



RESPONSES TO INFORMATION REQUESTS (RIRs)

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The Board		21 April 2005
About the Board	ISR43491.E	
Biographies		
Organization Chart	Israel: Update on ISR36779 of 17 April 2001 on the treatment of conscientious objectors called up for reserve duty or military service (2002-April 2005)	
Employment	Research Directorate, Immigration and Refugee Board, Ottawa	
Legal and Policy		
References	According to the <i>Global Report 2004</i> of the London-based Coalition to Stop the Use of Child Soldiers-a grouping of international human rights organizations,	
Publications		
Tribunal		
Refugee Protection Division	[i]n law, only women and girls may be exempted from military service as conscientious objectors. Exemptions for male conscientious objectors are considered on a case-by-case basis by a special military committee and, ultimately, the Ministry of Defence. In practice exceptions are allowed notably to non-Jewish women, most categories of Palestinian men and some categories of religious Jewish men. Children must declare their conscientious objection as early as possible to maximize their chances of obtaining exemption (17 Nov. 2004).	
Immigration Division		
Immigration Appeal Division		
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Research Program	Amnesty International also noted in January 2003, that Israel did not have "alternative civilian service" for individuals opposed to serving in the military (29 Jan. 2003). In March 2005, Agence France-Presse (AFP) reported that women can "opt for social work in place of military conscription" and that "Orthodox Jews are exempt for religious reasons" (14 Mar. 2005). For a comprehensive examination of conscientious objectors in Israel, please consult the February 2003 War Resisters' International (WRI) report <i>Conscientious Objection to Military Service in Israel: An Unrecognised Human Right</i> (3 Feb. 2003), the contents of which WRI stated were still valid as of February 2004 (15 Feb. 2004).	
National Documentation Packages		
Issue Papers and Country Fact Sheets	International human rights reports from 2003 to 2005 reported on a number of conscientious objector cases of persons refusing to perform military service (AI 2004; <i>ibid.</i> 30 Mar. 2005; WRI 2 Aug. 2004; <i>ibid.</i> 15 Feb. 2004; <i>ibid.</i> 11 Feb. 2003). According to Amnesty International's 2004 report, "scores" of Jewish Israelis had been sentenced to up to six months in prison for refusing to fulfil their military service "or to serve in the Occupied Territories" (2004). Specifically, from September 2000 to January 2003, Amnesty International reported that more than 180 conscientious objectors (COs) had been imprisoned for refusing to serve in the military (AI 29 Jan. 2003). Amnesty International and War Resisters' International (WRI) also noted that as of January and February 2003 there were between 10 (AI 29 Jan. 2003) and 18 (WRI 11 Feb. 2003) COs serving time in prison. Moreover, in May 2004, the Tel Aviv-based newspaper <i>Haaretz</i> reported that "some 600 reserve soldiers and officers" have refused to "serve in the territories for reasons of conscience" (11 May 2004). For more details on CO cases in Israel, please consult Amnesty International's March 2005 list of previous appeals (30 Mar. 2005)	
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The Coalition to Stop the Use of Child Soldiers reported that "[a]verage prison sentences for objectors increased from under 90 days in 2001 to over 140 days from April 2002" (17 Nov. 2004). In January 2004, international human rights sources reported on the government's use of courts-martial-which allow for three-year prison sentences (WRI 15 Feb. 2004)-in the cases of five high school students who had been refusing military service since 2002 (ibid.; AI 30 Mar. 2005; Coalition to Stop the Use of Child Soldiers 17 Nov. 2004). A military court subsequently denied CO status to the five students and each was sentenced to one year in prison (ibid.). Human rights sources reported that the five high school students had been released from the army and prison in September 2004; however, it was unclear whether they would face further discipline (Refusers Parents' Forum 23 Sept. 2004; Refuser Solidarity Network 23 Sept 2004).

In a February 2004 statement to the UN Commission on Human Rights, the International Federation of Human Rights Leagues (Fédération internationale des ligues des droits de l'homme, FIDH) noted that the student courts-martial marked the first time that this procedure had been used "since the 1970's" (UN 10 Mar. 2004). In addition, the FIDH claimed that the use of this "strategy may be the result of the sharp increase in the number of young refuseniks (those refusing to serve in the Occupied Palestinian Territories), which may become a threat to the image of the Israeli army and policy" (ibid.).

With regard to treatment of COs, the story of an imprisoned student, Jonathen (Yoni) Ben Artzi, was published in *Counterpunch*, "a bi-weekly muckraking newspaper," (n.d.) in January 2003 (17 Jan. 2003). According to the article's author, Professor Yigal Bronner of Tel Aviv University, Ben Artzi faced administrative, legal and social penalties for his refusal to perform military service (*Counterpunch* 17 Jan. 2003). In the first instance, Ben Artzi's high school attempted to prevent him from graduating and receiving his diploma (ibid.). Then, a government "conscience-experts" committee ruled that Ben Artzi and his fellow students were "pretending" to be COs, and Ben Artzi, in particular, was labeled as a "troublemaker" (ibid.). Finally, Professor Bronner claimed that opposing military service is viewed as "too subversive a position in Israel" and Ben Artzi "paid a high social price for standing up for his unpopular beliefs" (ibid.). Professor Bronner further mentioned that the military would have excused Ben Artzi from military service for "mental reasons," if he had relinquished his CO status, something Ben Artzi refused to do (ibid.).

Amnesty International reported that Ben Artzi was released in January 2004 after 196 days in prison, and "eventually exempted from army service" (AI 30 Mar. 2005). However, Artzi faced "further imprisonment for having refus[ed] a military order," and in April 2004 he was sentenced to two months in military prison and fined about US \$500 (ibid.). According to Amnesty International, Artzi has "appealed the decision to the High Military Court of Appeals and their decision is expected in September [2005]" (ibid.).

In March 2005, AFP reported that about 250 students from various "prestigious schools in the country" signed a petition outlining their refusal to perform military service "while the Jewish state occupies Palestinian territory" (14 Mar. 2005). According to the same article, if the students continued their refusal, they would be liable to discipline, including a possible sentence in military prison (AFP 14 Mar. 2005).

For information about military prison conditions, please refer to ISR43504.E of 21 April 2005.

This Response was prepared after researching publicly accessible information currently available to the Research Directorate within time constraints. This Response is not, and does not purport to be, conclusive as to the merit of any particular claim for refugee protection. Please find below the list of additional

sources consulted in researching this Information Request.

References

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<[http://www.unhchr.ch/Huridocda/Huridoca.nsf/\(Symbol\)/E.CN.4.2004.NGO.153.En?Opendocument](http://www.unhchr.ch/Huridocda/Huridoca.nsf/(Symbol)/E.CN.4.2004.NGO.153.En?Opendocument)> [Accessed 20 Apr. 2005]

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Additional Sources Consulted

Two oral sources did not respond within time constraints

Internet: Center on Conscience & War, *Country Reports 2004*, Freedom House, Human Rights Watch, *Jerusalem Post*, Jewish Peace Fellowship, New Profile, Refuser Solidarity Network.


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