

Ministry of Defense  
Defense System Comptroller

**Inspection Report: Enforcement of Law and Order in Judea and Samaria  
in aspect of olive harvest**

(Report's date: 6 February, 2007)

**Report Synopsis**

**Introduction**

1. Between October 2 and November 2, 2006, the Operational Fitness and Readiness Control Team of the Defense System Comptroller Unit examined the defense system's deployment for enforcing law and order in Judea and Samaria during the olive harvest.

**Background**

2. Enforcement of law and order in Judea and Samaria is rooted in General Staff Order No. 1/0.052 of October 1998. The main goal of this order is to shift the weight of law enforcement activities in Judea and Samaria from the IDF to the Israel Police. At the basis of the order is the report of the government commission of inquiry into the massacre at the Cave of the Patriarchs in Hebron (hereinafter "the Shamgar Commission"), which led to the establishment of the SJ District of the Israel Police.

3. A review by the Coordinator of Government Operations in the Occupied Territories to the Comptroller indicates that offences and disturbances against Palestinians in Judea and Samaria do not only take the form of damage to olive fields; there has also been damage to flocks and agricultural land over the course of many years. The review also reveals that the principal damage to olive fields this year, as in the past, did not occur during the harvest season itself.

4. The data provided for review indicate that between January and May 2006 (prior to the harvest) a total of 500 to 700 olive trees had been uprooted or burned. In 2005, 2,563 olive trees were uprooted, burned, or cut down.

**Aim of the review**

5. The aim of the review was to examine the defense system's deployment for enforcing law in Judea and Samaria during the olive harvest. The review followed conclusions drawn the previous year and directives by the Minister of Defense based on an evaluation of the situation.

**Subjects of the review**

6. Examination of defense system deployment for enforcing law and order in Judea and Samaria with respect to the olive harvest.

7. Examination of Judea and Samaria law enforcement unit preparedness during the olive harvest.

## **Objects of the review**

### 8. Commands

A. Operations Branch -- Operations Division.

B. Coordinator of Government Operations in the Occupied Territories -- Civil Administration

C. Central Command

### 9. Units

A. Judea and Samaria Division Command

B. Regional Brigades: Ephraim, Menashe, Binyamin, Samaria, Maccabim and Etzion and the battalions and units under their command

10. Review report draft (system comptroller 4942-011106), distributed on November 14, 2006.

## **Principal findings**

### **Defense system deployment**

11. The line of thinking behind the defense system's deployment for enforcing law and order in Judea and Samaria during the olive harvest is that law enforcement is not limited by place and time and that all agencies charged with enforcing law and order should do so all year long.

12. The review indicates that the defense system took a number of actions to enforce law and order. Most notably, it handled cases of illegal construction throughout the year; it issued individual restraining orders to Israelis during the olive harvest; and it placed illegal outposts involved in law and order violations at the top of the list of targets for evacuation.

13. The review also indicates that the **Central Command** took the necessary steps to ensure the enforcement of law and order in Judea and Samaria during the olive harvest, in accordance with a 2006 High Court of Justice ruling that only in areas closed by a major-general's order can Palestinians be required to coordinate their entry to pick olives.

14. The review reveals that **through the Civil Administration, the Coordinator of Activities in the Occupied Territories** conducted law and order enforcement activities in Judea and Samaria with respect to the olive harvest. These activities included coordinating olive harvest times to enable entry into areas closed by order of a major-general, issuing permits, and providing explanations to the Palestinian population on the procedures for allowing the harvest to take place.

15. A review by the SJ District Police operations branch officer and the Central Command order indicate that directives and commands by the SJ District for enforcement of law and order in Judea and Samaria during the harvest season include the following: the inclusion of police officers in military operations as a

means of responding to disruptions by extremist elements, increased law and order enforcement upon Israeli settlers, and intelligence monitoring of extremist elements.

**16. It is the opinion of the review team that the Central Command, Civil Administration and the SJ Police District took the necessary prior and preparatory actions to enforce law and order in Judea and Samaria before the olive harvest.**

**Deployment of forces at friction points and other harvest locations**

17. The review included an examination of the deployment of forces in locations defined as friction areas. In these areas, a major-general's order was issued allowing entrance by prior coordination only. The report's findings revealed a lack of consistency between the directives issued by divisions and battalions and the actual events on the ground. The inconsistency was apparent in the failure to deploy forces, physically separate harvesters and Israelis and perform security checks of pedestrians and their belongings.

**18. The review team notes that the deployment of IDF and Police forces in friction areas is not entirely consistent with the directives of the responsible levels (battalion, division and command).**

19. The review indicates that the deployment of forces is only partially effective in enforcing the law in locations defined as friction areas in after-harvest hours (at night), **and after the harvest season**.

20. The review also indicates that the deployment of forces did not provide sufficient enforcement of law and order in locations within Judea and Samaria not defined as areas of friction.

21. The review also found that the Judea and Samaria Division's operation room deployment during the harvest season was inconsistent with the Central Command's directives.

22. An examination of the interface between the SJ District of the Israel Police and the IDF reveals that the Israel Police did not approve the SJ District's request for reinforcement by additional police officers and that in some locations defined as friction areas there is no Israel Police presence.

**23. The review team notes that Israel Police deployment for the olive harvest was lacking and inconsistent with directives. Likewise, there was no sign of action by the General Staff's Operations Branch to work with the Israel Police in order to reinforce the police force for the benefit of the olive harvest.**

**Weaknesses in operational deployment for the olive harvest that are likely to be exploited by hostile elements planning attacks**

24. The review checked the deployment of forces in Jewish communities in which olives were harvested by Palestinians.

25. The review reveals that olive harvesting by Palestinians within Jewish communities began without the presence of security forces, with no security inspection of the Palestinians and with no monitoring of the harvesters' location. In the settlement of Eli as well, the harvest took place without the presence of security forces. It was also found that while the Civil Administration was acquainted with the harvesters and knew they intended to harvest olives in these communities **there was no coordination between the Civil Administration and the IDF** and the security forces did not have that information.

26. **The review team notes that the entrance of Palestinians into Jewish communities for the purpose of harvesting olives, without the presence of IDF soldiers, contradicts Central Command directives and is likely to be exploited by hostile elements planning to launch attacks.**

27. The review team's examination of the harvest area in the seam zone reveals that the olive harvest by Palestinians there is conducted without supervision. This is an operational weak point.

28. The review indicates that olive harvesting conducted adjacent to Jewish communities that lie along the seam zone barrier takes place without the knowledge of military forces.

29. Seasonal gates are agricultural gates, which are opened by special coordination between Palestinians and the Civil Administration for the purpose of harvesting in the seam zone. The examination reveals that permits for entry through these gates are issued by the Civil Administration with no involvement by the General Security Services.

30. The review's findings point to defects in the control of the names and number of persons leaving and entering. Defects were also noted in the security inspections of persons and belongings upon entrance and exit, and women undergo no security inspection at all.

31. **The review team notes that the current system for opening seasonal gates to allow Palestinian harvesters to enter the seam zone is an operational weak point.**

#### **Main Recommendations**

32. Work with the Israel Police to arrange for reinforcement for the SJ District during the harvest season each year.

33. Resolve land ownership in Judea and Samaria.

34. Improve control over the implementation of command directives concerning the olive harvest.

35. Improve security inspections at agricultural gates and seasonal gates (for women, children, and belongings).

36. Prevent the entry of Palestinians into Jewish communities without escort by IDF soldiers.

37. Find a system for enforcing law and order, particularly in friction areas, throughout the year, day and night, and not only during harvest season.

*English translation from Hebrew original by Yesh Din*