



Women's Centre for Legal Aid and Counselling (WCLAC)

Israeli military night-raids on Palestinian residences in the West Bank and East Jerusalem

Submission Update

Date: June 2016

Submitted to:

1. Special Rapporteur on [violence against women](#), its causes and consequences
2. Special Rapporteur on [torture](#) and other cruel, inhuman or degrading treatment or punishment
3. Special Rapporteur on the situation of human rights in the [Palestinian territories](#) occupied since 1967

The Women's Centre for Legal Aid and Counselling ([WCLAC](#)) is a Palestinian non-governmental organization established in 1991 and based in Ramallah and East Jerusalem. WCLAC aims to address the causes and consequences of gender-based violence within the community as well as the gender-specific effects of prolonged military occupation.

1. Introduction

- 1.1 In 2015, WCLAC lodged two complaint submissions with three UN Special Rapporteurs highlighting the devastating impact that repeated night raids conducted by the Israeli military are having on Palestinian communities in the West Bank and East Jerusalem ([June 2015](#) and [November 2015](#) submissions).¹
- 1.2 It is currently estimated that since 1967, the Israeli military has conducted almost 66,000 night arrest operations on Palestinian homes in the West Bank (not including East Jerusalem), or 1,360 per year, in what appears to be a widespread and systematic policy of intimidation.² This figure does not include the more common night raids in which no arrests are made or day-time incursions into Palestinian towns and villages, which if included are estimated to bring the likely total number of raids to around 150,000 since 1967.
- 1.3 The underlying reasons behind this systematic policy become clearer when one appreciates that the overwhelming majority of night raids occur in Palestinian communities located within 2 kilometres of an Israeli settlement constructed in violation of international law in the West Bank.
- 1.4 The use of night raids on Palestinian homes by Israeli forces appears to be part of a wider strategy to intimidate Palestinian communities living in close proximity to Israeli settlements. Or in other words, in order to protect approximately 600,000 Jewish Israeli citizens living in illegal settlements in East Jerusalem and the West Bank, the military and police are compelled to intimidate the neighbouring Palestinian communities into submission so that settlers can go about their daily lives in occupied territory in relative ease.
- 1.5 Whilst this policy is generally effective, evidenced by the fact that the US State Department reports that no settlers were killed in the West Bank in 2012, it does nevertheless create enormous resentment resulting in periodic upsurges in violence.³ Whilst it is not suggested that the current upsurge in violence is exclusively attributable to Israeli military night raids in East Jerusalem and the West Bank, the effect of 66,000 night raids, or four arrest operations per night, should not be underestimated.
- 1.6 This update to the earlier submissions is based on 50 cases documented by WCLAC between January and May 2016 (the reporting period). It should also be noted that this submission relates only to raids conducted by the Israeli military into Palestinian villages and towns at night and does not refer to the more frequent day-time raids into Palestinian centres of population.
- 1.7 Attached to this update are the following annexures:

[Annexure A](#) – Schedule of evidence

[Annexure B](#) – Testimonies

2. Evidentiary summary of recent evidence

- 2.1 During the reporting period WCLAC has collected 50 testimonies from women with direct experience of a military night raid on their family home. The testimonies were collected randomly from 20 locations across the West Bank, in the sense that no prior inquiry was made as to the nature or seriousness of the raid. It is submitted that this body of evidence, whilst only making up a fraction of the total number of night raids that took place during the reporting period, does highlight the widespread and systematic manner in which this policy is implemented, and gives a small insight into the terror they induce.
- 2.2 The following paragraphs include a brief summary of the evidence collected by WCLAC during the reporting period. The full testimonies are available in **Annexure B**.
- (i) On 1 January, [Khitam](#) reports that Israeli soldiers knocked at her front door at 1:00 a.m. Around 20 to 30 soldiers entered her home. The commander told them that they wanted to detain their two daughters, Diana and Nadia. When her husband asked why he was told to remain silent. The soldiers then tied and blindfolded the whole family except Khitam and took them outside. The soldiers prevented Khitam from using the bathroom and she wet herself. Diana and Nadia were transferred to Hasharon prison inside Israel and accused of manufacturing pipe bombs.
 - (ii) On 1 January, [Ahlam](#) reports that her 13-year-old daughter Saba’ woke her up at midnight and told her that Israeli soldiers were surrounding their home. Around 15 soldiers then entered the house and ordered everyone into the living room. Ahlam’s husband and 21-year-old son Hamza were taken to a bedroom for questioning. Other soldiers searched the house. Hamza was later detained without explanation. The next day an NGO informed the family that Hamza was accused of attending an unauthorized demonstration at university.
 - (iii) On 13 January, [Arwa](#) reports waking up to the sound of “assertive” knocking at the front door. It was 1:00 a.m. Around 15 Israeli soldiers entered their home and told her husband he was under arrest. The soldiers searched their house before tying Arwa’s husband’s hands behind his back and taking him outside. A laptop was also confiscated. Arwa was not told why her husband was being arrested and she was not permitted to say goodbye. Two days later the family was contacted by an NGO who told them Arwa’s husband was being held inside Israel. They did not know why.

- (iv) On 25 January, [Ghadeer](#) reports that her 17-year-old daughter Noor woke her up and told her that Israeli soldiers were in front of their home. It was 2:30 a.m. When they went to the living room they found that the soldiers were already inside having blown open the front door. When her husband asked the soldiers what they wanted he was told to remain silent. The soldiers then searched the house. About an hour later a commander and more soldiers entered the house and told her that their 21-year-old son Riad was under arrest. The soldiers also confiscated the family's mobile phones and an iPad. The family was not given any reasons for the arrest.
- (v) On 25 January, [Majeda](#) reports waking up at 1:30 a.m. to the sound of loud banging at the front door. When the door was opened around 15 soldiers accompanied by three service dogs entered their home. The soldiers and dogs spread out throughout the house yelling for everyone to get up. Majeda reports that their children were terrified. The family was forced outside where it was cold and raining for 15 minutes. Majeda reports that the soldiers searched their home and damaged the furniture. The commander confiscated Majeda's phone before leaving without making an arrest.
- (vi) On 26 January, [Wafa](#) reports waking up to the sound of an explosion at 2:30 a.m. When she and her husband went to the living room they found around 12 Israeli soldiers already inside their home. The soldiers then searched their home for about one hour. The soldiers confiscated the family's mobile phones and tablets. Wafa's husband was then tied and taken outside without explanation. Later that day the family contacted an NGO for information but they had no information about Wafa's husband.
- (vii) On 1 February, [Faize](#) reports waking up to the sound of an explosion at 2:30 a.m. When the family went to the living room they found that around 20 Israeli soldiers were already inside their home. The commander told her husband that they had come to arrest their 22-year-old son, Odi, to "ask him some questions". The family was held under guard in the living room and she reports that her younger son started to shiver from fear. An hour later Odi was led from the house tied and the soldiers threatened to kill her husband if he tried to follow. The family was later informed by an NGO that Odi was accused of throwing stones at soldiers.
- (viii) On 1 February, [Muna](#) reports hearing knocking at their front door at 3:30 a.m. When her husband opened the door between 15 and 20 Israeli soldiers entered. The family was told to gather in the living room while the soldiers searched their house. Their 15-year-old son, Mohammad was taken to another room for questioning. Mohammad was later detained so that he could be asked "some more questions". Later that day the family was informed by an NGO that Mohammad was accused of throwing stones at soldiers and would appear in a military court on 8 February.

- (ix) On 1 February, [Muntaha](#) reports waking up to loud banging at her front door at 2:30 a.m. When her husband opened the door around seven Israeli soldiers accompanied by a service dog entered their home. The family was gathered at gunpoint in the living room. Muntaha reports that her 17-year-old daughter was shivering from fear and cold. The soldiers then searched the house. After about an hour-and-a-half the soldiers detained Muntaha's 24-year-old son for "questioning". The next day they were informed by the Red Crescent that their son was being held at Al Jalame interrogation centre inside Israel.
- (x) On 1 February, [Yusra](#) reports waking to loud banging at her front door at 2:00 a.m. Around 15 Israeli soldiers, some wearing masks, entered her home. The soldiers asked for their 25-year-old son Mohammad and questioned him in his bedroom. Four soldiers guarded the rest of the family in the living room and prevented them from speaking or moving. The soldiers then tied and blindfolded Mohammad and took him outside. Yusra tried to follow the soldiers and the commander told her husband she would be shot if she did not go back inside. The next day a NGO told them that Mohammad was being held inside Israel in the Al Jalame interrogation centre.
- (xi) On 2 February, [Fatima](#) reports waking up to loud banging at the front door at 2:00 a.m. She reports that her 17-year-old daughter woke up terrified. When Fatima opened her bedroom door she saw around 20 Israeli soldiers accompanied by a service dog in the living room. When she asked the soldiers what they wanted they did not respond. The family was separated as the soldiers started to question her sons in another room. Meanwhile other soldiers searched the house causing damage. The soldiers then arrested Fatima's 20-year-old son without explanation.
- (xii) On 9 February, [Hana](#) reports waking up to loud banging at her front door at 2:30 a.m. Her son opened the door and found a group of Israeli soldiers. The commander said they wanted to search the house and between 10 to 15 soldiers entered. The soldiers then detained and tied Hana's 24-year-old son Ahmad without explanation. The following day the family found out that Ahmad was being held in Etzion settlement but they did not know why.
- (xiii) On 10 February, [Naela](#) reports waking up to the sound of an explosion at 3:00 a.m. When the family went to their living room they found 20 Israeli soldiers in their home. The soldiers confiscated the family's mobile phones and separated family members into different rooms. Some soldiers also searched the house. About an hour later the soldiers detained Naela's 23-year-old son Mahmoud without explanation. The next day they found out he was being held in the settlement of Etzion but did not know why.

- (xiv) On 10 February, [Najibeh](#) reports waking up to the sound of an explosion at 3:30 a.m. When they went to the living room they found around 20 Israeli soldiers in their home. When Najibeh tried to inform the soldiers about her husband's medical condition they told her to "shut up". She reports that the soldiers beat her two adult sons. The soldiers searched the house throwing the family's possessions on the ground. The soldiers detained Najibeh's 24-year-old son after tying and blindfolding him. The commander told them that if they tried to follow the soldiers they would be killed.
- (xv) On 11 February, [Rahmeh](#) reports that at around 1:30 a.m. the front door of her home was blown open by Israeli soldiers. Around 30 soldiers accompanied by three service dogs entered her home. The soldiers started to shout and separated the family into different rooms. The house was searched and the family's possessions were thrown on the ground. She reports that the soldiers even broke their toilet seat. All of the family's mobile phones and laptops were confiscated. After an hour-and-a-half the soldiers arrested their adult son without explanation.
- (xvi) On 17 February, [Sabah](#) reports waking up at around 2:00 a.m. and finding Israeli soldiers standing by her bedroom door. When she started to scream a soldier told her to "shut up". Her husband started to yell at the soldiers to get out of their bedroom. The soldiers then separated males from the females into different rooms. The soldiers then searched the house causing damage to the furniture. The soldiers then detained Sabah's 19-year-old son and tied and blindfolded him. Twenty-four hours later they still did not know why their son was detained.
- (xvii) On 2 March, [Reem](#) reports waking at 3:30 a.m. and finding Israeli soldiers in her bedroom. She reports that the soldiers woke up her 13-year-old son Abed by striking him on the head with a gun. The soldiers searched the house damaging furniture and threw personal possessions and kitchen utensils on the ground. The soldiers took Abed away for several hours and he returned beaten and bloodied in what appears to have been a case of mistaken identity.
- (xviii) On 2 March, [Hanan](#) reports waking at 5:00 a.m. to the sound of loud explosion inside her home. When she came out of her bedroom she found around 30 Israeli soldiers in her living room. She reports that the soldiers then beat her 22-year-old son Saa'ed with their guns while interrogating her 17-year-old son Mohammad in a bedroom. She reports that the soldiers ignored her husband when he asked what they wanted. The soldiers searched the house and then detained Mohammad without explanation. He was later charged in a military court with incitement on Facebook.

- (xix) On 7 March, [Manal](#) reports waking up at 2:00 a.m. to the sound of banging at the front door. When she opened the door around seven Israeli soldiers entered her home, all but two were wearing face masks. The soldiers then searched the house. The soldiers then tied the hands of Manal's 13-year-old son Malik and took him away without explanation. The next day Malik was released by a military court on payment of NIS 4,000 bail. He was accused of throwing stones at soldiers.
- (xx) On 8 March, [Manal](#) reports that Israeli soldiers started to throw stones at her home and bang at the front door at 1:30 a.m. Manal reports that a soldier threatened to start shooting unless they opened the door. Around 30 to 40 soldiers entered her home, most were wearing face masks. Manal reports that she was physically assaulted by a female soldier as she fetched her ID card. Manal was then arrested but was not given reasons. Manal was transferred and held in a prison facility inside Israel and was released on payment of a fine on 10 March 2016.
- (xxi) On 9 March, [Amani](#) reports waking up at 3:00 a.m. to the sound of someone at the front door. When her husband opened the door around 15 Israeli soldiers entered their home. The soldiers then arrested Amani's husband, Sami. The soldiers also searched their home before tying Sami and taking him away. The next day Amani found out that her husband was being held at Huwwara interrogation centre and was accused of incitement on Facebook.
- (xxii) On 10 March, [Worod](#) reports waking up at 1:30 a.m. and finding around 20 Israeli soldiers in her living room. When her husband asked the commander what they wanted he was told to "shut up". The family was gathered in the living room and the soldiers searched the house. About 30 minutes later the soldiers detained Worod's 18-year-old son Ahmad and tied his hands. He was then taken away without the family being able to say goodbye. The next day they found out that Ahmad was being held in Etzion settlement but they were not told what he was accused of.
- (xxiii) On 10 March, [Ibtisam](#) reports that she woke up at 3:30 a.m. to the sound of people speaking Hebrew inside her home. When she and her husband went to the living room they found that around 10 Israeli soldiers had broken into their home. The soldiers searched the house for about 30 minutes before arresting Ibtisam's adult son and taking him away without explanation. Ibtisam reports that: "This was the first time soldiers have raided our house and it was terrifying. I became sick for five days after the raid."
- (xxiv) On 15 March, [Maha](#) reports that her husband woke her up at 2:30 a.m. and told her that Israeli soldiers were inside their home in the Ad Duheisha refugee camp. About 20 soldiers entered her home. The commander told them they wanted to arrest their

18-year-old son. Some soldiers searched the house. About 15 minutes later they tied Maha's son's hands behind his back and blindfolded him. The family were not informed why their son was being detained.

- (xxv) On 15 March, [Suzan](#) reports that she woke up at 2:30 a.m. to loud banging at her front door in the Ad Duheisha refugee camp. Suzan opened the door and around 15 Israeli soldiers entered her home. The soldiers told her that they had come to arrest her 12-year-old son and she reports that they threatened to kill the child unless he was surrendered. The soldiers then tied her son's hands behind his back with plastic ties. The next day Suzan was informed by the lawyer that her son was accused of throwing stones at soldiers and would be released on bail of NIS 4,000.
- (xxvi) On 18 March, [Intisar](#) reports that her husband woke her up at 2:20 a.m. and told her that Israeli soldiers were in their living room in the Qalandiya refugee camp. Around 25 soldiers entered Intisar's home accompanied by two service dogs. Three soldiers prevented the family from talking or moving while the other soldiers searched the house, throwing clothes and kitchen utensils on the ground. About an hour later the soldiers arrested Intisar's 25-year-old son who was later accused of throwing stones at soldiers. Intisar reports that night raids in the camp have become the norm.
- (xxvii) On 18 March, [Intisar A.](#) reports waking up at 5:00 a.m. to the sound of an explosion inside her home. Around 40 Israeli soldiers entered her home accompanied by three service dogs. The commander told the family not to bother them and they were held under armed guard. The soldiers took Intisar's 19-year-old son to another room for questioning. The soldiers then searched the house before arresting Intisar's son, who they tied and blindfolded. The soldiers did not give reasons for the arrest. Intisar reports that the soldiers threatened to shoot anyone who attempted to follow them.
- (xxviii) On 20 March, [Dua'a](#) reports that she woke up to the sound of an explosion in her apartment in Nablus at 3:30 a.m. Israeli soldiers entered her bedroom before she was up. About 20 soldiers entered the apartment, some wearing facemasks. Four soldiers pointed their weapons at the family while the others searched the apartment. The soldiers threw the family's clothes and kitchen utensils on the floor and confiscated phones and laptops. An hour later the soldiers arrested Dua'a's husband and adult son without explanation. Her husband was detained inside Israel.
- (xxix) On 21 March, [Haifa](#) reports that Israeli soldiers knocked on her door in the village of Kafr ad Dik at 1:30 a.m. Her husband opened the door and around 20 soldiers entered their home. The entire family was gathered in the living room and told not to bother the soldiers "so they won't bother you". Haifa's 20-year-old son was taken to another room for questioning while other soldiers searched the house. About 15 minutes later

the soldiers arrested Haifa's son without explanation and left. Haifa later found out her son was being held inside Israel accused of incitement on Facebook.

- (xxx) On 23 March, [Wafa](#) reports waking up at 2:00 a.m. to a strange sound outside her house followed by an explosion. When they went to the living room they found 15 Israeli soldiers accompanied by three service dogs. The soldiers took Wafa's 27-year-old son Yousef to another room for questioning while other soldiers searched the house. About 30 minutes later the soldiers detained Yousef and tied his hands behind his back before taking him away. The next day the family found out that Yousef was being held in Megiddo prison inside Israel and was accused of incitement on Facebook.
- (xxxi) On 2 April, [Ayshe](#) reports waking up at 3:00 a.m. to the sound of loud banging at the front door. Ayshe's adult son opened the door and around 10 Israeli soldiers entered their home. When her husband asked the commander what they wanted he was told to sit down and not to talk. Ayshe's 7-year-old daughter woke up and started to cry from fear. The soldiers searched the house and then detained Ayshe's 23-year-old son Essa after tying and blindfolding him. The family were not provided with any reasons for the arrest. The next day an NGO informed the family that Essa was being held in Megiddo prison inside Israel and was accused of incitement on Facebook.
- (xxxii) On 5 April, [Hanan](#) reports waking up at 2:30 a.m. when Israeli soldiers came to her house. Around seven soldiers entered her home and the commander asked for their 15-year-old son Yazan. The commander then said they wanted to arrest Yazan. The next day Hanan's husband went to Etzion interrogation centre as directed. Yazan was accused of throwing stones at soldiers but was released at 5:00 p.m. due to a lack of evidence. Hanan reports that she had a nervous breakdown on the night of the raid.
- (xxxiii) On 5 April, [Samira](#) reports waking up at 2:00 a.m. to loud banging at her front door. Samira reports that she knew it would be Israeli soldiers as they frequent raid homes in the refugee camp. A window was also smashed. When her husband opened the door around 20 soldiers entered their home. The commander said they wanted to arrest Samira's 15-year-old son Marwan. The family was informed that Marwan was accused of throwing stones and he was then taken away. On 13 April, Marwan was released by a military court on bail of NIS 1,200.
- (xxxiv) On 10 April, [Nahal](#) reports waking up at 2:00 a.m. and then hearing loud banging at her front door. As soon as her husband opened the door around 10 Israeli soldiers violently pushed their way into their apartment. Nahal reports that her children remained in their beds terrified. The soldiers then detained her 16-year-old son Tamer

without explanation. Tamer has since had a number of appearances in a military court.

- (xxxv) On 12 April, [Hanan](#) reports waking up terrified at 2:30 a.m. to loud banging at the front door. Around six Israeli soldiers entered their home after he husband opened the door. Hanan reports that when her husband complained about the manner in which the soldiers banged at the door he was told to “shut up”. The family was gathered into the living room while other soldiers searched their home. About 10 minutes later the commander indicated that they would arrest Hanan’s 24-year-old son Usama. He was tied and taken from the house without explanation. The family was later informed by an NGO that he was accused of throwing stones.
- (xxxvi) On 12 April, [Afaf](#) reports waking up terrified at 2:00 a.m. to loud banging at the front door. When the door was opened around 10 Israeli soldiers entered their home. The soldiers made Afaf’s husband and sons wait outside the house. Afaf’s 25-year-old son was detained without explanation. The next day the family were informed by an NGO that their son was being detained at the Al Jalame interrogation centre in Israel but they did not know what he was accused of. Afaf reports that her youngest daughter is so scared she can no longer sleep alone following the night raid.
- (xxxvii) On 18 April, [Matilda](#) reports hearing loud banging at her front door at 4:00 a.m. When her husband opened the door five Israeli soldiers entered their home. The family gathered in the living room where they were held under armed guard. After 15 minutes the commander said they were detaining Matilda’s 21-year-old son Murad for further questioning. The next day a lawyer phoned the family and told them that Murad was being held in Ofer prison near Ramallah and he was accused of throwing stones. Matilda reports that the night raid has affected the health of her family.
- (xxxviii) On 19 April, [Majida](#) reports waking up at 3:00 a.m. to the sound of the door bell. When the door was opened around 10 Israeli soldiers entered their home. The family gathered in the living room while the elder sons were questioned. The house was also searched. Around 30 minutes later the soldiers detained Majida’s 20-year-old son Iyad without explanation. Later that morning Majida’s husband called a NGO and found out that their son was being held in Megiddo prison inside Israel. He was accused of throwing stones.
- (xxxix) On 19 April, [Jamelieh](#) reports waking up terrified at 1:00 a.m. to the sound of loud banging at the front door. When her husband opened the door he found a group of Israeli soldiers. The commander said that they had come to arrest their 13-year-old boy, Saqer. Jamelieh and her husband were held under armed guard in the living room as the soldiers tied the hands of their 13-year-old son. Later that day the family

were informed by a NGO that Saqer was being held in Huwwara interrogation centre. He was released without charge later that day at 8:00 p.m.

- (xl) On 19 April, [Majd](#) reports hearing loud banging at her front door at 2:00 a.m. When she opened the door around 15 Israeli soldiers entered her home. The commander then said Majd was under arrest and she would be returned home in a few days. Her hands were then tied behind her back and she was taken away without the opportunity to say goodbye to her parents. Majd reports being interrogated in Etzion settlement followed by the Russian Compound in Jerusalem. She was questioned about incitement on Facebook. Majd was sentenced by a military court to 45 days imprisonment and fined NIS 3,000. She was held in Hasharon prison inside Israel.
- (xli) On 4 May, [Amal](#) reports waking up to loud banging at her front door at 1:00 a.m. When her husband opened the door around 10 Israeli soldiers entered their home. The commander immediately asked where their 17-year-old son Ali was. The family was gathered in the living room and the Ali was questioned in his bedroom. Amal reports that the soldiers searched their home. About 30 minutes later Ali came out of the bedroom with his hands tied and he was taken away without the family saying goodbye. Ali returned home 18 hours later.
- (xlii) On 4 May, [Kholoud](#) reports hearing knocking at her front door at around 2:00 a.m. When her husband opened the door around 20 Israeli soldiers entered their home. The family was gathered in the living room while her 15-year-old son Rabea was taken to a bedroom for questioning. Other soldiers searched their house. About an hour later Rabea was brought out of the bedroom with his hands tied behind his back with plastic ties and taken outside without explanation. Rabea was released without charge 17 hours later.
- (xliii) On 4 May, [Kifah](#) reports that her daughter woke her at 2:00 a.m. and told her that Israeli soldiers were at the front door. When her husband opened the door around 15 soldiers entered their home. The commander said they were looking for her 17-year-old son Mahmoud. Their house was searched and then Mahmoud's hands were tied behind his back and he was taken away. They later found out from an NGO that Mahmoud was detained in Ofer prison near Ramallah and was accused of manufacturing a pipe bomb.
- (xliv) On 25 May, [Mariam](#) reports waking up terrified at 1:00 a.m. to the sound of banging at the front door. Around 15 Israeli soldiers entered her home. She reports that her children, aged seven and 10, were terrified. Mariam and her children were taken to one room while her husband was questioned in the living room. Other soldiers searched their home. About an hour later her husband's hands were tied behind his

back with plastic ties and he was taken away without Mariam saying goodbye. She reports that their children were shivering from fear. She later found out that her husband was being held in Huwwara interrogation centre accused of possessing a gun.

- (xlv) On 25 May, [Zainab](#) reports waking to the sound of loud banging at her front door at 2:30 a.m. After her husband opened the door around 10 Israeli soldiers entered their home. The family was gathered in the living room while the soldiers searched the house. Around 30 minutes later the commander told her husband they wanted to arrest their 14-year-old son Mohammad. Mohammad's hands were tied behind his back and he was led away without the family saying goodbye. At 7:00 a.m. the commander called the family and told them that Mohammad was being held in Ofer prison near Ramallah and they needed to hire a lawyer.
- (xlvi) On 25 May, [Sana](#) reports waking up at 2:00 a.m. after hearing unusual sounds outside her house. Moments later there was knocking at her front door. When her husband opened the door around 20 Israeli soldiers accompanied by two service dogs entered their home. The family was gathered in a bedroom as her husband was questioned in the living room. Meanwhile other soldiers searched their home causing damage including knocking a hole in a wall. Sana reports that a soldier stepped on their 2-year-old daughter Aseel causing her to wake up crying. When Sana went to investigate shouting in the living room a soldier pushed her to the ground. Sana's husband was then tied and taken away without being able to say goodbye.
- (xlvii) On 25 May, [Rasha](#) reports being awake when she heard unusual sounds outside her home followed by banging at the front door. When her husband opened the door around 20 Israeli soldiers entered their home. The family was held in one room while her husband was taken to another room for questioning. Meanwhile other soldiers searched their home throwing their clothes and kitchen utensils on the ground and breaking a door. Around 30 minutes later her husband was tied and taken away without saying goodbye.
- (xlviii) On 25 May, [Hana](#) reports hearing loud banging at her front door at 3:00 a.m. When her husband opened the door around 15 Israeli soldiers entered her home. The commander asked for her 15-year-old son Essam who was then arrested and tied by the soldiers. The family were not given any explanation at the time as to the reason for the arrest. Later that day the family contacted an NGO that informed them that Essam was being held in Ofer prison near Ramallah and he was accused of throwing stones at Israeli soldiers.

- (xlix) On 25 May, [Zahra](#) reports waking up to the sound of loud banging at her front door at 3:00 a.m. When her adult son opened the door a group of Israeli soldiers entered. The commander told them that they had come to arrest their 14-year-old son Abed. No further details were provided. Later that day the family found at that Abed was being detained in Ofer prison near Ramallah and would have a military court hearing on 26 May 2016. He was accused of throwing stones at soldiers.
- (l) On 30 May, [Dalal](#) reports that she woke up at 1:30 a.m. after being told that Israeli soldiers were in her home. When she left her bedroom she saw around 20 soldiers accompanied by service dogs in her home. After interrogating her husband and two adult sons the soldiers searched her home causing considerable damage. After they finished searching the house the soldiers detained her eldest son and took him away tied and blindfolded. The family were later informed by a NGO that their son was being held at Megiddo prison inside Israel.

3. The link between night raids and illegal settlements

- 3.1 As noted in the previous submissions there appears to be a direct correlation between the location of night raids and their proximity to a settlement or road used by settlers. It is submitted that this is no coincidence.
- 3.2 The following table provides evidence of the link between illegal settlements in occupied territory and the military requirement to control and suppress the neighbouring Palestinian communities through night raids and other measures. The table provides the name and distance of the nearest Israeli settlement in relation to the homes of the women who provided testimonies to WCLAC during the reporting period. The information was obtained from official UN maps for the region.

#	Palestinian town/village	Nearest Israeli settlement	Distance
1	Tulkarm	Avne Hefez	1 km
2	Bruqin	Khirbet Susa	1 km
3	Rujeib	Bracha	2 km
4	Beit Rima	Halamish	2.5 km
5	Balata refugee camp	Ha Bracha	2 km
6	Kafr Ni'ma	Talmon	2 km
7	Kafr ad Dik	Ale Zahav	1 km
8	Beit Ummar	Karmi Zur	1 km
9	Ad Duheisha refugee camp	Efrat	1.5 km
10	Zawata	Shave Shomron	3.5 km
11	Ya'bad	Shaqed	1 km
12	An Nabi Saleh	Halamish	1 km

13	Qalandiya refugee camp	Qalandiya checkpoint	0.2 km
14	Nablus	Bracha	2 km
15	Al 'Arrub refugee camp	Miggdal Oz	1 km
16	Beit Fajjar	Miggdal Oz	0.5 km
17	Ashwaikieh	Avne Hefez	1 km
18	Huwwara	Huwwara checkpoint	0.5 km
19	Al Khader	Efrat	1 km
20	Beit Furik	Elon Moreh	2.5 km
Average distance			1.41 km

3.3 Whilst it is beyond dispute that the settlements are illegal under international law and classified as a war crime, the evidence also illustrates how constructing settlements in occupied territory is a highly provocative act and inevitably results in a multitude of human rights abuses on a continuing basis.

4. Unlawful transfer

4.1 It is apparent from the testimonies collected by WCLAC during the reporting period and from official statistics published by the Israeli Prison Service (IPS) that the overwhelming majority of Palestinians detained by the Israeli military during night raids are transferred to prison facilities inside Israel.

4.2 Under articles 76 and 147 of the Fourth Geneva Convention the transfer and detention of protected persons, including prisoners, outside occupied territory is classified as a war crime. It is significant to note that this policy of the State of Israel of unlawful transfer has been in place since 1967 affecting hundreds of thousands of protected persons.

4.3 It is submitted that a war crime of this magnitude and duration only serves to undermine the credibility of the international legal order.

5. Concluding words

5.1 It is submitted that repeated night raids on Palestinian communities located in close proximity to Israeli settlements are a necessary and foreseeable consequence of Israeli government policies that permit and encourage its citizens to reside in occupied territory in violation of international law. The unenviable task of guaranteeing the safety of the settlers falls on the Israeli army which has, unsurprisingly, adopted a strategy of mass intimidation and collective punishment – of which night raids are necessary component.

5.2 Whilst this policy has been largely successful, as measured by the relatively low casualty rates for Israeli citizens residing in illegal settlements in occupied territory, it does

nevertheless lead to intense resentment and increased tension, whilst also making any prospect of a peaceful resolution, be it a two-state solution or otherwise, virtually impossible.

- 5.3 Whilst it is beyond any reasonable dispute that the settlements are illegal and constitute a war crime, it is also likely that those ordering and implementing the tactics that make the settlement project viable - such as night raids, are potentially exposing themselves to legal liability for aiding and abetting the commission of a war crime.
- 5.4 WCLAC requests that the Special Rapporteurs independently assess these claims and issue a statement with their conclusions, including findings relating to:
- (i) The link between night-raids and continued settlement construction in the West Bank and East Jerusalem;
 - (ii) The inevitable role settlements play in increasing tension and violence in the region and how their continued presence is undermining the international legal order; and
 - (iii) The unlawful transfer and detention of protected persons outside occupied territory in violation of the Fourth Geneva Convention and Rome Statute of the International Criminal Court.

¹ WCLAC submission: Israeli military night-raids on Palestinian residences in the West Bank and East Jerusalem, June 2015. Available at: <http://is.gd/7ssANZ>. WCLAC submission: Israeli military night-raids on Palestinian residences in the West Bank and East Jerusalem, November 2015. Available at: <https://is.gd/WeLNfm>

² At a briefing conducted by the Israeli military authorities at Ofer on 26 February 2014, data was released indicating that 8,000 Palestinian men, women and children from the West Bank were detained by the military in 2013. It was stated that out of the 1,004 children detained, 17 per cent were taken into custody during night-time raids. WCLAC's estimations are based on an assumption that the same percentage of adults were also detained at night.

³ US Department of State, Country Reports on Human Rights Practices (2012). Available at: <http://is.gd/WJLScI>