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COMMITTEE ON THE RIGHTS OF THE CHILD

CONSIDERATION OF REPORTS SUBMITTED BY STATES PARTIES UNDER ARTICLE 8 (1) OF THE OPTIONAL PROTOCOL TO THE CONVENTION ON THE RIGHTS OF THE CHILD ON THE INVOLVEMENT OF CHILDREN IN ARMED CONFLICT

Initial reports of States parties due in 2007

ISRAEL*

[18 March 2008]

* In accordance with the information transmitted to States parties regarding the processing of their reports, the present document was not edited before being sent to the United Nations translation services.

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Introduction

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involvement of children in armed conflict. Pursuant to the requirements of article 8, the present report shall provide comprehensive information on the measures Israel has taken to implement the provisions of the Optional Protocol.

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force for Israel on 18 August 2005.

3. All relevant Governmental Ministries and institutes were requested to supply data and information concerning their respective fields of responsibility. Non-governmental organizations were also approached to contribute information assisting in the compilation of the present report.

4. The present report was compiled by the Human Rights and Foreign Relations Department in the Ministry of Justice.

Article 1

5. Following its ratification of the Optional Protocol, the State of Israel made the following declarations, in accordance with article 3, paragraph 2:

> "The Government of the State of Israel declares pursuant to article 3, paragraph 2 of the Optional Protocol on the Rights of the Child on the Involvement of Children in Armed Conflict that:
>
> (a) The minimum age in which the State of Israel permits voluntary recruitment into its armed forces is 17 years of age, according to article 14 of the defense service law (consolidated version) 5746-1986;
>
> (b) The Government of the State of Israel maintains the following safeguards in respect of voluntary recruitment into the armed forces so as to ensure that such recruitment is not forced or coerced:
>
> (i) In accordance with section 14 of the defense service law (consolidated version) 5746-1986, no person under 18 years of age may enlist in the Israeli armed forces without a written application submitted by the person and the written consent of the person's parents or legal guardian; however, should there be an appreciable difficulty in contacting one of the parents, the written consent of the other parent is sufficient;
>
> (ii) Clear and precise explanation of the nature of the duties involved in military service is provided to both the person and the person's parents or legal guardian;

(iii) le

(iv) The IDF has several long-term programmes in which participants may engage in academic or rabbinic studies or perform volunteer work, prior to the commencement of their actual military service. Enrollment in these programmes is open to participants from the age of 17 and a half. For administrative purposes, these participants undergo a one-day administrative induction into the armed forces. Following their administrative induction, these participants are released from active service and enrol in their chosen programme;

(v) Persons under 18 years of age, who enlist in one of the aforementioned ways, may in no case be posted to combat duty."

6. As stated in section 5 of the above declarations, members of the Israel Defence Force (hereafter referred to as the IDF), aged under 18, are not posted in combat duty and therefore do not take a direct part in hostilities.

7. Following the above statement and Amendment 13 to the *Defence Service Law (Consolidated Version)*, 5746-1986 ("*the Defence Service Law*") outlined below, persons aged 17-18, who volunteer for early military service, on their own initiative, pursuant to their written request, and according to the provisions declared by the State of Israel, are limited to military training until they attain 18 years, and do not take a direct part in hostilities.

8. There are a few isolated instances where a person under 18 may be recruited to a combat unit. It occurs only where recruits are to join a special unit, generally elite units, which require long-term training which begins only once a year. However, these units, and their commanders, are given clear instructions, prohibiting any person below the age of 18 to take direct part in combat duty prior to them becoming of age.

9. Furthermore, note that according to the aforementioned units training programmes, the length of the training required to directly take part in combat duty is such that virtually all recruits will be over 18 before they are required to participate in combat duty.

10. There are no IDF soldiers under the age of 18, who have been taken prisoner, regardless of their non-participation in hostilities.

Article 2

11. The IDF was founded on May 26, 1948, shortly after the establishment of the state of Israel, through the *Israel Defence Forces Ordinance*, 5708-1948 ("*Israel Defence Forces Ordinance*").

12. According to section 2 of *Basic Law: The Army* (1976), The IDF is subordinate to the directions of the civilian authorities, and is subject to the laws of the State. The goal of the IDF is to protect the independence and existence of the State of Israel, and to thwart all enemy efforts to

At the core of service in the IDF is a deep rooted sense of dedication to the homeland, commitment, and devotion to the State of Israel - a democratic state that serves as a national home for the Jewish People - its citizens and residents. Human Dignity - The IDF and its soldiers are obligated to protect human dignity. Every human being is of value regardless of his or her origin, religion, nationality, gender, status or position.

Calculation of age

14. According to section 13 of the *Israeli Defence Service Law*, the IDF may enlist a person of "military age" for regular service at a certain time and place. A man, found fit for service, will be of military age from 18 to 29 years. A woman, found fit for service, will be of military age from 18 to 26 years.

15. The above age is calculated, according to the amended section 2 of the *Defence Service Law*, in the following manner:

> "Calculation of age
>
> 2. For the purpose of this Law -
>
> (1) The calculation of age shall be in accordance with the Jewish calendar.
>
> (2) A person who attains a particular age in a particular year of the Jewish calendar shall be regarded -
>
> (a) If he attains that age after the 1st of Tishrei and before the 1st of Nissan of that year - as having attained that age on the 1st of Tishrei of that year;
>
> (b) If he attains that age after the 1st of Nissan of that year - as having attained that age on the 1st of Nissan of that year;
>
> (2a) Paragraph (2) shall not apply to the calculation if the person attains or does not attain the age of 18 years, regarding -
>
> (1) The definition of a person of military age in section 1 and section 13, 15 and 16, except for service in the academic reserve tracks recognized in the army regulations and non-payment service according to its meaning in the said regulations.

(2) Sections 20(a) and (a1), 24 and 24a.

(3) The determination of age shall be governed by the provisions set out in the schedule."

16. According to the above section 2, the age for enlistment, is calculated according to the Gregorian calendar, with the exception of those enlisting to a one-day administrative induction of the academic reserve and the Hesder Yeshivas, a programme which combines advanced Talmudic studies with military service into the IDF, as will be detailed below.

17. Note that the above criteria relating to determination of age is attributed to Amendment 13 of the *Israeli Defence Service Law*, approved in the Knesset on 2 February 2004, which concluded the extensive process conducive to ratification of this Optional Protocol.

18. Under the former legislation, for administrative purposes, the year was divided according to the traditional Jewish calendar. Hence, the law applied a "presumption of ages" according to which persons designated for military service who were to reach the age 18 in the first half of a particular year, were considered to have reached that age on the first day of that year, while persons designated for military service who were to reach age 18 in the second half of that year, were considered as having turned 18 on the first day of the second half of that year. Hence, there were some instances where those who have reached the age of seventeen and a half, were eligible for compulsory draft. This situation was rectified by the existing legislation in order to conform with the provision of the Optional Protocol. Further details are provided below.

19. The explanatory note to the above amendment bill states: "In the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict, accepted in the United Nations General Assembly in New York on 25 May 2000, entered into force on 12 February 2002 and signed by the State of Israel on 14 November 2001, it was determined, for the purpose of putting an end to the phenomenon of children and youth under the age of 18 being recruited to the armed forces, that the minimum age for compulsory recruitment to armed forces and taking part of hostilities is the age of 18."

20. Additional provisions applying to volunteer service can be found in the *Defence Service Regulations (Volunteering for Defence Service)*, 5734 - 1974. These Regulations also apply to those aged 17-18 whose parents or legal guardians agreed to their volunteering.

The recruitment process

21. According to the *Defence Service Law*, the IDF may call-up persons designated for military service who are over 17 years of age, according to the Jewish calendar and the age presumption outlined in section 2 as detailed above, for registration, medical examination and other examinations to determine their general suitability for service. This enables the IDF to call-up persons for registration, medical examination and other examinations starting from the age of 16 and a half. According to the IDF regulations, (MG-09-06 - Planning the Procedure for the 1st and 2nd Registration), medical examination will only take place after the person designated for military service is 17 years of age.

22. The practical effect is that when they reach the minimal age, persons designated for military service are called to register their personal details, and attend a fitness examination and various other examinations, to determine their general suitability for service. If possible, all the above is performed on one single date.

23. Until completion of the entire enlistment procedure, persons designated for military service may be called-up for additional examinations. These subsequent exams might concern, for example, a specific medical situation, or a socio-economic evaluation for additional alleviations, or they might aid in additional classification for specific positions.

24. Once the age of enlistment is attained, persons designated for military service are called-up to commence their military service, (otherwise known as an enlistment order). This concludes their recruitment process. On the date of their enlistment, soldiers are sent for basic training, and subsequently, to their respective designated military units.

Requisite documentation

25. The IDF considers the Ministry of the Interior's official national population registry as reliable proof of age. Data from the registry is transmitted directly from the Ministry of the Interior. Moreover, in the process of registration, additional data verification is performed. The person designated for military service is requested to provide a statement regarding his personal details including his age, and the date he/she is scheduled to conclude his/her high school education. Where any inconsistency is found, further inquiries are made.

Times of emergency

26. According to section 34 of the *Defence Service Law*, the Minister of Defence may, in emergency circumstances where state security so necessitates, call upon a person of military age, e.g. men - 18-54, women, 18-38, for regular, or reserve service. Such an order must be brought before the Knesset Foreign Affairs and Defense Committee, as soon as possible after it is issued. The Committee may approve such an order with or without adjustments, or they may disapprove it, or bring it before the Knesset. Unless approved, such an order shall expire within 14 days from the date of its issuance.

27. There are no legal options to lower the recruitment age, in times of emergency and those who are not designated for service, but wish to do so, may assist in the performance of non military activities that shall not constitute direct participation in hostilities. Therefore, any service volunteered for by persons under 18 will adhere to objectives and spirit of the Optional Protocol, whilst still allowing these persons, to be actively engaged in civil aid of the State during a crisis.

Article 3

Paragraph 1

28. The above declarations are in accordance with the provisions of section 14 of the *Defence Service Law*. Those provisions enable an Israeli citizen or permanent resident, who is aged 17-18

and found fit for service, to be enlisted according to his written application and the written consent of the person's parents or legal guardian. In the event of an appreciable difficulty in contacting one of the parents, the written consent of the other parent will be sufficient.

29. Note that according to section 14 (b) of the *Defence Service Law*, the provisions of this Law shall apply to a person who was enlisted according to section 14 (a) as if he were enlisted according to section 13, excluding the limitation of their taking direct part in hostilities, according to IDF guidelines.

30. Section 17 of the *Defence Service Law* enables a person not required to perform regular service to volunteer to serve in the IDF regular forces. The age limitation in this section is subject to the age limitation in Section 14, i.e. 17 years of age. Volunteering in this manner is subject to a signed declaration by the volunteer, and necessitates the approval of the Minister of Defence (note that according to section 54 of the *Defence Service Law* this authority was delegated to the Head of the Recruitment Administration or his deputy). A volunteer serving in accordance with this section will, with regard to his rights and duties, be subject to the same law as any other person serving under this law.

Statistics

31. Current IDF data indicates that between July 18, 2005 and October 10, 2007 - 1,014 persons designated for service, aged under 18 (according to the Gregorian calendar) were called for service. The vast majority underwent a one-day administrative induction into the armed forces. Following these procedures, these participants were released from active duty to enroll into their chosen programme - most notably with the academic reserve, or Hesder Yeshiva studies.

Paragraph 2

32. Israel provided the above declarations in accordance with section 3(2) and adheres to every aspect of it. Safeguards ensuring that service is genuinely voluntary include:

(a) The requirement of a written application submitted by the person requesting permission to serve;

(b) Before enlisting a person aged 17-18 as per their request, a written, and informed consent from the person's parents or legal guardians must be obtained;

(c) To be genuinely voluntary a person must give full and informed consent. To that end, a clear and precise explanation of the nature of the duties involved in military service is provided to both the person, and the person's parents or legal guardian;

(d) Additionally, prior to acceptance of any person into the Israeli armed forces, reliable proof of age is obtained through the Ministry of the Interior's official national population registry;

(e) Additional data verification is performed.

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several IDF procedures to fully comply with the provisions of the Optional Protocol.

Office), and members of the relevant NGOs.

Paragraph 3

The volunteering process

35. In accordance with the procedures of the above-stated section 14 of the *Defence Service Law*, persons aged 17-18 may apply for service via a written request to enlist. IDF guidelines grant the authority to approve this request to the Head of the IDF Recruitment Administration, or his deputy.

36. According to the IDF guideline (attached as annex), such a request will be examined to ensure that is not in contradiction with an existing order or guideline. The Head of the IDF Recruitment Administration has to find proper justification for an early enlistment. Such justification may be based on financial, family or other relevant considerations. This requirement applies to: Cadets; graduates of an IDF driving course; members of Hesder Yeshivas, a programme which combines advanced Talmudic studies with military service into the IDF. Except in very extreme circumstances, the Hesder Yeshivas programmes do not include combat duty until the actual enlistment; persons designated for military service of non-combat nature, which begins with courses that only take place once a year (The IDF orchestra, the IDF theatre, etc.); special cases (e.g. extraordinary personal circumstances), and is based on the stipulation that combat duty will not take place until the person turns 18 years of age according to the Hebrew Calendar.

37. It is noteworthy that under no circumstances can the enlistment of a person less than 17 years of age take place. Furthermore, according to the above guidelines, enlistment of a person aged at least 17 years necessitates the authorization of the Head of the IDF Recruitment Administration.

Parental consent

38. Parental/legal guardian consent to early enlistment of their son/daughter shall be given in writing, in the IDF Recruitment Administration in the presence of an officer or a non-commissioned officer, or before the city officer or his aid, (an officer or a non-commissioned officer), the head/secretary of the local municipality, or a lawyer who can attest to their identity, approval, and signature in his presence. A legal guardian must provide legal proof of his guardianship.

39. Following the signing of this document, a clear and precise explanation of the nature of the duties involved in military service is provided to both the person, and the person's parents or legal guardian. Note that due to the prevalence of military service in the IDF in Israel, the nature of the duties constituting military service is considered to be common knowledge. As such, no information in addition to the verbal explanation and data provided in the consent form has been published, or otherwise issued in that regard.

40. According to section 2 (2a) of the *Defence Service Law*, persons aged 17-18 who take part in the IDF academic reserve are not soldiers during their NPS. These persons require IDF permission to work or travel abroad, and may theoretically be enlisted for combat duty in very extreme times of state emergency, e.g. wars. In practical terms however, these persons may only be enlisted following the minimum standard of military training that must be provided for members of the academic reserve after a year of studying - i.e. after they attain 18 years of age. The first year of the service of members of the Hesder Yeshivas is devoted to schooling, and therefore these members are as a minimum 18 when beginning their military training, and later their combat duty.

Requisite documentation

41. As detailed above, the IDF considers the Ministry of the Interior's official national population registry as reliable proof of age. Data from the registry is transmitted directly from the Ministry of the Interior for that purpose. Furthermore, during the process of registration, additional data verification is performed, and the person designated for military service is asked to provide a statement regarding his/her personal details, including his/her age and the date he is scheduled to conclude his high school education. Where an inconsistency is found, a further inquiry is made.

Service periods

42. According to Section 15 of the *Defence Service Law*, men serve for a period of: 30 months (36 months following a temporary provision) if called to enlist between the ages of 18-26; for a period of 24 months if called to enlist between the ages of 27-29; and for a period of 12 months if they are doctors or dentists, and are aged 35-38. New immigrants, (oleh), aged 27 and above will serve for a period of 18 months only, excluding certain exceptions.

43. According to section 16 of the *Defence Service Law*, women serve for a period of: 24 months where they are called to enlist between the ages of 18-26, or are doctors or dentists aged 27-34, if they are doctors or dentists aged 35-38 service will be for a period of 12 months. New immigrants, (oleh), aged 27 and above will serve for 18 months only, excluding certain exceptions setting a 36 months service, according to section 61a of the *Defence Service Law*.

44. The provisions of the above Sections 15-16 of the *Defence Service Law*, apply to those volunteering for service aged 17-18, in accordance with Section 14 of the *Defence Service Law*.

45. According to Section 11 of the *Defence Service Regulations (Volunteering for Defence Service)*, 5734 - 1974, the Minister of Defence may approve that a person volunteer for a period shorter than that set out in the Regulations, e.g. less than the provisions in sections 15 -16 of the *Defence Service Law*, or a shorter period set for older enlistees.

Application of the Military Law

46. Section 35 of the *Defence Service Law* applies the provisions of military laws to all those enlisting, commencing on the date set for their enlistment. The *Military Jurisdiction Law*, 5716-1955, ("*Military Jurisdiction Law*"), defines a soldier as a member of the IDF regular forces, or a volunteer. Section 4 of the *Military Jurisdiction Law* applies the Law to those lawfully accepted to the IDF regular forces. Accordingly, military justice and discipline laws apply, inter alia, to those volunteering for service aged 17-18.

Israel Border Police

47. According to section 24 of the *Defence Service Law*, those serving in the Border Police, are recruited in a manner comparable with that of IDF soldiers, including the same age restrictions. They see out their service in the Israel Border Police, which is the operational branch of the Israeli Police. Three years as a border policeman is equal to three years as an IDF soldier. According to section 25, 24A of the *Defence Service Law*, except for drug-related offences, the *Military Jurisdiction Law* does not apply to border policemen throughout the duration of their service. Rather the *Police Ordinance*, 5731-1971 applies. The same *Ordinance* applies to those serving in other Police units *in locus* of their military service, according to section 24A of the *Defence Service Law*.

Israel Prisons Service (IPS)

48. According to section 24B of the *Defense Service Law*, those serving in the IPS, are recruited in a manner identical to that of IDF soldiers, including the same age restrictions. They see out their service in the IPS *in locum* of their military service duty. Three years in the IPS is equal to three years as an IDF soldier. According to section 24C of the *Defence Service Law*, except for drug-related offences, the *Military Jurisdiction Law* does not apply to IPS wardens throughout the duration of their service. Rather the *Prisons Ordinance [Consolidated Version]*, 5732-1971 applies.

Punishment for desertion and absence from service

49. According to section 94 of the *Military Jurisdiction Law*, absence from service without permission is punishable by three years imprisonment; unless it is proven that there was permission, or another reasonable justification exists. Desertion, defined as absence from military service with the intention not to return to the army, is punishable by 15 years imprisonment.

Encouraging volunteering

50. The IDF, the Israel Border Police and the IPS, neither encourage, nor use incentives to encourage volunteers to enlist for military service under the age of 18. The only instances where early enlistment is offered under the age of 18, is in cases where the starting date of a certain course or special service programme (i.e. the academic reserve, "combined service" in Hesder Yeshivas), not involving belligerent activity, precedes the date set for the persons designated "for

military service" date of enlistment, and the IDF desires to enable the said persons to attend the course or service programme, (usually, a course or service programme which can be adhered only once a year). In this instance, the persons are invited to apply in writing for an early enlistment, in accordance with section 14 of the *Defence Service Law*.

Paragraph 5

Long-term programmes

51. The IDF has several long-term programmes in which participants may engage in academic and rabbinic studies. For administrative purposes, these participants undergo a one-day administrative induction into the armed forces. Following their administrative induction, these participants are released from active service to enroll in their chosen programme.

Schools operated by or under the auspices of the IDF

52. The IDF also has several schools and programmes designated for youths aged 13.5-18, where specific professional and military professions are taught. Some schools operate as boarding schools, and some as daily schools.

53. The IDF operates 6 military schools that provide schooling for three to four years. As of March 2007, these schools had a total of 2,766 pupils. The educational part of the training in these schools is carried out in high schools in the vicinity of the schools, whilst the technical/professional part is carried out on school grounds. The professional part of the pupils' training is provided through IDF personnel and civilians working for the IDF alike.

54. Prior to their enrolment, the pupils are required to sign a contract between the pupils, his/her parents/legal guardian and the Ministry of Defence, and a form for three years of standing military service. These will be signed in the schools' secretariats in the presence of the pupil and his/her parents/legal guardian.

55. School curriculum: In addition to specialized training, IDF-operated schools abide by the same curriculum as every other school in the Israeli educational system. The Ministry of Education curriculum specifically relates to relevant human rights and humanitarian issues, such as the United Nations Declaration of Human Rights and the Convention on the Rights of the Child.

56. Military training: Except for specific military style training, and during their basic training, pupils in the school do not receive or carry arms.

57. The pupils in these schools are not soldiers and the provisions of the *Military Jurisdiction Law* do not apply to them. In times of emergency, pupils over 16, (according to the provisions of the *Civil Defence Law*, 5711-1951), may engage in civil aid activities, of a non-military capacity; such as assisting in hospitals, local municipalities, schools, etc., as well as contributing professional assistance in their field of schooling. They may also undertake limited tasks relating to home security assignments.

58. Pupils in IDF operated schools are allowed to quit school any time they so desire. Provided they quit before completion of the 12th (and last grade), they will not be obligated to serve an additional standing military service. Pupils who have completed the 12th grade and wish to be exempt from additional standing military service, may apply for annulment of this period based on personal grounds.

59. Conditions, and discipline, in IDF-operated schools are determined by the IDF Human Resources Branch Orders. The disciplinary provisions which pupils willingly take upon themselves are well proportioned, balancing between the need to maintain a high level of discipline in a manner that is adequate and suited to the pupils' position. A right to plea provides a mechanism for the pupils to complain against their superiors in circumstances where discipline is considered excessive or ill-suited. All these aforementioned guarantees help uphold the pupils' right to human dignity, and is in accordance with the spirit of the Optional Protocol and the Convention on the Rights of the Child.

60. Discipline in IDF-operated schools includes certain limitations, mostly similar to those imposed in civilian high schools/boarding schools: i.e. prohibitions on drinking alcoholic beverages, gambling, etc. The pupils are required to keep to a stricter dress code, including dressing in uniforms when on school grounds, as well as to observe certain limitations concerning shaving and haircuts.

Article 4

61. No armed groups distinct from the Israel Defence Forces, (the State's armed forces), exist in Israel, nor are they allowed to operate. This is in accordance with the *Israel Defence Forces Ordinance*, and section 6 of *Basic Law: The Army* (1976), which holds that:

> "No armed force other than the Defence Army of Israel shall be established or maintained except under law."

62. In addition, section 143 of the Israeli *Penal Law* criminalizes unlawful military exercises, as detailed:

> Section 143
>
> Unlawful military exercises
>
> (a) If a person did one of the following, then he is liable to seven years imprisonment:
>
> (1) He drilled or trained others - without permission from the Government - in the use of arms or the performance of military exercises, movements or operations;
>
> (2) He was present at a meeting or assembly of persons held without permission from the Government, in order to drill or train other persons in the use of arms or the practice of military exercises, movements or operations.

(b) If he trains or drills the use of arms or the practice of military exercises, movements or operations at a meeting or assembly convened without Government permission or is present therein order to be so trained or drilled, then he is liable to three years' imprisonment.

Article 5

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International mechanisms

64. The status of ratification of the main international instruments concerning children in armed conflict, is as follows:

(a) The Convention on the Rights of the Child (1989) - the State of Israel signed the Convention on 3 July 1990 and ratified it on 3 October 1991;

(b) Amendment to article 43 (2) of the Convention on the Rights of the Child - (New York, 12 December 1995), the State of Israel ratified the amendment on 27 December 1999;

(c) International Covenant on Civil and Political Rights (1966) - the State of Israel signed the Convention on 19 December 1966 and ratified on it 3 October 1991;

(d) The Minimum Age Convention, 1973 (No. 138) of the International Labour Organization (ILO) - the State of Israel ratified it on 21 June 1979;

(e) Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour Convention, 1999 (182) of the International Labour Organization (ILO) - the State of Israel ratified it on 15 March 2005;

(f) Geneva Convention for the Amelioration of the Condition of the Wounded and Sick in Armed Forces in the Field, 1949 - the State of Israel ratified it on 6 July 1951;

(g) Geneva Convention for the Amelioration of the Condition of Wounded, Sick and Shipwrecked Members of Armed Forces at Sea, 1949 - the State of Israel ratified it on 6 July 1951;

(h) Geneva Convention relative to the Treatment of Prisoners of War, 1949 - the State of Israel ratified it on 6 July 1951;

(i) Geneva Convention relative to the Protection of Civilian Persons in Time of War, 1949 - the State of Israel ratified it on 6 July 1951.

Article 6

Paragraph 1

65. Israel signed the Optional Protocol on 14 November 2001, and ratified it on 18 July 2005. In accordance with article 10, paragraph 2, the Optional Protocol entered into force for Israel on 18 August 2005.

66. Amendment 13 of the *Defence Service Law* took place prior to the ratification of the Optional Protocol, as detailed above.

67. The Protocol is fully applicable before *domestic jurisdictions*, and its provisions are a cornerstone for the relevant bodies, as detailed throughout the present report. To date, issues with regard to the Optional Protocol have yet to be brought before Israeli Courts.

68. The State of Israel made no reservations regarding the Optional Protocol.

69. The implementation of the Optional Protocol is relevant to several Government Ministries and bodies, according to their different areas of expertise. Among the relevant bodies are the Ministry of Defence, The IDF, the Ministry of Public Security, the Ministry of Justice, and the Ministry of Foreign Affairs.

70. The provisions of the Optional Protocol have been implemented through legislation, regulations, circulations, and procedures, as detailed throughout the present report.

Civil society

71. The State of Israel is a robust and vibrant democracy, with a diverse and active civil society. Non-governmental organizations play a distinctive role in Israel in several ways - they actively participate in public debate, and promote awareness and sensitivity to human rights issues on the whole, and with regard to children's rights in particular. Many of these organizations maintain regular working relations with the above mentioned Government Ministries and bodies.

Paragraph 2

72. Following the ratification of the Optional Protocol, Israel has taken several measures to make the principles and provisions of the Optional Protocol widely known. It has been promoted via appropriate means, to adults and children alike.

73. Accordingly, the Optional Protocol was translated into Hebrew by the Ministry of Justice and published on 1 January 2008 in the Official Gazette (K.A. 1465/54).

74. Presently, Israel has no international peacekeeping personnel, and therefore does not provide particular training on the subject although initial steps have been taken to explore relevant existing training provided by the United Nations.

following issues:

(a) The relevant principles and standards of international law and best United Nations peacekeeping practice;

(b) Basic knowledge of the structure of the United Nations, the Charter, the United Nations mission, humanitarian and international law, including the human rights conventions and the Optional Protocol;

(c) Training on different nationalities, accents, cultures and atmosphere in simulation of an actual United Nations mission;

(d) Practical (mine awareness, map reading, driving, hostage taking) and theoretical training (United Nations organizations and functions, stress management, negotiations and mediations, United Nations policing best practice procedures).

76. Following ratification of the Optional Protocol, its provisions were disseminated notably to those responsible for military recruitment, and via training offered to all professional groups working with and for children.

77. The monitoring of the implementation of the Optional Protocol is carried out by several bodies - the Ministry of Defence, the IDF and the Ministry of Justice. Monitoring is done via legislation, as well as under routine supervision, and was also advanced during the process of compiling the present report.

Paragraph 3

78. Not applicable to Israel.

Article 7

79. The State of Israel fully adheres to the provisions of the Optional Protocol, in the manner specified above, and is acting to prevent any activity contrary to its provisions.

80. At present, budgetary limitations restrain the State of Israel from providing financial assistance to third parties, with regard to matters relating to the Optional Protocol.

Annex

PERMANENT ORDERS

9-10 September 2006

M.G. 09-10 Reporting for service as per personal request - Drafting of Minors - Parental/Guardians Consent

General

1. Drafting to the IDF will be done according to Defence Service Law (Consolidated Version) 5726-1965, according to the age of drafting determined therein.

2. Article 14 of the law states that "an Israeli citizen or permanent resident that has not yet reached the age of 18, and was found fit for service, can be called for regular service duty upon his written request, where his parents or guardian had given their consent, and he is at least 17 years old. It is sufficient to satisfy the requirement of parental consent if only one parent gives their consent where real difficulty is had in establishing contact with the other parent so as to inquire as to their stance".

3. A person designated for military service will be drafted before he is 18 years of age according to the provisions of this order. Nothing in this provision shall diminish from any other orders or drafting guidelines.

4. For the purpose of calculating if the person reached or did not reach the age of 18, no use will be made of the age presumption set in Article 2(2) of the Defence Service Law, except unless on the subject of the academic reserve or the service without pay courses.

5. This order details the procedure for the treatment of minors designated for service who wish to apply for early drafting, not taking into account those designated for service who are graduates of pre-military training who would be otherwise treated according to the permanent order for the Chief of Staff - Human Resources Section MN10-01 " Prior Commitment of Pre-military Training Cadets".

Method

6. Where a person designated for service, who is over 17 years of age according to the Hebrew Calendar, and reports to the Recruitment Bureau and asks to be drafted, the Recruitment Bureau will check if the minor's drafting does not contradict an existing guideline or order.

7. If it is realized that the minor's early recruitment contradicts an existing guideline or order, or the Head of the Recruitment Bureau does not find sufficient reason for an early recruitment - his request will be denied.

8. If it is realized that the early recruitment of the person designated for service does not contradict orders or guidelines, and the Head of the Recruitment Bureau considers that there is reason to accept the persons request based on economic, family considerations, or on any other grounds, the Bureau shall act as follows:

(a) It will request that the minor file a private written request for early recruitment. (Form 7308 - “Minor request for early recruitment”);

(b) In the request, (found at Part B of the form), the parents/guardian of the person are asked for their consent to his early recruitment;

(c) The request will be addressed to the Head of the Recruitment Bureau, and either he, or his deputy, shall consider it for approval.

9. **A.** Authority to approve the recruitment of minors lies with the Head of the Recruitment Bureau or his deputy, and may be exercised at the request of the following persons:

(a) Cadets;

(b) Graduates of pre-military driving course;

(c) Members of NAHAL (Fighting Pioneer Youth) seed groups - for enable them to enlist together with the group they belong to;

(d) Students of Hesder Yeshivas;

(e) Persons designated to join non-combat military courses that open once a year;

(f) The authority may also be exercised for other exceptional reasons, such as extraordinary personal circumstances, and of reasons to be recorded - provided the minor will not participate in any military training or combat duty before he has reached the age of 18.

B. Preceding drafting by more than six months from the date it is permitted to draft the minor according to the Defence Service Law, but not before he has reached the age of 17, will be done solely with the permission of the Head of the Recruitment Bureau.

10. Signing of the parental consent form for the early drafting of their son/daughter, (as per art. 7), will take place in the Recruitment Bureau in the presence of an officer, or a non-commissioned officer; or with the City Officer (an officer/ non-commissioned officer), with the head of the local municipality, or the local municipality secretary, or by having a lawyer approve the signing of the form, (after examining Identity certificates), and stating that the parents/guardian have given their genuine consent in his presence.

11. Parents or guardians residing abroad at the time shall sign their consent with one of the Israeli consulates abroad.

12. Despite the provisions of article 7(b), it is enough to have one parent consent for early recruitment of a minor if there is real difficulty in making contact with one of the parents. For example: if one parent is staying abroad for a long time and cannot come before an Israeli representative as detailed in article 11, or for other special reasons, the other parent will declare as much in the presence of a lawyer, and his signature alone will suffice on the volunteering form.

13. Where a person is designated for service whose parents have died, or had a guardian appointed to him for any other reason, the guardians signature shall be made as per article 7 (b) detailed above. The guardian must prove his guardianship with appropriate documentation.

14. A person drafted early according to the provisions of this order will not be sent to combat duty before he is 18 years old, according to the Hebrew calendar.

15. Drafting to academic reserve courses recognized in military orders, and service without pay as per its meaning in these orders, shall generally be done according to the relevant provisions of the Defence Service Law. The above will not prevent drafting of these persons for service according to a request for early recruitment, as previously detailed in this order.
