

URGENT ACTION

CONSCIENTIOUS OBJECTOR DETAINED IN ISRAEL

20-year-old Yuval Dag is serving a 20-day detention order at Neve Tzedek military prison in Tel Aviv for refusing to enlist in the Israeli army to which he was summoned for compulsory service. He was first arrested and detained for 10 days after refusing a conscription summons at Metzudat military base on 20 March. He had made his objection to military service on grounds of conscience clear prior to the summons date, but the army considered his refusal to be disobeying of orders. Days after his release, on 2 April, he was summoned and refused to enlist again, receiving another detention order, this time for 20 days. Yuval Dag is a prisoner of conscience. The Israeli authorities should release him immediately and unconditionally.

TAKE ACTION: WRITE AN APPEAL IN YOUR OWN WORDS OR USE THIS MODEL LETTER

*IDF Chief of General Staff
Lieutenant General Herzl Halevi
Yitzhak Rabin Military Base
HaKirya, 27 Kaplan Street
Tel Aviv 6473424, Israel*

Emails: ContactUs@mail.idf.il; mapazahal@gmail.com

Dear Lieutenant General,

*I am writing to you with regards to conscientious objector, 20-year-old **Yuval Dag**, who is currently serving a 20-day detention order at Neve Tzedek military prison, in southwestern Tel Aviv, Israel, after he refused to enlist in compulsory army service on 20 March and again on 2 April. I am concerned that he is at high risk of being detained again after he is released, as expected on 19 April.*

Yuval Dag was first arrested and detained for 10 days after refusing a conscription summons at Metzudat military base on 20 March. He had made his objection to military service on grounds of conscience clear prior to the summons date, but the army considered his refusal to be disobeying of orders. Days after his release, on 2 April, he was summoned and refused to enlist again, receiving another detention order this time for 20 days. Amnesty International considers Yuval Dag a prisoner of conscience, imprisoned for exercising his right to conscientious objection.

In his statement, written on 19 March, explaining his reasons for refusing conscription, he wrote that he would not take part in "military invasions, violence, killings and oppression which is the norm for many Palestinians [...] who live under [the Israeli military's] rule. Conscript soldiers serving in the Occupied Palestinian Territories are commonly tasked with enforcing lockdowns on villages and neighbourhoods, as he describes in his statement. The use of excessive or reckless force, arbitrary restrictions on freedom of movement and freedom of peaceful assembly violate human rights and, insofar as they are perpetrated in the context of a military occupation and lead to unlawful killings, injuries and collective punishments, also breach international humanitarian law. He also wrote: "The body responsible for executing this project is the Israeli military. [...] I refuse to give my body and my life to any system, for any country, and in the current situation, especially not to the state of Israel and the Israeli military."

I urge you to ensure Yuval Dag's immediate and unconditional release and to refrain from further prosecutions should he refuse to take part in future calls for conscription. I further call on you to support the introduction of legislation recognizing the right to conscientious objection to compulsory military service in line with the right to freedom of thought, conscience and religion as laid down in the Universal Declaration of Human Rights and the International Covenant on Civil and Political Rights, to which Israel is a party.

Yours sincerely,

ADDITIONAL INFORMATION

Military service is compulsory for most citizens in Israel. Several Israeli teenagers go to prison each year because of their conscientious objection to serving in the army. In 2022, Einat Gerlitz, Nave Shabtay Levin, Evyatar Moshe Rubin, Shahar Schwartz and others served repeated detention orders because of their conscientious objection. Conscientious objectors are commonly deprived of their liberty for five months or more.

Between 3 and 5 March 2023, in connection with Israeli protests against the Israeli government's proposals for a judicial overhaul, some 700 reservist soldiers, many of them in specialized skilled units and in higher ranks in the standing army, sent letters to the Minister of Defence and the Commander-in-Chief of the Israeli army stating that they would resign from service. Yuval Dag explained his position on the Israeli anti-government protests: "Recently, many reservists are saying they will not serve in the army because they are afraid of living under a dictatorship. That's great and important. But we need to remember that in the occupied territories there has never been democracy. And the anti-democratic institution that rules there is the army." In response to these acts of protest, Prime Minister Benjamin Netanyahu said on 6 March that "[collective military service] is the first and most important foundation of our existence in our land. The refusals threaten the foundation of our existence. [...] In society there is room for protest but [...] no room for refusals." The acknowledgement of the right to protest is, however, partial: in practice the right of Jewish Israeli citizens to peacefully express their opinion and opposition to governmental actions is generally respected. On the other hand, one of the manifestations of apartheid is that this right to protest peacefully is not extended to Palestinian citizens of Israel or residents of the Occupied Palestinian Territories.

Although the Israeli army's Conscience Committee can decide to allow exemption from military service, this is usually granted only to those conscientious objectors who refuse to serve on religious grounds. However, according to the UN Human Rights Committee, no discrimination is permitted "among conscientious objectors on the basis of the nature of their particular beliefs" - i.e. whether they are religious or otherwise. Even though Israeli law does allow for exemption on grounds of pacifism, the army's Conscience Committee frequently rejects pacifists' cases. The authorities deny objectors the possibility of performing alternative civilian service. Conscientious objectors in Israel can be convicted of and imprisoned for the same "offence" repeatedly. In 2003, the UN Working Group on Arbitrary Detention said that this practice flouts the rights of conscientious objectors under international human rights standards which prohibit "double jeopardy".

Amnesty International considers a conscientious objector to be any person who, for reasons of conscience or profound conviction, refuses to perform service in the armed forces, or any other direct or indirect participation in wars or armed conflicts. This can include refusal to participate in a war because one disagrees with its aims or the manner in which it is being waged, even if one does not oppose taking part in all wars. Amnesty International considers a conscientious objector to be a prisoner of conscience when they are detained or imprisoned solely because they have been denied their right to register an objection or given the possibility of performing a genuinely civilian alternative service. They would also be prisoners of conscience if imprisoned for leaving the armed forces without authorization for reasons of conscience, if they have taken reasonable steps to secure release from military obligations. Amnesty International's Prisoner of Conscience determination is based on the information available to Amnesty International regarding the circumstances leading to the person's detention. In naming a person as a Prisoner of Conscience, Amnesty International is affirming that this person must be immediately and unconditionally released but is not endorsing past or present views or conduct by them.

In 1995, in its Resolution 1998/77, the UN Commission for Human Rights has stated that the right to conscientious objection to military service is protected by Article 18 of the International Covenant on Civil and Political Rights (ICCPR), right to freedom of religion, conscience and belief. In the resolution, which has been re-endorsed by the Human Rights Council repeatedly, most recently in 2019, the Commission emphasized that states must "refrain from subjecting conscientious objectors to imprisonment and to repeated punishment for failure to perform military service," recalling "that no one shall be liable or punished again for an offence for which he has already been finally convicted or acquitted in accordance with the law and penal procedure of each country."

PREFERRED LANGUAGE TO ADDRESS TARGET: Hebrew

You can also write in English or your own language.

PLEASE TAKE ACTION AS SOON AS POSSIBLE UNTIL: 8 June 2023

Please check with the Amnesty office in your country if you wish to send appeals after the deadline.

NAME AND PRONOUN: Yuval Dag (he/him)

ADDITIONAL TARGET

Mrs Tzipora Hotovely

Embassy of Israel

2 Palace Green Kensington W8 4QB

Fax 020 7957 9555

Salutation: Your Excellency