 87.2% of women who own their own businesses market their products outside their town or village. Among them, 23.1% need to travel outside their area to market their products on a daily basis, 51.3% on a weekly basis, and 25.6% on a monthly basis.
77. Due to delays at checkpoints, 35.5% of these women reported suffering economic losses as they were unable to deliver their products on time.
78. 29.5% of women reported a decline in productivity and competitiveness as a result of movement restrictions. This was attributed to a decrease in demand for their product, difficulties in securing production inputs, and limited access to marketing opportunities, exhibitions, and bazaars. In response, women adopted alternative marketing strategies such that 29.5% started relying on social media to market their products; 21.8% reduced the scale of operations and focused on local markets; 14.1% changed the nature of their product/s or services; 11.5% started relying on delivery companies; 9% sought external financial support to support their project and market their products; 7.7% changed the nature of their work or turned to other professions; and 6.4% offered free services or samples to attract customers.

    'The scope of the project was reduced due to lack of demand and reservations. This is due to being held up on checkpoints and fear of people to make a reservation and arriving late, particularly as I am a DJ. This has led to cancellations.'

79. 8.3% of women were forced to close down their businesses due to a decline in sales.
80. 4.7% suffered from accumulation of debt and were forced to take out loans. One respondent shares *'Israeli checkpoints made me lose my job and income, and I had to borrow money to support my family'*.
81. 19.2% of business-owning women were forced to change the nature of their products due to checkpoints, which led to multiple severe consequences: 25.9% reported a significant decline in sales; 20.7% accumulated debt and were unable to

repay loans; 17.2% were unable to meet basic living expenses; 15.5% lost their capital or had their products damaged, 12.1% experienced severe psychological stress, and 8.6% struggled to identify alternatives or work from home.

> *'Yes, checkpoints impact my sales rate. I work in distribution of products and pastries to stores. Due to closures and my inability to deliver my products, the majority of the stores started getting pastries from other women. Because of that I lost my only source of livelihood, and I am the sole breadwinner of the family after my husband lost his work inside the green line due to the war on Gaza.'*

Women in Family Businesses:

82. 26.8% of women involved in family businesses reported a decrease in income.

> *'The economic impact of this year on our family has been one of the worst years we endured, particularly due to the intolerable state of the roads. So many products were ruined as we could not distribute them, as well as the increase in the cost of marketing products. Apart from that, the cost of bringing fodder for animals increased, and drivers now need a whole day to deliver the fodder to us, that is if they are able to make it on the same day, which increased the cost of delivery. The cows caught diseases and we could not get veterinarians due to the state of the roads, leading many times to the death of the cows.'*

83. 14.6% of women suffered from debt accumulation and bankruptcy.

> *'Our economic situation is very bad; we do not have any liquidity or capital due to the economic losses of the project as the majority of my products depend on external marketing, particularly when it comes to dairy products. Currently, we have reached bankruptcy stage, and we are unable to build the project from scratch. Debt has also accumulated. I don't have money anymore, not even a car, and I'm unable to rebuild the project. I had to declare bankruptcy, and my financial situation has significantly deteriorated.'*

84. 7.3% of women reported losing their financial independence.

85. 20.5% of women experienced product spoilage due to delays at checkpoints.

> *'We were forced to sell products to people in need and relatives that gets ruined on the same day, such as yogurt and milk, for free because our products do not have preservatives, and if they are not distributed on the same day of production their quality change, which impacts our reputation in the local market.'*

86. Additional consequences on women in family businesses include: 20.5% reported difficulty in delivering their products to markets and customers, 14.5% experienced increased transportation and logistical costs, 13.3% reported a decline in sales and a loss of clients, 9.6% faced hurdles in the production chain and a lack of availability of essential inputs, 8.4% closed their projects or reduced the scope of production, and 7.2% experienced difficulty with employee movement and access to work. These are witnessed across the WB, impacting women with disability and without disability. The

following examples come from Taku' village in Bethlehem from a disabled woman who is the primary breadwinner for the her family, a married woman from Yatta, Hebron, and a married woman from Jenin refugee camp.

'Checkpoints and other access restrictions have decreased customers, leading to a decline in sales'

'Checkpoints had a massive impact such that the milk I need to make yogurt and butter needs top be stored in a specialised place. For this, I need to transport the milk from the sheep farm in Khirbet Al-Mafqara to Yatta city or Al-Karmel. There, I assemble the needed quantity and complete the mixing process to produce the butter and yogurt. On the road transporting the milk, I need to move the milk between the checkpoints walking on my feet. For this, the milk is ruined and I end up losing a large amount of milk.'

'Checkpoints negatively impacted us, as they have led to delays in the arrival of packages for us to distribute them, or have delayed the delivery of the packages to the clients. These delays have impacted the number of customers we have, which has steadily decreased.'

Dignity and Right to Adequate Standard of Living

87. 5.7% of employed women reported being unable to cover basic necessities, such as food, rent, education, and healthcare due to salary deductions resulting from late arrival or absences caused by movement restrictions.
88. 5.1% of employed women were unable to pay bills and repay loans due to decreased income, which increased their financial burdens. Additionally, 22% of women in family businesses were unable to meet basic living expenses.
89. 8.9% of employed students had to put their education on hold due to their inability to pay university tuition fees.

'The economic situation of the family is abysmal as she is the sole provider for the family and is helping her two sons in their university studies. Because of this, the graduation of her eldest son was delayed.'

90. 9.8% of women in family businesses reported being unable to cover their children's tuition fees, leading in some cases to school dropouts.

'Checkpoints severely impacted my family's economy, as I gave part of my income to my daughter who is at university as a stipend. What particularly impacted me is the loss of some clients, which impacted my ability to plan for the future.'

91. 5.1% of employed women stated that exhaustion and tension caused by waiting at checkpoints led to medical issues requiring costly treatment.
92. 14% of employed women reported that delays in the arrival of teachers disrupted the educational process, with some teachers eventually leaving their jobs.
93. 8.3% of employed women stated that delays in the arrival of doctors and nurses negatively affected the provision of healthcare services.

Psychosocial wellbeing

94. *Women employees:* 9.6% of employed women reported experiencing constant worry due to their inability to meet basic needs.

95. *Women with their own businesses:* 8.9% of women entrepreneurs suffered from psychological stress, which impacted the quality of their work.

Women in family businesses:

96. 48.8% reported feelings of anxiety, tension, fear, insecurity, depression and overall psychological instability.

> *'The hardest thing we faced is the psychological situation and stress, the monitoring of the situation of the roads every morning, and waiting for my husband to return soundly. This is the hardest thing any woman faces, and its impact on my psychological wellbeing surpasses any material impact, as material elements in the life of the farmer can be compensated and the financial lifecycle of the farmer comes in seasons. But when the situation of the roads threatens my husband's life that is as worse as it gets. He was beaten by soldiers when they found him taking an unpaved road to reach the adjacent village to distribute the yogurt. The occupation is used to closing the road between us and the adjacent village with earth mounds, which are not considered checkpoints, but which in reality are far worse.'*

97. 4.8% of women reported a decline in enthusiasm and drive due to the psychological and social toll of the occupation, which hindered their ability to develop their work.

98. 8.5% experienced a deterioration in both mental and physical health.

99. 26.7% suffered from social isolation, reduced contact with family and friends, and a loss of social relationships.

> *'Checkpoints in general impact members of Palestinian society, and particularly lately. They have decreased our mobility and we had to apologise from attending several social occasions. This social distancing has made me very sad. I am also continuously worried and afraid if a member of the family goes out because of long delays at checkpoints.'*

100. 11.7% of families reported increased internal tensions and signs of disintegration. Additionally, 4.9% of women expressed a loss of hope for the future, and 8.5% reported a further decline in physical and mental health.

Denial of Palestinian Freedom of Movement

101. The evolution of movement restrictions imposed by the Israeli occupation can be traced through several time periods, each reflecting a distinct strategic objective. Between 1967-1993, Israel largely allowed Palestinian freedom of movement, seeking to exploit its mobility to entrench the dependency of the Palestinian economy on the Israeli one. For instance, a general exit permit issued in 1972 enabled most Palestinians to move freely between the WB, Jerusalem, Gaza, and Israel. During this

period, many Palestinians sought employment within the Israeli labour market, given the limited opportunities and lower wages in the Palestinian economy, though their wages remained significantly below those of Israeli workers performing the same tasks.[42]

102. Restrictions began during the First Intifada (1987–1993), with the imposition of curfews and the introduction of magnetic cards required for Gaza residents to enter Israel. In 1991, Israel cancelled the general exit permit system and began requiring individual permits for Palestinians seeking entry into Israel and Jerusalem.[43]

103. The second key period is 1993-2000, often referred to as the 'peace process' years. The Oslo II Agreement, signed in 1995, divided the WB (excluding Jerusalem) into three administrative zones: Area 'A', where the PA enjoyed full civil and security control, Area 'B', where the PA was in charge of civil affairs, and Israeli occupation was in charge of security, and Area 'C', which was under full Israeli civil and security control. This territorial division marked the first institutionalised step in the fragmentation of Palestinians space and the restriction of mobility. Israel maintained full control over movement between these areas, as well as over border crossings, and the import/export of goods. During this period, settlement construction and the development of bypass roads accelerated, deepening the fragmentation. Internal closures and curfews were also imposed, further restricting movement between Areas A, B, and C. [44]

104. A third major intensification of movement restrictions, as a form of collective punishment, occurred with the outbreak of the Second Intifada (2000 onwards). Movement restrictions reached unprecedented levels, with comprehensive closures and curfews confining Palestinians to their homes for extended periods.[45]

105. Following the Second Intifada, the WB was divided into isolated enclaves, while movement in and out of the Gaza Strip was heavily restricted through checkpoints and military zones. The Israeli authorities also introduced the 'back-to-back' system, requiring goods to be transferred between trucks at checkpoints, significantly increasing transport costs and causing substantial delays.[46]

106. On 14 June 2022, Israel began constructing the Apartheid Wall, which now extends over 712 kilometre. To this day, it the single largest obstacle to movement across the WB.[47]

107. Since the early 1990s, the Israeli occupation has systematically employed checkpoints as a tool to control Palestinian mobility, deepening spatial fragmentation, and sustaining the political and geographical division of Palestinian communities.

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[42] Amnesty International, *Israel and the Occupied Territories: Surviving under siege: The impact of movement restrictions on the right to work* (Amnesty International, 7 September 2003) <https://www.amnesty.org/en/documents/mde15/001/2003/en/>.

[43] B'Tselem, *Gound to a Halt: Denial of Palestinians' Freedom of Movement in the West Bank* (B'Tselem, August 2007) <https://www.btselem.org/download/200708_ground_to_a_halt_eng.pdf> 7-8.

[44] Amnesty (n 42).

[45] B'Tselem (n 43).

[46] Ibid 13.

[47] Norwegian Refugee Council, The Legality of the Wall Built by Israel in the West Bank: Background Report (NRC, January 2015) <https://www.nrc.no/globalassets/pdf/reports/the-legality-of-the-wall-built-by-israel-in-the-west-bank.pdf> 3.

108. Checkpoints are also used to confine Palestinian communities to isolated enclaves and to effectively trisect the WB into northern, central, and southern zones, with extremely limited movement between the three. This tactic plays a key role in facilitating the *de facto* annexation of the WB, a stated goal of the current Israeli government, which is actively advancing this agenda.

109. In early 2023, at the outset of the current government's term, there were 565 permanent and semi-permanent movement obstacles in the WB, including Jerusalem, but excluding H2 area of Hebron.[48] This figure rises to 645 when H2 is included.[49] By comparison, there were 593 obstacles recorded in 2020, marking an 8.8% increased from 2020.

110. The number of occasionally staffed checkpoints increased by 35%, and road gates by 8%. In 2022 alone, there were 1,032 documented instances of non-permanent checkpoints being staffed across the WB -equivalent to 293 days of additional movement disruption.[50]

111. Access restrictions and the utilisation of checkpoints follow a fluctuating pattern, often increasing or decreasing in response to key developments or events. Notable examples include the start of the Israeli military assault on Gaza in late 2023, the Olive Harvest season in October 2024, and military operations in the northern WB, particularly during June-July 2024 and since January 2025.[51]

112. Apart from the heightened mobility restrictions, the Israeli occupation exploited the announcement of a 'ceasefire' in Gaza in January 2025-along with international focus on prisoner exchange- to escalate violence in the WB. This included settler attacks on 19 January 2025, in Sinjil and Turmus'ayya (Ramallah governorate), and in Qalqiliya, where dozens of Palestinian houses and vehicles were torched, roads were blocked and stones were thrown.[52]

113. Consequently, the number of movement obstacles in the WB, including Jerusalem and H2 area of Hebron, rose significantly: from 645 in 2023, to 793 in 2004,[53] and to 849 in 2025.[54] As of February 2025, these included: 205 road gates (24%), 180 earthmounds (21%), 153 partial checkpoints (18%), 116 roadblocks (14%), 101 linear closures (12%) , and 94 permanent checkpoints (11%).[55] Figure 2 below illustrates the geographical distribution of these movement obstacles across the WB, as of February 2025.

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[48] OCHA, *Factsheet: Movement and Access in the West Bank* (OCHA, August 2023) <https://www.ochaopt.org/sites/default/files/Factsheet_Movement_and_Access_Aug2023.pdf> 1.
[49] OCHA, *West Bank Movement and Access Update* (OCHA, May 2025) <https://www.ochaopt.org/sites/default/files/Factsheet%20Booklet_Movement_and_Access.pdf> 2.
[50] OCHA (n 48).
[51] OCHA (n 49) 2.
[52] OHCHR, *Violence and restrictions in the Occupied West Bank coinciding with ceasefire implementation* (OHCHR, 20 January 2025) <https://palestine.un.org/en/287862-violence-and-restrictions-occupied-west-bank-coinciding-ceasefire-implementation> 1.
[53] OCHA, *Fact Sheet: Movement and Access in the West Bank* (OCHA, August 2024) <https://www.ochaopt.org/sites/default/files/Factsheet-WB-August-2024.pdf> 1.
[54] OCHA (n 49) 2.
[55] Ibid.

114. The systematic use of movement restriction during periods of instability serves to impose new facts on the ground. This strategy is evident in the evolution of checkpoint deployment during critical periods. For example, in the midst of the Israeli military aggression in the northern WB in summer 2024, the number of partially staffed checkpoints rose from 295 checkpoints (January-April 2024) to 426 checkpoints (May-August 2024), resembling a 44% increase. Similarly, the number of 'flying' (temporary/mobile) checkpoints increased from 181 (May-August 2024) to 343 (September-December 2024), and then to 370 (January-April 2025). This reflects a 90% increase in the former period, and an overall increase of 104% in just seven months.[56]

115. The type and physical composition of movement obstacles across the WB have shifted over time. Two decades ago, the predominant forms of obstacles installed by Israeli occupation were earthmounds and roadblocks, which accounted for 73% of all barriers. Today, that figure has dropped to 35%. Conversely, more elaborate infrastructure -such as road gates and partial checkpoints (with or without road gates)- now constitute 42% of movement obstacles, up from just 7% in 2004. This reflects a qualitative change from *ad hoc* or temporary obstructions to more institutionalised and permanent access restrictions, many of which are regularly staffed and that can be frequently staffed .[57]

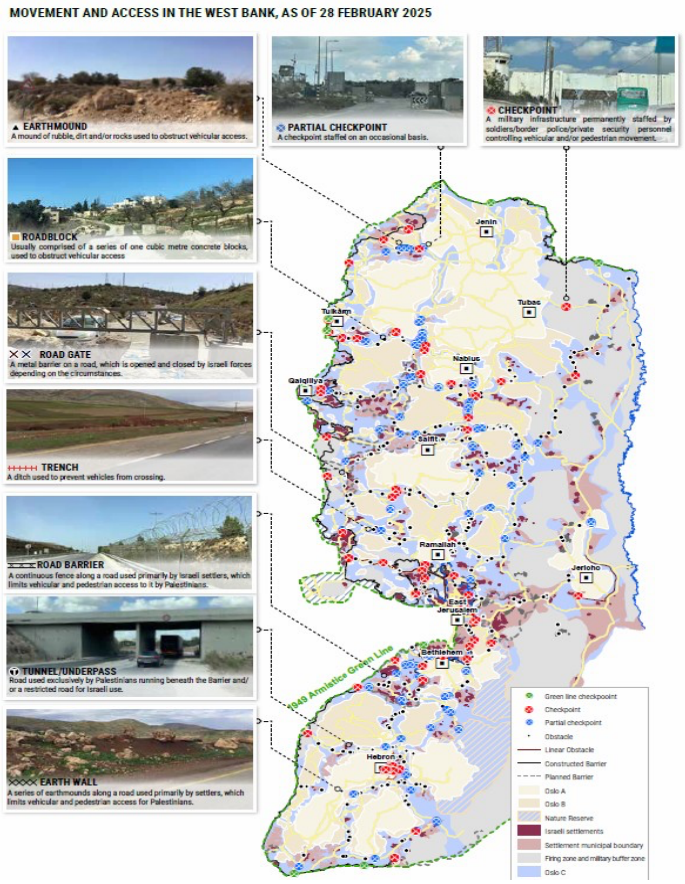

Figure 2: Distribution of Movement Restrictions across the WB[58]

[56] Ibid.
[57] Ibid 3.
[58] Ibid.

116. Restriction of freedom of movement has severe economic consequences, manifesting in multiple ways. Area 'C', which constitutes approximately 60% of the total area of the WB, is off-limits to the PA. Moreover, around 70% of Area 'C', falls within the jurisdiction of Israeli regional settlement councils, effectively rendering it inaccessible for Palestinian development.[59]

117. Areas 'A' and 'B' have been fragmented into 166 disconnected enclaves, surrounded by Area 'C', which remains the only continuous part of the WB. Despite its size and resource wealth, Area 'C' is largely inaccessible to Palestinian producers. It contains the most valuable natural resources in the WB, including fertile agricultural land, mineral deposits, stone quarries, tourist attractions, and raw materials used in the production of cosmetics. The construction of the Apartheid Wall, together with the settlement expansion, deepens the economic, physical, administrative, and legal fragmentation of the occupied Palestinian territory.[60]

118. The economic cost of these restrictions is substantial. The annual loss to Palestinian economic activity due to constrains in Area 'C' is estimated at 25.3% of the WB's gross domestic product (GDP). Between 2000-2020, the cumulative loss in GDP resulting from these restrictions is estimated at USD 50 billion, an amount that is about three times the WB's GDP in 2020 and over 2.5 times the GDP of the entire Palestinian territory in the same year.[61]

119. Since the onset of Israel's genocidal aggression on Gaza in October 2023, over 160,000 Palestinian workers from the WB who were employed in Israel and Israeli settlements have lost their jobs. Only around 10,000 labourers have been permitted to continue working in industrial zones. The remainder have been unable to access their workplace after Israeli occupation authorities ordered the closure of all crossings until further notice and suspended the entry of Palestinian workers into settlements. These closures also affected several internal Israeli checkpoints, further fragmenting Palestinian communities and effectively transforming the WB into a series of isolated cantons.[62]

120. Concurrently, the expansion of movement obstacles and the widespread deployment of 'flying' (mobile) checkpoints, has significantly increased travel time for Palestinians. On 4 February 2025, for example, the Israeli occupation closed Tayasir checkpoint -connecting the northern Jordan Valley with Jenin, Nablus, and the western areas of Tubas governorate- for a period of two months. This closure severely obstructed the movement of more than 60,000 Palestinians, limiting access to workplaces, markets, health facilities and schools, and disrupting economic activity. As a result, Palestinian residents were forced to take longer detours, increasing

[59] United Nations Conference on Tade and Development, *Economic costs of the Israeli occupation for the Palestinian people: the toll of the additional restrictions in Area C, 2000-2020* (General Assembly, 16 August 2022) <https://unctad.org/system/files/official-document/a77d295_en.pdf> 2.
[60] Ibid 4.
[61] Ibid 2.
[62] International Labour Organization, *Impact of the war in Gaza on private sector workers and businesses in the West Bank* (ILO, 2024) <https://www.un.org/unispal/wpcontent/uploads/2024/07/ILO_OPT_Impact_businesses_2024.pdf > 20.

commute times from 30 minutes to as much as two hours. This also escalated transportation costs, with knock-on effects extending beyond the economy to critical sectors such as education and healthcare.[63]

121. This is not a new phenomenon; restriction on Palestinian movement can be clearly traced back to the Second Intifada. Since then, travel times between major Palestinian populations centres have increased by a median of 51% with substantial cumulative economic costs. For example, prior to the construction of the Apartheid Wall, Palestinians could travel from Ramallah to Hebron via Jerusalem along a 50 km road. Today, due to road restrictions and checkpoints, the journey has been lengthened to 80 km, doubling the average travel time from 55 to 107 minutes. Delays in the movement of the Palestinian workforce, caused by both longer routes and procedural obstacles, have been estimated to cost the economy USD 274 million annually, or 1.7% of GDP in 2018.[64]

122. The implications of the ongoing genocide in Gaza for the Palestinian economy are severe and are reflected clearly in macroeconomic performance indicators. According to The Palestinian Central Bureau of Statistics, the GDP of the occupied Palestinian territory contracted sharply by 33% in the fourth quarter of 2023 (October-December). This decline was driven by a sharp drop is driven by a decrease in value added across all sectors, with dire consequences for employment, working hours, and household income. In the same period, gross consumption fell sharply by 21% in the WB, leading to declining living standards and rising poverty. Among the hardest-hit sectors were construction (decline by 27%), industry (24%), services (21%), and agriculture (12%).[65]

123. Economic stagnation and the absence of growth have a direct impact on unemployment rates, which remain consistently high. In the WB, female unemployment increased from about 10% in 2000, to over 20% in 2022, while male unemployment fluctuated over the years, but remained above 10% overall. The ongoing genocide in Gaza and associated aggressions in the WB have further worsened unemployment. According to the Palestinian Central Bureau of Statistics' forecasting model, under the assumption that the war would continue until the end of June 2024, unemployment across the occupied Palestinian territory was projected to reach 45.5% in 2024, up from 30.7% in 2023. For comparison, during the peak of the Second Intifada in 2002, unemployment reached 31.2%. Given that hostilities have extended beyond mid-2024, current figures are likely even more dire..[66]

124. In the third quarter of 2023, data from the Palestinian Central Bureau of Statistics indicated that more than 70.6% of employed Palestinians in the WB were wage employees. This high proportion reveals a significant reliance on wage employment across both public and private sectors. Employers accounted for only 6.5% of the employed population, highlighting the vulnerability of this small segment in the face

[63] OCHA (n 49) 3.
[64] UNCTAD (n 59) 9.
[65] ILO (n 62) 15.
[66] Ibid 18-19.

of further closures or movement restrictions. Self-employed individuals account for 18.4% of the workforce, while 4.5% were unpaid family workers.[67] As of 2022, informal employment represents 52.8% of total employment in the WB. Among these, 45.1% of self-employed individuals and employers operating informally, compared to 53% of wage employees. These figures underscore the high proportion of unprotected workers who are especially vulnerable to economic hardship and insecurity.[68]

125. The ramifications of the genocidal aggression have been particularly sever for the Palestinian labour force. A contraction in the wage employment segment has been accompanied by a noticeable shift towards self-employment. While this may initially appear to reflect adaptability to a constrained economic environment, it is important to recognise that self-employment in this context is often precarious. Unlike formal employment, self-employment typically lacks predictable income, job security, or access to benefits and protections. Self-employed workers are more susceptible to market fluctuations, demand shocks, and external disruptions. Furthermore, they are often excluded from social protection systems, leaving them without the safety nets available to formal wage earners.[69]

IHL and IHRL Protection Against Restriction of Freedom of Movement

126. Based on primary data analysis collected by MIFTAH field researchers, supported by secondary sources analysis of Israeli policies and practices restricting freedom of movement, several clear patterns emerge:

- Israeli checkpoints significantly restrict women's freedom of movement, resulting in numerous consequences related to their right to work, dignity and adequate standard of living, and psychosocial wellbeing.
- Freedom of movement is further curtailed by increased mobility restrictions, particularly when coupled with the absence of public transportation. This situation forced women to rely on a variety of alternatives that often entail overlapping physical, psychological, and economic consequences.
- The impact on the right to work varies among women employees, women entrepreneurs, and those involved in family businesses. Nonetheless, overall, checkpoints contribute to women's economic disempowerment through reduced wages, loss of clients, diminished livelihood opportunities, and, in some cases, job loss and business closures.
- The economic consequences of checkpoint restrictions also undermine women's right to live with dignity and maintain an adequate standard of living. Many women are forced to incur debt or take loans to cover basic needs. Moreover, the economic strain and burden of making ends meet have severely affected their psychosocial wellbeing.

[67] ILO and Palestinian Central Bureau of Statistics, *Impact of the war in Gaza on the labour market and livelihoods in the Occupied Palestinian Territory: Bulletin No. 3* (ILO, March 2024) <https://www.ilo.org/sites/default/files/wcmsp5/groups/public/%40arabstates/%40ro-beirut/documents/publication/wcms_918919.pdf> 1.
[68] ILO (n 62) 21.
[69] Ibid.

127. Numerous sources have emphasised the illegality of movement and mobility restrictions imposed by the Israeli occupation over the years. Most recently and prominently, the 2024 Advisory Opinion by the ICJ, entitled 'Legal Consequences Arising from Israel's Policies and Practices in the Occupied Palestinian Territory, including East Jerusalem,' affirmed the following:
    - Israeli movement restrictions systematically differentiate between Palestinians and settlers, treating Palestinians differently based on their identity. These restrictions are made on the grounds of 'security', which the Court confirmed are inadmissible as elaborated next.[70]
    - The restrictions on freedom of movement are disproportionate and cannot be justified under legitimate public aims, such as security concerns. Specifically:
        - Security justifications related to the protection of settlements and settlers cannot legitimise measures that discriminate against Palestinians, as the establishment and expansion of settlements in occupied territory are themselves violations of IL.[71]
        - Measures that impose blanket restrictions on Palestinians solely on the basis of their identity are deemed excessive, unjustified, and in breach of international legal standards.[72]
128. Overall, Israeli checkpoints and broader mobility restrictions constitute violations of several provisions under IL. This section presents and analyses violations of IHL and IHRL. A more focused analysis of violations specific to women's economic empowerment is covered in section entitled 'Legal analysis of women's economic rights under international law.'

International Humanitarian Law:

129. Palestinian civilians are considered protected persons under Article 4 of the GCIV, and therefore are entitled to all the protections provided for in the Convention. Protected persons are defined as 'those who at a given moment and in any manner whatsoever, find themselves, in case of a conflict or occupation, in the hands of persons a Party to the conflict or Occupying Power of which they are not nationals.'[73]
130. The restriction of freedom of movement violates Article 27 of the GCIV, which provides that civilians are protected against all types of violence and are entitled to their rights and shall be 'humanely treated, and shall be protected…without prejudice to the provisions relating to their state of health, age, and sex.'[74]
131. In this context, violations by the Israeli occupation include the inhumane treatment of Palestinians at checkpoints, severe and arbitrary restrictions on freedom of movement, and the use of excessive violence, all of which contravene Article 27.[75]

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[70] Legal Consequences arising from the Policies and Practices of Israel in the Occupied Palestinian Territory, including East Jerusalem (Advisory Opinion) ICJ [19 July 2024] <https://www.icj-cij.org/index.php/node/204160>, accessed [20 June 2025], paragraph 205, page 59.
[71] Ibid.
[72] Ibid.
[73] Geneva Convention IV (n 35) art 4.
[74] Ibid art 27.
[75] Taha Awawdeh, Malak Tazami, Lina Zimmermann, and Nao Shimamoto, *Freedom of Movement and Accessibility to Education: Case Study of Al-Quds University* (Al-Quds Human Rights Clinic, Spring 2021) 32-33.

132. The manner in which freedom of movement is restricted also constitutes a violation of Israel's obligations as an occupying power regarding the prohibition of collective punishment. Article 33 of the GCIV states 'no protected person may be punished for an offence he or she has not personally committed. Collective penalties and likewise all measures of intimidation or of terrorism are prohibited.'[76]

133. The prohibition on collective punishment is further reinforced by the Hague Regulations of 1907, which states: 'no general penalty, pecuniary or otherwise, shall be inflicted upon the population on accounts of the acts of individuals for which they cannot be regarded as jointly and severally responsible.'[77]

134. The reverberating consequences of restriction also give rise to violations of Article 55 and 56 of the GCIV. These articles place a duty on the occupying power to ensure availability of food, medical supplies and public health services to the population under occupation.

International Human Rights Law

135. Checkpoints and other methods of mobility restrictions violate Article 12 of the International Covenant on Civil and Political Rights (ICCPR), which guarantees right to freedom of movement, stating 'everyone lawfully within the territory of a State shall, within that territory, have the right to liberty of movement and freedom to choose his residence.'[78]

136. The restriction of freedom of movement also violates Article 5 of the International Convention on the Elimination of All Forms of Racial Discrimination (ICERD), which obliges states to eliminate racial discrimination in all its forms and guarantee the right of everyone, without distinction as to race, colour, or national or ethnic origin, to equality before the law. Specifically, Article 5 affirms 'the right to freedom of movement and residence within the border of the State.' [79] Israel's policies of differentiated treatment between Palestinians and settlers in movement and mobility clearly breach this obligation.

137. As elaborated above, the imposition of movement restrictions, including at Israeli checkpoints, has inflicted psychological harm on Palestinian women. This may constitute a violation of Article 16 of Convention Against Torture, stating 'each state party shall undertake to prevent in any territory under its jurisdiction other acts of cruel, human or degrading treatment or punishment which do not amount to torture as defined in article I…' [80]

138. Restriction of freedom of movement, in itself, inherently lead to the violation of other internationally recognised rights. Chief among them is the right to work, enshrined in Article 6 of International Covenant on Economic, Social, and Cultural

[76] Geneva Convention IV (n 35) art 33.
[77] Convention Concerning the Laws and Customs of War at Land (Hague, IV) with Annex of Regulations (signed 18 October 1907) art 50.
[78] International Covenant on Civil and Political Rights (adopted 16 December 1966, entered into force 23 March 1976) 999 UNTS 171 (ICCPR) art 12.
[79] International Convention on the Elimination of all forms of Racial Discrimination (adopted 21 December 1965, entered into force 4 January 1969) 600 UNTS 195 (ICERD) article 5.
[80] Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (adopted 10 December 1984, entered into force 26 June 1987) 1465 UNTS 85 (CAT) art 16.

Rights (ICESRC), which states: 'the States Parties to the present Covenant recognize the right to work, which includes the right of everyone to the opportunity to gain his living by work which he freely chooses or accepts, and will take appropriate steps to safeguard this right.'[81]

139. As demonstrated earlier, movement restrictions also violate the right to dignity and an adequate standard of living, as contained in Article 11 of ICESCR stating 'The States Parties to the present Covenant recognize the right of everyone to an adequate standard of living for himself and his family, including adequate food, clothing and housing, and to the continuous improvement of living conditions.'[82]

140. Similarly, the restriction of freedom of movement undermines additional economic and social rights, including the right to the highest attainable standard of physical and mental health, and the right to education, as contained in Articles 12 and 13. of the ICESCR, respectively.[83]

[81] International Covenant on Economic, Social, and Cultural Rights (adopted 16 December 1966, entered into force 3 January 1976) 999 UNTS 3 (ICESCR) article 6.
[82] Ibid article 11.
[83] Ibid article 12, article 13.

Legal Analysis of Women's Economic Rights under International Law

All of the practices elaborated in the report constitute violations of IL in their own right and contravene Israel's obligations as an occupying power. This report spotlights the economic implications of Israeli policies, particularly settler violence and restriction of freedom of movement, on Palestinian women's economic status, as well as the international legal protections relevant to women's economic empowerment.

141. In light of the structural repression faced by Palestinian working women, most notably as a result of systematic settler violence and movement restriction, both of which affect a substantial portion of economically active women, women's economic empowerment remains unattainable under occupation and settler colonialism. These conditions not only violate women's individual rights but structurally obstruct the development of autonomous and sustainable economic agency.

142. Moreover, prevailing approaches to women's economic empowerment in the Palestinian context have often mirrored a liberal Western framework that centres on individual agency, equality of opportunity, and access to markets and resources. While this model is relevant in some global contexts, it is insufficient in addressing the structural conditions of occupation. Many donor-driven programmes implemented by Palestinian civil society organisations (CSOs) have prioritised the dismantling of societal patriarchy, often overlooking the material and systemic constraints imposed by the Israeli occupation. As a result, such initiatives may achieve marginal improvements on the individual level but have largely failed to yield transformative or sustainable change at the collective level.[84]

143. As demonstrated throughout this report, settler violence is not incidental but rather an integral part of Israeli settler colonial enterprise. It creates a coercive environment aimed at displacing Palestinian communities from their land and deterring resistance. This disproportionately impacts women, particularly in rural and Bedouin communities, where heightened militarisation and settler attacks significantly limit women's freedom of movement. In areas such as the eastern periphery of Jerusalem, women face restricted access to employment, education, and healthcare -not only due to direct threats of violence, but also due to cultural dynamics that require male accompaniment for travel in insecure areas. The resulting entrapment within enclaved communities both compounds women's economic marginalisation and erodes their psychosocial wellbeing.[85]

144. Within this framework, the neoliberal definition of empowerment -as increased access to resources, expanded individual choices, and participation in decision-

[84] Eileen Kuttab 'Empowerment as Resistance: Conceptualizing Palestinian Women's Empowerment' (2010) 53 Local/Global Encounters;
Pemala Urrutia Arestizabal, *Economic Empowerment of Women in Palestine: Reflections from a Feminist Perspective* (Escola de Cultura de Pau and Associacio Helia, March 2023) <https://escolapau.uab.cat/wp-content/uploads/2023/06/EmpoderamientoMujeresPalestina_EN.pdf>

[85] Tamara Tamimi and Raghad Adwan 'The Gendered Impact of Israeli Forced Displacement: The Case of Palestinian Bedouin Women in the E1 Area' in Alice Panepinto, Bana Abu Zuluf, Ahmad Amara, Brendan Browne, Munir Nuseibah and Triestino Mariniello (eds) *Ending Impunity for International Law Violations: Palestinian Bedouins and the Risk of Forced Displacement* (Hart Publishing, 2025) 91-93.

making-[86] fails to address the precarious reality that Palestinian women face under occupation. In the Palestinian context, true economic empowerment is inextricably tied to dismantling the structures of occupation and settler colonialism. Two critical conditions must be met: first, the generation of sufficient employment opportunities, without which women remain dependent on shrinking informal economies and face structural discrimination rooted in traditional gender roles that prioritise men as primary breadwinners. This, in turn, requires the Palestinian economy to decouple from the Israeli economy, which has historically absorbed Palestinian labour without enabling economic sovereignty. Second, women's empowerment is impossible without addressing the settler violence -as part of the wider occupation- that restricts their mobility and prevents safe access to workplaces, markets, and services.

145. While IHRL contains provisions aimed at promoting women's economic empowerment -most notably within the Convention on Elimination of all forms of Discrimination Against Women (CEDAW) and the ICESCR- these instruments often align with liberal understandings of empowerment that assume access and opportunity exist within a neutral, functioning state. They are thus ill-equipped to address the complex realities of a context characterised by military occupation, settler colonialism, and gendered violence. As such, they fall short of advancing meaningful economic empowerment for Palestinian women, who live under systematic structural violence and denied sovereignty.

146. **ICESCR,** for example**,** codifies the right to work as the first substantive right under the Covenant, thereby reflecting its high importance. Article 6 affirms: 'The States Parties to the present Covenant recognize the right to work, which includes the right of everyone to the opportunity to gain his living by work which he freely chooses or accepts, and will take appropriate steps to safeguard this right.'

147. Although Article 6 does not explicitly refer to women, when read in conjunction with Article 2(2), which states: 'The States Parties to the present Covenant undertaken to guarantee that the rights enunciated in the present Covenant will be exercised without discrimination of any kind as to race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status,' t affirms women's right to work. Furthermore, Article 3 particularly provides for gender equality, stating, 'The States Parties to the present Covenant undertake to ensure the equal right of men and women to the enjoyment of all economic, social and cultural rights set forth in the present Covenant.'

148. These articles are further elaborated through the use of general comments issued by the Committee on Economic, Social, and Cultural Rights. General Comment No. 18 on right to work, issued in 2005, outlines three issues under 'women and right to work' as follows: 'The committee underlines the need for a comprehensive system of protection to combat gender discrimination to ensure equal opportunities and treatment between men and women in relation to their right to work by ensuring **equal pay for work of equal value**. In particular, **pregnancies** must not constitute

[86] Martha C. Nussbaum, *Women and Human Development: The Capabilities Approach* (Cambridge University Press, 2020).

an obstacle to employment and should not constitute justification for loss of employment. Lastly, emphasis should be placed on the link between the fact that women often have less **access to education** than men and certain traditional cultures which compromise the opportunities for the employment and advancement of women.'[87]

149. Not dissimilarly, General Comment No. 20 on non-discrimination in economic, social and cultural rights, issued in 2009, sets the parameters for women's employment rights including work conditions,[88] equal remuneration for work of equal value, equal opportunities for all,[89] and the protection of mother's rights.[90]

150. **CEDAW**:[91] the convention conceptualises equality in employment on the grounds of gender in Article 11. It emphasises the inalienability of the right to work, equal access to employment opportunities, free choice of profession and employment, right to promotion, job security, equal remuneration, access to social security, and the right to protection of health and safety in working conditions.

151. The Committee on the Elimination of all forms of Discrimination Against Women further elaborated the right to work through several general recommendations. General Recommendation 13, issued in 1989, reiterated and emphasised equal remuneration for work of equal value. It encourages the ratification of International Labour Organisation Convention No. 100 and the development of gender neutral job evaluation systems.[92]

152. General recommendation No. 16, issued in 1991, focuses on unpaid women workers in rural and urban family enterprises. It calls on States to report on the legal and social situation of unpaid women working in family enterprises, collect statistical data on such work and take steps to guarantee payment, social security and benefits for women working without compensation or protection.[93]

153. While both the ICESCR and CEDAW, along with their respective general comments and recommendations, provide critical frameworks for women's economic empowerment, they primarily address social dimensions of discrimination and societal patriarchy. While this focus is essential, it remains insufficient in addressing the unique and compounding barriers to women's economic empowerment under conditions of military occupation and settler colonialism.

154. Moreover, global tools concerned with gender equality in times of conflict also fail to account for the peculiar realities of women under prolonged occupation and settler

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[87] Committee on Economic, Social, and Cultural Rights, *The Right to Work General Comment No. 18: Article 6 of the International Covenant on Economic Social and Cultural Rights* (2005) paragraph 13.
[88] Committee on Economic, Social, and Cultural Rights, *General Comment No. 20: Non-Discrimination in Economic, Social and Cultural Rights (art. 2 para. 2, of the International Covenant on Economic, Social and Cultural Rights* (2009) paragraph 3, paragraph 28.
[89] Ibid paragraph 4.
[90] Ibid paragraph 4, paragraph 20.
[91] Convention on the Elimination of all forms of Discrimination Against Women (adopted 18 December 1979, entered into force 3 September 1981) UNTS vol. 1249 p. 13 (CEDAW).
[92] Committee on Elimination of all forms of Discrimination Against Women, *General Recommendation No. 13: Equal Remuneration for Work of Equal Value* (1989).
[93] Committee on Elimination of all forms of Discrimination Against Women, *General Recommendation No. 16: Unpaid Women Workers in Rural and Urban Family Enterprises* (1991).

colonialism. For example, the WPS agenda, predominantly centres on conventional armed conflict and sexual violence against women. Although subsequent resolutions to UN SC Resolution 1325 have expanded the 'protection' pillar beyond sexual violence, these instruments still fall short of addressing the structural discrimination and systemic violence associated with prolonged occupation and settler colonialism. They notably lack provisions to diagnose or respond to these specific conditions.[94]

155. Similarly, General Recommendation No. 30 of the Committee on the Elimination of Discrimination Against Women, which addresses women in conflict prevention, conflict, and post-conflict situations, aligns with the WPS agenda's approach. Although the recommendation spans 24 pages and includes 83 paragraphs, the term 'occupation' appears only six times. Of these, two instances appear in paragraph 4 to clarify that the scope of the general recommendation covers several types of conflict including foreign and other forms of occupation. Paragraph 9 refers to occupation to reaffirm that CEDAW applies wherever a state exercises jurisdiction, including in occupied territories. In paragraph 12(c), the Committee calls on States to apply the Convention extraterritorially in situations of foreign occupation. The remaining mentions occur in the context of affirming women's rights under IHRL and IHL. Notably, the terms 'colonialism' and 'settler colonialism' do not appear at all in the document.

156. While the general recommendation consistently affirms the applicability of the Convention in contexts of occupation, it fails to acknowledge that such contexts demand an expanded interpretation of the Convention in order to meaningfully protect and empower women. This omission constitutes a significant gap in the international legal framework's ability to address the specific conditions women face under prolonged occupation and settler colonialism.

157. In Palestine genuine and effective women's empowerment cannot be realised without integrating resistance to Israeli settler colonialism and illegal occupation into empowerment strategies. Ultimately, the independence and liberation of Palestinian women are intrinsically tied to the broader struggle for national self-determination and social justice, and cannot be divorced from it.

[94] UN Security Council Resolution 1325 (n 41).

Recommendations

This report covers settler violence and restriction of freedom of movement of Palestinians as an integral part of Israel's settler colonial policy. Drawing on 526 primary questionnaires and complemented by secondary sources, the report highlights how these policies constitute deliberate strategies of occupation. It further analyses these measures under IL and assesses their cumulative impact on the economic empowerment of Palestinian women. This final section presents targeted recommendations to the international community, the State of Palestine, and Palestinian civil society to promote accountability for violations of women's economic rights, and advance these endeavours.

International Community:

158. Apply substantial and sustained pressure on Israel to protect Palestinian civilians, and to remove all checkpoints and other mobility restrictions. Such efforts should form part of a broader demand for an end to collective punishment and forced displacement.
159. Move beyond the standard rhetoric and discourse of 'condemnation' and 'deploration' of Israeli human rights abuses and violations of IL. Instead, the international community should exert significant pressure on Israel to halt settlement expansion. In addition, the international community should actively, support the ongoing investigation at the ICC, comply with its ruling, and pursue additional accountability for war crimes and crimes against humanity.
160. Human rights treaty bodies should broaden their analysis of gender equality and women's empowerment beyond the conventional focus on patriarchy to include the structural effects of colonialism and prolonged occupation.
161. Donor agencies must redefine the concept of women's empowerment -especially economic empowerment- in the Palestinian context to fully account for the Israeli occupation's impact on economic conditions and gender dynamics. The 'UN Independent International Commission of Inquiry on the Occupied Palestinian Territory, including East Jerusalem, and Israel' should receive stronger political and financial support. The Commission should also be urged to expand its analytical framework to explicitly include settler colonialism and apartheid, alongside military occupation.

State of Palestine:

162. The State of Palestine should capitalise on the Advisory Opinion issued by the ICJ in July 2024 by mobilising support from friendly nations to advocate for the suspension of Israel's membership in the UN -under the authority of the General Assembly- and to call for Israel's expulsion from key international institutions. These include, but are not limited to, FIFA (International Federation of Association Football), UEFA (Union of European Football Associations), and Eurovision.
163. The State of Palestine should continue to actively pursue the ongoing investigation at the ICC, working to expand arrest warrants to include individuals responsible for international crimes associated with the settler colonial enterprise in the WB, including Jerusalem. This process should be reinforced by leveraging South-South solidarity at the intergovernmental level.

164. The State of Palestine should coordinate with friendly states particularly within regional and Global South forums, to press for the imposition of sanctions on Israel aimed at ending the occupation and holding perpetrators accountable for international crimes.

165. Public budget allocations should prioritise the agricultural sector and Palestinian farmers, particularly those affected by settler violence and restrictions on freedom of movement. Support for this sector is vital to reinforce the resilience and steadfastness of the Palestinian people, including women. Improve access of poor women to decent work through enhancing the access of women farmers , particularly households, and entrepreneurs to quality agricultural services that fit the needs of the agricultural sector.

Palestinian Civil Society:

166. Palestinian CSOs should expand legal aid and psychosocial support services for women affected by settler violence and movement restriction. These services must be accessible to women in remote and rural areas, where the compounded impact of occupation-related policies is most acutely felt.

167. Palestinian CSOs should lobby for the reframing of the discourse on Palestine in international platforms, moving beyond a focus on daily incidents and instead situating violations -such as settler violence and restrictions on freedom of movement- within the broader framework of settler colonialism and the systematic elimination of the indigenous population. Engagement efforts should target international duty bearers, particularly diplomatic missions and parliamentarians.

168. Palestinian CSOs, in coordination with the State of Palestine, should actively monitor the composition of the UN SC. During periods when Palestine-friendly states occupy non-permanent seats, they should apply concerted pressure for the adoption of a new resolution under the WPS agenda. Such a resolution should explicitly address the protection and specific needs of women living under prolonged colonial occupation and armed conflict.

169. CSOs should continue to file complaints and communications with the ICC in order to sustain momentum around the Palestine investigation. Furthermore, they should also seek membership in the Coalition for the ICC,[95] where observer status at the Assembly enables CSOs to directly engage with and lobby States Parties to maintain political and legal pressure in support of the accountability for international crimes in Palestine.

[95] For more information, please see the following link: https://www.icc-cpi.int/get-involved/ngos

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