Refugee Review Tribunal AUSTRALIA

RRT RESEARCH RESPONSE

Research Response Number: ISR35545 **Country:** Israel

Date: 23 October 2009

Keywords: Israel – Netanya – Suicide bombings – IDF special forces – Reservists – Conscientious objectors – Peace activists – State protection

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Ouestions

- 1. Please provide information on suicide bombs in 2000 to January 2002 in Netanya.
- 2. Deleted.
- 3. Please provide any information on recruitment of individuals to special army units for "chasing terrorists in neighbouring countries", how often they would be called up, and repercussions for wanting to withdraw?
- 4. What evidence is there of repercussions from Israeli Jewish fanatics and Arabs or the military towards someone showing some pro-Palestinian sentiment (attending rallies, expressing sentiment, and helping Arabs get jobs)? Is there evidence there would be no state protection in the event of being harmed because of political opinions held?

RESPONSE

1. Please provide information on suicide bombs in 2000 to January 2002 in Netanya.

According to a 2006 journal article published in *GeoJournal* there were no suicide attacks in Netanya during the period of 1994-2000. No reports of suicide bombings in 2000 in Netanya were found in a search of other available sources. According to the *GeoJournal* article there were six suicide bombing attacks in Netanya during the period 2001-2005 (Kliot, N. & Charney, I. 2006, 'The geography of suicide terrorism in Israel', *GeoJournal*, vol. 66, no. 4, July, pp. 360-361 – Attachment 1).

Details of suicide bombings and other major incidents in Netanya between 2001 and 2002 are given below. Where possible, the location of the attack and number of people killed and injured are given. The information is taken from the Israel Ministry of Foreign Affairs website and the Jewish Virtual Library website. Both these websites have lists of bombing attacks and other major incidents in Israel.

2001

1 January 2001

A car bomb exploded near a bus stop in the shopping district in the center of Netanya. About 60 people were injured, most lightly. One unidentified person, apparently one of the terrorists involved in the bombing, died of severe burns. Hamas claimed responsibility for the attack ('Suicide and Other Bombing Attacks in Israel Since the Declaration of Principles (Sept 1993)' (undated), Israel Ministry of Foreign Affairs website

http://www.mfa.gov.il/mfa/terrorism-

<u>%20obstacle%20to%20peace/palestinian%20terror%20since%202000/suicide%20and%20other%20bombing%20attacks%20in%20israel%20since</u> – Accessed 14 October 2009 – Attachment 2).

Information found elsewhere on the Ministry of Foreign Affairs website states that the attack occurred on the corner of Herzl and Dizengoff streets in Netanya. According to this, 36 people were injured ('IDF Strikes at Heads of Hamas Command in Samaria' 2001, Israel Ministry of Foreign Affairs website, 1 August

http://www.mfa.gov.il/MFA/Government/Communiques/2001/IDF%20Strikes%20at%20Heads%20of%20Hamas%20Command%20in%20Samaria%20- Accessed 14 October 2009 – Attachment 3).

4 March 2001

A suicide bomber detonated an explosive charge on the corner of Herzl and Shoham streets in Netanya. Three people were killed and more than 60 injured. A *Jerusalem Post* article of 5 March 2001 provides details ('IDF Strikes at Heads of Hamas Command in Samaria' 2001, Israel Ministry of Foreign Affairs website, 1 August http://www.mfa.gov.il/MFA/Government/Communiques/2001/IDF%20Strikes%20at%20Heads%20of%20Hamas%20Command%20in%20Samaria%20.

<u>ds%20of%20Hamas%20Command%20in%20Samaria%20-</u> – Accessed 14 October 2009 – Attachment 3; Repin, E. 2001, 'Suicide bomber kills 3 in Netanya. Security forces braced for further attempts', *Jerusalem Post*, 5 March – Attachment 4).

18 May 2001

A suicide bomber detonated an explosive charge at the entrance to the "Hasharon" shopping mall in Netanya. Five people were killed and 74 were injured ('IDF Strikes at Heads of Hamas Command in Samaria' 2001, Israel Ministry of Foreign Affairs website, 1 August http://www.mfa.gov.il/MFA/Government/Communiques/2001/IDF%20Strikes%20at%20Heads%20of%20Hamas%20Command%20in%20Samaria%20- – Accessed 14 October 2009 – Attachment 3).

30 May 2001

A car bomb exploded shortly before 16:00 outside a school in Netanya while a number of students were still in the building studying for matriculation exams. Eight people were injured, suffering from shock and hearing impairment. The Islamic Jihad claimed responsibility ('Suicide and Other Bombing Attacks in Israel Since the Declaration of Principles (Sept 1993)' (undated), Israel Ministry of Foreign Affairs website http://www.mfa.gov.il/mfa/terrorism-

%20obstacle%20to%20peace/palestinian%20terror%20since%202000/suicide%20and%20ot

<u>her%20bombing%20attacks%20in%20israel%20since</u> – Accessed 14 October 2009 – Attachment 2).

16 July 2001

Cpl. Hanit Arami, 19, and St.Sgt. Avi Ben Harush, 20, both of Zichron Yaakov, were killed and 11 wounded – 3 seriously – when a bomb exploded in a suicide terrorist attack at a bus stop near the train station in Binyamina, halfway between Netanya and Haifa, at about 19:30 Monday evening. The Islamic Jihad claimed responsibility for the attack ('Suicide and Other Bombing Attacks in Israel Since the Declaration of Principles (Sept 1993)' (undated), Israel Ministry of Foreign Affairs website <a href="http://www.mfa.gov.il/mfa/terrorism-%20obstacle%20to%20peace/palestinian%20terror%20since%202000/suicide%20and%20other%20bombing%20attacks%20in%20israel%20since – Accessed 14 October 2009 – Attachment 2).

9 September 2001

A car bomb exploded at the Beit Lid junction near Netanya, injuring 17 people. One person killed in the explosion is believed to be the terrorist bomber ('Suicide and Other Bombing Attacks in Israel Since the Declaration of Principles (Sept 1993)' (undated), Israel Ministry of Foreign Affairs website http://www.mfa.gov.il/mfa/terrorism-%20obstacle%20to%20peace/palestinian%20terror%20since%202000/suicide%20and%20other%20bombing%20attacks%20in%20israel%20since – Accessed 14 October 2009 – Attachment 2).

2002

9 March 2002

Avia Malka, 9 months, of South Africa, and Israel Yihye, 27, of Bnei Brak were killed and about 50 people were injured, several seriously, when two Palestinians opened fire and threw grenades at cars and pedestrians in the coastal city of Netanya on Saturday evening, close to the city's boardwalk and hotels. The terrorists were killed by Israeli border police. The Fatah Al Aqsa Brigades claimed responsibility for the attack ('Fatal Terrorist Attacks in Israel Since the Declaration of Principles (September 1993-September 25, 2009)' 2009, Jewish Virtual Library website, source: Israel Ministry of Foreign Affairs, updated to 25 September http://www.jewishvirtuallibrary.org/jsource/Terrorism/victims.html – Accessed 14 October 2009 – Attachment 5).

27 March 2002

22 people were killed (6 more died later) and 140 injured – 20 seriously – in a suicide bombing in the Park Hotel in the coastal city of Netanya, in the midst of the Passover holiday seder with 250 guests ('Fatal Terrorist Attacks in Israel Since the Declaration of Principles (September 1993-September 25, 2009)' 2009, Jewish Virtual Library website, source: Israel Ministry of Foreign Affairs, updated to 25 September http://www.jewishvirtuallibrary.org/jsource/Terrorism/victims.html – Accessed 14 October 2009 – Attachment 5).

19 May 2002

Three people were killed and 59 injured – 10 seriously – when a suicide bomber, disguised as a soldier, blew himself up in the market in Netanya. Both Hamas and the PFLP took responsibility for the attack ('Suicide and Other Bombing Attacks in Israel Since the Declaration of Principles (Sept 1993)' (undated), Israel Ministry of Foreign Affairs website http://www.mfa.gov.il/mfa/terrorism-

 $\frac{\%20 obstacle\%20 to\%20 peace/palestinian\%20 terror\%20 since\%202000/suicide\%20 and\%20 ot her\%20 bombing\%20 attacks\%20 in\%20 israel\%20 since}{Attachment 2).} - Accessed 14 October 2009 - Attachment 2).$

There were also bombings in 2003 and 2005 ('Suicide and Other Bombing Attacks in Israel Since the Declaration of Principles (Sept 1993)' (undated), Israel Ministry of Foreign Affairs website http://www.mfa.gov.il/mfa/terrorism-

<u>%20obstacle%20to%20peace/palestinian%20terror%20since%202000/suicide%20and%20other%20bombing%20attacks%20in%20israel%20since</u> – Accessed 14 October 2009 – Attachment 2).

2. Deleted.

3. Please provide any information on recruitment of individuals to special army units for "chasing terrorists in neighbouring countries", how often they would be called up, and repercussions for wanting to withdraw?

Specific authoritative information on special forces recruitment was not found in a search of the available sources. A 2002 *New York Times* article reporting on reservists in a special forces unit states that the members of the unit "distinguished themselves during their compulsory army service and were specially selected to join". Other information found indicates that individuals volunteer to join special forces units. A 2007 opinion piece in *Ynet News* states that young conscripts "make superhuman efforts in order to be accepted into elite units such as Sayeret Matkal, Shaldag, Maglan, and other top units" (Anderson, S. 2002, 'An Impossible Occupation', *New York Times*, 12 May

http://www.nytimes.com/2002/05/12/magazine/12IDF.html?pagewanted=all – Accessed 20 October 2009 – Attachment 6; Ben-Yishai, R. 2007, 'Different kind of dodging', *Ynet News*, 12 August http://www.ynet.co.il/english/articles/0,7340,L-3434323,00.html – Accessed 21 October 2009 – Attachment 7).

Information on the Israel Defense Force (IDF) found on the Jewish Virtual Library website states: "The majority of [the IDF] are reservists, who are called up regularly for training and service and who, in time of war or crisis, are quickly mobilized into their units from all parts of the country". The Jewish Virtual Library also states that "Upon completion of compulsory service each soldier is assigned to a reserve unit. Men up [to] age 51 serve [up to] 39 days year [a] period [of] time which can be extended in times [of] emergency. Recent policy has been [to] reduce the burden whenever possible and reservists who have served [in] combat units may now [be] discharged at 45". According to an in-depth War Resisters' International (WRI) report (published in 2003) on conscientious objection: "Men of over 35 are often not called up for reserve training, as they are considered medically unfit. Usually men are finally discharged at the age of 41 or 45". The above-mentioned 2002 *New York Times* article states that the special forces reservists "continue to be called up for short-term stints of military service until the age of 44" ('Israel Defense Forces (IDF) – An Introduction' (undated), Jewish Virtual Library website

http://www.jewishvirtuallibrary.org/jsource/Society_&_Culture/IDF.html – Accessed 20

October 2009 – Attachment 8; Speck, Andreas 2003, 'Conscientious objection to military service in Israel: an unrecognised human right', War Resisters' International website, 3 February, p. 3 http://wri-irg.org/pdf/co-isr-03.pdf – Accessed 24 January 2006 – Attachment 9; Anderson, S. 2002, 'An Impossible Occupation', *New York Times*, 12 May http://www.nytimes.com/2002/05/12/magazine/12IDF.html?pagewanted=all – Accessed 20 October 2009 – Attachment 6).

Information was not found to indicate that the amount of time required for reservist duty in the special forces is different to reservist duty in regular units. A 2004 article in *The Observer* states that, for reservists in Sayeret Matkal (a special forces unit, described as "Israel's equivalent of the SAS"), "[a]fter completing their national service, each must serve up to a month in the unit every year" (Urquhart, C. 2004, 'Elite Israeli troops reject Gaza violence', *The Observer*, 15 February – Attachment 10).

Information indicates that there has been a recent crackdown on refusal to serve. A number of activist members of peace groups involved in supporting soldiers who refuse to serve on conscientious objection grounds have been arrested in 2009. Demi Reider, writing in a 30 April 2009 *Guardian* article, notes that for the first time young women who refuse to serve have also been facing jail terms. According to feminist group New Profile, which campaigns against conscription, the crackdown has been more noticeable since the December 2008 – January 2009 operation in Gaza. The latest Amnesty International (AI) annual report for Israel states that there has been a "marked increase in the number of Israeli conscientious objectors imprisoned for refusing to serve in the Israeli army because of their opposition to the Israeli military occupation of the Palestinian Territories" (Reider, D. 2009, 'Israel's budding autocracy', *The Guardian*, 30 April http://www.guardian.co.uk/commentisfree/2009/apr/30/israel-military – Accessed 22 October 2009 – Attachment 11; 'An update on our investigation and further recommended action' 2009, New Profile website, 29 May http://www.newprofile.org/english/?n=166 – Accessed

2009 – Attachment 11; 'An update on our investigation and further recommended action' 2009, New Profile website, 29 May http://www.newprofile.org/english/?p=166 – Accessed 21 October 2009 – Attachment 12; Amnesty International 2009, *Amnesty International Annual Report 2009 – Israel and the Occupied Palestinian Territories*, 28 May – Attachment 13).

Special Units

A 2007 working paper written by Professor Anthony Cordesman of the Center for Strategic and International Studies (CSIS) in Washington provides information on the shift in Israel's military resources towards low intensity conflict and counterterrorism:

The fact that Israel has had to conduct more than half a decade of asymmetric warfare with the Palestinians had forced it to shift many of its conventional military resources to low intensity conflict, raids and reoccupations of Palestinian territory, and internal security missions. There is no way to precisely quantify just how much of Israel's effort has been shifted to such missions, but they may consume nearly half of Israel's military resources in terms of self-financed security expenditures, and some 25% of its active and mobilized reserve manpower.

The end result was a steady expansion of the training and equipment IDF units have for low intensity conflict and internal security missions, although few of the details are public (Cordesman, A. 2007, 'Israel and Syria: The Military Balance and Prospects of War', Center for Strategic and International Studies website, 15 August, p. 76 – Attachment 14).

Professor Cordesman also states: "The IDF has acquired vast experience in counterterrorism

and special operations, and virtually all of the intelligence elements it developed for conventional war fighting capabilities now have considerable capability for counterterrorism and counterinsurgency missions". According to Professor Cordesman, "There are no reliable reports on IDF combat capabilities in such missions", but the paper does include a list of IDF special units which have been named in public sources (Cordesman, A. 2007, 'Israel and Syria: The Military Balance and Prospects of War', Center for Strategic and International Studies website, 15 August, p. 93 – Attachment 14).

Most of the information found on IDF special forces focuses on the Sayeret Matkal, which appears to be the most well-known of the special units. The Jewish Virtual Library has the following information on Sayerot Mat'kal and states that it is "the unit most people are referring to when discussing the Israeli war against terrorism":

Sayerot Mat'kal, also known as General Staff Reconnaissance Unit 269, is the unit most people are referring to when discussing the Israeli war against terrorism. Operatives from this unit have led, or been an instrumental part of, almost every notable counterterrorist (and antiterrorist) operation conducted on behalf of Israel from 1957 to the present. It is also the primary unit dedicated to hostage rescue missions within Israel. Sayerot Mat'kal has been assisted on occasion by other Israeli units such as the elite Sayeret Tzanhanim, Flotilla 13, and Sayeret Golani. During periods of war, this unit is tasked with the most risky intelligence gathering operations, a function it has reportedly accomplished successfully on numerous occasions ('Sayerot Mat'kal' (undated), Jewish Virtual Library website

http://www.jewishvirtuallibrary.org/jsource/Terrorism/sayerot.html – Accessed 20 October 2009 – Attachment 15).

A 2007 article found on the Institute for National Security Studies website provides general information on IDF special units. This has been included for background reading (Hendel, Y. 2007, 'IDF Special Units: Their Purpose and Operational Concept', *Strategic Assessment*, vol. 10, no. 2, August, Institute for National Security Studies website http://www.inss.org.il/publications.php?cat=21&incat=&read=252 – Accessed 20 October 2009 – Attachment 16).

Special forces recruitment

Little authoritative information was found on recruitment into the special forces in Israel. Information on recruitment into Sayeret Matkal, found on various website is included below for interest; however, please be aware that the information may not be from an authoritative source.

A 2007 *Ynet News* editorial opinion piece on the different forms of draft dodging indicates that individuals volunteer for special forces units. The article states that "members of the social elite run to the various special forces units, whose numbers have increased disproportionally in the IDF". The article also suggests that the risk factor in a special forces unit is less than that faced by someone in a regular regiment during wartime:

One can understand and appreciate youth who along with their parents make superhuman efforts in order to be accepted into elite units such as Sayeret Matkal, Shaldag, Maglan, and other top units. Serving in these units requires a great physical and mental effort, but it doesn't wear out soldiers the way manning West Bank roadblocks does.

Working in small, intimate teams where each fighter has value, as well as the glory associated with such units, are a worthy reward. Moreover, the parents know that the risk to their sons in bold yet well-planned operations is much smaller than the risk faced by a fighter

in a regular regiment that during wartime is tasked with charging fortified targets.

It is no wonder that dozens of the members of Israel's social elites compete for each open spot in elite units, with some of those units growing as large as regiments and even bigger. Yet as a result, those same elite members are missing in infantry, armored corps, and engineering units, and particularly as commanders. This isn't draft dodging, but it is certainly a case of making a selfish choice over the army's needs (Ben-Yishai, R. 2007, 'Different kind of dodging', *Ynet News*, 12 August http://www.ynet.co.il/english/articles/0,7340,L-3434323,00.html Accessed 21 October 2009 – Attachment 7).

The Encyclopedic Dictionary of Zionism and Israel website has information on Sayeret Matkal. In regard to recruitment and training the website states:

At first, the unit was super-secret. Its members were hand-picked, and were often personal acquaintances of commanders or family members of existing commandos. Thus, Benjamin Netanyahu served along with both of his brothers, for example. Since the 1970s, Sayeret Matkal became open to volunteers. "Officially" it did not exist until the late 1980s, but by that time, everyone in Israel certainly knew of its existence as well as the foreign press.

Recruits are selected on "Yom Hasayarot" – commando day, and then evaluated in a grueling selection camp (*Gibbush* – "crystalization") lasting six days. Under constant physical and mental pressure, the recruits are monitored by doctors and psychologists. They also undergo a complete and stringent physical and psychological examination. Those who complete the Gibbush and get a satisfactory evaluation and pass the medical exam are admitted.

During the 1990s, the "selection camp" idea was copied by other commando units.

Training lasts 20 months with heavy emphasis on small arms, martial arts, navigation, camouflage, reconnaissance and other commando skills. Recruits complete a 120 kilometer "Beret March."

The training regime includes:

- * Four months of basic infantry training, held in the Paratroopers basic training base; it is part of the regular Paratroopers basic training routine.
- * Two months advanced infantry training.
- * Three week parachutists course in the IDF Parachuting School.
- * Five weeks counter-terror (CT) course in the IDF Counter-Terror Warfare School, followed by more inner-unit CT training. .

The remainder of the training is dedicated to long-range reconnaissance patrol training, and especially to navigation/orientation, which is of vast importance in the unit. While most of the navigation training is done in pairs for safety reasons, as in every other unit in the IDF, Sayeret Matkal is one of the handful of IDF elite units which conducts long-range solo navigation exercises.

Following the above there is a 4-5 month training period within the Sayeret Matkal and 12 months of mandatory professional army service (Sherut Keva) (Isseroff, A. 2009, 'Sayeret Matkal', The Encyclopedic Dictionary of Zionism and Israel website, 25 May http://www.zionism-israel.com/dic/Sayret_Matkal.htm – Accessed 20 October 2009 – Attachment 17).

Special forces reservists

A 2002 New York Times article reports on reservists in the Palsar Tzanhanim, or paratrooper reconnaissance commandos. [Professor Cordesman calls these "Sayeret Tzanhanim". It appears that Palsar and Sayeret are both interchangeable words for reconnaissance units]. According to this article, the members of the unit are "men who distinguished themselves during their compulsory army service and were specially selected to join". The article states that "Palsars serve as a special vanguard during times of war, conducting sabotage, ambushes and intelligence-gathering deep inside enemy territory". The author of the article has accompanied the unit on a mission in the West Bank. The article states:

Though they are among the Israeli Army's best and brightest, these Palsars are not career soldiers; they are reservists. While all but religiously exempted Israeli men serve in the military from age 18 to 21 – and women for a slightly shorter term – these "compulsories" are backed up by a vast pool of men who have returned to civilian life and embarked on careers but who continue to be called up for short-term stints of military service until the age of 44. This has a democratizing effect: within the reconnaissance platoon, salutes are not exchanged, and many officers aren't even certain of their actual rank. It also creates a striking diversity: among the more than 100 reservists who make up this elite platoon are left-wing kibbutzniks and right-wing settlers, goat farmers and lawyers, 22-year-old students and 40-year-old construction workers – men who distinguished themselves during their compulsory army service and were specially selected to join (Anderson, S. 2002, 'An Impossible Occupation', *New York Times*, 12 May

http://www.nytimes.com/2002/05/12/magazine/12IDF.html?pagewanted=all – Accessed 20 October 2009 – Attachment 6).

A number of reports were found of a particular incident in 2003, when 13 special forces reservists refused to serve in the Occupied Territories, writing a letter to then Prime Minister Ariel Sharon to that effect. The reservists were all members of the Sayeret Matkal. According to a February 2004 article in *The Observer*, if they continued to refuse to serve when summoned for duty they would be "tried in a military court, jailed and maybe thrown out of the army". Wikipedia has a summary of the incident, including this follow-up information: "In the event, none of the signatories was tried, but they were all expelled from the ranks of Sayeret Matkal" [Users should be aware that Wikipedia is a Web-based free-content encylopaedia which is written collaboratively by volunteers. The Research Service recommends that users of Wikipedia familiarise themselves with the regulatory practices which Wikipedia employs as a preventative measure against vandalism, bias and inaccuracy.] (Urquhart, C. 2004, 'Elite Israeli troops reject Gaza violence', *The Observer*, 15 February – Attachment 10; 'Sayeret Matkal' 2009, Wikipedia, updated 3 October http://en.wikipedia.org/wiki/Sayeret Matkal – Accessed 20 October 2009 – Attachment 18).

The available information also indicates that the actions of members of special units carry special weight because of their elite status. The above-quoted *Observer* article notes that Israeli society "holds its armed forces in high esteem". A December 2003 *BBC News* article reports on the refusal of the Sayeret Matkal reservists to serve and states: "Several hundred reserve soldiers have been sent to prison for refusing to serve in the West Bank and Gaza, but the statements from pilots and commandos carry special weight because of their elite status" (Urquhart, C. 2004, 'Elite Israeli troops reject Gaza violence', *The Observer*, 15 February – Attachment 10; 'Israelis condemn army refuseniks' 2003, *BBC News*, 22 December – Attachment 19).

General information on military service for reservists

Information on the IDF found on the Jewish Virtual Library website states:

In preparing for defense, the IDF deploys a small standing army (made up of conscripts and career personnel) with early warning capability, and a regular air force and navy. The majority of its forces are reservists, who are called up regularly for training and service and who, in time of war or crisis, are quickly mobilized into their units from all parts of the country.

...Upon completion of compulsory service each soldier is assigned to a reserve unit. Men up [to] age 51 serve [up to] 39 days year [a] period [of] time which can be extended in times [of] emergency. Recent policy has been [to] reduce the burden whenever possible and reservists who have served [in] combat units may now [be] discharged at 45 ('Israel Defense Forces (IDF) – An Introduction' (undated), Jewish Virtual Library website http://www.jewishvirtuallibrary.org/jsource/Society_&_Culture/IDF.html – Accessed 20 October 2009 – Attachment 8).

A number of past responses look at military service generally in Israel. The most recent is *Research Response ISR34012*, dated 21 November 2008, which contains detailed information on compulsory military service, reservist service, and conscientious objection (RRT Research & Information 2008, *Research Response ISR34012*, 21 November – Attachment 20).

General information on refusal to serve

Two past research responses provide information on refusal to serve (RRT Research & Information 2008, *Research Response ISR34012*, 21 November – Attachment 20; RRT Country Research 2007, *Research Response ISR31732*, 26 June – Attachment 21). As noted above, recent information indicates that the authorities are treating refusal to serve with more seriousness. The latest Amnesty International (AI) annual report for Israel states that there has been a "marked increase in the number of Israeli conscientious objectors imprisoned for refusing to serve in the Israeli army because of their opposition to the Israeli military occupation of the Palestinian Territories" (Amnesty International 2009, *Amnesty International Annual Report 2009 – Israel and the Occupied Palestinian Territories*, 28 May – Attachment 13).

The Immigration and Refugee Board of Canada has recently completed a number of relevant responses on military service and refusal to serve:

- Immigration and Refugee Board of Canada 2009, ISR103098.E Israel: Alternatives to military service and possibility of serving with modified duties (for example, without bearing arms or outside a particular area), 12 March Attachment 22;
- Immigration and Refugee Board of Canada 2009, ISR103097.E Israel: Sanctions for and consequences of avoiding military service or refusing to bear arms or to follow orders from officers, including in battle zones; possibility for soldiers to sue officers for improper conduct or wrong-minded orders, 11 March Attachment 23;
- Immigration and Refugee Board of Canada 2009, *ISR103108.E Israel: Existence,* role and composition of a military conscientious objection committee; number of decisions made by this committee, 10 March Attachment 24;

• Immigration and Refugee Board of Canada 2009, ISR103096.E – Israel: Call-up notice for military service; rules and mechanisms; consequences of delay to respond; extent to which failure to respond to a call-up notice is reported to government authorities, 4 March – Attachment 25.

A 29 May 2009 article on the WRI website states that: "Israel's ambassador to the United Nations announces that Israel would grant the right to those who object on conscientious grounds to serving in the military, alternative civilian service'". The article notes that scepticism remains about the implementation of alternative military service for conscientious objectors. The article notes that the ambassador "represented the outgoing Israeli government at the session of the Human Rights Council. With the new Israeli government, it is even more doubtful that any substantial improvement of the situation of conscientious objectors would be passed in the Israeli parliament" ('Israel to recognise conscientious objection?' 2009, War Resisters International website, 29 May http://www.wri-irg.org/node/7089 – Accessed 20 October 2009 – Attachment 26).

An article dated 1 July 2009 on the WRI website reports that "a reserve soldier from an infantry unit, had been sentenced on 23 June to a 7 day prison term in military prison no. 6, for his refusal to serve in the Occupied Territories" ('Israel: After New Profile, now investigation against Yesh Gvul' 2009, War Resisters International website, 1 July http://www.wri-irg.org/node/8182 – Accessed 21 October 2009 – Attachment 27).

A *Ynet News* article dated 20 January 2009 reports on the arrest of a reservist who refused to take part in Operation Cast Lead in Gaza early this year (Lecker, M. 2009, 'Reservist arrested for refusing to take part in Gaza op', *Ynet News*, 20 January – Attachment 28).

In the above-mentioned 2007 CSIS working paper, Professor Cordesman notes that refusal to serve and criticism of Israel's policies in the occupied territories are not uncommon:

Some Israelis have publicly disagreed with Israeli policies in the occupied territories. Some reservists refuse to serve in either Gaza or the West Bank, and 27 Israeli Air Force pilots, including the most decorated pilot in Israel's history, refused to carry out further strikes. Four former heads of the Shin Bet security service declared that Israel's activities in the territories actually eroded national security instead of bolstering it. A former deputy Chief of Staff of the IDF stated that Israel lacked a grand strategy and that the West Bank security fence that Israel is constructing at a cost of \$450 million a year precludes the creation of a Palestinian state (Cordesman, A. 2007, 'Israel and Syria: The Military Balance and Prospects of War', Center for Strategic and International Studies website, 15 August, p. 76 – Attachment 14).

Also see Question 4 for more reports of the recent arrests of members of political activist groups on charges of "incitement to evade military service".

4. What evidence is there of repercussions from Israeli Jewish fanatics and Arabs or the military towards someone showing some pro-Palestinian sentiment (attending rallies, expressing sentiment, and helping Arabs get jobs). Is there evidence there would be no state protection in the event of being harmed because of political opinions held.

The following information relates to high-profile activists. Information was not found on the general treatment of Israeli Jews who are low profile sympathizers towards Palestinians. The information found does indicate that Israeli society remains sharply divided. A February 2008 article on the website of the American Council for Judaism quotes Don Spivak, chairman of the Association for Civil Rights in Israel and deputy director of Tel Aviv University's clinical

law program, and Melanie Takefman, the civil rights group's international communication and development coordinator. Spivak and Takefman write that, "As disparities grow, Israeli society has become increasingly segmented and polarized ...Blatant prejudice and hatred are manifest in a variety of ways, from cries of 'Death to the Arabs' in soccer stadiums to building separation fences between Jewish and Arab communities to racist draft legislation brought to the Knesset. According to the Israel Democracy Institute's survey, 55 percent of Israeli Jews believe the government should encourage Arab emigration and 78 percent are opposed to Arab political parties joining the government" (Brownfield, A. 2008, 'The Time Has Come to Teach Israeli Children the Value of Democracy, State Civil Rights Leaders', American Council for Judaism website, January – February http://www.acjna.org/acjna/articles_detail.aspx?id=470 – Accessed 23 October 2009 – Attachment 45).

In an entry dated 29 May 2009, the New Profile website states: "The Association of Civil Rights in Israel notes an escalation of harassment and violence against Left Wing activists by Israeli government authorities and the police since Israel's military incursion into Gaza in December 2008, in an apparent, systematic attempt to silence dissent and stifle political discourse". A July 2009 International Crisis Group (ICG) report notes that the religious right in Israel is growing increasingly powerful, stating that they "occupy key positions in the military, the government and the education and legal sectors, as well as various layers of the bureaucracy". ICG also states that "the government has mostly been reluctant to take strong action against growing religious militancy in the occupied territories" and that in the outposts and settlements "the defence ministry appears loath to act against law-breakers" (pp. 32-33). Recent reports were found on the website of peace activist group Ta'ayush of clashes between Israeli settlers in the West Bank and Israeli activists opposed to the settlements. According to many of these reports the Israeli security forces allegedly actively or passively assisted the settlers against both the Palestinians and Israeli peace activists. A number of activists against the draft have been arrested and interrogated by police in 2009. The US Department of State (USDOS) country report on terrorism for 2008 also notes that a Jewish extremist group reportedly "offered USD 314,000 to anyone who killed a member of the nongovernmental organization, Peace Now". No reports were found of Peace Now members being harmed as a result (see: 'An update on our investigation and further recommended action' 2009, New Profile website, 29 May http://www.newprofile.org/english/?p=166 -Accessed 21 October 2009 – Attachment 12; International Crisis Group 2009, Israel's Religious Right and the Question of Settlements, Middle East Report N° 89, 20 July -Attachment 29; 'Ongoing Activities' 2009, Ta'ayush website, updated 2 October http://www.taayush.org/topics/st-mt-hebron-ongoing-activities-update.shtml#english – Accessed 21 October 2009 – Attachment 30; Gordon, N. 2009, 'Israel activist to be jailed for caring', The Guardian, 9 May http://www.guardian.co.uk/commentisfree/2009/may/06/israelhuman-rights-police - Accessed 21 October 2009 - Attachment 32; US Department of State 2009, Country Reports on Terrorism 2008 – Israel, West Bank, and Gaza, April, p. 118 – Attachment 31).

Arrests of political activists

On 26 April 2009, police raided the homes of a number of members of the well-known political activist group, New Profile. A WRI report of the incident describes New Profile as "a feminist movement established ten years ago. The movement has been warning for years of the exaggerated and destructive influence of Israeli militarism on civilian life, and provides

legal aid and social support to young people desiring not to do military service, both for political and personal reasons". The article reports:

The police demanded that the activists turn over the computers located in their homes, and among other things took the computers of partners of the detainees and in one case also the computer of a fourth grade pupil, the daughter of one of those interrogated. The computers of family members were returned after the activists were released on bail.

Amongst those interrogated: Analeen Kish, aged 70, a ceramics artist, daughter of a family of the the "Righteous among the Nations" who converted to Judaism after her marriage to Holocaust survivor Dr. Eldad Kish, active in organizations of Dutch Holocaust survivors in Israel. The pair have six grandchildren; Miriam Hadar, age 51, an editor and translator, mother of two, married to professor of psychology Uri Hadar. The two women were born in Holland and continue to hold Dutch citizenship.

Additionally detained for interrogation were Amir Givol, a resident of Jerusalem, Sergei Sandler, a resident of Beer Sheva, and Roni Barkan, a resident of Tel Aviv. The computers of all those interrogated were taken by the police, who presented search warrants.

All five were interrogated in the Ramat Hachiyal station in the Yarkon Region of the police. At the conclusion of the interrogation they were released on bail and under limiting conditions, and all were told that during the next 30 days they are forbidden to contact other members of the movement.

... Attorney Smadar Ben Nathan, who is representing New Profile, said that the investigation of the police is focusing on the website of New Profile, which has links to other sites on the internet. Ben Nathan added that the New Profile Movement is a recognized non-profit association which acts openly and publicly, in accordance with the law, and the use of a criminal investigation in this context is invalid and exaggerated, and stands in opposition to freedom of expression ('New Profile Movement: Harsh Police Attack on Freedom of Expression' 2009, War Resisters' International website, 26 April http://www.wri-irg.org/node/7409 – Accessed 21 October 2009 – Attachment 33).

A subsequent report on the WRI website dated 4 May 2009 states that another ten activists had received summons to appear before the police for interrogation. The article states that the "reason given by the police is an investigation against the website of New Profile…and Target 21…, a Russian language website for violations to article 109 of the Israeli criminal law, incitement to draft evasion":

On 26 April 2009, six members of WRI's Israeli affiliate New Profile were detained by Israeli police, their homes raided, and their computers, and also computers of partners, seized. Among those detained was also Sergeiy Sandler, a member of the WRI Council and Executive Committee. All those detained were interrogated at Ramat Hachiyal police station in the Yarkon Region of the police. After the interrogation, all five were released, but only after agreeing to bail conditions which do not allow them to contact each other in the coming thirty days. The computers of partners were returned, but not the computers of those detained. Other Israeli activists have been summoned to report to the same police station the following day (27 April 2009). According to New Profile, 10 other activists have received summons to appear at a police station for interrogation.

The reason given by the police is an investigation against the website of New Profile (http://www.newprofile.org) and Target 21 (http://www.target-21.h1.ru/), a Russian language website for violations to article 109 of the Israeli criminal law, incitement to draft evasion ('Israel: WRI affiliate New Profile raided by police' 2009, War Resisters International

website, 4 May http://www.wri-irg.org/node/7517 – Accessed 20 October 2009 – Attachment 34).

Following the investigation against New Profile, WRI reports in a 1 July 2009 article that members of another group, Yesh Gvul, had also been summoned to interrogation by Israeli police. Yesh Gvul is another Israeli peace group which supports those who refuse to serve. "The alleged grounds for the investigation is the suspicion that the group and its members engage in 'incitement to evade military service', do so consistently and 'promise financial incentives' to that end" ('Israel: After New Profile, now investigation against Yesh Gvul' 2009, War Resisters International website, 1 July http://www.wri-irg.org/node/8182 — Accessed 21 October 2009 — Attachment 35).

Ezra Nawi, a member of Israeli peace activist group Ta'ayush, is profiled in recent articles in *Time* magazine and *The Guardian*. He recently faced sentencing for an incident in 2007 in which he allegedly assaulted a police officer, a charge Nawi denies. The article in *Time* magazine, dated 15 August 2009, notes that the Israeli peace movement has "withered":

Once a mainstream movement, the Israeli peace movement withered during the second Palestinian Intifada that started in 2000, as a wave of suicide bombings in cafes and buses turned most Israelis cold on the promise of trading "land for peace."

A movement that was once able to bring tens of thousands of Israelis onto the streets today consists of only a small number of left-wing activists who do such things as monitor the behavior of Israeli security forces at checkpoints, defend the civil rights of Palestinian prisoners and shield Arabs from settler violence and land grabs. Israeli hawks are baffled that anyone would want to aid "the enemy" and decry these activists as naïve or, worse, as "self-hating Jews." Nawi says that the Israeli authorities consider him a "provoker" (McGirk, T. 2009, 'Ezra Nawi: Jewish Pacifist Facing Jail for Aiding Arabs', *Time Magazine*, 15 August http://www.time.com/time/world/article/0,8599,1916699,00.html – Accessed 21 October 2009 – Attachment 36).

Neve Gordon's profile of Nawi in *The Guardian*, dated 9 May 2009, also notes the increasing "undemocratic tendencies of Israeli society" and states that "the rise of the extreme right merely reflects the growing presence of proto-fascist elements in Israeli society, elements that have been gaining ground and legitimacy for many years now":

Unlike their counterparts in Egypt and Syria, Israeli rights activists, particularly Jewish ones, have been able to criticise the policies of their rights-abusive government without fear of incarceration. Up until now, the undemocratic tendencies of Israeli society manifested themselves, for the most part, in the state's relation to its Palestinian citizens, the occupied Palestinian inhabitants and a small group of Jewish conscientious objectors.

People might assume that Nawi's impending imprisonment as well as other alarming developments (like the recent arrest of New Profile and Target 21 activists, who are suspected of abetting draft-dodgers) are due to the establishment of an extreme rightwing government in Israel. If truth be told, however, the rise of the extreme right merely reflects the growing presence of proto-fascist elements in Israeli society, elements that have been gaining ground and legitimacy for many years now (Gordon, N. 2009, 'Israel activist to be jailed for caring', *The Guardian*, 9 May http://www.guardian.co.uk/commentisfree/2009/may/06/israel-human-rights-police – Accessed 21 October 2009 – Attachment 32).

According to information on the New Profile website, "at a demonstration on 30 April 2009, protesting the politicized investigation of New Profile, organized by the Coalition of Women

for Peace, Tel Aviv police injured one of the women demonstrating and held eight demonstrators overnight" ('An update on our investigation and further recommended action' 2009, New Profile website, 29 May http://www.newprofile.org/english/?p=166 – Accessed 21 October 2009 – Attachment 12; also see: Edelson, D. 2009, 'Police station protest turns ugly', *Ynet News*, 30 April http://www.ynetnews.com/articles/0,7340,L-3708977,00.html – Accessed 21 October 2009 – Attachment 37).

Peace Now

The USDOS country report on terrorism in 2008 includes the following details of violence in Israel against critics of Jewish settlements in the West Bank. USDOS reports that a Jewish extremist group were offering "USD 314,000 to anyone who killed a member of the non-governmental organization, Peace Now":

On September 25, a prominent Hebrew University professor and critic of Jewish settlements in the West Bank was wounded when a pipe bomb, allegedly planted by radical members of the settlement movement, exploded as he opened the door of his home in West Jerusalem. After the attack, police found flyers near the academic's home calling for the establishment of a new state in the West Bank based on Jewish religious law. The flyers, signed by a Jewish extremist group called the Army of the State Liberators, also offered USD 314,000 to anyone who killed a member of the non-governmental organization, Peace Now. Israeli Security Services continued to investigate the attack (US Department of State 2009, *Country Reports on Terrorism* 2008 – *Israel, West Bank, and Gaza*, April, p. 118 – Attachment 31).

An 18 August 2009 entry on the Peace Now Israel weblog site reports that about one hundred and fifty Peace Now activists attended a demonstration in Jerusalem, protesting settlement construction in East Jerusalem. The report is very brief but does not indicate that there was any violent incidents involved ('Peace Now Demonstration' 2009, Peace Now Israel weblog, 18 August http://peacenowisraelenglish.wordpress.com/2009/08/18/peace-now-demonstration/ – Accessed 21 October 2009 – Attachment 38).

A report dated 2 July 2009 on the Peace Now website reports on an attack by a settler on a team of Peace Now activists who were surveying West Bank settlement construction. "The incident was captured on video and reported by Israel's Channel 2 Television, whose news team was documenting Peace Now's work, and was also assaulted". The article reports that "Peace Now's Hagit Ofran filed a police complaint against the assailant. An arrest was made this morning" ('Peace Now activists assaulted on video' 2009, Peace Now website, 2 July http://www.peacenow.org.il/site/en/peace.asp?pi=608&docid=3726&pos=33 – Accessed 20 October 2009 – Attachment 39; see also 'Settler attacks Peace Now activists documenting settlement construction' 2009, *Haaretz.com*, 8 July http://www.haaretz.com/hasen/spages/1098667.html – Accessed 20 October 2009 – Attachment 40).

Moshe Yaalon, a senior Israeli cabinet minister, recently called anti-settler group Peace Now a "virus". *The New York Times* reports that Yaalon was reprimanded by Prime Minister Netanyahu for the comment ('Travelling Israeli Officials Fear War Crimes Probes' 2009, *New York Times*, 6 October http://www.nytimes.com/reuters/2009/10/06/world/international-uk-israel-officials-warcrimes.html? r=2 – Accessed 20 October 2009 – Attachment 41).

A previous research response provides brief information on *Shalom Achshav* (Peace Now) (RRT Country Research 2007, *Research Response ISR31948*, 19 June – Attachment 42).

Other examples of reports of settler violence

The Ta'ayush website has details of recent activities by Ta'ayush activists, mainly involving support of Palestinian civilians in areas around Israeli settlements in the West Bank. Ta'ayush is an Arab and Jewish political activist group. The website details a number of incidents of settler violence against Palestinians and the local and international peace activists accompanying them. According to the descriptions of the incidents, Israeli soldiers and police in most cases did little or nothing to prevent the settler violence (see: 'Ongoing Activities' 2009, Ta'ayush website, updated 2 October http://www.taayush.org/topics/st-mt-hebron-ongoing-activities-update.shtml#english – Accessed 21 October 2009 – Attachment 30).

For example, the website describes actions which took place in April-June 2009 in the village of Saffa in the West Bank:

Every week in the past few months, Israeli and international activists have attempted to accompany local farmers to their lands in order to work and harvest there. In most of the cases, the army issues a 'closed military zone' order and evacuates the activists and farmers, using violent means which have become more extreme from week to week, and arresting numerous activists (excepting once, all of whom have been released within several hours). In some cases, settlers attack the farmers and activists with stones, while the army watches from the side. Not a single time, though the army and police could easily have detained the rioters, did they choose to do so, and instead arrested left-wing activists who had come to accompany the farmers ('The Struggle over Saffa' 2009, Ta'ayush website, updated June http://www.taayush.org/topics/saffa2009.shtml#english – Accessed 21 October 2009 – Attachment 43).

An October 2008 article on the Ta'ayush website describes a confrontation between settlers and peace activists near a Jewish settlement in Hebron in the West Bank. According to this, the settlers were aided by Israeli soldiers. The article states that "Even the Israeli police are afraid of these settlers while the military routinely bows down to their commands" ('Settler Violence Leads to the Arrest of Peace Activists' 2008, Ta'ayush website, 18 October http://www.taayush.org/topics/tel-rumeida.shtml#english – Accessed 21 October 2009 – Attachment 44).

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