

# AMNESTY INTERNATIONAL PUBLIC STATEMENT



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## Israel: "I will not be fuel to your wars" – Druze conscientious objector punished for his refusal to carry out military service



*Omar Sa'ad © Mohammed Amous*

Eighteen-year-old musician Omar Sa'ad, from Meghar in the Galilee, has served 120 days in a military prison for refusing to go against his conscience by serving in the Israeli army. Released on 9 April from his sixth prison sentence he must return to the Israel Defence Force (IDF) prison on Sunday to serve another sentence of around 20 days, after which he faces further prison sentences indefinitely.

On his release, Omar Sa'ad responded to the military authorities telling him he would face many more days in prison by saying "I will not be fuel to your wars." After he turned 18 in November 2013, he was called-up for conscription for 4 December and made a public declaration of "refus[al] to take an assault rifle and point it at another human being. I abhor this violence and everything connected to violence. I detest and hate all violence."

Omar Sa'ad, like a growing number of Druze, does not want to participate in the Israeli army because – in his words - "the Israeli government is responsible for the occupation [of the Palestinian Territories]. As an Arab Druze I consider myself part of the Palestinian people - so how can I be part of the army that occupies my people? I won't sell all my beliefs and my identity to anyone."

The right to reject military service on grounds of conscientious objection is protected under international human rights law, including the International Covenant on Civil and Political Rights (ICCPR), which Israel has ratified.

Since December 2013, Omar Sa'ad has been in and out of prison serving sentences of between 14 and 20 days at a time before being released and called up to serve the next day. Amnesty International considers him and others like him to be prisoners of conscience and we call on the Israeli authorities to release him and other conscientious objectors immediately and unconditionally.

Military service is compulsory for most nationals in Israel. Several Israeli teenagers go to prison each year because of their moral objection to serving in the army. On 8 March 2014, 50 high school seniors wrote to Prime Minister Netanyahu saying that they will "refuse to serve in the occupation army", apparently the largest group of Israeli "refusers in the history of Israel".<sup>1</sup> Their letter came amidst the Israeli government's plans to broaden army conscription to religious Jews. The students said they were protesting "the ongoing occupation of Palestinian territories where ... human rights are violated and acts defined by international law as war-crimes are perpetuated on a daily basis."

Natan Blanc, a Jewish Israeli and one of the longest-serving COs in recent years spent seven months going back and forth between prison and home, spending some 158 days in military prison before being exempted finally from service. Omar Sa'ad has already spent almost three quarters that time in jail over a period of four months.

Natan Blanc started questioning conscription when he was 15 years old during Israel's invasion of Gaza in Operation "Cast Lead" during which Gaza was subjected to aerial and ground attacks by the Israeli military leaving hundreds of Palestinians dead, including more than 300 children. Three Israeli civilians were also killed in rocket attacks by Palestinian armed groups.

In February 2013, Natan Blanc told Amnesty International, "No one is talking about granting Palestinians equal rights, or even the right to vote. I do not want to take part in this situation ... I want to stand behind my actions and not to do things that are against my conscience." He wanted to serve instead in the Israeli emergency medical service, Magen David Adom (the Israeli branch of the Red Cross), but the authorities deny objectors the right to do an alternative civilian service. No civilian service alternative to military draft exists in Israel.

Amnesty International believes that the Israeli government should establish a fully independent and impartial body to assess claims of conscientious objection in a fair and transparent manner. Although the Israeli army's Conscience Committee can decide to allow a conscientious objector exemption from military service, this is usually granted only to those 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.<sup>2</sup> And even though Israeli law does allow for exemption on grounds of pacifism, their Conscience Committee frequently rejects their cases.

Since compulsory military service was imposed on Druze men in 1956, many Druze have refused to perform regular military service or reserve duty. As with other ethnic groups in Israel, many find other ways to opt-out rather than declaring their conscientious objection, for example on medical grounds. Over the years, many have feared voicing objection on the basis of belief because they fear they will face problems in securing employment. However, a growing number have declared to the IDF that their refusal to serve is for reasons of conscience.

Druze objectors are believed to receive harsher treatment than their Jewish peers. According to Samer Swaid, Secretary of the Druze Initiative Committee Druze, Druze refusers have over the years received prison sentences "double and more than those of other refusers" as "part of a deliberate policy to scare and intimidate young Druze men, and send them a message that those who don't enlist shall be punished severely ..."<sup>3</sup>

Omar Sa'ad told Amnesty International that on three occasions his lawyer was refused access to him while he was in prison. This followed a Military Police order preventing inmates from meeting with lawyers who did not hold permits for legal representation in military courts. Adaleh (The Legal Center for Arab Minority Rights in Israel) consequently wrote to the Israeli Military Attorney General (MAG) Corps raising concerns about the prisoners' rights and the legality of the Order. Amira Hass reported in Ha'aretz newspaper in March<sup>4</sup> that the order was withdrawn. She quoted the MAG Corps response to Adaleh: "There is no barrier to any attorney visiting an inmate, even if he isn't a military defense attorney or someone with authorization to appear in military courts ... it was a misunderstanding." Omar Sa'ad told us that following media attention, he now sees his lawyer regularly. According to Hass, the order came to public attention in January 2014, when a lawyer from New Profile was prevented from visiting a conscientious objector in the IDF's Prison 6 on the grounds that she wasn't authorized to appear in a military court. Before then, such lawyers had apparently not met with problems when visiting clients in military prisons.

The day after his latest release Omar Sa'ad told Amnesty International that this time he had hoped he would be free finally but the next day he was summoned back to the Induction Base and requested to serve in the army.

He went on to say that "it's hard to be in prison ... for a conscientious objector to be treated as a soldier, ... is very hard. As a musician it's very hard, to be away from my viola for four months ... normally I would play the viola [several] times a day... It's hard for the family ... everything we do, everywhere we go, it's together". Omar Sa'ad forms one part of a string quartet with his two brothers and a sister. Despite these difficulties he says he is "... ready for it ... It's hard but this time has given me a lot in experience ... what doesn't kill you makes you stronger."

He faces many more weeks in prison not to mention the uncertainty about his future and when his ordeal will end.

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 practise flouts their rights under international human rights standards which prohibit "double jeopardy".

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<sup>3</sup> Read more at <http://www.newprofile.org/english/node/419>

<sup>2</sup> Human Rights Committee, General Comment 22, para. 11

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<sup>3</sup> See <http://www.newprofile.org/english/node/204>

<sup>4</sup> See: <http://www.haaretz.com/news/diplomacy-defense/premium-1.580412>