

Executive Summary

This document updates to September 2013 the information submitted in July 2012, and should be read in conjunction with the earlier submission.

Principal concerns are:

- **inadequate provision for conscientious objection to military service**
- **repeated imprisonment of conscientious objectors**
- **the pervasive militarisation of society, particularly the education system, leading to juvenile recruitment, to discrimination against those who have not performed military service, and to grave breaches of the freedoms of expression and association through the harassment of organisations which are seen to question the behaviour of the military and its role in society.**

Imprisonment of conscientious objectors: impartiality of the decision-making process

1 The Human Rights Committee has found that conscientious objection to military service is protected under Article 18.1 of the International Covenant on Civil and Political Rights (ICCPR).¹

2 With specific reference to Israel, the Working Group on Arbitrary Detention found that “repeated penalties for refusing to serve in the military would be tantamount to compelling someone to change his/her mind for fear of being deprived of liberty if not for life, then at least until the age at which citizens cease to be liable for military service.”

3 Such repeated penalties therefore constitute a violation of Article 18.2 of the ICCPR, which states, “No one shall be subject to coercion which would impair his freedom to have or adopt a religion or belief of his choice.”

4 On 20th November 2012, 19 year old Nathan Blanc from Haifa was sentenced to 10 days in prison, having declared his conscientious objection to the recruitment authorities the previous day. Blanc subsequently underwent a sequence of no less than nine subsequent consecutive sentences of, respectively, 20, 14, 14, 20, 18, 20, 14, 20 and 28 days' imprisonment for maintaining his refusal on grounds of conscience to perform military service. In the history of conscientious objection in Israel, no objector had previously been convicted ten times. On 30th May, 2013 the IDF's Exemption Committee considered Blanc's second application for exemption on grounds of conscience, and declared him “unfit for duty”, and on completion of his tenth sentence of imprisonment he was released.

5 Subsequently, Eyal Yablonko, eighteen-and-a-half years old, from Jaffa, was twice sentenced for his refusal of military service on grounds of conscience. The second sentence, of twenty days' imprisonment, was handed down on 29th July 2013. On Tuesday 27th August the decision was made to release Yablonko from military service.

6 As noted in the earlier submission, conscientious objectors from the Druze community are not comprehensively reported. One case which has been reported in recent months is that of Omar

¹ Views adopted on Communications 1853/2008 and 1853/2008, *Atasoy & Sarkut v Turkey*, 29th March, 2012 (CCPR/C/104/D/1853-1854/2008, issued 19th June 2012)

Zahr Eldin Mohammad Saad, a musician from the village of Mughar in Galilee, who wrote to the Minister of Defence announcing that he would not respond to the call-up notice he had received for 31st October 2012. We do not however have details of the action which has been taken against him.

New military service Law

7 In paragraph 14 of the earlier submission, we reported on the anticipated abolition of the “Tal Law” which had hitherto regulated the exemption from military service of ultra-orthodox *Haredim* following a decision by the Supreme Court in February 2012 which had found the Law unconstitutional. Under the “Tal Law”, *Haredim* studying at “*yeshiva*” religious seminaries were allowed to postpone military service, usually performed straight after school at the age of 18, until they turned 22 years old, and then during a “decision year” they chose whether to work for a year in civilian national service or enlist for 16 months.

8 On Sunday July 7th 2013 the anticipated draft law was approved by the Cabinet. According to Reuters, only some 1,800 students, designated "outstanding biblical scholars", would continue to be exempted of an estimated 8,000 reaching military service age each year. It is expected that the legislation will be phased in over a period of four years, during which those affected would be encouraged to sign up voluntarily for military service. In fact, it is estimated that about 3,500 per annum already do so.

8 It must be emphasised that this legislative change is neutral with regard to conscientious objection to military service. Pacifism plays no part in the teachings of this group, and none of the individual members have expressed opposition to military service on the grounds of conscience. Opposition to the draft law voiced by various ultra-orthodox parties (none of whom are, very unusually, represented in the present governing coalition) has been in order to preserve religious privilege. On the other hand, the fact that resentment against such privilege has taken the form of demands that all should perform military service illustrates and reinforces the growing militarisation of Israeli society. There are no reports that the new proposals involve an expansion of the current voluntary civilian service scheme, which might have been developed into a suitable alternative service for conscientious objectors. The procedures for dealing with those who object to military service on conscientious grounds remain unchanged; and very few conscripts are released on such grounds.

Military involvement in education

9 An action, “the recruited classroom” staged in Tel Aviv on 14th June 2013 by New Profile, the Women's Coalition for Peace and American Friends Service Committee illustrated some aspects of the pervasive presence of the military, its symbols and its values, in the Israeli educational system. influence of the military in the Israeli school system showed photographs and images illustrating the They included drawings of tanks and fighter planes in kindergarten worksheets, pictures of children wearing military berets saluting to their teacher-soldier (some soldiers in the Israeli military are stationed as teachers in schools in underprivileged communities), the photograph of a cannon placed inside a children’s playing ground. To the military march beat of several popular Israeli children’s songs, the pupils in the “recruited classroom” took a physical education class (physical education is an official part of the “preparation for military service” curriculum in Israeli high schools), heard a kindergarten teacher tell them about the Jewish holidays, and attended a social science class—which all highlighted and ridiculed the military indoctrination that exists in

all ages and aspects of the Israeli education system.

Freedom of expression

10 In recent months there have been no new reports of such widespread official harassment of pacifist organisations, as took place in 2009 and 2010. However, there is an ominous report that a reservist, 39-year-old Guy Tamar, who during a demonstration in Tel Aviv on Sunday 14th July posted a statement on his facebook account that he would refuse to return to reserve service due to the Government's socio-economic policies, stating “I will no longer defend a state which does not defend its citizens”, (and within hourshad been joined by five current and two former reservists) found that it had been removed the following day for “a breach of facebook rules” and was warned not to attempt to replace it.

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