

Flygtningenævnets baggrundsmateriale

Bilagsnr.:	692
Land:	Gaza-Vestbredden
Kilde:	International Crisis Group
Titel:	Settler Violence Rises in the West Bank during the War
Udgivet:	6. november 2023
Optaget på baggrundsmaterialet:	28. februar 2024



Q&A

Published 6 November 2023

By Mairav Zonszein, Crisis Group Senior Analyst, Israel-Palestine

Settler Violence Rises in the West Bank during the Gaza War

Attacks by Israeli settlers on Palestinians in the West Bank are spiking with attention focused on Gaza. In this Q&A, Crisis Group expert Mairav Zonszein explains what is behind this dangerous phenomenon and what can be done to stop it.

What is happening in the West Bank?

Since Hamas's attack on 7 October and Israel's subsequent bombardment and ground operations in Gaza, the West Bank – which in 2023 to date has already seen its deadliest year since 2005 – is also in turmoil, with the number of violent incidents climbing sharply. Over 130 Palestinians have been killed, 43 of them children. Most were the victims of Israeli soldiers' fire, but eight of them, including one child, were gunned down by settler militias, sometimes in army uniform. Israel has kept the West Bank under lockdown since the Hamas attack, with heavy restrictions on movement between cities. It has also conducted an intense campaign of arrests, detaining over 1,700 Palestinians.

With all eyes on Gaza, the West Bank is at its most combustible. Settlers have taken advantage of the situation by stepping up abuse of Palestinians in a calculated effort to seize control of more land. Field researchers with the Israeli human rights organisation B'Tselem, who have been monitoring the issue closely for years, warn that the settlers have freer rein from the state than ever before: "Events on the ground indicate that under cover of war, settlers are carrying out such assaults virtually unchecked, with no one trying to stop them before, during or after the fact".

What does the term "settler violence" refer to?

"Settler violence" is a catch-all phrase for the various ways in which Israeli citizens living in the occupied West Bank terrorise and harm Palestinians. Such acts range from trespassing, blocking roads or access to land and water sources to setting cars, homes or other property on fire, stealing livestock, burning or cutting down olive trees, throwing stones, and vandalising churches and mosques, as well as various forms of physical and verbal harassment and intimidation. In several cases, settlers have used live fire to kill and injure Palestinians.

Settler violence has been on the rise over the past decade, increasing steadily every year. It has escalated significantly since Prime Minister Benjamin Netanyahu's far-right government took office in December 2022; and it is doing so again in the aftermath of the Hamas attack.

Several large-scale settler attacks have taken place in 2023, occurring with unprecedented frequency and doing more damage than ever before. In February, for example, hundreds of settlers stormed the town of Huwara and several other Palestinian villages in the Nablus area in the northern West Bank, torching over 30 homes and at least 100 cars, while attacking Palestinians with metal rods and rocks,

and killing one. A similar rampage took place in June in Turmus Ayya, Umm Safa and Lubban al-Sharqiya, villages in the central West Bank that settlers had not previously bothered. In both cases, the razzias came directly after Palestinian attacks that killed Israelis, in what the security establishment refers to as acts of revenge. While revenge may be the immediate motive in particular cases, the fundamental purpose of settler violence is to scare Palestinians out of the rural West Bank, specifically Area C, the 60 per cent of the territory that remains under full Israeli control as per the 1993 Oslo accords. Settler leaders and government ministers have openly said Area C, which under international law is occupied territory and was envisioned to be part of a future Palestinian state, belongs to Israel and should be formally annexed. They have laid out plans, which include large budgets for building housing and extensive roads, to double the number of settlers in the West Bank. The younger settlers who perpetrate the most violence against Palestinians, known as “hilltop youth”, largely believe it is their God-given right to be in the West Bank, which they call “Judea and Samaria”, evoking these lands’ biblical names. In their view, the Palestinians must either accept secondary status or leave.

What is the extent of settler violence and its impact?

In the first half of 2023, settlers carried out 591 attacks in the occupied West Bank, an average of 95 per month or about three per day. The monthly average represents a 39 per cent increase over the same measure in 2022, according to the UN, and 2023 is the sixth consecutive year in which the total number has gone up. The record pace of attacks has risen again after 7 October, to an unprecedented seven per day. In nearly half of all incidents, also according to the UN, Israeli forces were either accompanying or actively supporting the attackers.

Many acts of settler violence go undocumented, since they involve intimidation or

harassment but no property damage or bodily harm. But even in such instances, the acts create a deep sense of insecurity among local Palestinians, who fear persistent threats to their livelihoods. In many recent years, settler violence has spiked during the olive harvest, with settlers uprooting trees and attacking farmers. Some 80,000 to 100,000 West Bank Palestinian families rely on olives and olive oil as primary or secondary sources of income.

In recent months, and especially since 7 October, repeated acts of settler violence have forced nearly 1,000 Palestinians from their homes, including at least 98 households, comprising over 800 people, driven from fifteen Bedouin herding communities in Area C. Six other Palestinian communities, numbering more than 450 people, have left their homes under similar circumstances in the past two years. Thirty Israeli civil society organisations issued a statement on 29 October urging outside powers to intercede to stop “the state-backed wave of settler violence which has led, and is leading to, the forcible transfer” of Palestinians in the West Bank.

The shattered sense of security in Israel after the 7 October attacks has also led Israelis to arm themselves, with the number of gun owners set to triple. Israel’s far-right National Security Minister Itamar Ben Gvir has made it a priority to ease gun license criteria for Israelis, including, and maybe especially settlers. A recent Israeli request for 24,000 assault rifles from the U.S. has drawn scrutiny from the State Department, where officials fear these weapons will go directly into settlers’ hands.

Is Israel doing anything to halt these attacks?

The long and short of it is no. For decades, Israel has regularly failed both to prevent settlers from attacking Palestinians and to try settlers for their crimes after the fact. The Israeli human rights organisation Yesh Din, which has been tracking the state’s record of law enforcement in this area since its establishment in 2005, has overwhelming evidence that Israeli

“By and large ... the government fails to penalise perpetrators of settler violence.”

soldiers usually do nothing as settlers commit acts of violence against Palestinians. In a mid-October incident in al-Tuwane, a village in the hills south of Hebron, B’Tselem documented a settler shooting an unarmed Palestinian at point-blank range while soldiers stood idly by.

The phenomenon of standing idly by has become more one of “standing together”, Yesh Din’s executive director, Ziv Stahl, told Crisis Group, pointing to the increasing number of incidents in which soldiers are not just passive but acting in concert with settlers in attacking Palestinians. Soldiers’ failure to rein in such acts had become so frequent and apparent that the Israel Defense Forces (IDF) chief of staff, Herzi Halevi, felt compelled to address it in June. “Terrorism and its difficult consequences bring some people to commit acts that are legally and ethically forbidden”, he said. “An IDF officer who stands by when seeing an Israeli citizen planning to throw a Molotov cocktail at a Palestinian house cannot be an officer”.

Israel’s top security brass have all condemned settler violence, but in practice the authorities have done almost nothing to combat the phenomenon. The primary tool used, which is more pre-emptive than punitive, is putting settlers in administrative detention, a practice in which people are held without charge or trial. Twelve Jewish Israelis have been administratively detained in the past year by order of the defence minister, a record number, and around eight remain in custody. A senior defence official told Crisis Group that while administrative detention is not ideal in a democratic country, Israel uses it to protect the sensitivity of information and the sources used to obtain intelligence. Over 2,000 Palestinians are currently in administrative detention. Many of them have been held for years, as authorities can renew the order every six months indefinitely.

By and large, however, the government fails to penalise perpetrators of settler violence,

as the police, who are much fewer in number in the West Bank (excluding East Jerusalem) than in Israel, seldom collect evidence or see a criminal probe through. The police – the body charged with enforcing the law on Israelis in the West Bank (soldiers are authorised to detain Israelis to prevent harm but largely are not trained to do so) – often deflect responsibility on to the army, which is heavily deployed throughout the West Bank, while the IDF claims it is the police’s job. Since 2005, Yesh Din has monitored 1,597 investigations in cases of violence by Israeli civilians against Palestinians in the West Bank (excluding East Jerusalem). Of the 1,531 completed inquiries, prosecutors filed indictments in just 107 cases (7 per cent), which means that 93 per cent were closed without legal action. According to Yesh Din, only 3 per cent of the investigations have led to a conviction.

With the rise in incidents since 7 October, Ronen Bar, director of Shin Bet, Israel’s internal security service, warned the war cabinet on 30 October that settler violence could trigger further dangerous escalation in the West Bank. Yet the IDF is overstretched, with all conscripted soldiers deployed along the southern border with Gaza or already inside the strip, as well as on the northern border with Lebanon, leaving just reservists to guard Israeli settlements in the West Bank. Many of these reservists are themselves settlers, who additionally are often charged with doing their reserve duty protecting their own communities. Since 7 October, the army has used Order 8 – an emergency call-up of reservists in wartime – to recruit volunteer rapid response teams of settlers to guard the settlements and given them IDF uniforms to wear. This step further blurs the boundary between settlers and soldiers.

Several other factors help settlers act with impunity, chief among them the fact that the IDF sees its job first and foremost as protecting

Jewish citizens and Israeli interests. A significant number of settlers today serve as IDF commanders. It is salient as well that the present far-right Israeli government has an explicit agenda of annexing the West Bank. As a result, settler violence serves the state's agenda of tightening its grip on the territory. Since far-right settlers such as Itamar Ben Gvir and Bezalel Smotrich have taken up senior positions in the Netanyahu government, they have not only failed to condemn settler violence but openly endorsed it, claiming that settlers are acting in self-defence every single time they commit an attack.

To add insult to injury, Knesset member Zvi Sukkot, a settler from the far-right Religious Zionism party, was appointed chairman of the Knesset subcommittee on foreign affairs and defence, which deals directly with security issues in the West Bank. Sukkot, who, like

settlers by establishing “sterile zones” near West Bank settlements in order to block Palestinians from entry. This measure would, in effect, further cramp the amount of space in which Palestinians can live, work and move freely.

What, if anything, is the U.S. doing and saying?

The Biden administration has admonished Israel to rein in settler violence several times in 2023. It has done so again after the October 7 attack. On 25 October, Secretary of State Antony Blinken said, “I continue to be alarmed about extremist settlers attacking Palestinians in the West Bank that – pouring gasoline on fire is what it's like”. U.S. Ambassador to the UN Linda Thomas-Greenfield tweeted on 31 October, “The United States is deeply concerned by the significant uptick in violence against Palestinian civilians in the West Bank. We condemn

“The Biden administration should reassert its opposition to Israel's settlement enterprise as inconsistent with international law.”

Ben Gvir, was not enrolled in the army due to his radical politics and previous record, having been arrested several times, including on suspicion of arson at a mosque. He is notorious for going to West Bank flashpoints like Huwara and Joseph's Tomb in Nablus, accompanied by other extremist settlers, an action which requires army protection as it provokes friction with Palestinians. “I am taking upon myself the position of chairman of the subcommittee for Judea and Samaria to take care of the personal safety of the residents of Judea and Samaria, and to develop the settlements as much as possible”, Sukkot said about his appointment.

In an even more concerning development, Finance Minister Bezalel Smotrich, an extremist settler who also serves as de facto governor of the West Bank in his capacity as a minister in the Defence Ministry, called on the prime minister and defence minister to do more to secure

these killings – and we urge Israel to prevent these attacks, working with the Palestinian Authority”.

But these words of caution ring hollow. As discussed above, Israel has shown little willingness to halt the attacks or penalise the perpetrators. The Palestinian Authority, for its part, has no jurisdiction in Area C of the West Bank, where most acts of settler violence take place, so calling on Ramallah to help is a non-starter. Much like Israel's security echelon, furthermore, the U.S. has taken no concrete action to back up its statements and warnings.

With Israeli forces already deep inside Gaza, and with skirmishes taking place on several other fronts increasing the threat of a regional war, the risk of the West Bank descending into even worse violence and chaos is significant. The Biden administration should reassert its opposition to Israel's settlement enterprise as

inconsistent with international law and speak out more forcefully against the systematic violence against Palestinians and the continued intimidation they suffer. The displacement currently taking place may be irreversible. At the very least, it should reverse the 2019 statement by Blinken's predecessor, Mike Pompeo, which upended the longstanding U.S. position that settlements are illegal. A cessation of hostilities is desperately needed in Gaza, while in the occupied West Bank the U.S. should condition further support for Israel on an immediate end to the forcible displacement of Palestinians and the systematic prosecution of settlers and soldiers who carry out attacks and acts of intimidation with impunity.

With Washington now with clear skin in the game in Gaza and beyond, and considering the level of unpredictability in what is to come in the months ahead, the U.S., as well as Arab

states that have normalised or wish to normalise relations with Israel, could leverage the issue of settler violence in particular and Israel's occupation in general, in an attempt to rekindle a framework for a solution to the Israeli-Palestinian crisis. Alternatively, if they stand by and do nothing, there not only will be nothing to talk about, but there could be another battle front open.