

Architecture of Impunity: How Israel Enables Settler Violence in the West Bank

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Current escalation - A peak in frequency and severity of settler violence

During the last escalation between Israel and Iran, the number of Israeli settler attacks on Palestinians in the West Bank reached an unprecedented peak in frequency and severity. [During the 40 days](#) of the war with Iran, hundreds of attacks against Palestinians have been recorded in the West Bank, creating a state of constant terror across the West Bank. These attacks averaged 10 incidents daily, resulting in eight Palestinians being shot and killed by settlers.¹ More than 200 Palestinians were injured in these settler-related incidents. Very few arrests have been made and only one perpetrator [has been indicted](#). This is a new peak in the violence directed against Palestinians by Israeli settlers, which has been escalating since October 7th, 2023. Moreover, while security forces once routinely turned a blind eye to settler attacks, today's assaults are actively supported by Israeli officials.

Although there has been growing condemnation of settler violence in public Israeli discourse, and even some acceptance of the terminology “Jewish terror,” perpetrators of this violence are still largely treated as ["bad apples."](#) and proposed responses remain limited to detaining individuals. Settlers still mostly enjoy the active collaboration of military and police personnel, as well as support from administrators and even ministers. Without actions aimed at the broader phenomenon, some officials' mild acknowledgement of the growing problem amounts to little more than words.

Crucially, settler violence is not a criminal aberration within an otherwise lawful enterprise. The settlement project itself operates in systematic violation of both Israeli and international law, and the violence towards Palestinians is one expression of that broader structure. The current escalation, however, explicitly promotes and enacts ethnic cleansing in the West Bank and has already resulted in the eviction of numerous communities from their lands. Whether intended or unintended, this reality makes future eruption of violence all but inevitable, and not only harms Palestinians and Israelis, but also unsettles the entire region.

A lack of law enforcement since the early days of the occupation

State complicity in settler violence is not a recent phenomenon. Since the end of the 1967 War, every Israeli government has supported the expansion of the settlement enterprise in a

¹Of these settlers, four were on regional military duty (see more below), one was an off-duty soldier, and three were settlers unaffiliated with the military.

variety of ways, which range from turning a blind eye to directly supporting the dispossession of Palestinian land. [Peace Now reported](#) that by 2007, nearly 32% of land controlled by settlements lay on what is recognized by Israeli authorities as privately owned Palestinian land. Therefore, thousands of settlement structures are built on private Palestinian land, including [several Israeli police stations](#). Similar claims have also been raised regarding the land on which [Minister Bezael Smotrich's house is built](#). This state support of settlement expansion inevitably led to its complicity with settler violence and its lack of enforcement against it: **the state can not simultaneously back the settlement project and prosecute those advancing it by force.**

The lack of law enforcement against violent settlers is reflected in official records throughout the last decades, among them a 1983 [letter](#) by Deputy Attorney General Yehudit Karp, which found near-total inaction by both civilian and military legal systems in dozens of cases of settler violence. Another example is found in the 2013 State Comptroller [report](#), which describes an atmosphere in which "each person does as they see fit," with severe deficiencies in enforcement against settlers. Decades of official documentation point to a consistent pattern: **the absence of law enforcement against settler violence reflects deliberate policy, not institutional failure.**

Settler impunity due to the symbiotic relationship between settlers and the IDF

Under international law, Israel is responsible for protecting the population under occupation, yet in practice the opposite occurs. Testimonies published over decades by [Breaking the Silence](#) indicate that soldiers are not trained to view Palestinians as a protected population whose rights they are obligated to uphold. Israelis in the West Bank are subject to civil law enforced by the police, while Palestinians are governed by military law enforced by the army. In effect, both systems serve the same function: protecting settlers and subjugating Palestinians. In cases of friction between Israelis and Palestinians, even if initiated by settlers, soldiers are ordered to protect the settlers and call the police, who often arrive late or not at all. In most cases, the Palestinians will be removed from the scene, even when they are on their own land. Impunity extends even further to the overwhelming lack of legal prosecution of violent settlers. The Israeli human rights organization, [Yesh Din](#), which tracks hundreds of cases in which Palestinians file complaints alleging that settlers attacked or otherwise abused them or their property, has found that [94% of these cases](#) between 2005 and 2025 ended without any indictment being served against the perpetrators. This establishes a reality in which violent settlers have nearly full impunity for their actions.

Beyond the two-tier legal system in the West Bank, the failure to enforce the law against Jewish terrorism is inherently connected to the relationship between the military and the

settlers. Soldiers' testimonies over the years document the growing closeness between soldiers serving in the West Bank and settlers living there; shared religion, language, and daily life create personal bonds that leave little ambiguity about who the common enemy is. This relationship extends beyond shared identity and into formal security structures which shape and influence the military's role. In every settlement, a security coordinator, a civilian appointed by the regional council and funded by the Ministry of Defense, monitors army radio, participates in situational assessments, briefs incoming soldiers, and usually operates well beyond their official jurisdiction. Soldiers understand that the security coordinator has been there before their arrival and will be there when they leave. They view them as authority figures, and rely on their knowledge. Settlers are also integrated into the security structure, as in the case of Kdumim, where National Religious women doing national service operate military cameras and relay instructions to soldiers in the field.

One of the most concrete examples of this integration was the creation of the regional defense (Hagmar) units.² These units are intended to serve as the West Bank emergency garrison force during wartime when the better-equipped, better-trained conscripts are sent to the frontlines. They are composed primarily or entirely of local settlers, thereby creating a dynamic in which civilian settlers are effectively an integral and inseparable part of the security forces.

These examples illustrate how the wider phenomenon of the symbiotic relationship has gone so far as to integrate settlers into the security forces, to the point where enforcing the law against them would be tantamount to an intimate and personal betrayal of their brethren.

The army and settler violence after October 7th - from standing idly by to full participation

Until approximately five years ago, in most documented cases of settler violence where soldiers were present, they largely refrained from intervening. According to soldiers' testimonies, this reflects the fact that protecting Palestinians was simply not part of the orders given to them by their commanders.³ In recent years, documentation from the field has shown more and more occasions in which soldiers are no longer merely passive observers but have become active participants in violence against Palestinians. While [in some cases](#), these are isolated incidents of settlers who are [soldiers on weekend leave](#) from their military service using their military gear, the shift is more largely a response to broader structural changes.

²Originally designed in the early years of the state to mobilize trained civilians in border communities against external threats, the structure was transplanted outside state lines, to the West Bank in the 1980s.

³Officially, there is an existing command that requires soldiers to detain violent settlers in these instances until the Police arrives. But on the ground, as two decades of soldiers' testimonies demonstrate, the commands they receive in the field are that detaining violent settlers is not their job.

One of these is the significant sociological changes in the army over the past decades, which have made it more right-wing and messianic. According to military sociologist, Professor Yagil Levy, there has been a process of “theocratization of the military” in which the numbers of national-religious conscripts has risen drastically.⁴ In 1990, 2.5% of Ground Forces officer graduates were from the Religious Zionist sector. By 2018, that figure was 34.8%, more than three times their share of the Israeli population. **The growing proportion of national religious soldiers and soldiers with a settler background has reinforced and enhanced the military’s right-wing ideological identification and alignment writ large.**

Another factor is the establishment of homogenous military units such as Netzah Yehuda, which, in 1999, originated as an attempt to integrate ultra-Orthodox youth into the army through a religiously accommodating framework. However, the gender-segregated, religion-first environment that was created to attract Haredi recruits to these units instead became a draw for ultra-Orthodox nationalist (Hardal) soldiers, producing units with an increasingly extreme ideological character. A parallel philosophy drove the creation of Desert Frontier in 2020, an army unit established to recruit members of the Hilltop Youth and to mobilize them as scouts in the region they know so well. Both units, whatever their original intent, became known for their ultranationalist mentalities and extreme violence against Palestinians. As such, according to news reports, the Biden administration considered designating the Netzah Yehuda unit as implicated in “the commission of gross violations of human rights” under the Leahy law, thus making it illegal for them to receive US military aid. A recent example of such violations was the assault on a CNN crew by the 941st Battalion, a reservist unit made up of graduates of the Netzah Yehuda battalion, which led the IDF Chief of Staff to temporarily remove this unit from the field.

This gradual process of escalated messianism only worsened with the election of the current government, in which key figures who have pushed for Israeli annexation of the West Bank achieved a peak in political power through ministerial roles. The representatives of the most extreme Kahanist settler movement (among them Itamar Ben Gvir, convicted of supporting a terrorist organization, Bezalel Smotrich, who has publicly called for the annexation of the West Bank and the "voluntary emigration" of Palestinians, and Orit Strook, who heads the newly created Ministry of Jewish Settlement and National Missions) are now cabinet members with the power to shape state policy. They have worked intensively to advance the settlement enterprise, annex the West Bank, and forcibly transfer Palestinians.

The Hamas attack of October 7th and the following escalation, which took place under this far-right government, brought the confluence of extremism and settlers' integration into the

⁴Yagil Levy, “The Theocratization of the Israeli Military”, Armed Forces & Society Vol. 40, no.2 (April 2014): p.270-1

security establishment to new heights. With the outbreak of the war, the military [mobilized 5,500 settlers](#), including those involved in settler violence, to [regional defense units](#) whose role was to protect settlers in the West Bank during the fighting on the frontlines in Gaza and in Lebanon. This created an opportunity for violent settlers to intimidate the same communities they had been attacking as civilians, now with military jurisdiction over the area. In an increasing number of documented attacks on Palestinians, [the perpetrators are seen wearing uniforms and carrying IDF-issued weapons](#). **Palestinians can no longer distinguish between the violent settlers who used to attack them from the armed soldiers who enter their house and threaten them to leave their home. There is no longer even a pretense of separation between settlers and soldiers, rather they have become one and the same.**

Despite the escalation of settler violence in the field, the government continues to do its utmost to support the settlers and to turn a blind eye to the attacks. They made executive moves to reduce the already limited law enforcement against violent settlers and to embolden them in their actions against Palestinians. Among these steps were the [policy decision of Minister of Defense, Israel Katz, to refrain from using administrative detention⁵ against Israeli citizens involved in violence against Palestinians \(while continuing widespread use of administrative detention against Palestinians, including Palestinians with Israeli citizenship\)](#). According to a media [report](#), another step was the decision of the Israeli police, under Minister Ben Gvir, to cease cooperation with the Jewish Division of the Shin Bet, responsible for enforcement against Jewish terror. Ben Gvir also used the state of war to [distribute weapons licenses to Israelis living in the West Bank \(among others\)](#), while Ministers Smotrich and Strook apportioned off-road vehicles, drones, and significant funds to settlement farms, further reinforcing the government's support for extremist settlers. David Zini, a man considered by Netanyahu to [be too messianic to be appointed as his Military Secretary](#), was then appointed as the head of the Shin Bet, after which he immediately deprioritized enforcement against settler violence and [denied](#) the existence of Jewish terror.

What would be required to stop settler violence

Reversing this phenomenon requires more than enforcing the law against individuals. It demands dismantling the institutional infrastructure that makes violence not only tolerated but operationally embedded and encouraged. **As long as the Israeli policy of settlement expansion and annexation of the West Bank persists, it is unrealistic to envision the complete eradication of settler violence. However, the absence of such a possibility is not**

⁵In administrative detention, a person is held without trial without having committed an offense, on the grounds that he or she plans to break the law in the future. [Btselem](#).

an argument for inaction. There are concrete steps and measures that could begin to challenge these structures and set us on the path toward systemic change.

1. Directly addressing factors for escalation

- An operations center under joint responsibility of the IDF and the police must be established to respond, coordinate, and document incidents of settler violence. This center should operate 24/7, include Arabic speaking operators, dispatch forces to the scene, and document and publicize incidents.
- All soldiers in regional defense battalions operating in the West Bank must be reassigned to standard, non-homogenous reserve units.
- Weapons held by settlers who were involved in violent incidents outside of official security roles must be collected.
- Violent settlers must be issued restraining orders barring them from the West Bank for a minimum of three years.
- Settler security coordinators' areas of jurisdiction and authority should be restricted only to the settlement. These boundaries should be strictly enforced.

2. Reaffirming and aligning with the principle that the military bears responsibility for safeguarding the personal security of Palestinians

- The IDF must issue a renewed set of orders, both in the IDF General Staff directives and as operational orders, which would implement the Attorney General's Law Enforcement Procedure in the West Bank (1998)⁶, obligating security forces to transfer detainees to police custody. This responsibility falls on whichever security forces are present on the scene.
- The IDF must adopt a policy holding commanders to account for the inaction of their subordinates with regard to settler violence.
- The military prosecution policy must be changed to ensure that soldiers who violate orders are indeed prosecuted.
- Palestinians must be given accessible, functioning channels to file complaints against soldiers and settlers.
 - Police stations must be made accessible to Palestinians both physically and by introducing increased numbers of Arabic-speaking police officers.
- A transparent investigative process must be established with independent oversight to ensure cases are not simply closed without accountability.
 - A mandatory distribution of all military camera footage for investigative purposes in cases of settler violence must be implemented (as is done in investigations of incidents involving Palestinian violence).
- Palestinians' right to document their communities must be protected.

⁶Procedure regarding Law Enforcement with respect to Israeli Offenders in the West Bank and in the Gaza Strip Area (Introduction and General Part), 17.8.1998
https://fs.knesset.gov.il/24/Committees/24_cs_bg_619501.pdf

- A procedure requiring forces on the ground to protect Palestinians' right to document their communities with cameras must be established, except when the military commander of the regional brigade deems it poses a concrete security risk.
- Penalties for failure to comply with this order must be enforced.
- All Palestinian communities forcibly displaced from their lands must be allowed to return safely and the military must facilitate the return. An operational plan with a solid timeline for restoring uprooted communities must be developed by the IDF.

3. Dismantling farms and outpost

- Enforcement and limiting support to violent farms/outposts
 - All farms and outposts in Area A and B must be evacuated.
 - A list of the violent farms/outposts must be compiled.
 - A clear plan to enforce planning law on the farms and outposts on the list must be adopted.
 - Allocation of agricultural land to the farms, according to the civil administration's power, as noted in the allocation contracts, must be revoked.
 - All financial support for the farms on the list must cease.
- Legal sanctions must be imposed on entities and individuals that provide assistance and resources to farms and outposts.
 - A mechanism to impose legal sanctions on regional councils that provide support and resources to illegal outposts and farms, as well as on government companies, must be established.
 - The Ministry of the Interior's personal liability procedure must be activated, to allow for imposing personal liability on a council head or other officials who approve unlawful actions.
- Addressing the phenomenon of violent youth, a.k.a Hilltop Youth
 - The mechanisms of the Youth (Care and Supervision) Law and welfare obligations for at-risk youth who are also involved in criminal activity in the OPT must be activated and implemented.
 - The legality of the youth presence on farms without their guardians must be examined.
 - All public funding for programs supporting youth presence on farms/outposts must be cancelled.

As long as these steps are not implemented by the Israeli authorities, it is on the international community to take decisive and assertive actions in order to push Israel to change its policy.