



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: 11 November 2015

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 June 2015, WCLAC lodged a [submission](#) (June submission) 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.¹
- 1.2 The June submission estimated that since 1967, the Israeli military has conducted more than 65,000 night raids on Palestinian homes in the West Bank (not including East Jerusalem) in what appears to be a widespread and systematic policy of intimidation. The reasons behind this 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. Or in other words, in order to protect nearly 600,000 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 the settlers can go about their daily lives in occupied territory in relative ease.
- 1.3 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.² 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 65,000 night raids, or 4 night raids per night, should not be underestimated.
- 1.4 This update to the June submission is based on 19 cases documented by WCLAC in just one month – October 2015 – a month that has seen heightened tension in the West Bank and East Jerusalem and an increase in night raids. An important point to note from the evidence is that although the frequency of night raids may have increased in October, in many respects the evidence is largely indistinguishable from testimonies collected during the preceding months and highlights the relentless nature of this policy of mass intimidation.
- 1.5 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.
- 1.6 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 October, WCLAC collected 19 testimonies from women with direct experience of a military night raid on their family home. The testimonies were collected randomly from 7 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 October, 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 in October 2015. The full testimonies are available in Annexure B.
- (i) On 12 October, [Thaera](#) was at home with her family in the village of Kafr ad Dik. When her two adult sons went outside at 8:30 p.m. she heard the sound of stun grenades exploding nearby. When she went to investigate she saw around 60 Israeli soldiers holding her sons who had been tied up. The commander told Thaera that if her sons were innocent they would be released. When she demanded their immediate release she was told to shut up or she would be shot. Her sons were released without charge at 5:00 a.m. the following morning.
 - (ii) On 12 October, [Salimeh](#) reports that around 30 Israeli soldiers broke into her home in the town of Dhinnaba at 3:00 a.m. after kicking down her front door. When her husband asked a soldier if he could fetch some water for her they were told they would be shot if they moved. The soldiers then searched Salimeh's home damaging furniture and doors, as well as throwing the family's clothes on the ground. The soldiers then detained Salimeh's 24-year-old son without explanation. Her son was later given a 6-month administrative detention order under which he is held without charge or trial.
 - (iii) On 13 October, [Attieh](#) reports that around 40 Israeli soldiers broke into her home in the city of Tulkarm after kicking in the front door at 3:00 a.m. She reports that the soldiers were physically and verbally abusive towards her paralysed son after he explained that he could not stand up. The soldiers then searched her home damaging the doors and cupboards, whilst throwing the family's clothes and kitchen utensils on the ground. The soldiers then detained her 20-year-old son without explanation. Her son was later given a 4-month administrative detention order under which he is held without charge or trial.
 - (iv) On 13 October, [Nasifa](#) was at home with her family in the village of Kafr ad Dik. At around 8:30 p.m. Israeli soldiers entered her home and checked the family's ID cards.

After searching the house some soldiers went up to the roof which they used as a military observation post until 3:00 a.m. Nasifa reports that night raids have become a common part of their lives and the soldiers occupy their roof about once a month. She also says that her home no longer feels safe and that she is now constantly anxious.

- (v) On 13 October, [Zakia](#) reports that she was at home in the village of Kafr ad Dik when Israeli soldiers patrolled through her neighbourhood at around 8:00 p.m. and started firing stun grenades and tear gas. Sometime later around eight soldiers entered her home and conducted a search without explanation. Zakia reports that her grandchildren, who were staying with her at the time, now wake up in the middle of the night traumatized by the experience.
- (vi) On 13 October, [Mariam](#) reports that she was at home in the village of Kafr ad Dik when Israeli soldiers knocked at her door at 7:30 p.m. The soldiers checked the family's ID cards and searched their home. It appears that the soldiers were looking for persons suspected of throwing Molotov cocktails. The soldiers then occupied the roof of the family home until 5:00 a.m. the next day. Mariam reports that she no longer feels safe since the soldiers came into her home.
- (vii) On 20 October, [Dunia](#) reports how around 30 Israeli soldiers entered her home in the Balata refugee camp at 3:00 a.m. The soldiers started by locking the females in one room and then ordering Dunia's adult sons to strip down to their underwear and stand up against a wall. When Dunia's husband sought an explanation for this conduct he was told to shut up. The soldiers then searched the family home damaging doors and throwing the family's clothes on the floor. Dunia's 21-year-old son was detained and then taken away without explanation.
- (viii) On 20 October, [Ebtisam](#) reports how Israeli soldiers banged at her front door in the Balata refugee camp at 2:30 a.m. The soldiers searched the house and said they wanted to arrest Ebtisam's adult son who was sleeping at his grandparents' house. The soldiers then forced her husband to lead them to the grandparents' house where they arrested their son. Ebtisam reports that since the night raid no one in the family feels safe and her 4-year-old son cries everyday and asks for his brother.
- (ix) On 20 October, [Samira](#) reports how Israeli soldiers banged aggressively at her front door in the Balata refugee camp at 2:30 a.m. When her adult daughter, Nivin, went to answer the door she was yelled at and pushed to the ground by the soldiers. When Samira's husband complained to the commander about Nivin's treatment he was told to shut up. The soldiers then detained Samira's 30-year-old son and took him away without explanation. The next day the family found out from an NGO that their son had been unlawfully transferred to Megiddo prison inside Israel in violation of

Article 76 of the Fourth Geneva Convention and Article 8(2)(a)(vii) of the Rome Statute of the International Criminal Court.

- (x) On 20 October, [Tamam](#) reports how Israeli soldiers broke down her front door in Beit Furik at 3:30 a.m. without first giving her husband the chance to open it. The soldiers then poured water on their sleeping adult son and arrested him without explanation. When Tamam tried to intervene a soldier threatened to kill her son unless she was quiet. Tamam also reports how her 3-year-old son woke up and was terrified to see soldiers inside their home. The next day the family found out from an NGO that their son had been unlawfully transferred to Al Jalame interrogation centre inside Israel in violation of Article 76 of the Fourth Geneva Convention and Article 8(2)(a)(vii) of the Rome Statute of the International Criminal Court.
- (xi) On 20 October, [Sahar R.](#) reports how Israeli soldiers blew open her front door in Beit Furik at 4:30 a.m. without warning. Whilst searching the house the soldiers made Sahar's 10-year-old son, Ibrahim, stand against a wall with his hands and one leg raised. Ibrahim remained in this position for approximately two hours and was too terrified to put his arms down even after the soldiers had left the house. The soldiers detained Sahar's 18-year-old son, Ahmad, without explanation, and when she asked to see her son before he was taken away she was told to shut up or she would be shot.
- (xii) On 20 October, [Sahar Q.](#) reports how approximately 50 Israeli soldiers accompanied by a [service dog](#) broke into her home in Beit Furik at 4:20 a.m. Sahar's children woke up terrified to find soldiers in their house and no explanation for the intrusion was provided. After searching the house the soldiers detained Sahar's 19-year-old son who was later accused of throwing stones.
- (xiii) On 20 October, [Badreih](#) reports that Israeli soldiers blew open her front door in Beit Furik at 2:00 a.m. She reports that the soldiers threatened to shoot anyone who moved. Soldiers went into her 19-year-old son's bedroom and stepped on Taha to wake him up, which he did in a terrified state. The soldiers then detained her 27-year-old son, Mohammad, without explanation. Later that day the family contacted an NGO to try and locate Badreih but nobody knew where he was being detained. Badreih describes how night raids have made the family feel insecure.
- (xiv) On 20 October, [Safa](#) reports that Israeli soldiers broke down her front door in Asira ash Shamaliya at 3:00 a.m. The soldiers searched the house whilst Safa's young children were still asleep. The commander then informed Safa that they were going to detain her husband, Ahmad. When her husband protested they threatened to shoot him in front of Safa. This was the first time Safa had experienced a night raid and she reports being terrified. The family were later informed by an NGO that Ahmad had

been unlawfully transferred to Megiddo prison inside Israel in violation of Article 76 of the Fourth Geneva Convention and Article 8(2)(a)(vii) of the Rome Statute of the International Criminal Court.

- (xv) On 20 October, [Maisoon](#) reports waking up to the sound of loud banging at her front door in Asira ash Shamaliya at 3:00 a.m. When her husband opened the door around 25 Israeli soldiers entered and searched the house. When Maisoon asked a soldier what they wanted she reports that he threatened to shoot her. The soldiers then detained her husband, Nidal, without explanation and took him away without allowing the family to say goodbye.
- (xvi) On 20 October, [Tamemieh](#) reports that around 50 Israeli soldiers blew open the front door to her home in Asira ash Shamaliya at 1:00 a.m. After searching the house the soldiers detained Tamemieh's adult son, Alaa. She reports that the soldiers threatened to shoot her when she asked why they were detaining Alaa. The family were later informed by an NGO that Alaa had been unlawfully transferred to Al Jalame interrogation centre inside Israel in violation of Article 76 of the Fourth Geneva Convention and Article 8(2)(a)(vii) of the Rome Statute of the International Criminal Court.
- (xvii) On 21 October, [Fathyeh](#) reports that around 20 Israeli soldiers entered her home after banging loudly at her door in Sinjil at 5:00 a.m. The soldiers searched Fathyeh's house before detaining her 21-year-old son, Ibrahim. The soldiers did not provide any reasons for detaining Ibrahim but the family later heard from an NGO that he was being held without charge or trial in administrative detention. This is the first time Fathyeh's house has been raided and she is worried that Ibrahim will fall behind in his university studies.
- (xviii) On 21 October, [Eman](#) reports that approximately 15 Israeli soldiers entered her home in Sinjil accompanied by a [service dog](#) at 4:00 a.m. When the family asked what the soldiers wanted they were told to remain silent. After searching the house for about 30 minutes the soldiers then detained Eman's 25-year-old son, Islam, without explanation. The family later contacted an NGO to try and get some information about their son but without success.
- (xix) On 21 October, [Ahlam](#) reports that around 20 Israeli soldiers broke into her home in Sinjil at 4:00 a.m. When her husband demanded to know what they wanted the commander told him to shut up. The soldiers then searched the house for about 30 minutes. Whenever the family asked the soldiers for information they pointed their weapons at them. The soldiers then detained Ahlam's husband and said he would be

home later that day. Nine days later, Ahlam still doesn't know where her husband is or why he is being detained.

- 2.2 In a disturbing development, 42 per cent of the women interviewed by WCLAC in October report that an Israeli soldier threatened to shoot them, or a family member, during the course of the night raid. In most cases the circumstance that appears to have provoked the threat was when the woman questioned why the soldiers were in her home or why they were detaining a family member.
- 2.3 The following table provides evidence of the link between settlement construction in occupied territory and the military requirement to 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 in October. The information was obtained from official UN maps for the region. 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.

#	Palestinian town/village	Nearest Israeli settlement	Distance
1	Kafr ad Dik	Ale Zahav	1 km
2	Dhinnaba	Avne Hefez	2 km
3	Tulkarm	Avne Hefez	1 km
4	Balata refugee camp	Ha Bracha	2 km
5	Beit Furik	Itamar	1 km
6	Asira ash Shamaliya	Elon Moreh	5 km
7	Sinjil	Shilo	2 km
Average			2 km

3. Concluding words

- 3.1 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.
- 3.2 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.

- 3.3 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.
- 3.4 WCLAC requests that the Special Rapporteurs independently assess these claims and issue a statement with their conclusions, including findings regarding the link between night-raids and continued settlement construction in the West Bank and East Jerusalem, as well as the inevitable role settlements play in increasing tension and violence in the region and how their continued presence is undermining the international legal order.

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

² US Department of State, Country Reports on Human Rights Practices (2012). Available at: <http://is.gd/WJLScl>