



Mr. Michael Fakhri
Special Rapporteur on the right to food
c/o OHCHR-UNOG
8-14 Avenue de la Paix
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Via email: hrc-sr-food@un.org

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Re: Call for input to inform the Special Rapporteur's upcoming report on human rights and starvation, with an emphasis on the Palestinian people's food sovereignty
(Int. ref.: INJM0015)

About eyeWitness to Atrocities ('eyeWitness'): eyeWitness, an initiative of the International Bar Association, seeks to bring perpetrators of international crimes as well as grave International Human Rights Law ('IHRL') and International Humanitarian Law ('IHL') violations to justice. The eyeWitness camera App ('the App') enables users to capture verifiable footage using their personal mobile device to support investigations, prosecutions and advocacy efforts.

Website: [https:// www.eyewitness.global/](https://www.eyewitness.global/)

Disclaimer: Please note one photo in this submission is graphic and may be distressing for readers.

A handwritten signature in blue ink, appearing to read 'C. Bowker', on a light-colored, textured background.

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1. Introduction

eyeWitness hereby submits information relevant to the Special Rapporteur on the right to food's call for input on human rights and starvation, with an emphasis on the Palestinian people's food sovereignty.¹

This submission 1) provides an overview of data in eyeWitness' database on incidents that undermine the Palestinian people's food sovereignty; 2) summarises attacks on food and food systems² in the West Bank since 7 October 2023; and 3) analyses whether such incidents could amount to violations under international law.

The information included in this submission is based on footage captured with the App by documenters in the occupied Palestinian territories ('oPt'), its associated metadata, any notes accompanying the footage, and publicly available information.³

eyeWitness is primarily focusing on incidents in the West Bank since 7 October 2023 in this submission to highlight the most recent footage received. We welcome the opportunity to further discuss the information contained in this submission, subject to consent from our partners.

2. Overview of relevant data in eyeWitness' database

Since 2016, eyeWitness' partners and independent users across the oPt have captured over 12,400 photographs and video/audio recordings with the App. Some of this footage portrays incidents relevant to the Special Rapporteur's mandate, including:

- Damage to or demolition of agricultural infrastructure (such as water tanks, irrigation networks, wells, greenhouses, facilities for raising livestock, rural roads, fields and crops, and livestock), as well as attacks on farmers and other civilians involved in agricultural activities;
- Damage to or confiscation of markets and food stalls;
- Occupation of agricultural land and exploitation of natural resources; and
- Damage to, and pollution of, land used for subsistence purposes (e.g. gas waste produced from an Israeli factory preventing Palestinians from using agricultural land).

¹ UN Special Rapporteur on the right to food, [Call for input - Human Rights and Starvation, with an emphasis on the Palestinian People's Food Sovereignty](#).

² Food systems include agricultural land and infrastructure, such as water tanks, wells, greenhouses, farms, livestock, and food markets and stalls.

³ Please note that eyeWitness does not verify the content of the footage captured with the App. Only the date, time, and location of the footage taken can be verified through the metadata. In addition, the footage cannot be altered. When footage is recorded with the App, it automatically generates a unique identifying code based on pixels, known as a 'hash value'. This hash value serves as a digital fingerprint. When two images have a matching hash value, it demonstrates that the images are identical. This step ensures that any subsequent changes to the footage can be detected. When the footage is uploaded to our secure server, the hash value is calculated again and compared to the hash value recorded when the footage was taken. The matching hash values demonstrate that there were no changes to the image since capture.



Notably, most of the footage has been captured after the alleged incidents took place, rather than in real time, and shows the aftermath.⁴

Along with a roster of pro bono lawyers bound by strict confidentiality agreements, eyeWitness' legal team has analysed and mapped all the relevant footage and identified 269 possible incidents portraying attacks on food and food systems, consisting of 1,946 photographs and video recordings.⁵ The majority of the footage was captured in the West Bank, including East Jerusalem, totalling 263 possible incidents and consisting of 1,918 photographs and videos. This footage has been captured across 10 governorates: Hebron, Jenin, Jericho, Jerusalem, Nablus, Qalqilya, Ramallah and Al-Bireh, Salfit, Tubas, and Tulkarm. The amount of footage from Gaza documenting these incidents is significantly lower in comparison, totalling six possible incidents and consisting of 28 photographs and videos captured across the governorates of Deir el-Balah, Gaza, Khan Yunis, and Rafah.⁶

3. Legal framework

This section outlines the legal framework relevant to attacks on food and food systems in the oPt. Israel has occupied the oPt and therefore, its IHRL obligations extend to the occupied territories, including the West Bank.⁷ In addition, IHL, specifically the law of occupation, also applies. These bodies of law apply concurrently and are mutually reinforcing. Grave violations of IHRL and IHL could also amount to international crimes if certain criteria are met.

3.1 IHRL

Israel has ratified the International Covenant on Economic, Social and Cultural rights (ICESCR) and must fulfil its obligations under the treaty in territory that it occupies. The right to food, recognised by Article 11 of the ICESCR both as a fundamental human right and as part of the right to an adequate standard of living, is the right 'to have regular, permanent and free access, either directly or by means of financial purchases, to quantitatively and qualitatively adequate and sufficient food corresponding to the cultural traditions of the people to which the consumer belongs...'⁸

In addition, Article 6 of the treaty provides for the right to livelihood, and Article 2 recognises that state parties must take measures to give effect to rights in the ICESCR without discrimination. IHRL not only compels states to avoid violating rights directly, but also obligates states to protect individuals and groups from human rights abuses.⁹

⁴ Note, the date of capture may not necessarily coincide with when an alleged incident took place.

⁵ These incidents were identified by logging any footage captured using the App that: 1) either displays relevant content, such as damaged crops, or 2) has user notes attached to the footage suggesting that these types of incidents may have taken place. Taking into consideration the content of the footage, the user notes attached, and the metadata gathered by the App, the eyeWitness legal team was then able to link footage together into sets to identify possible incidents and their location.

⁶ Note, the fact that less footage was captured from Gaza does not indicate that fewer incidents occurred.

⁷ ICJ Reports 2004, Legal Consequences of the Construction of a Wall in the Occupied Palestinian Territory, Advisory Opinion ("the Wall Advisory Opinion"), para. 149.

⁸ United Nations Commission on Human Rights, Report by the Special Rapporteur on the Right to Food, E/CN.4/2001/53 (7 February 2001), para. 14.

⁹ UN OHCHR, [International Human Rights Law](#).



3.2 IHL

Israel is a state party to the Fourth Geneva Convention which enumerates obligations of an occupying power. Pursuant to this convention, Israel must ensure the civilian population in its occupied territory has access to food,¹⁰ the population is not forcibly transferred,¹¹ and private property is not confiscated or destroyed when not required by imperative military necessity.¹²

4. Attacks on food and food systems in the West Bank between 7 October 2023 and 31 May 2024

4.1 Incidents affecting agricultural infrastructure and farmers

26 November 2023: According to the documenter's notes, the footage captured on 26 November portrays an excavator - used by Israel's national water company 'Mekorot' – extending a water pipeline in Al-Farisiya, northern Jordan Valley, for the benefit of Israeli settlers.¹³ There is no publicly available information on this incident, however, reporting from March 2024 indicates Mekorot pipelines pass through Palestinian land in the Jordan Valley.¹⁴ Some Palestinian shepherds from the area interviewed by B'tselem revealed that Mekorot refuses to connect them to the water network, making it difficult to access water for subsistence and for farming/agricultural needs, their only source of income.¹⁵ One shepherd stated:

The Mekorot pipeline passes right through our land, right next to our tents, while in the summer when it's hot we barely have any water. My children can only hear the water flowing in the pipes and touch it to feel the coolness...The occupation does everything to limit our ability to live here. They deny us access to water and lands in order to drive us away.¹⁶

23 January 2024: On 23 January an artesian well in Ras Atiya, Qalqilya governorate was reportedly demolished by the ISF on the basis that an Israeli building permit had not been issued.¹⁷ Footage captured on 27 January reveals the aftermath of the demolition.¹⁸ The well benefitted more than 400 farmers and irrigated 1,500 agricultural dunums¹⁹ of land.²⁰ According to the Israeli Committee Against Housing Demolitions ('ICAHD'), the demolition will affect²¹ just under 12,000 people.²²

¹⁰ Art. 55, Geneva Convention IV.

¹¹ Art. 49, Geneva Convention IV; Rule 129, ICRC, Customary International Humanitarian Law.

¹² Art. 53, Geneva Convention IV; Rule 51(c), ICRC, Customary International Humanitarian Law.

¹³ Item IDs 168074 and 168079.

¹⁴ B'tselem, [Since 7 October, Israel has ramped up efforts to drive Palestinian shepherding communities out of the northern Jordan Valley](#) (17 March 2024).

¹⁵ *Ibid.*

¹⁶ *Ibid.*

¹⁷ Palestinian News and Info Agency 'Wafa', [Israeli forces demolish water well south of Qalqilya](#), (23 January 2024); ICAHD, [January 2024 Demolition and Displacement Report](#), (8 February 2024).

¹⁸ Item IDs 172125, 172126, 172127, 172128, 172129, 172130, 172132, and 172131.

¹⁹ A unit of measurement of land area, 1 dunam = 1,000 sq. meters.

²⁰ Wafa, [Israeli forces demolish water well south of Qalqilya](#), (23 January 2024).

²¹ ICAHD has not specified what constitutes being 'affected'.

²² ICAHD, [January 2024 Demolition and Displacement Report](#), (8 February 2024); B'tselem, [List of demolitions](#).

10 March 2024: On 10 March, the ISF demolished an agricultural water pond in Marj Na'ja, Jericho governorate on the basis that there was no building permit.²³ Footage captured on 11 March appears to portray the aftermath of the demolition.²⁴ Publicly available information suggests the pond, demolished along with water pipes and pumps, had the capacity to hold 2,400 cubic metres of water and was used to irrigate approximately 150 dunums of agricultural land.²⁵ According to ICAHD, two households comprising eight people, including two children were affected.²⁶



Item ID 171971, captured on 11/03/2024 with the eyeWitness to Atrocities App by Al Haq (GPS coordinates: 32.19646588, 35.53744499).

5 March 2024: On 5 March, the ISF reportedly demolished four to six agricultural structures in Shuqba, Ramallah and al-Bireh governorate.²⁷ Footage captured on 17 March depicts destroyed infrastructure surrounded by livestock, revealing what may be the aftermath of the incident.²⁸ A report by ICAHD indicates the demolitions occurred because the Israeli authorities had not issued a building permit, and nine people from two households were affected.²⁹

²³ ICAHD, [March 2024 Demolition and Displacement Report](#), (8 April 2024).

²⁴ Item IDs 171972, 171973, and 171971.

²⁵ ICAHD, [Demolition Updates: 20 Palestinians displaced during 2 days of demolitions in the West Bank and East Jerusalem](#), (13 March 2024); B'Tselem, [List of demolitions](#).

²⁶ ICAHD, [Demolition Updates: 20 Palestinians displaced during 2 days of demolitions in the West Bank and East Jerusalem](#), (13 March 2024).

²⁷ ICAHD, [March 2024 Demolition and Displacement Report](#), (8 April 2024); Wafa, [Israeli forces demolish structures near Ramallah](#), (5 March 2024).

²⁸ Item IDs 172703, 172704, 172705, 172706, 172707, 172708, 172709, and 172710.

²⁹ ICAHD, [March 2024 Demolition and Displacement Report](#), (8 April 2024); Wafa, [Israeli forces demolish structures near Ramallah](#), (5 March 2024).

12-14 April 2024: Between 12-14 April, Israeli settlers reportedly attacked farms in Al Mughayyir, Ramallah and al-Bireh governorate, as part of a broader attack against Palestinians after a young Israeli herder was killed around the area.³⁰ It is alleged Israeli settlers had planned the attacks over WhatsApp, were armed with rifles and Molotov cocktails, and two ISF soldiers were patrolling the area prior to the reported attacks.³¹ Footage captured on 14 April depicts what appears to be the aftermath of one such attack on a farm, portraying around 10-20 dead sheep and possibly goats with blood around some of their necks, destroyed olive trees and burnt buildings.³² According to documenters who captured the footage, the livestock were slaughtered by Israeli settlers with their knives and the agricultural buildings were burnt.³³



Item ID 173558, captured on 14/04/2024 with the eyeWitness to Atrocities App by Al Haq (GPS coordinates: 32.0242766667, 35.3406833333).

³⁰ Al Monitor, [West Bank villagers vigilant but vulnerable after settler attacks](#), (19 April 2024); Al Jazeera, [Palestinian man killed in Israeli settler raids in occupied West Bank](#), (13 April 2024); UN OCHA, [Hostilities in the Gaza Strip and Israel | Flash Update #154](#), (17 April 2024).

³¹ Al Monitor, [West Bank villagers vigilant but vulnerable after settler attacks](#), (19 April 2024); Al Jazeera, [Palestinian man killed in Israeli settler raids in occupied West Bank](#), (13 April 2024); BBC, [‘Exterminate the beasts’: How Israeli settlers took revenge for a murder in the West Bank](#), (27 May 2024).

³² Item IDs 173573, 173575, 173578, 173571, 173567, 173558, and 173572.

³³ *Ibid.*

7 May 2024: On 7 May one residential structure, two livelihood structures and one agricultural structure were destroyed near Ein Ayub and Ras Karkar, Ramallah governorate, reportedly because there was no Israeli issued building permit.³⁴ Footage captured on the same day shows destroyed buildings, including possible agricultural infrastructure.³⁵ This demolition allegedly impacted two households.³⁶

28 May 2024: Footage taken on 28 May depicts destroyed buildings, pot plants and other infrastructure in Qalqilya.³⁷ As per the documenter's notes, greenhouses used to house vegetable and rose seedlings were destroyed by the ISF at a property.³⁸ No open-source information was found at the time of writing to corroborate this incident.



Item ID 175240, captured on 28/05/2024 with the eyeWitness to Atrocities App by Al Haq (GPS coordinates: 32.2002047, 34.97589968).

³⁴ ICAHD, [May 2024 Demolition and Displacement Report](#), (9 June 2024).

³⁵ Item IDs 174518 174519 174516 174517 and 174515.

³⁶ ICAHD, [May 2024 Demolition and Displacement Report](#), (9 June 2024).

³⁷ Item IDs 175236, 175241, 175239, 175238, 175229, 175233, 175230, 175237, 175232, 175235, 175234, and 175231.

³⁸ *Ibid.*

4.2 Incidents affecting markets and food stalls

30 May 2024: On 30 May, a market in Ramallah, known locally as al-Hisbah, caught on fire.³⁹ The market sells fruits, vegetables, and other products.⁴⁰ Open-source reporting indicates the fire started when members of the ISF raided the area and shot tear gas canisters into the market, causing it to catch fire.⁴¹ Footage captured on the same day reveals the immediate aftermath.⁴² According to one media report, the ISF prevented firefighters from accessing the market for nearly an hour, causing the fire to spread.⁴³ Over 100 stalls were reportedly destroyed, removing the only source of income for many vendors at the market.⁴⁴



Item ID 175312, captured on 30/05/2024 with the eyeWitness to Atrocities App by Al Haq (GPS coordinates: 31.9044566667, 35.206615). Note, a face has been covered to protect the identity of the person.

³⁹ Middle East Eye, [Israeli forces spark devastating fire at Ramallah vegetable market | Middle East Eye](#), (30 May 2024). *See also* Reuters, [Fire destroys Ramallah market after Israeli army raid](#), (30 March 2024).

⁴⁰ Middle East Eye, [Israeli forces spark devastating fire at Ramallah vegetable market | Middle East Eye](#), (30 May 2024).

⁴¹ *Ibid*; Middle East Monitor, [Ramallah market fire after Israeli raid](#), (30 May 2024); Palestinian Info Centre, [Massive fire at Ramallah market following Israeli teargas attack](#), (30 May 2024).

⁴² Item IDs 175334, 175312, 175319, 175315, 175314, 175335, 175338, 175343, 175337, 175318, and 175336.

⁴³ Middle East Eye, [Israeli forces spark devastating fire at Ramallah vegetable market | Middle East Eye](#), (30 May 2024).

⁴⁴ *Ibid*.



5. Conclusion

This submission reveals that there has been widespread targeting of Palestinian people's food supplies and food systems by the ISF and Israeli settlers, particularly in the West Bank over several years.⁴⁵ These incidents amount to IHRL violations, particularly the right to food, livelihood, and the right to enjoy human rights without discrimination. Israeli settlers have reportedly targeted food and food systems largely with impunity.⁴⁶

These attacks could also amount to certain IHL violations pertaining to the law of occupation. Specifically, Israel as the occupying power has not fulfilled its obligation to ensure the civilian population has access to food, and has destroyed agricultural and food related infrastructure without proving military necessity. Further, according to one report, Israel has been undermining Palestinian people's subsistence for decades by denying access to land declared as firing zones, nature reserves or settlements:

*Israel uses these zoning declarations [at least in the Jordan Valley] to justify its refusal to approve building plans that would allow residents of ...pastoral communities to build homes legally and connect to water and electricity infrastructure. On top of this, with full backing and protection from the military and the police, settlers subject residents of these communities to severe violence on a daily basis. This policy imposes impossible living conditions on Palestinian residents of the Jordan Valley.*⁴⁷

The United Nations Office for the Coordination of Humanitarian Affairs (UN OCHA) reports that between 7 October 2023 and 20 February 2024, Palestinian farmers and other eyewitnesses noted at least 38 occasions when Israeli forces had accompanied attackers, or attackers were wearing military uniforms, when expelling Palestinians from their farmlands or 'taking over olives and tools.'⁴⁸

Official or unofficial policies aimed at making life impossible in the area for Palestinians living off the land could amount to forcible transfers under IHL.⁴⁹

Moreover, by destroying critical agricultural and farming infrastructure, as well as culturally important food sources that tie Palestinians to their land, such as olives, Israel is undermining Palestinian peoples' food sovereignty.⁵⁰

All these incidents could also amount to international crimes if certain criteria are met.

⁴⁵ The data eyeWitness has received is primarily from the West Bank, and as such is not an indication that such events have not occurred in Gaza.

⁴⁶ B'Tselem, [Since 7 October, Israel has ramped up efforts to drive Palestinian shepherding communities out of the northern Jordan Valley](#), (17 March 2024).

⁴⁷ *Ibid.* These actions are not limited to the Jordan Valley but occur in the rest of the West Bank. See Norwegian Refugee Council, [West Bank: Israeli settlement wastewater destroys Palestinian lands and livelihoods](#), (21 March 2024).

⁴⁸ UN OCHA, [Olive harvest 2023: hindered access afflicts Palestinian farmers in the West Bank](#), (22 February 2024).

⁴⁹ UN CoI on oPt, [Commission of Inquiry finds that the Israeli occupation is unlawful under international law](#), (20 October 2022).

⁵⁰ UN Special Rapporteur on the right to food, Michael Fakhri, [The Palestinian People's Food Sovereignty UN HRC Side-Event](#), (6 March 2024).



Further investigations are necessary to qualify crimes; understand how such incidents may compound harms faced by certain groups such as Palestinian children, women, and people from lower income backgrounds; and hold perpetrators accountable.