

Mental health impact on children of forcible home invasions in the occupied Palestinian territory

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A new report by three leading Israeli human rights organisations—Physicians for Human Rights Israel, Yesh Din and Breaking the Silence—documents the grievous mental health repercussions, including on children, of the Israeli policy of forcible invasions by the military into the homes of West Bank Palestinian families. The report, titled ‘Life Exposed¹’ is based on 158 interviews of Palestinians who experienced home invasions, as well as over 40 soldiers who carried them out. Following 3 years of joint work, the report documents how these invasions, which number more than 250 a month² and are primarily carried out between midnight and 05:00, traumatise and cause harm to Palestinians adults and children and effectively serve to intimidate and maintain control over the Palestinian population. At a time when there are increasing concerns globally about violence perpetrated against children, the political goals of this tactic, its frequency, the adverse mental health impact on children as well as lack of available studies until now means that it bears close examination and criticism.

Why do such home invasions take place? It is possible to identify four main types of military intrusions into Palestinian homes in the West Bank: Searches for money, weapons or other items; arrest of a member of the family; ‘mapping’ and documenting the physical features of the house and the identity of its occupants and seizure for operational needs, such as setting up an observation post. As such, as the report states, ‘almost any situation could meet the conditions for approving a military invasion into a Palestinian home in the West Bank’.¹ The number of soldiers intruding into the house ranges from a handful to roughly 30. The average duration of an invasion, in the cases documented, is around 80 min. More than 60% of those interviewed confirmed that soldiers invaded their

home more than once. The army alleges that these invasions are based on security needs. However, as the report concludes, home invasions are frequently a tool for deterrence, intimidation and collective punishment to increase military control over the population.¹

Home invasions by the Israeli military are characterised by unjustifiable and excessive use of force, arbitrariness, unpredictability and frequency, leaving families and individuals vulnerable to the decisions of soldiers, who hold immense power. Home invasions inflict psychological damage on both individuals and communities, as they involve a sudden, forced intrusion into the victims’ private space along with a real threat of physical harm. The report demonstrates the significant mental health impact on both parents and children of the home invasions.

Meanwhile, Israeli law stipulates that searches in homes of Israeli families, including those living in a settlement just hundreds of metres away from homes of Palestinians, should be conducted according to a judicial warrant issued on the basis of evidence and concrete information that point to substantiated suspicion and in keeping with a limited list of offences. Palestinians in the West Bank do not enjoy such protections; military law in the West Bank does not require a judicial warrant confirming the necessity of the intrusion in order to invade the private domain and any military officer may order them. As such, it leaves Palestinians constantly vulnerable to arbitrary invasions into their homes, without the limitations on governmental authorities which citizens have a right to expect.

As these invasions happen at night in Palestinian homes, they are largely invisible, as opposed to other elements of the occupation, such as settlement building and military checkpoints.

The mental health impact of the invasions, particularly on children, is significant. These



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invasions significantly impair the development and functioning of both children and adults, while the repetitious and arbitrary nature of such invasions exacerbates the feelings that accompany the event and the post-trauma symptoms.

Forcible home invasions are not the only exposure these victims have to direct and indirect violence. It is well established that there is a high prevalence of stress-related disorders and especially post-traumatic stress disorder (PTSD) among Palestinians. While lifetime prevalence for PTSD in children ranges from 6.8% to 12.2% worldwide, among Palestinian children living in the West Bank it is estimated to be 34.1%–50.4%.^{3,4}

The way in which these invasions are conducted (without specific and precise grounds defined by law, level of proof or a court reviewing the grounds for entry, etc) is a violation of the UN Convention on the Rights of the Child (CRC), which Israel has ratified. The CRC also places special emphasis on the dignity of the child, stipulating that ‘No child shall be subjected to arbitrary or unlawful interference with his or her privacy, family, home or correspondence’.⁵ All children are entitled to the rights enshrined in the CRC, without requirement of citizenship or residency. The CRC forms part of public international law and is therefore binding on the signatory states. The UN Committee on the Rights of the Child, in its review of Israel, has noted the applicability of the Convention to the occupied Palestinian territory.⁶

Although international law does not expressly forbid invading the homes of protected persons in an occupied territory, it does require the occupying power to strike a balance between the need to maintain public order and safety and the severity of the harm the action causes and requires that actions be proportional and non-arbitrary. The way in which forcible home invasions take place therefore results in a violation of international law.

Moreover, the differential application of the law on two populations living in occupied territory on the basis of national distinction—Palestinians living under occupation and subject to military law and Israeli settlers whose presence in occupied territory is illegal according to international law and are governed by Israeli modern laws—constitutes a clear violation of the prohibition on discrimination on the basis of nationality as set forth in international human rights law.

Following intensive advocacy by the aforementioned organisations, the Israeli army announced in June 2021 that it would no longer raid homes for the purposes of

mappings. While this is a significant achievement, the army will still continue the practice of home invasions itself, under the different justifications that it has used thus far. It remains to be seen whether this change will lessen the number of home invasions that actually take place.

We urge that national paediatric organisations in Israel speak up on behalf of the children who are being traumatised by these invasions of their personal space and that international paediatric organisations act as representatives of the children who have no voice and appeal to the Israeli government to end these critically harmful practices.

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- 2 Based on figures provided to Yesh Din on July 8, 2019 by the United Nations Office for the coordination of Humanitarian Affairs.
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- 4 Kira IA, Ashby JS, Lewandowski L, *et al*. Advances in continuous traumatic stress theory: Traumatogenic dynamics and consequences of intergroup conflict: the Palestinian adolescents case. *PSYCH* 2013;04:396–409.
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- 6 UN Committee on the Rights of the Child (CRC). UN Committee on the Rights of the Child: Concluding Observations: *Israel*, 9 October 2002, CRC/C/15/Add.195, ¶¶ 5. Available: <https://www.refworld.org/docid/3df587210.html> [Accessed 26 May 2021].