

AMNESTY INTERNATIONAL

PUBLIC STATEMENT

18 December 2008

AI Index: MDE 15/048/2008

Israel: Conscience behind bars - youths jailed for refusing to serve in the army

Amnesty International today added its voice to peace activists in Israel and around the world participating in a day of action to call on Israeli authorities to release teenagers imprisoned for refusing to serve in the army for reasons of conscience.

Amnesty International considers these teenagers to be prisoners of conscience and calls for their immediate and unconditional release.

Tamar Katz, Raz Bar-David Varon and Yuval Oron-Ofir are three conscientious objectors who are all serving their third prison sentences. At least six other teenagers – male and female – have been jailed in recent months for refusing to enlist and at least two more, both young women, are at risk of imminent imprisonment.

Their refusal stems from their opposition to the Israeli military occupation of the Occupied Palestinian Territories (OPT) and to the practices of the Israeli army there. They believe that by enlisting they would participate in committing human rights abuses in which they want no part.

Tamar Katz, aged 19, has already spent 50 days in jail and is serving her third prison sentence. In her declaration of refusal she stated: “I am not willing to become part of an occupying army... I am not willing to become one of those holding the gun pointed indiscriminately at Palestinian civilians, and I do not believe that such actions could bring any change except ever more antagonism and violence in our region.”

She has been held in isolation and deprived of family visits as punishment for refusing to wear a military uniform in prison.

Eighteen-year-old Raz Bar-David Varon, also serving her third prison term, said on the day of her arrest: “I have witnessed this army demolishing, shooting and humiliating people whom I did not know... It hurts me when people, Palestinians, are being so brutally assaulted, and it hurts me when they later turn their hatred towards me because of it. I wasn't born to serve as a soldier who occupies another... My responsibility is to refuse.”

Yuval Oron-Ofir was jailed on 14 December for the third time. The 19-year-old explained his reasons for refusing to enlist: “There is another way, which is not the way of war. This is the path of dialogue, of understanding... of peace. This is why I shall not join an army behind whose actions I cannot stand and whose behavior I cannot justify.”

Teenagers who refuse to enlist because they do not want to find themselves in a situation where they may contribute to or participate in committing human rights abuses are generally sent to jail for months. At the same time, Israeli soldiers who commit grave human rights violations, including war crimes, such as unlawful killings of unarmed civilians, reckless shelling of densely populated

residential areas or wanton destruction of homes, are routinely granted impunity. Such a policy sends the wrong message to Israeli society and to young people in particular.

There is no civilian service alternative to military draft in Israel and, although a “conscience committee” exists within the Israeli army, exemption is only usually granted to those who refuse to serve on religious grounds. Those who make it known that they are unwilling to enlist on grounds of conscience – because they are pacifist or oppose the army’s practices in the OPT – are routinely imprisoned.

Amnesty International believes that all conscientious objectors should be given the opportunity to present the grounds of their objection to a decision-making body which is impartial and independent. The organization calls on the Israeli authorities to ensure that such a body is established, and in the meantime to immediately and unconditionally release the conscientious objectors currently detained and not to imprison others.

Background

In 2003 the UN Human Rights Committee expressed concern at the imprisonment of conscientious objectors and called on the Israeli government to “review the law, criteria and practice governing the determination of conscientious objection”, so as to comply with international human rights law.

Conscientious objection to military service is a right derived from both Article 18 of the Universal Declaration of Human Rights and Article 18 of the International Covenant on Civil and Political Rights, to which Israel is a party. The two articles lay down the right to freedom of thought, conscience and religion.

END/