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Annual report of the United Nations High Commissioner
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High Commissioner and the Secretary-General

Human rights situation in Palestine and other
occupied Arab territories

Implementation of the recommendations contained in the report of the independent international fact-finding mission on the implications of Israeli settlements on the civil, political, economic, social and cultural rights of the Palestinian people throughout the Occupied Palestinian Territory, including East Jerusalem (A/HRC/22/63)

Report of the United Nations High Commissioner for Human Rights

Summary

The present report, submitted pursuant to Human Rights Council resolution 25/28, provides information on the status of implementation of the recommendations contained in the report of the independent international fact-finding mission on the implications of Israeli settlements on the civil, political, economic, social and cultural rights of the Palestinian people throughout the Occupied Palestinian Territory, including East Jerusalem. It addresses continued Israeli settlement activity; settler violence and accountability; Palestinian detainees, including children in Israeli custody; and business and human rights in relation to the settlements. The report also reflects submissions received from Member States on the status of implementation of the recommendations contained in the report of the independent international fact-finding mission.

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I. Background

1. In its resolution 25/28 on Israeli settlements in the Occupied Palestinian Territory, including East Jerusalem, and in the occupied Syrian Golan, the Human Rights Council requested the United Nations High Commissioner for Human Rights to present a report to the Council at its twenty-eighth session, detailing the implementation of the recommendations contained in the report of the independent international fact-finding mission to investigate the implications of Israeli settlements on the civil, political, economic, social and cultural rights of the Palestinian People throughout the Occupied Palestinian Territory, including East Jerusalem (A/HRC/22/63).

2. The present report, submitted pursuant to resolution 25/28, contains the information requested and received from States to which the fact-finding mission addressed recommendations, as well as information gathered by the Office of the United Nations High Commissioner for Human Rights. The present report contains information up until 25 November 2014 and follows the report on the same subject matter which included information up until November 2013 and was presented at the twenty-fifth session of the Human Rights Council (A/HRC/25/39). It should be read in conjunction with the report of the Secretary-General to the twenty-eighth session of the Human Rights Council on Israeli settlements in the Occupied Palestinian Territory, including East Jerusalem, and in the occupied Syrian Golan (A/HRC/28/44) and recent reports of the Secretary-General and the High Commissioner on the situation of human rights in the Occupied Palestinian Territory.¹

II. Overview of the recommendations of the fact-finding mission

3. In its report, the fact-finding mission made six recommendations, of which four were addressed to the State of Israel. Basing itself on article 49 of the Fourth Geneva Convention, the mission called upon Israel to cease all settlement activities without preconditions; to immediately initiate a process of withdrawal of all settlers from the Occupied Palestinian Territory; and to ensure adequate, effective and prompt remedy for all Palestinian victims for the harm suffered as a consequence of human rights violations that were a result of the settlements, in accordance with its international obligation to provide effective remedy. The mission noted that, where necessary, steps should be taken to provide such remedy in concurrence with the representatives of the Palestinian people and the assistance of the international community (para. 112).

4. In addition, the fact-finding mission called upon Israel to put an end to the human rights violations linked to the presence of settlements, and to ensure full accountability for all violations, including for all acts of settler violence, in a non-discriminatory manner, and to put an end to the policy of impunity. It furthermore urged Israel to put an end to arbitrary arrests and detention of Palestinians, especially children, and to observe the prohibition of the transfer of prisoners from the Occupied Palestinian Territory to the territory of Israel, in accordance with article 76 of the Fourth Geneva Convention (paras. 113–115).

5. In its report, the fact-finding mission called upon all Member States to comply with their obligations under international law and to assume their responsibilities in their relations with a State breaching peremptory norms of international law, and specifically not to recognize an unlawful situation resulting from Israel's violations (para. 116).

6. Lastly, the fact-finding mission stated that private companies must assess the human rights impact of their activities and take all necessary steps — including by terminating

¹ Including A/HRC/28/45, A/HRC/28/80 and Add.1, A/69/348 and A/69/347.

their business interests in the settlements — to ensure that they do not have an adverse impact on the human rights of the Palestinian people, in conformity with international law and the Guiding Principles on Business and Human Rights. In this regard, the mission called upon all Member States to take appropriate measures to ensure that business enterprises domiciled in their territory and/or under their jurisdiction, including those owned or controlled by them, that conduct activities in or related to the settlements, respect human rights throughout their operations. The mission recommended that the Working Group on the issue of human rights and transnational corporations and other business enterprises be seized of this matter (para. 117).

III. Status of implementation of the recommendations of the fact-finding mission

A. Israeli settlement activity and recourse to remedy for Palestinians

7. As noted in the report of the Secretary-General on Israeli settlements in the Occupied Palestinian Territory, including East Jerusalem, and the occupied Syrian Golan submitted to the General Assembly at its sixty-ninth session (A/69/348), Israel continues to expand existing settlements in occupied territory and to advance new settlements in the West Bank, including East Jerusalem.² Settlements are directly linked to a broad range of violations of the human rights of Palestinians, including their rights to non-discrimination, liberty, security of person and fair trial, freedom of movement, adequate housing, health, education, work and an adequate standard of living.³

8. Reportedly, between 1 November 2013 and 31 October 2014, 4,554 housing units were tendered in Israeli settlements in the West Bank, including East Jerusalem, and 10,183 housing units advanced in the planning process towards realization, including 6,042 in the West Bank and 4,141 in East Jerusalem.⁴

9. In late September 2014, the number of settlers in the Silwan area of East Jerusalem increased after settlers moved into six houses, ostensibly after having purchased them, although this is reportedly disputed by some of the Palestinian owners.⁵ New settlements in the West Bank in 2014 included the long-disputed Al-Rajabi house in Hebron, capable of housing 40 families, and the settlement of Leshem, near Salfit in the central West Bank.⁶

10. In a briefing to the Security Council on 17 November 2014, the Interim Assistant Secretary-General for Political Affairs noted that despite the “unanimous opposition to increased settlement activity expressed in the recent Security Council session on Jerusalem, plans have since been advanced to build some 500 residential units in the settlement of Ramat Shlomo. In addition, 28 new building permits and 200 new residential units were

² See A/HRC/28/44.

³ A/69/348, para. 11.

⁴ A/HRC/28/44, section III (information from the Israeli non-governmental organization, Peace Now), and A/HRC/25/38, footnote 10.

⁵ A/HRC/28/44, section III, and Peace Now, “Settlers take over 6 houses in Silwan”, 30 September 2014 (available from http://peacenow.org.il/eng/Silwan_new_homes).

⁶ A/69/348, paras. 22 and 23 (source: Peace Now).

approved in the settlement of Ramot, in East Jerusalem.”⁷ Illegal Israeli settlement activity in East Jerusalem is one contributing factor to the volatile situation there.⁸

11. As reported to the twenty-fifth session of the Human Rights Council (A/HRC/25/39), “the continued fragmentation of the West Bank, including East Jerusalem, through Israeli settlement expansion has gone hand-in-hand with the construction of the wall, the destruction of Palestinian-owned property and the forcible displacement of Palestinian civilians, including Bedouin communities”. At the time of writing, an Israeli plan was being advanced to move Bedouin and herder communities from the East Jerusalem periphery and Jordan Valley to three allocated sites.⁹ On 21 October 2014, the Secretary-General expressed his concern over this plan, stating that “if implemented in a forcible manner, [it] would be contrary to international human rights and humanitarian law”.¹⁰ The risk of forced eviction and forcible transfer of these communities appeared imminent. Reportedly, demolitions of buildings belonging to these Bedouin communities were ongoing.¹¹ It is moreover of concern that the plan may enable additional expansion of illegal settlements in the Occupied Palestinian Territory and may further undermine the possibility for the Palestinian people to realize their right to self-determination.

12. The Secretary-General has previously noted that land which is declared by Israel as State land is often allocated to settlements.¹² Large land appropriations in 2014, in the vicinity of Bethlehem, may facilitate future settlement expansion. On 25 August, the Israeli Civil Administration declared 3,799 dunums (930 acres) around the settlement of Gva’ot, near Bethlehem, as State land.¹³ This followed an earlier declaration of State land west of Bethlehem in April.¹⁴

13. In the 10 years since the International Court of Justice, in its advisory opinion of July 2004,¹⁵ conclusively found that the construction of the wall in occupied territory and settlements were illegal, the settler population in the West Bank, including East Jerusalem, has increased substantially.¹⁶ The advisory opinion noted that the wall “has been traced in such a way as to include within that area the great majority of the Israeli settlements in the Occupied Palestinian Territory (including East Jerusalem)” (para. 119).

14. In 2007, the United Nations Register of Damage caused by the Construction of the Wall in the Occupied Palestinian Territory was established by the General Assembly in its resolution ES-10/17. It is mandated to record “damage caused to all natural and legal persons concerned as a result of the construction of the wall by Israel ... in the Occupied Palestinian Territory, including in and around East Jerusalem”. According to the Register’s website, as of October 2014, it had collected more than 43,850 claims and over 650,000 supporting documents in the Occupied Palestinian Territory. At the time of writing, 15,798

⁷ Delivered by Jens Toyberg-Frandzen, Assistant Secretary-General for Political Affairs ad interim.

⁸ Briefing to the Security Council on the situation in Jerusalem, 29 October 2014, delivered by Under-Secretary-General for Political Affairs, Jeffrey Feltman.

⁹ A/69/348, section IV.A. Office for the Coordination of Humanitarian Affairs office in the occupied Palestinian territory (OCHA-oPt), Fact Sheet September 2014, “Bedouin Communities at risk of forcible transfer”.

¹⁰ Remarks to the Security Council on the situation in the Middle East.

¹¹ A/69/348, section IV.A.

¹² A/HRC/28/44, section IV, and A/69/348, para. 20.

¹³ A/HRC/28/44, section III, and OCHA, “Humanitarian Bulletin: Monthly Report — June–August 2014” (available from www.ochaopt.org/documents/ocha_opt_the_humanitarian_monitor_2014_10_03_english.pdf).

¹⁴ A/HRC/28/44, section III, and A/69/348, para. 19.

¹⁵ A/ES-10/273 and Corr.1; see also *Legal Consequences of the Construction of a Wall in the Occupied Palestinian Territory, Advisory Opinion, I.C.J. Reports 2004*, p. 136.

¹⁶ A/69/348, para. 10.

of the collected claims had been reviewed by the Board of the Register and deemed valid for inclusion in the Register.¹⁷

B. Settler violence and accountability

15. As reported by the Secretary-General, “acts of violence by Israeli settlers against Palestinians and their property continue to take place on a regular basis”.¹⁸ According to figures published by the Office for the Coordination of Humanitarian Affairs, as of 24 November 2014, the total number of settler violence incidents resulting in Palestinian injuries or damage to their property in 2014 was 304. This compares to 389 recorded incidents in the equivalent period of 2013.¹⁹ However, this relative decrease was accompanied by a significant increase in Palestinian deaths and injuries caused by Israeli Security Forces. The same period also saw a four-fold increase in violent incidents involving Palestinians leading to settler casualties or damage to property.²⁰

16. In October 2014, the Human Rights Committee issued its concluding observations on the fourth periodic report of Israel (CCPR/C/ISR/CO/4). Regarding settler violence, the Committee noted the establishment of an interministerial team to deal with ideologically motivated crimes, but was concerned at “the lack of effective accountability and protection” from settler violence. It recommended that Israel “strengthen its efforts with a view to ensuring that prompt, thorough, independent and impartial investigations are launched, in a non-discriminatory manner, into all incidents of violence by private actors against Palestinians and their property, that perpetrators are prosecuted and, if convicted, punished with appropriate sanctions, and victims are provided with effective remedies” (para. 16).

C. Palestinian detainees, including children in Israeli custody

17. As concluded by the fact-finding mission, the existence of the settlements heavily impact a wide range of Palestinians’ human rights, including their rights to equality, due process, fair trial, not to be arbitrarily detained, and liberty of person (A/HRC/22/63, para. 105). According to the Palestinian non-governmental organization Addameer, as at 1 October 2014, 6,500 Palestinians were in Israeli detention, including 500 in administrative detention on security grounds — held without charge or trial.²¹ The total number of Palestinian prisoners and detainees held by Israel was reportedly up by some 1,450 persons compared to the previous year.²² The summer of 2014 witnessed a period of mass arrests of

¹⁷ www.unrod.org (accessed November 2014).

¹⁸ A/69/348, section V, para. 37.

¹⁹ OCHA–oPt, “Protection of Civilians Weekly Report: 18–24 November 2014”. Available from www.ochaopt.org/documents/ocha_opt_protection_of_civilians_weekly_report_2014_11_28_english.pdf.

²⁰ Ibid.

²¹ Addameer, “Monthly Detention Report — 1 October 2014”. Available from www.addameer.org/etemplate.php?id=729. Some Palestinians are held in Israeli detention centres and the Ofer prison in the Occupied Palestinian Territory, while others are transferred to Israeli interrogation centres and several prisons, within Israel, contrary to the Fourth Geneva Convention (see para. 4 above). Information available from www.addameer.org/etemplate.php?id=302.

²² Addameer, “Monthly Detention Report — 1 October 2013”. Available from www.addameer.org/etemplate.php?id=651. Figures may vary according to the source. Statistics on Palestinian prisoners are also available on website of the Israeli non-governmental organization, B’Tselem: www.btselem.org/statistics/detainees_and_prisoners. According to B’Tselem’s figures, at

Palestinians, especially following the kidnapping and murders of three Israeli youths in the occupied West Bank in June 2014. An estimated 1,100 to 1,500 Palestinians, including 300 children, were detained in the West Bank, including East Jerusalem, at some point between 12 June and mid-August 2014.²³

18. The Secretary-General has consistently called for administrative detainees to be formally charged or released without delay.²⁴ In April, a large group of Palestinian detainees went on hunger strike to protest the use by Israel of administrative detention. The number fluctuated, reaching several hundred between April and late June 2014 when the hunger strikers ended their protest.²⁵

19. In February 2013, the United Nations Children's Fund (UNICEF) issued a report, entitled "Children in Israeli Military Detention", which found that the ill-treatment of Palestinian children from the West Bank who come in contact with the Israeli military detention system appeared to be widespread, systematic and institutionalized throughout the process, from the moment of arrest until the child's prosecution and eventual conviction and sentencing.²⁶ In an update report of October 2013, UNICEF referenced the commitment made by the Ministry of Foreign Affairs of Israel to study the recommendations and cooperate with UNICEF for their implementation.²⁷ However, treatment of Palestinian children in Israeli detention continues to be gravely worrying and in need of action to protect children's rights.²⁸ In its concluding observations, the Human Rights Committee expressed concern "that Palestinian children are still exposed to arbitrary arrest and detention" (CCPR/C/ISR/CO/4, para. 19). It further expressed concern "at reports of the use of torture and other ill-treatment in the State party's detention facilities, including widespread, systematic and institutionalized ill-treatment of Palestinian children" and recommended that Israel "take robust measures to eradicate torture and ill-treatment against adult and child detainees" (para. 15).

D. Business and human rights in relation to the settlements

20. In its resolution 25/28, the Human Rights Council reiterated its call (made previously in resolution 22/29) upon the relevant United Nations bodies to take all necessary measures and actions within their mandates to ensure full respect for and compliance with Human Rights Council resolution 17/4 on the Guiding Principles on Business and Human Rights and other relevant international laws and standards, and to

the end of September 2014, there were 5,439 Palestinian so-called "security prisoners or detainees" in Israeli prisons, including 368 from the Gaza Strip. In addition, there were 1,231 Palestinians held in Israel for being in Israel illegally (accessed in November 2014).

²³ Addendum to the report of the United Nations High Commissioner for Human Rights on the implementation of Human Rights Council resolutions S-9/1 and S-12/1: the human rights situation in the Occupied Palestinian Territory between 12 June and 26 August 2014, including the escalation in hostilities in between the State of Israel and Palestinian armed groups in Gaza, presented to the twenty-eighth session of the Human Rights Council, section A.

²⁴ A/69/347, section III.B.

²⁵ Ibid. Press release, "UN Special Committee concerned over deteriorating health of Palestinian detainees on mass hunger strike", Geneva/Cairo, 5 June 2014. Available from www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=14665.

²⁶ Available from <http://unispal.un.org/UNISPAL.NSF/3822b5e39951876a85256b6e0058a478/1ee6b43ba34634f885257b260051c8ff?OpenDocument>.

²⁷ Available from www.unicef.org/oPt/UNICEF_oPt_Children_in_Military_Detention_Bulletin_No_1_October_2013.pdf.

²⁸ A/69/355, paras. 25–32.

ensure the implementation of the United Nations “Protect, Respect and Remedy” Framework, which provides a global standard for upholding human rights in relation to business activities that are connected with Israeli settlements in the Occupied Palestinian Territory, including East Jerusalem.

21. The international fact-finding mission recommended that the Working Group on the issue of human rights and transnational corporations and other business enterprises remained seized of the matter of corporate engagement with settlements (A/HRC/22/63, para. 117). On 6 June 2014, pursuant to Human Rights Council resolution 22/29, the Working Group on the issue of human rights and transnational corporations and other business enterprises issued a statement on the implications of the Guiding Principles on Business and Human Rights in the context of Israeli settlements in the Occupied Palestinian Territory.²⁹

22. In the statement, the Working Group indicated that, in carrying out due diligence, in accordance with the Guiding Principles on Business and Human Rights, corporations should be cognizant of the illegal status of settlements under international law, and should be informed by the publicly available information about the relation between settlements and human rights violations in the Occupied Palestinian Territory. The Working Group further stated that the fact that the Occupied Palestinian Territory, including areas with settlements, was a conflict-affected area resulted in a heightened risk of negative human rights impacts which in turn required that companies act with heightened due diligence. The Working Group noted that where a business could not prevent or mitigate human rights risks, it might need to consider termination of operations (guiding principle 19).

23. In its report to the sixty-ninth session of the General Assembly, the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories reported on information received regarding the continuing exploitation of natural resources in the Occupied Palestinian Territory by Israeli and foreign companies, and on corporate involvement in a number of Israeli measures with adverse human rights impacts, including involvement in Israeli settlements. It noted, as examples of corporate activities of concern from a business and human rights perspective, three companies with activities in the Occupied Palestinian Territory and one company in the occupied Syrian Golan.³⁰

IV. Submissions by Member States pursuant to resolution 25/28

24. On 21 October 2014, the Office of the United Nations High Commissioner for Human Rights (OHCHR) addressed notes verbales to all Permanent Missions to the United Nations Office and other international organizations in Geneva, in which it requested information on any steps that their Government had taken, envisaged taking or were otherwise aware of concerning the status of implementation of the recommendations of the fact-finding mission report (A/HRC/22/63), and in particular with regard to those contained in paragraphs 116 and 117 thereof (see paras. 5 and 6 above).

25. Also on 21 October, separate notes verbales were addressed to the Permanent Mission of Israel and the Permanent Observer Mission of the State of Palestine. OHCHR requested the Government of Israel to provide information on any steps that it had taken or envisaged taking concerning the status of implementation of the recommendations of the

²⁹ Available from www.ohchr.org/Documents/Issues/Business/OPTStatement6June2014.pdf.

³⁰ The companies mentioned were HeidelbergCement, G4S, Ahava and Genie Energy. A/69/355, sections IV.D and V.

fact-finding mission report. OHCHR also requested the Government of the State of Palestine to present relevant information concerning the status of the same recommendations. At the time of the preparation of the present report, no information had been received from either the Permanent Mission of Israel or the Permanent Observer Mission of the State of Palestine.

Cuba

26. The Permanent Mission of Cuba submitted a note verbale dated 10 November 2014. Cuba noted with grave concern that, despite repeated appeals from the international community for Israel to completely halt all illegal settlement activities and violence, and to stop and reverse the construction of the wall, among other illegal policies and practices, Israel continued to colonize the Occupied Palestinian Territory, including East Jerusalem, and the Syrian Golan. Cuba stated that, in doing so, Israel displaced Palestinian civilians, imposed collective punishment on the people and violated international law.

27. Cuba reiterated the fundamental principle that acquisition of territory by force is inadmissible under international law and the Charter of the United Nations. It noted that the continued Israeli military occupation of the Syrian Golan since 1967 was unacceptable.

28. Cuba condemned settlement policies enacted by the Government of Israel in the occupied Syrian Golan, with disregard for international law, international conventions, the Charter and the resolutions of the United Nations. Cuba specifically referenced General Assembly resolution 68/17, which highlighted the illegality of construction of settlements and other Israeli activities in the occupied Syrian Golan, and General Assembly resolution 68/84, which calls upon Israel to desist from changing the physical character, demographic composition, institutional structure and legal status of the occupied Syrian Golan, and, in particular, to desist from the establishment of settlements.

29. Regarding the construction of settlements in the Occupied Palestinian Territory, including in and around East Jerusalem, Cuba stated that this was in flagrant violation of international law and an obvious challenge to United Nations resolutions and the July 2004 advisory opinion of the International Court of Justice.

30. Cuba demanded an immediate end to the construction and expansion of settlements and the Wall; transfer of settlers; house demolitions; intensification of land confiscations; evictions; excavations in the Old City of Jerusalem, including its religious sites and surroundings; displacement of Palestinian civilians; imposition of arbitrary and racist residency and movement restrictions on Palestinians; and all other measures to depopulate the city of its Palestinian inhabitants and achieve the illegal annexation of East Jerusalem to Israel.

31. Cuba stated that, since the negotiations resumed in 2013,³¹ Israel has announced plans to build more than 13,000 [settler] homes, in addition to the ongoing construction of thousands more throughout the Occupied Palestinian Territory, including in East Jerusalem and its surrounding area. In this context, Cuba noted that, in 2013, at least 200 Palestinian homes were demolished, forcibly displacing hundreds of people. Cuba also stressed that the continued construction of the wall isolates entire communities and hinders the formation of a Palestinian state.

32. Cuba stated that, in the nine months of negotiations, more than 60 Palestinians, including children, were killed by the occupation forces, and that, in the same period, over four thousand Palestinians, including children, joined thousands of Palestinian prisoners

³¹ The referenced round of negotiations ended in April 2014.

suffering constant violations of their human rights, torture and humiliation in Israeli prisons.

33. Cuba reaffirmed its support for, and solidarity with, the Palestinian people, who, for more than 45 years, have suffered under the brutal military occupation of their land, and been denied their basic human rights, including the right to self-determination. Cuba stated that the international community must assume its responsibilities, in accordance with international law and United Nations resolutions, to prevent Israel in persisting in its ongoing violations.

Denmark

34. In a note verbale dated 7 November 2014, the Permanent Mission of Denmark stated that Denmark was pursuing a peaceful settlement of the Israeli-Arab conflict, including between Israel and the Syrian Arab Republic and between Israel and Palestine. Denmark expressed the view that the conflict contributes to a destabilization of the overall security situation in the Middle East and must be resolved.

35. As a member of the European Union, Denmark noted that it fully associated itself with the policy and initiatives undertaken by the European Union as a whole, as well as the various efforts made by the European External Action Service and the Commission of the European Union to further peace and justice in the context of the conflict.

36. At national level, Denmark pointed out that, in July 2014, it had introduced to the Danish public the common messages from the European Union, aimed at raising awareness among European citizens and businesses regarding involvement in financing, and economic activities in, the settlements, including in the occupied Syrian Golan.³² Denmark noted that in accordance with these messages, the European Union and its member States would not recognize any changes to the pre-1967 borders which were not agreed by the parties, including with regard to Jerusalem. Denmark affirmed that Gaza and West Bank, including East Jerusalem, and the [Syrian] Golan are territories occupied since 1967.

Ireland

37. In a note submitted by the Permanent Mission of Ireland on 3 November 2014, the Government of Ireland noted that it did not recognize any transfer of sovereignty or annexation of Palestinian territory occupied by Israel in 1967, pending any agreement between the parties to the conflict. Ireland had consistently affirmed that the establishment of Israeli settlements in the Occupied Palestinian Territory was in breach of international law.

38. Ireland noted that it was considering the formulation of a national plan of action for the implementation of the Guiding Principles on Business and Human Rights. It was not aware of any Irish businesses engaged in activities in Israeli settlements. It stated that, in July 2014, the Department of Foreign Affairs and Trade of Ireland had issued new advice for Irish citizens and businesses warning of the risks involved in financial and economic activities in Israeli settlements in the Occupied Palestinian Territory.

The European Union

39. In a note verbale dated 24 November 2014, the Permanent Mission of the European Union provided an update to its contribution of 21 November 2013, which was reflected in

³² Information published on the website of the Ministry of Foreign Affairs of Denmark, available from <http://um.dk/da/eksportraadet/markeder/markedsnyheder/newsdisplaypage/?newsid=5e152fbb-4d71-4045-bea5-d9438b0c1e67>.

the report of the High Commissioner on the same subject matter, presented in March 2014 (A/HRC/25/39).

40. The European Union reaffirmed its commitment to its long-standing position not to recognize Israel's sovereignty over territories occupied in 1967, namely, the West Bank, including East Jerusalem, the Gaza Strip, and the [Syrian] Golan Heights.

41. The European Union referred to its latest Council conclusions of 17 November 2014 in which it recalled that actions which called into question stated commitments to a negotiated solution must be avoided. Further, the European Union deeply deplored and strongly opposed the recent expropriation of land near Bethlehem, and recent announcements of plans for new settlement construction, in particular in Givat Hamatos, Ramat Shlomo, Har Homa and Ramot, as well as plans to displace Bedouins in the West Bank, and the continued demolitions, including of projects funded by the European Union and member States. The European Union noted that it had urged Israel to reverse these decisions, which ran counter to international law and directly threatened the two state solution. The European Union further stated that recent settlement activity in East Jerusalem seriously jeopardized the possibility of Jerusalem serving as the future capital of both states.

42. The European Union recalled the illegality of settlements under international law, and that the European Union and its member States remained committed to ensuring continued, full and effective implementation of existing European Union legislation and bilateral agreements applicable to settlement products. The European Union noted that it closely monitored the situation and its broader implications and remained ready to take further action in order to protect the viability of the two state solution.

43. The European Union pointed out that it had, since 1 January 2014, applied guidelines on the eligibility of Israeli entities and their activities in the territories occupied by Israel since June 1967 for grants, prizes and financial instruments funded by the European Union. The European Union stated its belief that the United Nations Guiding Principles on Business and Human Rights should be applied globally, and further noted that it had called upon European companies to apply these principles in all circumstances, including in Israel and in the Occupied Palestinian Territory.
