



**Australian Government**  
**Refugee Review Tribunal**

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# Country Advice

## Israel

Israel – ISR36817 – Armed forces –  
Security forces – Arabs – Palestinians –  
State protection – Military service

5 July 2010

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**1. Are there any reports of Israelis being targeted by Arabs or Palestinians for having been in the military or having worked in security roles?**

Israeli soldiers, reservists, policemen and security guards are recorded as being among those killed by Palestinians or Palestinian militant organisations in a list of persons killed in terrorist attacks in Israel between September 1993 and June 2010. The document, which is on the Jewish Virtual Library website, indicates that its source is the Israeli Ministry of Foreign Affairs. The most recent report in the document regarding Israeli soldiers is on 26 March 2010 when two soldiers were killed near the security fence in the southern Gaza Strip. Hamas and Islamic Jihad claimed responsibility for the attack. The most recent report in the document regarding a reservist is on 29 October 2007 when a reservist was killed in southern Gaza strip. The most recent report regarding security guards recorded in the document is on 25 April 2008 when two Israeli security guards were killed in central Israel. The Al-Quds Brigades of Islamic Jihad and Izzadin al-Qassam of Hamas claimed joint responsibility for the attack. The document also records many civilian fatalities in attacks during the period of the report.<sup>1</sup>

A summary of data and trends in Palestinian terrorism in 2009 by the Israel Security Agency (ISA) refers to two Israeli security officers being killed in an attack in March 2009 at Mesua in the Jordan Valley.<sup>2</sup> The list of persons killed in terrorist attacks in Israel between September 1993 and June 2010 refers to the victims of the attack as police officers.<sup>3</sup> It has also been reported that in June 2010, an Israeli policeman died of injuries after a shooting attack on a police vehicle in the West Bank. Two policemen were injured in the attack, which took place near the southern West Bank city of Hebron. Israeli police officials said the attack was by Palestinian gunmen.<sup>4</sup> One report refers to the attack being claimed by the Fatah al-Aqsa Martyrs' Brigades and by an unknown group named the Flotilla Martyrs.<sup>5</sup> Attacks on Israeli forces in the occupied West Bank were reported to have fallen sharply in recent years.<sup>6</sup>

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<sup>1</sup> 'Fatal Terrorist Attacks in Israel Since the Declaration of Principles (September 1993-June 7, 2010)' 2010, Jewish Virtual Library website, source: Israeli Ministry of Foreign Affairs, 7 June

<http://www.jewishvirtuallibrary.org/jsource/Terrorism/victims.html> - Accessed 1 July 2010 – Attachment 1

<sup>2</sup> Israel Security Agency 2010, 'ISA: Data and trends in Palestinian terrorism - 2009 summary', Israel Ministry of Foreign Affairs website, 15 January [http://www.mfa.gov.il/MFA/Terrorism-+Obstacle+to+Peace/Terrorism+and+Islamic+Fundamentalism-ISA\\_summary\\_Palestinian\\_terrorism\\_2009](http://www.mfa.gov.il/MFA/Terrorism-+Obstacle+to+Peace/Terrorism+and+Islamic+Fundamentalism-ISA_summary_Palestinian_terrorism_2009) - Accessed 2 July 2010 – Attachment 2

<sup>3</sup> 'Fatal Terrorist Attacks in Israel Since the Declaration of Principles (September 1993-June 7, 2010)' 2010, Jewish Virtual Library website, source: Israeli Ministry of Foreign Affairs, 7 June

<http://www.jewishvirtuallibrary.org/jsource/Terrorism/victims.html> - Accessed 1 July 2010 – Attachment 1

<sup>4</sup> 'Israeli policeman killed in West Bank shooting' 2010, *BBC*, 14 June – Attachment 3

<sup>5</sup> Lappin, Y. & Katz, Y. 2010, 'Palestinian gunman murders policeman in West Bank ambush. Yehoshua Sofer was supposed to be married in 3 months', *The Jerusalem Post*, 15 June – Attachment 4

<sup>6</sup> 'Israeli policeman killed in West Bank shooting' 2010, *BBC*, 14 June – Attachment 3

An article in *The Jerusalem Post* dated 22 June 2010 indicates that thirteen Jerusalem Arabs had been arrested in recent months in relation to attacks in the Silwan neighbourhood of East Jerusalem, including a shooting in Ras al-Amud on 16 March 2010 in which a police officer was wounded, and an attack on a security jeep on 2 May 2010, resulting in a guard being injured. Three of the arrests were in relation to an attack on a car in Silwan on 3 March 2010 in which a resident of Beit Yehonatan, a Jewish residential structure built without a permit in Silwan, was wounded. The article names the three men arrested for the attack on 3 March 2010,<sup>7</sup> and they are referred to in a subsequent article in *The Jerusalem Post* dated 23 June 2010, which indicates that the three men had been accused of attempting to murder security guards. A security guard in a jeep escorting Jewish residents in Beit Yehonatan was wounded when the men fired at the jeep.<sup>8</sup>

A security guard was moderately wounded in October 2009 when he was stabbed in the stomach by a Palestinian woman at a West Bank checkpoint. The stabbing occurred after a day of clashes at the Temple Mount in the Old City of Jerusalem, where 25 Palestinians and three Israeli policemen were injured.<sup>9</sup>

An Israeli soldier, Gilad Shalit, who was captured in June 2006, continues to be detained by Palestinian armed groups in Gaza.<sup>10</sup> Israel's prime minister has announced that he is willing to release 1,000 Palestinian prisoners in exchange for Gilad Shalit, subject to conditions. Previous negotiations between Israel and Hamas on the exchange have faltered on disagreements over some of the names on the Hamas list of prisoners to be released and Israel refusing to let the prisoners return to the West Bank. Israel insisted that they be released to Gaza or deported outside Israel and the Palestinian territories.<sup>11</sup>

In relation to potential security risks in Israel, a recent Economist Intelligence Unit security risk briefing on Israel assesses that “[i]n general, Palestinian assaults will focus mostly on Israeli military personnel and installations.” There could also be targeting of Israeli civilians in settlements in the Palestinian Territories and also in Israeli towns, and of overseas Israeli targets by militants sympathetic to the Palestinian cause.<sup>12</sup>

## **2. To what extent does the Israeli state provide protection against harm of this type?**

The Israel Security Agency (ISA or Shin Bet) under the prime minister's authority is responsible for fighting terrorism and espionage in Israel and the occupied territories. The Ministry of Internal Security has authority over Israel's National Police (INP), including the Border Police and the Immigration Police. Israel maintains a security presence in the West Bank, consisting of the Israel Defence Forces (IDF), ISA, INP and the Border Police.<sup>13</sup>

Israel restricts the movement of Palestinians in the West Bank and East Jerusalem and has maintained a blockade of the Gaza Strip since June 2007. Israeli officials have stated that the blockade will remain in place until Hamas releases the captured Israeli soldier, Gilad

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<sup>7</sup> Katz, Y. 2010, '13 held in connection with Silwan attacks', *The Jerusalem Post*, 22 June – Attachment 5

<sup>8</sup> 'E. J'lem Arabs charged in Silwan attack', 2010, *The Jerusalem Post*, 23 June

<http://www.jpost.com/Israel/Article.aspx?id=179268> – Accessed 5 July 2010 – Attachment 6

<sup>9</sup> Khoury, J. & Kyzer, L. 2009, 'Palestinian woman stabs Israeli guard at West Bank checkpoint', *Haaretz*, 25 October <http://www.haaretz.com/news/palestinian-woman-stabs-israeli-guard-at-west-bank-checkpoint-1.5464> - Accessed 5 July 2010 – Attachment 7

<sup>10</sup> Human Rights Watch 2010, *World Report 2010 – Israel / Occupied Palestinian Territories (OPT)*, January – Attachment 8

<sup>11</sup> Sherwood, H. 2010, 'Israel will free 1,000 prisoners for Gilad Shalit', *The Guardian*, 2 July – Attachment 9

<sup>12</sup> Economist Intelligence Unit 2010, 'Israel risk: Security risk', *Economist Intelligence Unit – Risk Briefing*, 14 June – Attachment 10

<sup>13</sup> US Department of State 2010, *Country Reports on Human Rights Practices for 2009 – Israel and the occupied territories*, March, Sections 1(d) & The occupied territories, Section 1(d) – Attachment 11

Shalit.<sup>14</sup> There has been some recent easing of the blockade by Israel, which has announced that it will allow strictly civilian goods to be imported into Gaza. Israel will restrict “problematic dual-use” items, which are thought to include construction materials that could be used to build rockets and bunkers.<sup>15</sup>

In the West Bank, Israel maintains fully manned checkpoints, occasionally manned check points and obstacles to movement such as earth mounds and cement roadblocks. During 2009, freedom of movement for Palestinians between West Bank urban centres increased as the Israeli government eased restrictions on movement and access within the West Bank. There was no significant improvement in access to land and resources in Area C controlled by Israel, or to areas affected by the building of the separation barrier.<sup>16</sup>

According to Philippe Lazzarini, the head of the UN Office for the Coordination of Humanitarian Affairs (OCHA) in the occupied Palestinian territories, the number of West Bank roadblocks has been reduced by 20 percent in the last year, making it easier to go from the north to the south. There hasn’t been improvement, however, travelling west towards East Jerusalem or Israel, or towards the east and the Jordan Valley.<sup>17</sup> Israel continued a policy of demolishing the family homes of convicted Palestinian militants in the West Bank, after the policy was upheld by the High Court of Justice as a deterrent against future attacks.<sup>18</sup>

The Israeli government continued to build a separation barrier along parts of the 1949 Armistice line (the Green Line) and in the West Bank. Upon completion, the route of the barrier will separate part of the West Bank, including parts of Jerusalem, from the rest of the West Bank. Palestinians are not able to obtain building permits in areas near the barrier or its proposed route, which are designated military zones.<sup>19</sup>

Israel’s 1979 Emergency Powers Law allows Israel’s Defence Ministry to detain people without charge in administrative detention for up to six months, renewable indefinitely. Almost all of the detainees were Palestinians in the West Bank. A 2006 temporary law on criminal procedures also allows administrative detention, and persons could also be detained under the 2002 Illegal Combatant Law. Non-citizens of Palestinian origin who were detained on security grounds came under the military’s jurisdiction even if detained in Israel. Palestinian non-citizens detained for security violations were generally not granted bail.<sup>20</sup>

In December 2008, following an increase in rocket attacks on Israeli towns near the Gaza border, the IDF launched a major offensive into Gaza including air strikes and a ground invasion. In late January 2009, Israel declared a unilateral ceasefire and Hamas followed suit soon afterwards.<sup>21</sup> The ISA summary of data and trends in Palestinian terrorism in 2009 indicates that there was a significant decline in the number of attacks from the

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<sup>14</sup> Human Rights Watch 2010, *World Report 2010 – Israel / Occupied Palestinian Territories (OPT)*, January – Attachment 8

<sup>15</sup> Moser, P. 2010, ‘Palestinians, Israelis criticise easing of Gaza siege’, *Agence France-Presse*, 22 June – Attachment 12

<sup>16</sup> US Department of State 2010, *Country Reports on Human Rights Practices for 2009 – Israel and the occupied territories*, March, The occupied territories, Section 2(d) – Attachment 11

<sup>17</sup> ‘UN sees uneven lifting of Israeli closures in West Bank’ 2010, *Agence France-Presse*, 16 June – Attachment 13

<sup>18</sup> Human Rights Watch 2010, *World Report 2010 – Israel / Occupied Palestinian Territories (OPT)*, January – Attachment 8

<sup>19</sup> US Department of State 2010, *Country Reports on Human Rights Practices for 2009 – Israel and the occupied territories*, March, The occupied territories, Section 2(d) – Attachment 11

<sup>20</sup> US Department of State 2010, *Country Reports on Human Rights Practices for 2009 – Israel and the occupied territories*, March, Section 1(d) – Attachment 11

<sup>21</sup> Freedom House 2010, ‘Freedom in the World 2010 – Israel’, UNHCR Refworld website, 3 May <http://www.unhcr.org/refworld/country,...ISR,,4c0ceaebc,0.html> – Accessed 28 June 2010 – Attachment 14

Palestinian territories during 2009 compared to previous years. The attacks caused 15 casualties and 234 injuries, also a decrease on previous years. Following Israel's military action in the Gaza Strip in December 2008 and January 2009, the number of Gaza Strip-based attacks declined. In the West Bank, continuous counter-terror activity by Israel and the Palestinian security apparatus was reported as the principal reason for a decline in the number of attacks.<sup>22</sup>

### 3. What are the military service obligations for a person who has previously served in the military?

Israel's reserve force is made up of former soldiers who have finished compulsory military service and have yet to reach the exemption age. Reservists who are regular soldiers become exempt from service at the age of 40, officers become exempt at age 45 and reservists with skills in high demand such as doctors, technicians, and mechanics become exempt at the age of 49.<sup>23</sup> Under the Reserve Service Law which was passed in 2008, reserve service in the Israel Defence Forces is mandatory.<sup>24</sup> The reserve enlistment is based on persons who have completed regular service, and only those needed to fill positions in critical missions.<sup>25</sup>

According to an article in *The Jerusalem Post* dated 7 May 2010, pursuant to Israel's Reserve Duty Law which was passed on 16 April 2008 and fully enacted on 1 January 2010, there are only three reasons to summon reservists during peacetime, being training, manpower reassignment and operational duty. The draft can also be implemented as required in an emergency or when only reservists have the skills needed by the military. As of 1 January 2010, reservists in Israel can be drafted for no more than 36 days each year and for no more than a total of 84 days for officers, 70 days for non-commissioned officers, and 54 days for regular soldiers every three years. Israel's Defence Minister has the authority to extend the total three-year time frame to 108 days if necessary. Reservists can only be summoned for operational duty for 25 days in total once every three years. Draft Order 8 which allows for the call up of reservists for an unspecified period of time can be issued if a major emergency occurs.<sup>26</sup>

Information on the Israel Defence Forces website, however, indicates that reserve service lasts for up to 70 days for an officer and a maximum of 40 days for a soldier over a period of three years, unconventional circumstances exempted. Service obligations end at the age of 40, unconventional circumstances exempted. The IDF website also indicates that reservists are called up in emergencies only or where there is no alternative in unconventional situations. The state of unconventional situations is determined by the government on Defence Department advice. The military determines the training to be undertaken by reserve units according to the emergency situation. Training levels are

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<sup>22</sup> Israel Security Agency 2010, 'ISA: Data and trends in Palestinian terrorism - 2009 summary', Israel Ministry of Foreign Affairs website, 15 January [http://www.mfa.gov.il/MFA/Terrorism-+Obstacle+to+Peace/Terrorism+and+Islamic+Fundamentalism-ISA\\_summary\\_Palestinian\\_terrorism\\_2009](http://www.mfa.gov.il/MFA/Terrorism-+Obstacle+to+Peace/Terrorism+and+Islamic+Fundamentalism-ISA_summary_Palestinian_terrorism_2009) - Accessed 2 July 2010 – Attachment 2

<sup>23</sup> Zalen, M. 2010, 'One, two, three, four, what are we guarding for?', *The Jerusalem Post*, 7 May – Attachment 15

<sup>24</sup> 'The Foundation of the IDF' (undated), Israel Defence Forces website <http://dover.idf.il/IDF/English/idf61> - Accessed 25 June 2010 – Attachment 16

<sup>25</sup> 'The New Reserve Corps Model' (undated), Israel Defence Forces website [http://dover.idf.il/IDF/English/units/other/reserves\\_officer\\_en/Model](http://dover.idf.il/IDF/English/units/other/reserves_officer_en/Model) - Accessed 25 June 2010 – Attachment 17

<sup>26</sup> Zalen, M. 2010, 'One, two, three, four, what are we guarding for?', *The Jerusalem Post*, 7 May – Attachment 15

confirmed by the Defence Minister and reviewed each year by the government and outside Defence Departments.<sup>27</sup>

There are unofficial estimates that no more than 30 percent of reservists in Israel actually report for duty.<sup>28</sup> In May 2010, the chief reserve forces officer of the Israel Defence Forces, Brigadier General Shuki Ben Anat, said that only 100,000 of about 400,000 potential soldiers for reserve service in Israel serve 10 days or more. The Brigadier stressed that not all of the potential reservists were draft dodgers, with the army having its own selection process.<sup>29</sup>

An earlier RRT research response dated 21 November 2008 includes background information on compulsory military service and reserve duty in Israel.<sup>30</sup>

## Attachments

1. 'Fatal Terrorist Attacks in Israel Since the Declaration of Principles (September 1993-June 7, 2010)' 2010, Jewish Virtual Library website, source: Israeli Ministry of Foreign Affairs, 7 June <http://www.jewishvirtuallibrary.org/jsource/Terrorism/victims.html> - Accessed 1 July 2010.
2. Israel Security Agency 2010, 'ISA: Data and trends in Palestinian terrorism - 2009 summary', Israel Ministry of Foreign Affairs website, 15 January [http://www.mfa.gov.il/MFA/Terrorism-+Obstacle+to+Peace/Terrorism+and+Islamic+Fundamentalism-/ISA\\_summary\\_Palestinian\\_terrorism\\_2009](http://www.mfa.gov.il/MFA/Terrorism-+Obstacle+to+Peace/Terrorism+and+Islamic+Fundamentalism-/ISA_summary_Palestinian_terrorism_2009) - Accessed 2 July 2010.
3. 'Israeli policeman killed in West Bank shooting' 2010, *BBC*, 14 June. (CISNET Israel and the Occupied Territories CX245136)
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5. Katz, Y. 2010, '13 held in connection with Silwan attacks', *The Jerusalem Post*, 22 June. (FACTIVA)
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8. Human Rights Watch 2010, *World Report 2010 – Israel / Occupied Palestinian Territories (OPT)*, January.

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<sup>27</sup> 'The New Reserve Corps Model' (undated), Israel Defence Forces website

[http://dover.idf.il/IDF/English/units/other/reserves\\_officer\\_en/Model](http://dover.idf.il/IDF/English/units/other/reserves_officer_en/Model) - Accessed 25 June 2010 – Attachment 17

<sup>28</sup> Zalen, M. 2010, 'One, two, three, four, what are we guarding for?', *The Jerusalem Post*, 7 May – Attachment 15

<sup>29</sup> Sofer, R. 2010, 'IDF: Only 25% do reserve service', *Ynetnews*, 2 May

<http://www.ynetnews.com/articles/0,7340,L-3883576,00.html> – Accessed 25 June 2010 – Attachment 18

<sup>30</sup> RRT Research & Information 2008, *Research Response ISR34012*, 21 November, (Questions 1, 2, 4 & 5 – Attachment 19)

9. Sherwood, H. 2010, 'Israel will free 1,000 prisoners for Gilad Shalit', *The Guardian*, 2 July. (FACTIVA)
10. Economist Intelligence Unit 2010, 'Israel risk: Security risk', *Economist Intelligence Unit – Risk Briefing*, 14 June. (FACTIVA)
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13. 'UN sees uneven lifting of Israeli closures in West Bank' 2010, *Agence France-Presse*, 16 June. (FACTIVA)
14. Freedom House 2010, 'Freedom in the World 2010 – Israel', UNHCR Refworld website, 3 May <http://www.unhcr.org/refworld/country,,,ISR,,4c0ceaebc,0.html> – Accessed 28 June 2010.
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19. RRT Research & Information 2008, *Research Response ISR34012*, 21 November.