Prevention and **Protection** Working Group

West Bank Atrocities Risk Assessment

December 11, 2023

Prevention & Protection Working Group

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Goal of Assessment

The assessment seeks to identify the dynamics that could give rise to potential atrocities in the West Bank, a set of plausible atrocity scenarios, and key indicators to monitor, as well as recommend prevention and response options for the U.S. government.¹

Key Actors

State Actors

Israel

Israel's role in regional conflicts, especially the Israeli-Palestinian issue and violence in the West Bank, is deeply complex, protracted, and contentious. The state's establishment in 1948 and subsequent Arab-Israeli War laid the groundwork for ongoing territorial disputes, often marked by violence and accusations of atrocities from both sides. The Israeli Defense Forces (IDF), the state military, includes security agencies operating in the West Bank. Israel defends its military actions and strict border controls as necessary for security, particularly against threats from groups like Hamas. However, these measures are frequently criticized for causing humanitarian crises and violating human rights. The international community, including the United Nations, has accused Israel of human rights violations, including indiscriminate use of force and collective punishment. Palestinian human rights organizations and five countries have filed claims with the International Criminal Court alleging Israel has committed war crimes and genocide since Octber 7th.

In 2022, the State Department <u>noted</u> credible reports of Israeli security forces in the West Bank perpetrating unlawful or arbitrary killings and arrest; cruel and inhumane treatment and violence; restrictions on freedom of expression, right to peaceful assembly, and journalists; and harassment of civil society organizations. Since the conflict began, the government of Israel has been <u>cracking down</u> on freedom of speech by <u>criminalizing</u> the "consumption of terrorist materials" and <u>suspending</u> foreign news organizations if their broadcasts are deemed counter to national security. <u>Hundreds</u> of Israeli citizens, most of them of Palestinian descent, have been arrested for social media posts and engagement deemed critical of Israeli actions or sympathetic to Palestinians under the <u>guise</u> of support for terrorism or incitement to violence. Furthermore, Israeli forces have arrested <u>over 7,800 Palestinians</u> in the West Bank and East Jerusalem, many of whom were detained for <u>social media posts</u> allegedly for expressing support for Hamas or sympathy for Gazans. These arrests are prompting concerns over detention conditions and potential torture from the <u>United Nations</u> (UN) and <u>human rights groups</u>.

Israel's settlement activities in the West Bank, largely <u>facilitated and supported by Israeli soldiers</u> and <u>widely considered illegal under international law</u>, are a <u>major source of tension</u>. Since October 7th, the West Bank has witnessed a concerning surge in violence against Palestinians, characterized by aggressive

¹ The views expressed herein reflect the combined input of Prevention and Protection Working Group (PPWG) members gleaned through internal consultations and written feedback, and do not necessarily represent the official positions of any individual persons or organizations. The PPWG, coordinated by the Alliance for Peacebuilding, consists of over 275 civil society organizations and experts dedicated to atrocity prevention. For more information on the PPWG, please visit: https://www.allianceforpeacebuilding.org/prevention-and-protection-working-group.

actions from Israeli forces and illegal settlers. The toll is stark—as of December 10th, the UN has documented 331 attacks on Palestinians by Israeli settlers, 265 Palestinian deaths, including 69 children, and 3,431 Palestinian injuries.

Since October 7th, members of Benjamin Netanyahu's right-wing coalition government have been increasing their anti-Palestinian rhetoric. Minister of National Security Itamar Ben-Gvir has a <u>history of extremist settler activity in the West Bank</u>—including incitement of racism and destruction of property—and his Jewish Power Party has long advocated for the <u>annexation of the West Bank</u>. Minister of Finance Bezalel Smotrich has <u>stated</u>, "There is no such thing as a Palestinian people," and <u>called for</u> "erasing" Palestinian towns in the West Bank.

United States

The U.S., long a staunch ally of Israel and defender of its right to exist and defend itself, continues to exercise outsized influence on the conflict, and has an important protection and peacebuilding role to play. President Biden requested at least \$14.3 billion in military aid to Israel, which passed in the House in early November, but remains stymied in the Senate. The aid package builds on existing commitments of \$3.8 billion annually, but omits humanitarian assistance. President Biden is seeking an additional \$100 million in Congressional funding to assist civilians in Gaza and the West Bank.

In December 2020, the U.S. Congress passed the Nita M. Lowey Middle East Partnership for Peace Act (MEPPA), which delivers \$250 million over the course of five years for peacebuilding projects in the region—the largest ever investment in Israeli-Palestinian peace. With continued or increased funding, MEPPA can provide a vehicle for conflict and atrocity prevention in the region that centers peacebuilders and communities on the ground. In recent years, the U.S. also reversed its 2018 decision to freeze voluntary contributions to the UN Refugee and Works Agency (UNRWA), which provides vital aid for Palestinians in the West Bank, Gaza, Syria, Jordan, and Lebanon. In 2022, the U.S. was the largest donor to UNRWA, contributing \$344 million. The U.S. has contributed more than \$1 billion since 2021. Unfortunately, additional funding for UNRWA is likely to face political opposition from some U.S. legislators who claim that the agency supports Hamas.

The U.S. maintains a <u>series of laws and policies</u> intended to prevent and respond to atrocities, as well as guide arms transfers to foreign militaries to avoid violations of international law and protect civilians. For instance, the <u>Elie Wiesel Genocide and Atrocity Prevention Act</u> (EWGAPA) and its required <u>U.S. Strategy to Anticipate, Prevent, and Respond to Atrocities</u> formalize the efforts of the Atrocity Prevention Task Force to mobilize U.S. government resources and address atrocities globally. The Biden Administration's <u>Convention Arms Transfer (CAT) Policy</u>, released in February, sought to strengthen restrictions on arms transfers that could contribute to atrocity crimes. The policy change <u>lowers the standard of review</u> from "actual knowledge" that arms would be used to commit atrocities, as required in the <u>CAT Policy of President Trump</u>, to the "more likely than not" standard that arms would contribute to atrocities. However, given mounting evidence of international humanitarian law violations by Israeli forces, the Administration appears to be <u>contravening</u> its own policy, along with other key laws and policies, such as the <u>Leahy Law</u>, <u>Civilian Harm Mitigation and Response Action Plan</u>, and <u>Section 502B of the Foreign Assistance Act</u>. Beyond supplying arms to the Israeli military for its conflict against

Hamas, weapons are increasingly ending up in the hands of <u>radicalized settlers</u> seeking to threaten, harm, and displace Palestinians in the West Bank.

The U.S. continues to engage diplomatically with Israel and other interested stakeholders, first securing commitments by the Israeli government to four-hour daily humanitarian pauses, followed by an announced four-day ceasefire and the release of hostages in Gaza and Palestinian women and children in Israeli prisons, in partnership with Qatar and Egypt. The four-day ceasefire was extended for an additional three days, allowing the release of an additional 105 hostages captured by Hamas and 240 Palestinian prisoners. The ceasefire ended on December 1st, but the U.S. continues to diplomatically pressure Israel and Hamas to resume the ceasefire and negotiations. Following a trip to the region at the end of November, U.S. Secretary of State Antony Blinken urged "immediate steps to hold settler extremists accountable for violence against Palestinians in the West Bank." The Biden Administration then announced visa bans on Israeli settlers engaged in violence against Palestinians in the region. The U.S. is in a unique position to work with key stakeholders to bring the parties to the negotiating table to lay the foundations for peace in the region permanently. However, the U.S.' veto of a draft UN Security Council resolution calling for a humanitarian ceasefire on December 9th, in tandem with its continued supply of arms to the IDF, including the State Department's recent emergency approval of nearly 14,000 rounds of tank ammunition, risks undermining its credibility with Arab, UN and other partners.

Jordan

The Hashemite Kingdom of Jordan is a Palestinian-majority country that has long been an influential stakeholder in Israeli-Palestinian affairs and maintains a significant peacebuilding role in the current conflict. Today, more than 2 million Palestinian refugees, or more than 40% of the total, live in Jordan. King Abdullah II of Jordan holds the political and legacy title of custodian of the Jerusalem holy sites, which has given him a powerful voice in Palestinian affairs and politics in the West Bank. The Kingdom's population is overwhelmingly supportive of the Palestinian cause, frequently protests in support of the Palestinian people and against Israel, and opposes economic relations with Israel. However, during periods of escalation, the King and his government are the critical mediators with the Palestinian Authority (PA) and work in coordination with the U.S. and the Israeli governments to de-escalate tensions. King Abdullah and his wife Queen Rania are often vocal during periods of intense violence between IDF forces and Palestinians, particularly in the West Bank. The King also maintains a voice of influence and has much support from Palestinians in Gaza, but his influence is diminished by Hamas, which Jordan does not view in favorable terms.

The spike in violence after October 7th poses many risks of instability for Jordan and has heightened tensions with Israel. The King has <u>stated</u> that mass displacement of Palestinians would be a "red line," and that Jordan <u>would not admit Palestinian refugees</u> displaced due to war in Gaza or settler violence in the West Bank. Jordan is <u>extremely concerned</u> that the displaced would have to <u>permanently remain</u>. After King Abdullah and Egyptian President Abdel Fattah Al-Sisi met in Cairo in mid-October, they <u>released a joint statement</u> that rejected "any attempt at forced displacement [of Palestinians] to Jordan or Egypt." In early November, Jordan <u>recalled its Ambassador to Israel</u> after accusing Israel of creating an "unprecedented humanitarian catastrophe" in Gaza. However, Jordan has indicated that it supports and can assist with de-escalation of violence. Jordanian leaders, including <u>Foreign Minister Ayman Safadi</u>,

continue to speak out about the civilian toll of the conflict and <u>urge a ceasefire</u>, including <u>at the Cairo</u>

<u>Peace Summit in October</u>. King Abdullah has also <u>called on Israel to increase access to humanitarian aid</u>
to Gaza. In October, Jordan spearheaded a <u>nonbinding resolution</u> adopted by the UN General Assembly calling for "an immediate, durable, and sustained humanitarian truce leading to the cessation of hostilities."

Egypt

Egypt has significant interests and could play a key peacebuilding role in the current Israel-Hamas conflict despite its rejection to offer displaced Palestinians protection. Egypt maintains strong bilateral coordination and security ties with Israel. However, these ties are reliant on the U.S. military relationship to ensure adherence to the 1979 Peace Treaty. The current Egyptian government, under President Sisi, does not look favorably on Hamas due to its connections with the broader Muslim Brotherhood, and has struggled for the past several years to curb terrorist activity and illegal smuggling in Northern Sinai. Despite this, Egypt is a primary interlocutor between Israel, Hamas, and the international community. Cairo uses its influence in Gaza to push for de-escalation over the various periods of intense escalation between Hamas and other Islamist groups in Gaza and Israel. This is largely motivated by a fear that a significant conflagration, like the ongoing war in Gaza, would push Palestinians from Gaza into Sinai. Egyptian authorities, which are already responding to an influx of Sudanese refugees in the south, are deeply concerned that additional displacement from Gaza will result in a permanent Palestinian presence in Egypt, as exemplified in Lebanon, Syria, Jordan, and Kuwait due to previous conflicts.

Lebanon

Lebanon is a <u>major host</u> of Palestinian refugees, but its domestic challenges inhibit its ability to play a substantial peacebuilding or protective role in the ongoing crisis. The current state of its economic and political fragility has severely diminished the role and capacity of the central government to manage many competing challenges. In this vacuum, Hezbollah has a <u>significant degree of operational freedom</u>, particularly in its enclaves in southern Lebanon, from where it carries out periodic attacks on Israel. Palestinian groups, which also maintain a presence in southern Lebanon and refugee camps across the country, actively use the region to <u>carry out rocket attacks into Israel</u>, often resulting in retaliatory IDF strikes on the border. The uptick in cross-border attacks have led to the displacement of <u>tens of thousands</u> of Lebanese civilians.

Non-State Actors

United Nations

The UN and its various agencies play a vital protective and peacebuilding role in the West Bank. UNRWA was <u>established by the UN General Assembly in 1949</u> to provide assistance to Palestinian refugees. UNRWA's mandate has been continually renewed by the General Assembly since, with the <u>latest renewal in December 2022 until June 2026</u>. For Palestinian refugees in the West Bank, Gaza, Jordan, Lebanon, and Syria, the agency provides essential services such as <u>schooling</u>, <u>healthcare</u>, and <u>building</u> <u>infrastructure</u>. It also provides <u>microfinance and other forms of financial assistance</u> for Palestinians. In the

West Bank, UNRWA <u>provides</u> services in 19 refugee camps, ensures the education of nearly 50,000 students, and administers almost 50 health facilities. Since the escalation of violence after October 7th, UNRWA has been <u>crucial</u> in sheltering displaced Palestinians, offering healthcare and psychosocial support, providing water, sanitation, and hygiene (WASH), and distributing food assistance.

At the end of October, Jordan <u>led a nonbinding resolution</u> adopted by the UN General Assembly that called for an "immediate, durable and sustained humanitarian truce" in Gaza. On November 15th, the Security Council <u>passed a resolution</u> that called for "urgent and extended humanitarian pauses and corridors...for a sufficient number of days," "the immediate and unconditional release of all hostages held by Hamas and other groups," and "immediate humanitarian access." On December 7th, in an attempt to push for a humanitarian ceasefire in Gaza, UN Secretary-General António Guterres <u>invoked Article 99 of the UN Charter</u> for the first time since 1971. <u>Article 99</u> states that the Secretary-General "may bring to the attention of the Security Council any matter which in his opinion may threaten the maintenance of international peace and security," and can be used to <u>pressure the UN Security Council to call for more robust action</u>, which it has yet to do. After the Secretary-General invoked Article 99, the United Arab Emirates <u>submitted a draft resolution to the Security Council</u> calling for a humanitarian ceasefire. However, the U.S. <u>vetoed</u> the resolution on December 9th, <u>citing</u> its lack of language condemning Hamas' actions on October 7th and calling for efforts towards a two-state solution.

Despite the diplomatic and political considerations that often hamper collective action through the UN, its convening power to address this particularly complex conflict and its significant presence in Gaza and the West Bank through UNRWA ensure the UN remains a vital mechanism that can support efforts to monitor atrocity risks in the West Bank and formulate interventions to prevent and mitigate further violence.

Hamas

Harakat al-Muqawama al-Islamiya (Islamic Resistance Movement), known as Hamas, is a Palestinian Islamist political organization and militant group that emerged in the 1980s during the First Palestinian Intifada as an offshoot of the Muslim Brotherhood in Palestine. The U.S. designated Hamas as a Foreign Terrorist Organization in 1997 due to its violent activities against Israeli security forces and civilians, such as suicide bombings, rocket attacks, kidnappings, and other assaults against civilian and military targets. Hamas became the de facto governing authority of Gaza after defeating the PA in the 2006 elections, after which it quickly defeated and ejected PA forces in Gaza, while the PA removed Hamas from power in the West Bank. Israel then imposed a severe blockade on Gaza, which restricted the flow of goods into the region, drove unemployment to a staggering 47%, and severely exacerbated Gaza's humanitarian crisis. Despite a crippled economy, the group has an annual military budget between \$100 million and \$500 million, buttressed by taxes and extortion, as well as Iranian funding. However, support for Hamas was in decline before October 7th, with more than two-thirds of Gazans surveyed reporting they have little or no trust in the organization. This lack of trust stems from frustration with Hamas' governance in Gaza and its violence instigation against Israel, as 70% of Gazans supported the PA taking over administration of Gaza and 62% supported Hamas maintaining a ceasefire with Israel.

Overall, Hamas' activities are seen as a major factor in exacerbating the Israeli-Palestinian conflict, fueling cycles of retaliation and violence in the region, and undermining peace efforts. Hamas invaded

Israel on October 7th, killing 1,200 people and capturing 240 hostages. Israel responded with a declaration of war, an extensive bombing campaign, an even more restrictive blockade, and ground invasion of Gaza. Search-and-arrest and other operations in the West Bank by Israeli forces—as the IDF seeks out Hamas members in the region—are the cause of two-thirds of the deaths of Palestinians in the West Bank since the current conflict began. In the two months since the conflict began, around 7,800 arrests in the West Bank and East Jerusalem have taken place. This security environment has led to an increase in public support for Hamas in the West Bank, from 12% in September to 40% in late November, which could heighten tensions between the people of West Bank and the PA, lead to further crackdowns by Israeli forces, and enhance Hamas' capacity to carry out violence against the IDF in the West Bank.

Palestinian Islamic Jihad (PIJ)

The Palestinian Islamic Jihad (PIJ), the second-largest militant group in Gaza behind Hamas, is a Sunni Islamist militant group founded in 1979 as an outgrowth of the Muslim Brotherhood in Egypt. PIJ is operational across the Palestinian territories, southern Lebanon, and Syria, but operates primarily in Gaza and the West Bank. The State Department estimates that the group has a thousand to several thousand members. The group carries out provocative attacks against Israeli targets, including suicide bombings and rocket strikes, which often trigger Israeli retaliatory responses, fueling a cycle of violence that heightens regional tensions and results in civilian casualties. PIJ runs counter to peace efforts in the region given its founding goal of armed struggle against Israel. It also focuses solely on this armed conflict instead of social welfare or governance—often destroying civilian targets such as refugee camps—thus marginalizing moderate voices. The group's main supporters include Hezbollah and Iran, and although the leaders have clashed with Hamas in the past, they joined forces during the October 7th attacks.

While more concentrated in Gaza, PIJ's operations in the West Bank should be considered, especially following the 2021 <u>establishment of a PIJ battalion in Jenin</u>. Over the last few years, PIJ's profile in the West Bank has risen "in part for attempting to link Gaza to the West Bank, but also for its willingness to <u>stand up to Israel</u>." Further escalation of violence in the West Bank could increase the public support, boldness, and grievances driving PIJ's violent tactics.

Hezbollah

Hezbollah, a U.S. designated Foreign Terrorist Organization backed by Iran and based in southern Lebanon, continues to launch provocative attacks against Israel, resulting in casualties on both sides of the border and prompting fears of a new front in the current Israel-Hamas conflict. The group maintains public support of Hamas. While the IDF remains focused on Gaza, it has plans to strengthen its presence along the Lebanon-Israel border to deter further incursions by Hezbollah. Israeli strikes on Lebanon have resulted in the death of journalists and civilians. As of December 7th, cross-border incidents between Israel and Hezbollah have displaced nearly 59,000 Lebanese, although those figures are likely higher after violence escalated between Hezbollah and the IDF on December 10th. To date, the uptick in violence has led to 120 Lebanese and 11 Israeli fatalities.

Hezbollah's interventions against Israel have <u>bolstered its popularity</u> among many Arabs supportive of the Palestinian cause in the region, as well as among different sects in Lebanon to unite against Israel.

Hezbollah also has a <u>history</u> of using social media to recruit Palestinians in the West Bank to attack Israeli targets. Hezbollah recently <u>spearheaded a convening</u> amongst its leaders and representatives from Hamas and PIJ and is working to ensure more <u>coordination</u> amongst the three groups. Given this influence in the region, and that Hezbollah's chief in Lebanon has <u>warned</u> of the Israel-Hamas war escalating to a "regional war," Hezbollah could potentially exacerbate the current conflict and help funnel <u>Iranian support and weapons</u> to the West Bank, which would likely increase clashes between militants, civilians, and Israeli forces.

Israeli Settler Groups

Settler violence in the West Bank is reaching new heights in 2023, with a <u>significant surge</u> in violent attacks against Palestinians as a result of the ongoing conflict. In the first half of 2023, settlers carried out <u>591 attacks</u> in the West Bank, an average of 95 per month or about three per day. The monthly average represents a 39% increase over the same time period in 2022. As of December 10th, settlers have carried out <u>331 attacks</u> against Palestinians in the West Bank—nearly half of them accompanied or actively supported by Israeli forces—displacing 1,026, injuring dozens, and killing at least eight Palestinians. Israeli settlers in the West Bank—especially their interactions with the Palestinian population and Israeli security forces—therefore will be key actors to monitor for potential escalation of violence against civilians and to engage with for de-escalation of potential atrocities.

Faith Actors and Organizations

Faith actors, including Jewish, Muslim, and Christian leaders and organizations, continue to play a crucial protective and peacebuilding role in the region. Generally, faith actors can enhance peacebuilding interventions and processes by supporting mediation, mobilizing communities for advocacy, addressing drivers of violent extremism, and providing vital humanitarian aid and community services. In the West Bank, interfaith groups hold workshops that facilitate people-to-people dialogue between Israelis and Palestinians, monitor human rights developments at the grassroots level, and support reconciliation. Interfaith organizations working toward peace in the West Bank include Jerusalem Peacebuilders, the Rossing Center for Education and Dialogue, the Center for Religious Tolerance, and the Interfaith Encounter Association.

Faith actors and leaders can also stoke tensions in the West Bank by using faith-based arguments to justify violence, such as extremist Jewish settlers who attack Palestinians and Islamic armed groups like PIJ.

Disputes among religious stakeholders continue over religious sites in the region, like the Temple Mount/Haram al-Sharif, further exacerbating interreligious and intercommunal conflict. Faith actors can therefore serve as crucial actors in initiating and supporting dialogue, identifying grievances behind atrocity risks, and addressing humanitarian needs—but their contributions to conflict dynamics must be considered and engaged with preventatively to avoid escalation.

Political Actors

Palestinian Authority and the Palestinian Security Forces

The Palestinian Authority (PA) is the governing body for the Palestinian people in the West Bank. Long dominated by Mahmoud Abbas and the Fatah party, the PA has grown increasingly paralyzed in its ability to govern, effect change, or work to curb violence in the West Bank. The PA also oversees the Palestinian Security Forces (PSF), which is the principal Palestinian security body in the West Bank. While the <u>U.S. Security Coordinator for Israel and the PA</u> trains and equips the PSF, it continues to face significant challenges—including low support from the Palestinian people—and has been accused by rights groups of "systematic mistreat[ment] and torture of Palestinians." The PSF coordinates and works with the IDF, but its diminished capacity has resulted in IDF security assuming a larger role in policing the West Bank. Palestinians widely see the PA and Abbas as corrupt and undemocratic; the PA has not held a presidential election since Abbas took power in 2005, nor parliamentary elections since 2006. Despite ongoing tensions with Hamas, the PA does not often publicly condemn the group due to fear of backlash by Palestinians in the West Bank. Some also accuse the PA of collaboration with the Israeli occupation, given its crackdown on dissent and close security coordination. Further, the ongoing war in Gaza and the PA's perceived ineffectiveness has further undermined its already flailing legitimacy.

Knesset Members/Israeli Political Opposition

The Knesset, Israel's parliament comprised of 120 members elected every four years, is responsible for legislating and government oversight. Today, the Knesset is ruled by a right-wing coalition of once-fringe politicians. Following the October 7th attacks by Hamas, Knesset member Ariel Kallner of the ruling Likud party urged a repeat of the 1948 Nakba that displaced 700,000 Palestinians. In response to spikes in Israeli settler violence, Deputy Speaker of the Knesset Moshe Solomon said Irsaelis living in the West Bank are under "constant threat" by Palestinians. Additionally, the Knesset recently passed a controversial bill to remove a clause that allowed Israel's unelected Supreme Court to overrule government decisions, despite mass protests and disapproval from Western allies. Activists in the West Bank have voiced concern that the legislation could remove judicial checks on far-right senior Israeli officials as they aim to expand Israeli settlements in and Israeli control of the West Bank.

Since the October 7th attack, opposition leader and former Prime Minister Yair Lapid has <u>called</u> for the replacement of Prime Minister Netanyahu under a new unity government led by Netanyahu's Likud party, <u>criticizing</u> him for "losing the trust" of the Israeli army and population. The political opposition is seeing a <u>surge in support</u> from Israelis angry about the failure of the government to anticipate October 7th and its subsequent response. Lapid has potential to temper violence against Palestinians in the West Bank, given that he has <u>urged</u> Netanyahu to practice "restraint" in the region.

Targets

Civilians continue to bear the brunt of the Israel-Hamas conflict in the West Bank. Palestinians living near Israeli settlements are being <u>increasingly targeted by emboldened settlers</u>, including "<u>hilltop youth</u>," seeking to expand their territory, often through confrontational and violent means. Concurrently, Israeli forces are <u>conducting "counterterrorism" operations</u> in an effort to root out Palestinian fighters throughout the West Bank, but concentrated in Jenin and refugee camps in the north. Since the conflict began, detention of Palestinians, journalists, and activists—mostly without charge—has <u>dramatically increased</u>, and are being held mostly without charge. Before the conflict broke out, 2023 was already the deadliest

year in the West Bank since 2008, with <u>250 people</u> killed by Israeli forces and settlers. Between October 7th and December 10th, <u>265 Palestinians</u>, including 69 children, have been killed by Israeli forces and settlers. The violence in the West Bank is having a <u>disproportionate impact on youth</u>, as the median age is around 22 years-old. In addition to being subject to violence, Palestinian youth are also <u>at-risk</u> of radicalization and targeting by violent extremist organizations in the West Bank.

Bedouin and other herding communities in the West Bank have <u>long faced</u> particular risks of violence and displacement, with their herding lands limited and homes demolished. In September 2023, OCHA <u>reported</u> that about 12% of the Bedouin population had been displaced since 2022, primarily by Israeli settlers preventing access to grazing areas and conducting acts of violence against the communities. As of December 10th, <u>15 Bedouin communities</u>, consisting of more than 1,000 people, have been displaced.

Impact of Gender

Women and girls in the West Bank face the risk of sexual and gender-based violence (S/GBV) by Israeli forces, settlers, and members of their own communities and households. Women and girls in the West Bank experience multiple forms of gender-based violence (GBV) due to patriarchal cultural norms that deprive women of opportunities (including education), traditional understandings of women as subservient to men, poor legal rights, and lack of mobility. Common forms of GBV in the West Bank include domestic violence, sexual harassment, child marriage, and femicide or gender-related killings. Across Palestine, 1.9 million people are vulnerable to or experiencing GBV—35% of which live in the West Bank. According to the Palestinian Central Bureau of Statistics, in 2019 (the most recent year during which GBV data was collected), 52% of married or previously married women in the West Bank experienced violence by their husbands. Many women in the West Bank lack the knowledge and means to access vital services for GBV, with only 4.2% of people surveyed understanding reporting channels for GBV. Women in the West Bank also struggle with low rates of economic participation, with just 15% of women employed. While same-sex sexual activity was decriminalized in 1951 in the West Bank, LGBTQ+ persons typically experience violence and discrimination. In October 2022, a gay Palestinian man in the West Bank was found decapitated after receiving threats due to his sexuality.

Hamas' October 7th attacks on Israel and the subsequent Israel-Hamas war has greatly accelerated the risks of GBV in the West Bank given the spiking rates of violence. On October 12th, IDF soldiers and Israeli settlers tortured three Palestinians in the West Bank with <u>physical and sexual violence</u>. Given that increasing tensions following October 7th have <u>accelerated settler and overall violence in the West Bank</u>, and that <u>violent conflict disproportionately impacts women and girls</u>, the escalation of broader violence in the West Bank will continue to present grave risks for the security of women and girls in the region

However, women peacebuilders are vital change agents for peace and service providers in the West Bank. Women have been frontline responders and peace advocates throughout major moments of the region's history, including the 1987 intifada. Women peacebuilders serve as sources of resilience to shocks in the West Bank by documenting settler violence, such as house demolitions, helping provide services like education and transportation, and organizing emergency COVID-19 response. In Bethlehem, for instance, women peacebuilders associated with Wi'am: the Palestinian Conflict Transformation Center are currently providing psychosocial support and distributing food and medicine. Local women peacebuilders

will therefore be key to understanding the atrocity risks within the West Bank, <u>advocating for a ceasefire</u> <u>and condemning settler violence</u>, and identifying entry points for prevention, de-escalation, and accountability.

Risk Factors

Governance

Governance within the West Bank remains weak and undemocratic, with the PA perceived as both unresponsive to and repressive of its constituents. The PA <u>lacks</u> authority in Gaza and legitimacy amongst the wider Palestinian population—particularly youth—due to widespread corruption, a lack of service delivery and development, an unwillingness to conduct elections, and the absence of peace and security. The weak governance and citizens' difficulty accessing basic needs and services continue to ensure Palestine's consistently high rankings on the <u>Fragile State Index</u>. The PA's lack of visibility and effectiveness in curbing arrests and settler violence since October 7th, in tandem with the uptick in support for Hamas, will continue to undermine the confidence of the Palestinian people in its ability to govern—despite suggestions that it should oversee Gaza once the conflict subsides.

Economic Conditions

The conflict between Israel and Hamas is having a devastating impact in both Gaza and the West Bank. Within the first month of the conflict, the UN found that the gross domestic product fell by over four percent, while poverty rose by 20%. In the West Bank alone, nearly 208,000 jobs were already lost by early November, compounding existing high unemployment. The assessment projects further significant implications as the conflict stretches into a third month. The threats and forced transfer of Palestinian farmers by Israeli settlers is also weakening economic livelihoods by undermining the former's ability to complete the olive and fruit harvest. Olives are the most plentiful agricultural product in the West Bank, with 160,000 people earning livelihoods from their harvest, but settlers have destroyed more than 3,000 olive trees since October 7th. Nearly 200,000 acres of land hosting olive trees across Palestine have not been harvested due to settler violence and movement restrictions. Increased Israeli-imposed restrictions on movement threaten to further hamper economic conditions, particularly for West Bank residents who work in Israel. An economic downturn in the already struggling West Bank may exacerbate existing tensions, increase anti-Israeli sentiment, and enhance support for Hamas and other Islamic armed groups.

Historical Conflict and Impunity

Continued impunity for violence, including <u>state-sponsored</u>, <u>supported</u>, <u>and sanctioned</u> violence in the West Bank, is exacerbating tensions among the Palestinian people and Israeli authorities. 2022 included <u>record-breaking</u> Israeli-perpetrated violence in the West Bank, only to be <u>eclipsed in 2023</u> before the conflict began and further <u>escalated since October 7th</u>. The failure of the Israeli government to penalize settlers for acts of violence against Palestinians has created a culture of impunity and permissiveness, with <u>93%</u> of all investigations into ideologically motivated crime in the West Bank closed without an indictment.

Following a referral by Palestine (considered a State Party to the Rome Statute), the International Criminal Court (ICC) Prosecutor in 2021 opened an investigation into alleged atrocity crimes occurring in Palestine or by Palestinian nationals since 2014, after a pre-trial ruling held the investigation could include crimes committed in Gaza and the West Bank. At the time, the Prosecutor noted alleged crimes committed by multiple actors and parties to the conflict, for which there was a reasonable basis to believe there had not been domestic accountability. There had been little progress on that investigation reported before October 7th. In late October, the families of victims of the October 7th attack asked the ICC to investigate potential war crimes and genocide. In November, lawyers representing Palestinian victims filed a claim with the Court alleging Israel's actions in Gaza amounted to genocide, war crimes, and crimes against humanity. On November 17th, Bangladesh, Bolivia, Comoros, Djibouti, and South Africa referred the situation to the ICC to investigate war crimes and crimes against humanity. Prosecutor Karim Khan clarified that the ICC's existing investigation will include, and that the ICC is collecting, evidence of atrocity crimes as part of the current conflict, and recently visited Israel and Ramallah, and noted that his team is also investigating settler violence in the West Bank. Notably, Israel is not a State Party to the Rome Statute, and Palestinian human rights groups remain skeptical of the Court's impartiality.

Social Cohesion/Fragmentation

<u>The 2023 Fragile States Index</u> noted major fragility indicators, including a significant increase in securitization and group grievance throughout Gaza and the West Bank. This <u>data</u> shows the highest level of external intervention (score of 10) since disaggregated from Israel three years ago, as well as a recent increase in several other key fragility drivers, which are being exacerbated by the Israel-Hamas conflict.

Since the conflict began, hate and other dangerous speech calling for targeted violence, including by senior government officials, continues to proliferate on diverse media platforms. On October 9th, Israel's Defense Minister Yoav Gallant referred to Palestinians as "human animals," a phrase with genocidal undertones, as noted by the UN Committee on the Elimination of Racial Discrimination. However, the use of dangerous speech by Israeli government officials long predates October 7th. Earlier in the year, Israel's Finance Minister Bezalel Smotrich called for the West Bank town of Huwara to be "wiped off the earth" by Israel. Recently, West Bank Palestinians have been finding leaflets on their homes and vehicles from Jewish settlers giving them "one last chance" to flee before facing another Nakba. The hate speech primarily focuses on Muslim Palestinians, but also Christians and non-Jews living in Gaza and the West Bank. However, antisemitic and Islamophobic messages continue to fly around social media, some of which amount to incitement to violence, hostility, and discrimination in violation of international law.

As noted above, the <u>increase in violence</u> by Israeli forces and settlers against the Palestinian people is fraying social cohesion throughout the West Bank. Despite this uptick, Israeli settlers have faced virtually no legal repercussions; as of November 20th, <u>only one settler had been arrested</u> by Israeli forces (and was released five days later) and two settlers had been placed in preventive detention without charge. The <u>targeting of journalists</u> and limitations on the <u>freedom of press</u> in Gaza are raising concern that these dynamics could repeat in the West Bank. <u>Experts</u> continue to sound the alarm over potential spillover impacts of the violence in the broader Middle East/North Africa region with transnational security implications. Notably, the violence is giving rise to substantial <u>trauma and hopelessness</u> within all communities.

Resilience Factors

Civil Society

The West Bank maintains a <u>robust and engaged civil society</u>, with significant numbers of peacebuilding, humanitarian, and other civil society organizations (CSOs) and actors engaged in life-saving and life-changing activities, service delivery, advocacy, and oversight. Despite efforts by both Israel and the PA to close civic space, civil society has proved <u>resilient</u> with effective messaging to international audiences and the ability to provide transparency regarding events on-the-ground. Civil society plays multiple protective and peacebuilding roles in the region—often under <u>life-threatening</u> <u>conditions</u>—provides <u>services</u> and <u>civilian protection</u>, and <u>works to garner support for de-escalation, an immediate ceasefire, and human rights</u>. Women peacebuilders and peacebuilding organizations are <u>particularly effective</u>, despite consistent resource challenges, at addressing local tensions and conflict. Peacebuilding organizations, particularly those that include and/or work with both Israelis and Palestinians, continue to strive to <u>bridge divides</u> and <u>address drivers of violence and conflict</u>, but remain dramatically <u>underfunded</u> and resourced.

In recent years as Israeli settlements have encroached upon West Bank territory and violence perpetrated by Israeli forces increased, Palestinian CSOs continue to do critical work monitoring and documenting human rights violations and protecting the rights and safety of civilians. Interfaith peacebuilding organizations have been particularly effective in promoting partnership and cooperation through shared religious values promoting peace and respect for others and shared cultural and religious reverence for the land. Non-Palestinian peacebuilders and their organizations are also playing a protective role, particularly in the West Bank, for the Palestinians with whom they live side-by-side, and are doing vital legal, oversight, and monitoring to prevent and address violence and human rights abuses.

Additional Resilience Factors

The robust <u>documentation</u> efforts from local civil society, as well as the UN and other actors, and the media disseminating the findings are providing vital information on the toll of the Israel-Hamas war and wider implications in the West Bank and region. After decades of conflict, and the significant loss of life, livelihoods, and property, the people of Israel and Palestine—equipped with this data—have reached new heights of <u>exhaustion with the cycles of violence</u> and frustration with the Israeli government, Hamas, and PA. The scale of atrocities and horrific toll on children in Israel, Gaza, and the West Bank serves as a common point of revulsion. This provides an opportunity to support constructive dialogue, unite diverse people in grief, and support peacebuilding, particularly at the local level. However, <u>sustained electricity</u> and internet blackouts threaten to undermine the free flow of information and prevent civilians from seeking safety.

Accelerants/Triggers

Forced Relocation/Displacement from Gaza

Nearly 1.9 million Palestinians have been internally displaced across Gaza since October 7th. The Rafah border crossing is currently only open for incoming aid and evacuation of emergency medical cases and some foreign nationals. Israel has called for Egypt to open the border to allow the transfer of Palestinians to Egypt for the duration of the war. However, Egypt, supported by other Arab states such as Jordan, has fiercely resisted this pressure. These states argue that opening their borders would likely result in a permanent displacement of Palestinians, similar to what happened following the 1948 Nakba, as many Palestinians would lack the ability to return should Israel control Gaza and tighten control of the West Bank. In early November, Israeli Prime Minister Netanyahu announced that Israel would "have the overall security responsibility" of Gaza "for an indefinite period" once the conflict subsides. Remarks by Israeli Finance Minister Bezalel Smotrich that the "voluntary migration" of Palestinians in Gaza as the "right humanitarian solution" are increasing Palestinians' concern of permanent mass expulsion—a form of ethnic cleansing. The forced displacement in Gaza is creating fears that such efforts by Israeli forces could be replicated in the West Bank. Forced displacement in Gaza is exacerbating tensions and increasing anti-Israeli sentiment in the West Bank at a time when many West Bank residents are grappling with their own internal displacement due to settler violence and regular Israeli raids.

State-Backed Settler Violence and Impunity

Impunity for Israeli settler violence toward Palestinians in the West Bank has <u>long been the norm</u>. Between 2005 and 2022, the Israeli organization Yesh Din <u>found</u> that 93% of all investigations into settler attacks were closed without an indictment, with more than 80% of Palestinian complaints to Israeli police remaining uninvestigated. In 2022 alone, settlers perpetrated <u>621 attacks</u> against Palestinians in the West Bank. Today, Israeli settlers, including the "<u>hilltop youth</u>," who believe the West Bank rightfully belongs to the Jews, are using the conflict in Gaza as cover to increase attacks and forced displacement. Since the conflict broke out, settlers are targeting the south Hebron Hills with efforts to force civilians from their homes, including through the use of threats and overt violence. <u>At least 15 communities</u> and over 1,000 people have been forcibly displaced by this violence. Local settlers acting as rapid response teams are <u>filling the security vacuum</u> created by the redeployment of IDF troops from the West Bank to Gaza, contributing to the uptick in violence. This forcible transfer will continue to have <u>ripple economic effects</u>, as farmers are unable to complete their annual olive and fruit harvests.

Mass Arrests/Detention of Palestinians

Bank, many of whom have been subjected to forms of torture or other ill-treatment, such as severe beatings and humiliation. Under the cover of the conflict in Gaza, Israeli authorities are increasing their use of administrative detention, extending emergency measures that allow for degrading and inhumane treatment of prisoners, and refusing to investigate allegations of custodial torture and death. Furthermore, thousands of Palestinians from Gaza with work and travel permits to Israel were arbitrarily detained for at least three weeks after the conflict broke out on two military bases in Israel and the West Bank. While many have been released, it is unclear how many remain in detention. The mass detentions are sparking outrage, protests, and increased support for Hamas and could be a significant driver for escalating violence.

Repeated Military Raids on Jenin

Since early 2022, the Jenin refugee camp has been at the heart of Israel's escalating military crackdown under the guise of counterterrorism. The situation garnered international attention upon the shooting death of Palestinian journalist Shireen Abu Akleh in the camp in May 2022. The camp has experienced nightly raids by Israeli forces since October 7th, killing 52 Palestinians as of December 4th—representing nearly a quarter of all deaths in the West Bank. These raids have killed children, destroyed critical infrastructure, and cut residents' access to electricity. In addition, medical workers are routinely trapped in hospitals and ambulances are blocked from reaching those in need. Overall, Jenin represents a significant flashpoint for accelerated violence and atrocities in the West Bank and must be closely monitored.

Proliferation of Arms

The U.S. is sending security assistance to the Israeli government <u>without safeguards</u> to monitor how the weapons are used or whether the U.S. weapons harm civilians or violate international law. The arms transfers are occurring despite increasing evidence of human rights violations in the IDF in both Gaza and the West Bank. Amnesty International found that U.S. weapons were used in <u>two airstrikes</u>, which may amount to war crimes, and resulted in the death of 43 civilians, including 19 children. Israeli CSOs <u>report</u> the proliferation of arms to Israeli forces, and in turn, private citizens, including settler "<u>security squads</u>," are creating a rapidly deteriorating security situation in the West Bank. Concern exists that the arms could also fall into the hands of <u>West Bank armed groups</u> and lead to increased clashes.

Recommendations/Action Items

Key Developments to Monitor

- <u>Settler violence</u>: Israeli settler raids and the creation of new settlements will continue to exacerbate
 existing tensions. Raids that result in violence, death, or property destruction may serve as a trigger
 event for impacted individuals, families, and communities. Efforts by West Bank Palestinians to
 preserve or remain in their homes may also trigger responses from Israeli settlers, the "security
 squads," and IDF.
- Hate speech and mis/dis/malinformation: Hate speech via the internet, social media, radio, television, and other outlets could incite intercommunal violence or galvanize protests, which could turn violent or give rise to crackdown by the IDF. Inflammatory, dehumanizing rhetoric and hate speech (e.g. Israeli officials referencing a "second Nakba"), including calls for violence from political or cultural leaders, could also give rise to violence and atrocities. Mis/dis/mal-information and propaganda spread across media platforms and the use of deep fakes, artificial intelligence (AI)-generated images, videos, or audio pose an additional threat.
- Restrictions on fundamental rights: State-imposed limitations on fundamental needs and rights could
 give rise to mass detention, violent backlash, increased support for Hamas and armed resistance,
 protests, and subsequent IDF crackdowns. Such restrictions include, but are not limited to, rights to
 assemble, protest, and speech in support of Palestinians' human rights, movement, and work/trade.
 Increases in arbitrary detention, detention without charge, and torture and mistreatment while in
 custody will grow increasingly problematic. Furthermore, the withholding of essential resources

- such as food, water, fuel, and electricity and civilian access to public services and communication platforms/the internet, could have significant implications.
- <u>Israeli laws/decrees</u>: Israeli legislative or executive proposals aimed at annexation or expanding control over religious sites—other Israeli government actions that further worsen economic conditions in the West Bank—could embolden setters and prompt significant backlash by Palestinians.
- <u>Increased influence of Hamas</u>: The recent uptick in support for Hamas, other armed groups, and armed resistance overall represent a worrying trend within an already volatile context and could lead to increased violence by West Bank protesters against the IDF and settlers, and enhance the capacity of Hamas and other groups to execute violent attacks.
- Weapons distribution and use: The distribution of Israeli or U.S. weapons to settlers could exacerbate
 anti-Israeli and American sentiment and create significant backlash. Likewise, an increased flow of
 weapons from Hamas or other armed groups, particularly those supported by Iran, will likely lead to
 a robust IDF response and violent clashes.

Plausible Atrocity Scenarios

- Significant Hamas or independent terrorist group attack(s) against an Israeli settlement and settler counterattack.
- Strong Palestinian armed response to Israeli security force counterterrorism raids and IDF response.
- Sustained Palestinian demonstrations in support of Gaza that escalates to armed confrontations.
- Significant escalation of settler violence (with or without knowledge or support of IDF) in response to messages from Israeli government leaders or triggered by perceived capitulation to Hamas in Gaza.
- Increased targeted and indiscriminate killings, as well as crackdowns and mass detentions of civil society, activists, academics, and journalists in the West Bank.

Recommended Prevention and Response Options

- Promote a coordinated, multisectoral U.S. response:
 - Consult regularly with atrocity prevention experts to monitor the situation in the West Bank and respond accordingly.
 - Create an interagency taskforce that includes diplomacy, development, and defense senior officials, as well as local peacebuilders and civil society actors, to undertake intensive diplomacy efforts to end Hamas attacks, secure release of hostages, end the Israeli siege, and prevent atrocities in the West Bank. Ensure the interagency task force includes conflict, atrocity prevention, and gender advisors.
- Amplify diplomatic messaging, scaffolded at different levels of society:
 - Bilateral diplomacy with Israel:
 - Urge the Israeli government, security forces, and settlers to de-escalate violence and threats of violence against and displacement of Palestinians in the West Bank.
 - Seek public statements from the Israeli government condemning settler violence and accountability for settler-initiated violence and direct or indirect support from the IDF.
 - Discourage Israeli policies limiting the rights of protesters related to this situation.

• Regional diplomacy:

- Urge Jordan, Egypt, Lebanon, and other neighboring Arab states to amplify calls for de-escalation in the West Bank.
- Refocus the regional diplomatic priority from bilateral normalization efforts to multilateral efforts involving key regional actors to support de-escalation, as well as a just resolution of the Israeli-Palestinian conflict, in accordance with international law, that supports the rights and security of both Israelis and Palestinians.

o International/multilateral diplomacy:

- Condemn violence by all parties in the West Bank and Gaza.
- At the broader regional and global level, speak out against and condemn rising levels of antisemitism, Islamophobia, and other escalations of religion, ethnic, and identity-based hate or discrimination.
- Encourage regular high-level, prevention visits to the West Bank (e.g., U.S. Secretary of State, Special Advisor to UN Secretary-General on the Prevention of Genocide, UN High Commissioner for Human Rights, Pope, etc.).
- Call for social media platforms to monitor and regulate <u>dangerous speech</u> spread online and by influential leaders.

• Provide robust peacebuilding resources:

- Double the Presidential Budget Request for MEPPA from \$50 million per year to \$100 million annually moving forward to signal a robust U.S. commitment to peacebuilding and conflict prevention at all levels in the region and a long diplomatic horizon—thus incentivizing other bilateral and multilateral donors to invest in peace in the region.
- Provide flexible funding to peacebuilding organizations, particularly women-led and serving organizations and women peacebuilders, and support local messaging campaigns, efforts to combat hate speech and mis/dis/malinformation, local independent media outlets, and psychosocial support.
- Carve out peacebuilding and social cohesion support that is conflict-sensitive, gender-sensitive, and trauma-informed within existing aid funding.
- Highlight and elevate Palestinian communities and organizations that are seeking nonviolent solutions to settler violence and tensions in the West Bank.

• Support civilian protection:

- Advocate for a long-term, permanent humanitarian ceasefire.
- Support the deployment of international monitors/monitoring mechanisms and establish/bolster early warning systems at local levels.
- Explore an international protection force for civilian populations at-risk and support unarmed civilian protection.
- Institute an arms embargo for the West Bank, ensure more robust end-use monitoring, place conditions on the use and misuse of U.S. distributed weapons and arms to avoid aiding or abetting human rights violations, and create accountability mechanisms for violations of the embargo/misuse of arms.

• Support humanitarian and economic assistance:

- Urgently demand unobstructed delivery of water, food, fuel and other humanitarian assistance to the region to address a primary grievance surrounding the Israel-Hamas conflict.
- Expand support for UNRWA.