

Letter from Ofer: Military Court Watch

Gerard Horton

There is almost nowhere to shelter from the burning July sun as we wait patiently for the security gate to click open at Ofer military court near Jerusalem. Separating us from an adjacent enclosure is a chain wire fence beyond which are jammed Palestinian families waiting to be processed through a series of ID checks and body searches so that they can attend a brief court appearance of a loved one. It is still early but the journey for these families is already hours long and most look tired and resigned to waiting many hours more in this hot and soulless place.

To pass the time, we review pictures on a sign listing the items we are prohibited from taking with us into court: bombs, guns, and knives, of course, but also phones, flash drives, and anyone under sixteen years old. We're not sure what the skull and crossbones symbol prohibits but after reexamining the contents of our pockets, we're confident we should be fine. Every so often an order is barked through a loudspeaker attached to the external wall of a control room beyond the gate. The orders are frequently unintelligible, causing general confusion as we try to work out who among us is being addressed by those behind the heavily tinted glass.

After more incomprehensible yelling from the public-address system, we hear the welcome sound of the electronic bolt on the steel gate to our enclosure buzz into action. Relieved, we pass quickly through a metal detector that seems to beep irrespective of the contents of our pockets and find ourselves standing in front of thick glass, staring blankly at our reflections. We know from experience that if you press your nose hard up against the glass you can just discern the shapes of the military personnel sitting beyond in the air-

conditioned control room. After our identification details are recorded, we are buzzed through a turnstile into another enclosure.

Soon after arriving in what is now our third waiting area, a reinforced blue steel door clicks open and we are ushered into a room with an x-ray machine and our first direct contact with the young men and women whose responsibility it is to operate this facility. After emptying pockets and removing belts, shoes, and watches, we are individually swept with a metal detector before exiting the other side into a wire-enclosed passageway. Before leaving the security area, a polite official in uniform hands us a seven-page document prepared by the Military Courts Unit explaining the legality of the place we are entering.¹ A few eyebrows are raised as the official refers to this material as *hasbara* before wishing us a good day.²

And so we continue on our way, winding along the wire-enclosed passageway until we arrive in a larger outside waiting area with an air-conditioned shed and a stinking toilet block. Although still crowded, this place has a calmer, although still anxious, atmosphere. Now that the ID checks and searches are over, it is simply a matter of waiting and worrying.

Before we enter one of the seven or so prefabricated rooms that serve as military courts, we talk to some of the waiting families. In no time we find ourselves circled by a group of anxious fathers and mothers, wives, brothers and sisters, sons and daughters, all eager to tell their stories. One after another we hear of front doors being kicked in or blown open in the early hours of the morning, of soldiers shouting, children crying, rooms searched, and property damaged or removed. And always there are the arrests – arrests mostly without explanation or documentation. Some of these arrests occurred just days before, in towns and villages up and down the West Bank from Jenin to Hebron. In other cases, families explained that the trip to the military court had now become a regular pilgrimage, the arrest having taken place many months earlier.

For some of those around us, these stories revealed nothing new: a collective experience repeated over and over again in Palestinian villages up and down the West Bank since June 1967. For others, this was the first time the Israeli military had raided their homes and detained a loved one. A clear demarcation line soon appeared between the “old hands” and those for whom these experiences were new. One anxious young woman, recently married, described how her husband had been dragged away at 2:00 a.m. just the other day. Although clearly worried, she expressed confidence that this was all just a terrible mistake, as he hadn’t done anything wrong and was sure to be released today – *inshallah*. Her optimism produced a few wry smiles from the “old hands,” who know from experience that few are so lucky as to leave this place so expeditiously – whatever they may or may not have done.

As we were waiting to enter one of the courtrooms, I started to read the “*hasbara*” we were given at the entrance. What first struck me was the confidence with which this document proclaimed that “the Military Courts in Judea and Samaria [sic] were established in accordance with international law,” followed by a reference to Article 66 of the Fourth Geneva Convention. What was surprising was not the legal reasoning, which cannot be faulted, but the fact that here was an official Israeli document relying on the Fourth Geneva Convention to justify the prosecution of Palestinian civilians in military courts

while at the same time it is Israel's official position to reject the *de jure* application of the convention whenever the issue of settlements is raised – no doubt because Article 49 of the same convention prohibits settlement of occupied territory.³ It is difficult to think of a more blatant attempt at cherry-picking legal obligations. However, this is not the only link between the convention, military courts, and Israeli settlements in the West Bank.

A few weeks earlier in a village just north of Ramallah, Israeli soldiers bang on a front door with their fists at 3:00 a.m. The head of the household quickly runs to open up, knowing from experience that any delay is likely to result in the door being kicked in or destroyed with explosives, producing further trauma for his family and adding an unwelcome expense to an already stretched budget. Ten soldiers enter the house and order at gunpoint all family members, including young children and infants, out of bed and into the living room. The situation is tense as the young officer in charge checks the family's ID cards against a list of names he has been provided by an intelligence officer. A match is found and a fifteen-year-old youth is taken outside, tied, and blindfolded. Little information is provided to the family before the youth is taken away to an interrogation center for questioning and likely prosecution in Ofer military court. Frequently the charge is stone throwing or attending an illegal gathering, though sometimes it is something more serious. Stories similar to this one have been playing out almost every night in the West Bank for the past fifty years, with the United Nations reporting that over 760,000 men, women, and children have been detained over this period.⁴ But what purpose, if any, does this serve?

Evidence collected by Military Court Watch (MCW) indicates that the overwhelming majority of arrests in the West Bank occur within a few kilometers of a settlement or a road used by settlers.⁵ This is no coincidence. To understand this link, one needs to understand the mission the military has been given by Israel's political leaders since settlements started popping up in the West Bank in September 1967.⁶ The mission is easy enough to articulate: namely, to guarantee the protection of nearly 400,000 Israeli civilians who have been encouraged to move across the Green Line in violation of international law to live in occupied territory.⁷ No one should underestimate the challenge that such a mission presents.

One way to consider the nature of this challenge is to think in terms of an analogy. Imagine for a moment if it were U.S. government policy to relocate 400,000 U.S. civilians to, say, Afghanistan, and to encourage them to build towns and villages, shopping malls, childcare centers, and universities. Putting aside for one moment the legalities of such a policy, it is safe to assume that few U.S. military commanders would be willing to accept such a mission for the simple reason that it would result in mass violence and many casualties as the Afghans attempt to protect what international law considers to be their land. And yet for the past fifty years a similar policy has been implemented by Israel in the West Bank with an extraordinary measure of success.

Given these circumstances, it is perhaps hardly surprising that there are acts of violence against settlers in the West Bank from time to time. More surprising is the data that reveals that these acts of violence are relatively rare considering the circumstances. The extraordinary nature of this situation becomes apparent when one considers that

the fatality rates for settlers in the West Bank amount to approximately six killings per year for the last seven years – a fatality rate of just 0.0015 percent per annum.⁸ Without trivializing these killings, the U.S. State Department has noted that the Israeli military was so successful in its mission in 2012 that not even one settler was killed that year in the West Bank.⁹ So what's the secret? Well, there is no secret; just the skillful implementation and refinement of tried and tested tactics. The key tactical elements involve a combination of mass intimidation and collective punishment directed toward Palestinian communities who have the misfortune to live in close proximity to a settlement or its supporting road network – the inevitable friction points.

To understand how this system works on a local level, you need to put yourselves momentarily in the shoes of an Israeli military commander. Remember that your job, as the commander, is to ensure that Palestinians living close to a settlement understand that no form of objection or resistance to the adjacent settlement will be tolerated. Sounds easy enough, but it does present certain challenges. And so it happens that one day you are informed of a stone-throwing incident on the road near a settlement. There is no doubt that Palestinians are involved, as the intended target were Israelis – but beyond this general detail there is little further information to help you identify the perpetrators. This poses an obvious dilemma for any commander: there's been an act of resistance but no perpetrator can be specifically identified – a situation not helped by the rugged terrain of the West Bank. But if no one is punished, so the thinking goes, resistance will simply escalate and the viability of the settlement project placed in jeopardy – something that cannot be permitted.

To overcome the deficiency in the evidence, the commander will generally make two assumptions – assumptions that from a military perspective are reasonable in the circumstances. The first assumption is that the stone throwers were Palestinian males between about twelve and thirty years old; and the second assumption is that the stone throwers most likely came from the nearest village. And so it is toward that village that the commander's attention now turns.

Having made these assumptions the commander may now call upon the services of the Israeli intelligence officer assigned to that particular Palestinian village. Needless to say, after fifty years of military occupation a large amount of intelligence has been collected on Palestinians up and down the West Bank, and particularly those living close to the friction points. The intelligence officer responsible for the village will review the files and ask him or herself a few simple questions: who are the troublemakers in the village; who has been detained before; and, most importantly, what do the Palestinian informants in the village have to say? While definitive information on informants is not easy to come by, anecdotal evidence suggests many thousands pass along snippets of information in return for small favors. Interrogation rooms are a popular recruiting ground; the methods used involving a careful balance of threats and inducements. Requests for permits and medical treatment also prove fruitful areas of leverage for any would-be recruiter.

The importance of informants in maintaining control over the West Bank should not be underestimated and works on two levels. First, extensively recruiting informants ensures a constant flow of information. This presents a challenge for any intelligence gathering

operation, as it becomes necessary to filter the good information from the inevitable bad and irrelevant material also received. The second, and by far the most important, benefit of any large-scale system of informants is that the target community will know that it has been infiltrated. This knowledge has a profound psychological impact on the community and undermines trust and confidence severely degrading its ability to establish any systematic or coherent resistance. The dilemma facing any Palestinian wishing to oppose occupation, whether peacefully or otherwise, is with whom to share plans. Inadvertently sharing ideas with an informant is likely to result in immediate arrest. One option, of course, is to act alone, making detection virtually impossible; however, so-called “lone wolf” attacks may cause alarm but are unlikely to seriously challenge the system.

And so the intelligence officer prepares a list of names for the commander to arrest. The first round of arrests will generally take place within 48 hours of the stone-throwing incident so that the village understands cause and effect: any act of resistance, large or small, will result in an immediate and overwhelming response by the military until resistance ceases. There are also a number of good reasons, from the military’s perspective, as to why the arrests should occur at night. First, in all likelihood the person you wish to arrest will be home if you show up at 2:00 a.m. Second, sending a military convoy into a village during the day is more likely to encounter an angry crowd of stone throwing young men, whereas at night most people will be asleep. Third, and perhaps most important, night raids are an excellent way to terrify the residents of the village into submission – an important consideration if your job is to guarantee the safety and comfort of the settlers living next door.¹⁰

Thus, in many cases, the soldiers will come at night.¹¹ According to information provided by the military, 1,360 night arrest operations were conducted in 2013.¹² By extrapolation, this would suggest that there have been around 68,000 night arrest operations since 1967 – a figure that does not include the more frequent night raids where no arrests are made, or the even more common daytime incursions by the military into Palestinian centers of population. This data paints a stark picture of constant military harassment at friction points to ensure that Palestinians never feel safe or secure, even in their own homes. In turn, this sense of insecurity psychologically inhibits the likely development of an effective counter-strategy. This, in turn, translates into the remarkably low casualty rates among settlers attested to by the data.

This link between the settlements and the intimidation of the Palestinian civilian population was succinctly described by a former Israeli soldier in a testimony provided to the organization Breaking the Silence:

A patrol goes in . . . and raises hell inside the villages. A whole company may be sent in . . . provoking riots, provoking children. The commander . . . wants more and more friction, just to grind the population, make their lives more and more miserable, and to discourage them from throwing stones, to not even think about throwing stones at the main road. Not to mention Molotov cocktails and other things. Practically speaking, it worked. The population was so scared that they shut themselves in. They hardly came out.¹³

And so the mission is accomplished. A population that is too scared to come out of their homes is hardly likely to present any serious opposition to the continued presence of settlements in occupied territory.

But back to the arrest operation. After being taken outside, tied, and blindfolded, the fifteen-year-old youth is led to a waiting military vehicle and taken away for questioning.¹⁴ Many detainees, including children, report being placed on the metal floor of the military vehicles due to a lack of seats for both soldiers and detainees.¹⁵ Once on the floor of a military vehicle, a detainee can expect some pushing and shoving, producing discomfort for sure and sometimes worse. If a soldier or settler was recently killed or injured, then the detainee can anticipate the treatment to be significantly more robust.

The journey to interrogation is rarely direct.¹⁶ The first stop may be a small settlement or military base somewhere in the West Bank where the detainees are placed in shipping containers or left outside – generally still tied and blindfolded. Sleep is usually prevented and the provision of food, water, or toilet breaks unlikely, though largely dependent on the mood and disposition of the junior officer in command – something that can vary significantly from one unit to another. At around 7:00 a.m., the detainee – sleep deprived, hungry and possibly bruised and battered – will be bundled back into a military vehicle and delivered to an Israeli police station inside one of the larger settlements (such as Gush Etzion, Ari’el, or Binyamin) for interrogation. If the accusation is serious, the detainee is likely to be transferred to Israel and handed over to the Shin Bet for a more thorough interrogation.

Under Israeli military law, an accused person is entitled to the right to silence and must be informed of his or her right to consult with a lawyer on arrival at a police station. Be that as it may, few detainees are informed of these rights or are allowed to exercise them freely, and most ultimately sign a written statement transcribed in Hebrew by the interrogator, without knowing for sure what it is that they have signed.¹⁷ During questioning, the detainee will almost certainly be told that the other detainees have all provided confessions and have been released. The detainee, or his or her family, may also be threatened and the questioning will almost certainly be intimidating and sometimes physically abusive.¹⁸ Attempts may also be made to recruit the detainee as an informant with promises of early release, work permits, and other perks, or threats of violence or revocation of permits. And so within a matter of days, the detainee will find himself in Ofer military court or its northern counterpart, Salem.

After listening to more stories at Ofer, all of which bear witness to the systematic nature of military control in the West Bank, we made our way through one final turnstile to where the military courtrooms are housed in prefabricated sheds. Family members are not permitted in this area until their case is called, but as observers we are free to walk in and out of the courts, except the one reserved for administrative detention reviews where secret evidence is considered in private without being viewed by defense lawyers.

Once through the turnstile, we make our way to the end of the row of sheds and step inside Court No. 7 – the remand court. Although one of the smallest courts, Court No. 7 is the busiest. The remand court is like a conveyor belt, with the accused filing in in batches of four – legs remain shackled but handcuffs removed at the door in accordance

with Prison Service regulations. This is the same whether the accused is an adult or a child of twelve years old – the minimum age of criminal responsibility in the military courts. And here it is, at the back of Court No. 7, that we sit and observe.

One of the first things you notice as you enter Court No. 7 is how crowded and chaotic it is. At one end you have the uniformed Israeli officials – the military judge, his or her assistant, a transcript typist, a translator, a prosecutor, and several guards. There are four or so detainees in brown prison uniforms, shackled and sitting in the dock. Then there are the Palestinian lawyers, some representing clients in the dock, others waiting around for clients to arrive. And finally, at the very back of the court, are the families, sharing fragments of information from the village with loved ones in the dock. Apart from the surprising level of camaraderie between the Palestinian lawyers and the Israeli military court staff – built up, no doubt, from years of sharing this confined space – everyone else remains strictly within their own ethnic sphere, barely acknowledging the existence of the other. The Israeli military staff have their administrative duties to attend to, while for the Palestinians this is a family visit – nothing more, nothing less. People arrive, people leave, and throughout there is a surprising level of general chatter.

Another thing that soon becomes apparent in Court No. 7 is that what you are witnessing is essentially a charade that shares little in common with any legitimate judicial process. First, the proceedings are conducted in Hebrew. A soldier, generally Druze, will – although not professionally trained – provide translation, which varies in quality from good to barely comprehensible. There are times when a discussion lasting several minutes will occur in Hebrew, which will then be translated into just a few words of Arabic, leaving no doubt that the essence of the discussion could not possibly have been conveyed. In other cases, the translation simply ceases altogether, either because the translator has left the room or because he is too busy fiddling with his smartphone. Meanwhile, no one objects: not the judge, not the lawyers, not the accused. There is simply the resigned acceptance that this is the way things are, because this is the way things have always been.

On this particular day it was not the translator that left the courtroom, but the defendant's lawyer. He simply got up without explanation and departed for ten minutes, while the judge continued to make a detailed statement in Hebrew from the bench. Every so often, the Druze soldier would provide some translation mixed in with a bit of legal advice in the absence of the lawyer. This vignette perhaps illustrates well how the result of the proceedings is almost invariably a foregone conclusion and the players, whether Israeli or Palestinian, are simply there to provide window dressing – a role most seem content to perform.

Some families express satisfaction with the available legal representation; many do not. Families complain that they are rarely provided with comprehensive updates about the status of the case or a full range of available options. Many complain that their lawyers simply ignore their phone calls and look worried as rushed instructions are taken in the courtroom within earshot of the prosecution and the judge. Although charge sheets must be provided in Arabic if requested, few requests are made, thereby assisting the military authorities to save resources. Although the military court is a court of precedent, judgments

are delivered in Hebrew, even though Arabic is an official language of the state and the exclusive language of the accused. And still almost no one raises any objection.

Rarely do lawyers run full evidentiary hearings, as the overwhelming majority of cases are concluded by way of plea bargain whether or not the accused maintains his innocence or the evidence is credible. This is so because release on bail is unlikely which means it is often quicker to accept a plea bargain than to wait in prison on remand for a judge to hear the case. Not surprisingly, few Palestinian detainees have much confidence that they would receive a fair hearing even if they rejected a plea bargain – partly because the judges are Israeli military officers and partly because some judges live in the settlements. Statistically, the odds are firmly against an acquittal with an official conviction rate well above 99 percent, which may explain the remarkable lack of interest shown by defendants in their own cases.¹⁹

Although there is a level of dissatisfaction among families with some of the lawyers who appear in the military courts, the military authorities appear content with the *status quo* and for good reason. First, the lawyers attending the military courts are, for the most part, funded by the international donor community, which essentially provides a free legal aid service for the Israeli military authorities – no grounds for complaint there. Second, the current arrangement ensures that every defendant receives legal representation, enabling the military authorities to point out that if the military courts are as bad as some NGOs seem to suggest, no self-respecting lawyer would go near the place – a fair observation, perhaps.

So why do Palestinian lawyers appear in the military courts, which they universally acknowledge are neither fair nor impartial? There are a number of explanations. First, one should never underestimate the power of routine. After fifty years of submitting to the military court's jurisdiction, the current situation has become "normal." It is perhaps human nature to do tomorrow what you did today and yesterday. A different reality for some is hard to visualize.

Second, for some institutional lawyers, there is a certain degree of job security involved in developing a legal practice in the military courts. A salary will be guaranteed regardless of results and there will be no shortage of work. For the private lawyers who appear in the military courts, the work can be relatively lucrative. By routinely accepting plea bargains, it is possible to take up to forty cases a day – even at reduced rates, the fees soon add up. Some families prefer to engage private lawyers over lawyers provided by the Palestinian Authority or local NGOs in the belief – not always borne out by reality – that a lawyer that you have to pay for is better than a free lawyer.

Third, the presence of Palestinian lawyers in the military courts is important to the Israeli military authorities from a public relations perspective and so the authorities do what is necessary to ensure that the lawyers keep coming back. Occasionally over the years pressure builds for a boycott of the military courts – an obvious reaction to such a system. and a public relations threat to the military. The prosecution response to the threat of boycott is to seek significantly tougher sentences for everyone, including children. In response, the families put pressure on the lawyers to return to work. A simple standover tactic, but one that seems to work every time. Public support for boycotts in Palestine

usually evaporates within a few days and then the system returns to “normal.”

It is sometimes suggested that the situation in Palestine is unsustainable. However, at least from the viewpoint of the military courts, this is not self-evident. For the past fifty years, Palestinians have submitted to the jurisdiction of the Israeli military courts, represented by Palestinian lawyers who agree to plea bargains on a daily basis. The lawyers and foreign donors provide the military authorities with a free legal aid system and to cover any shortfall in funding the military courts levy over three million dollars in fines annually from those convicted of offences – virtually guaranteeing the continued financial viability of the court system with little or no impact on the Israeli domestic budget.²⁰

As we made our way out of Court No. 7, we passed the young woman we had spoken to earlier who had expressed the hope that her husband would be released the same day. She was coming out of Court No. 6 in tears. A group of “old hands” sitting on a nearby bench watched as she passed by with a look of tired but knowing resignation on their faces.

Some weeks later, in the village north of Ramallah, preparations are being made to welcome home that fifteen-year-old youth detained in June. It is impossible to know whether he did throw stones at soldiers during a demonstration at the entrance to his village, but on legal advice that is what he pleaded guilty to. There is a growing sense of excitement as a banner is hung outside his home welcoming him back. When he arrives home with his father, he will be greeted by the whole village and the celebrations will continue long into the night. He will be hailed a hero, someone who has resisted occupation. But in the days that follow, his parents will notice that he has become withdrawn. He will lose interest in school and drop out. He may find it difficult to sleep and possibly wet his bed. He may become aggressive toward siblings and no longer show respect for his parents, who were unable to protect him in his own home.

The military courts play an important role in assisting the military in its mission to intimidate Palestinians living close to settlements. For youths convicted of throwing stones, assuming there were no injuries, the average custodial sentence will be in the order of three months. In addition to the custodial sentence, the parents will be fined anywhere from 1,000 to 8,000 shekels, depending on the severity of the case. Any village that decides to make a habit out of resistance will simply be bankrupted into submission through this measure.

And finally, every child convicted in the military court will also receive a suspended sentence, typically another six months in prison suspended for five years. The effect of the suspended sentence is that, once the child is released from prison, he takes a big risk every time he leaves home. If he happens to be at the village shop when an Israeli military convoy goes by, there is a good chance he will be swept up in the ensuing clashes and sent straight back to prison to serve the suspended sentence. Even if he was just buying milk, it will ultimately be his word against that of an Israeli soldier – a matter determined by an Israeli military judge with a predictable result. The recently released fifteen-year-old boy will, in most cases, do all that he can to avoid any further contact with Israeli settlers or soldiers. Even the mere rumor of soldiers near his village is likely to send him running home. And that, as the soldiers say, is the mission.

Gerard Horton is a lawyer and co-founder of Military Court Watch. He has worked on the issue of children detained by the Israeli military and prosecuted in military courts for the past eight years, prior to which he practiced as a barrister at the Sydney Bar, specializing in commercial and criminal cases.

Endnotes

- 1 “The Military Courts Unit (Judea and Samaria),” updated July 2015, online at is.gd/ps3Vh7 (accessed 11 October 2016).
- 2 *Hasbara* is sometimes defined as “a form of propaganda aimed at an international audience.”
- 3 International Court of Justice, “Legal Consequences of the Construction of a Wall in the Occupied Palestinian Territory, Advisory Opinion,” *ICJ Reports 2004*, 173, para. 90, online at is.gd/NIKVMc (accessed 11 October 2016).
- 4 John Dugard, “Human Rights Situation in Palestine and Other Occupied Arab Territories: Report of the Special Rapporteur on the Situation of Human Rights in the Palestinian Territories Occupied since 1967,” 21 January 2008, 19, para. 45, online at documents-dds-ny.un.org/doc/UNDOC/GEN/G08/402/29/PDF/G0840229.pdf (accessed 11 October 2016); B’Tselem, *Statistics on Palestinians in the Custody of Israeli Security Forces since 2008*, updated 11 September 2016, online at www.btselem.org/statistics/detainees_and_prisoners (accessed 11 October 2016); and estimate provided by Israel’s chief military prosecutor in the West Bank on 26 February 2014 that approximately 8,000 Palestinians were detained in 2013.
- 5 Military Court Watch (MCW), *Widespread, Systematic, and Institutionalised Abuse of Minors in the West Bank*, 10 June 2015, 8–9, online at is.gd/aJUTX8 (accessed 11 October 2016).
- 6 “Report of the Independent International Fact-finding Mission to Investigate the Implications of the Israeli Settlements on the Civil, Political, Economic, Social, and Cultural Rights of the Palestinian People throughout the Occupied Palestinian Territory, including East Jerusalem,” UN Human Rights Council, 7 February 2013, 7, para. 24, online at is.gd/oZxEjP (accessed 11 October 2016).
- 7 B’Tselem cites the Israeli Bureau of Statistics when giving a figure of 350,010 settlers in the West Bank at the end of 2013. The same source also indicates that this population has an annual growth rate of 4.4 percent. This gives a settler population of 389,880 in the West Bank as of June 2016 and does not include East Jerusalem. See B’Tselem, *Statistics on Settlements and Settler Population*, updated 11 May 2015, online at is.gd/SXlpEt (accessed 11 October 2016).
- 8 According to statistics compiled by B’Tselem, 43 Israeli civilians were killed by Palestinians in the West Bank between 19 January 2009 and 30 June 2016. See B’Tselem, *Fatalities after Operation Cast Lead*, undated, online at is.gd/GW9JGk (accessed 11 October 2016).
- 9 U.S. Department of State, *Israel 2013 Human Rights Report*, updated 5 March 2014, online at www.state.gov/documents/organization/220570.pdf (accessed 11 October 2016).
- 10 United Nations Children’s Fund (UNICEF), *Children in Israeli Military Detention: Observations and Recommendations* (UNICEF, February 2013), 10, online at is.gd/Yu59IN (accessed 11 October 2016).
- 11 According to evidence collected by MCW, 46 percent of children arrested by the Israeli military in the West Bank are detained at night. See MCW, “Comparative Graph – Issues of Concern,” July 2016, online at is.gd/ECkhZf (accessed 11 October 2016).
- 12 At a briefing conducted by the Israeli military authorities on 26 February 2014, data was released indicating that approximately 8,000 Palestinians from the West Bank were detained by the military in 2013, of which 1,004 were children. Of the 1,004 children, 170 (17 percent) were detained in night raids on their homes. Assuming a similar percentage of adults were detained at night, these figures indicate that around 1,360 Palestinian adults and children were detained during nighttime arrest operations in 2013. The data released by the military authorities cannot be independently verified.
- 13 “Testimony – ‘What Is That Job Really?’” online at is.gd/U0g1FI (accessed 11 October 2016).
- 14 MCW, “Comparative Graph.”
- 15 MCW, “Comparative Graph.”
- 16 UNICEF, *Children in Israeli Military Detention*, 10.
- 17 MCW, “Hebrew,” undated, online at is.gd/Mt9bvM (accessed 11 October 2016).
- 18 MCW, “Physical Abuse,” undated, online at is.gd/s4wgCu (accessed 11 October 2016).
- 19 Chaim Levinson, “Nearly 100% of all Military Court Cases in West Bank end in Conviction, Haaretz Learns,” *Ha’Aretz*, 29 November 2011, online at is.gd/eiuTXP (accessed 11 October 2016).
- 20 According to the Military Courts Unit annual report, \$3.4 million was levied in fines in 2011.