

A. GOLAN HEIGHTS REGION

Proclamation No. 1^{1/}

Proclamation concerning the Assumption of Government by the
Israel Defence Force (Golan Heights)

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| Entry of
IDF | 1. The Israel Defence Force has this day entered the Region and has taken over control and the maintenance of security and public order in the Region. |
| Curfew | 2. I hereby declare a curfew throughout the Region. No one may leave his house at any hour of the day or night. |
| Vital needs | 3. The inhabitants will be able to provide for their vital needs in the vicinity of their fixed abode at times to be made known by special announcement. |
| Movement | 4. The movement of vehicles is prohibited. |
| Assembly | 5. It is prohibited to assemble in the streets or other public places. |
| Identity
Document | 6. Everyone shall carry with him at all times a document which bears his photograph and permits him to be identified. |
| Services | 7. The essential services in the Region shall function normally in accordance with instructions given on my behalf. |
| Penalties | 8. Any person who violates these instructions shall be punished with the full severity of the law and anyone who attempts to violate security shall be repressed at once. The soldiers of the IDF shall ensure scrupulous compliance with these instructions. |

10 June 1967

The Commander of the
IDF in the Region

^{1/} "Proclamations, Orders and Announcements of the IDF Command in the Region of the Golan Heights", No. 1, 3 February 1968, p. 4.

Proclamation No. 2^{2/}

Proclamation concerning Law and Administration

In order to make possible the maintenance of regular government, security and public order I hereby make known the following:

Definition

1. In this proclamation "Region" means the Region of the Golan Heights.

Force of existing law

2. The law in force in the Region on 10 June 1967 will remain in force, in so far as it does not conflict with this Proclamation or any other proclamation or order issued by me, and with the modifications resulting from the establishment of government by the Israel Defence Force in the Region.

Assumption of authority

3. (a) All governmental, legislative, appointive and administrative authority with respect to the Region or its inhabitants shall henceforth vest in me alone and shall be exercised solely by me or by whoever shall be appointed by me for the purpose or shall act on my behalf.

(b) Without prejudice to the general provisions above, it is hereby laid down that any obligation of consultation, approval or the like required under any law whatever as a prerequisite for legislation or appointments or as a condition for the validity of legislation or appointments is hereby abolished.

Provisions concerning property

4. Movable and immovable property, including money, bank accounts, arms, ammunition, vehicles, communications equipment, and all other military and civilian equipment which belonged to or was registered in the name of the Syrian State or Government or one of its units or of its branches or a part of its units or branches and which are situated in the Region shall be handed over to me and shall be under my control.

^{2/} "Proclamations, Orders and Announcements of the IDF Command in the Region of the Golan Heights", No. 1, 8 February 1968, pp. 5, 6.

- Taxes 5. Taxes, duties, debts and payments of any kind whatever payable to institutions of the central government which were not paid by 11 June 1967, shall be paid to me.
- Publication 6. Proclamations, orders or announcements made on my behalf shall be published in any way considered appropriate by me.
- Offences 7. Any person who violates or attempts to violate public order and security, or one of the provisions of this Proclamation or an order, instruction or announcement made by me or on my behalf shall be punished with all the severity of the law.
- Commencement 8. This Proclamation shall come into force on 18 June 1967.
- Title 9. This Proclamation shall be known as "Proclamation concerning Law and Administration (Golan Heights) (No. 2), 1967".

18 June 1967

David Elazar,
Colonel Commanding the
Israel Defence Force in the
Region of the Golan Heights.

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Proclamation No. 3^{3/}

Proclamation relating to the Entry into Force of
the Order concerning Security Instructions

In order to make possible the maintenance of regular government and to ensure security and public order, I hereby make known the following:

Order concern-
ing Security
Instructions

1. The Order concerning Security Instructions signed by me, copies of which have been given to all local authorities, shall come into force on 18 June 1967.

Commencement

2. This Proclamation shall come into force on 18 June 1967.

Title

3. This Proclamation shall be known as "Proclamation relating to the entry into force of the Order concerning Security Instructions (Golan Heights) (No. 3), 1967".

18 June 1967

David Elazar,
Colonel Commanding the
Israel Defence Force in the
Region of the Golan Heights.

3/ "Proclamations, Orders and Announcements of the IDF Command in the Region of the Golan Heights", No. 1, 8 February 1968, p. 6.

Order concerning Security Instructions^{4/}

A. General provisions

Definitions
and General
Provisions

1. (1) In this Order -

"Court" means a military court as described in this Order.

"Explosive or incendiary substance" means any object or substance, including a liquid or a gas, which is designed, or likely, to cause an explosion or a fire.

"Soldier" and "officer" mean a soldier and an officer of the Israel Defence Force.

"Firearm" means any weapon of whatever type which can cause death and which contains a tube from which a bullet or projectile can be fired; the term includes any part of such a weapon and any accessory of such a weapon modified or designed to reduce the noise or the flash caused by its being fired.

"Regional Commander" means the Commander of the Israel Defence Force in the Region.

"IDF" means the Israel Defence Force, including armed forces co-operating with it.

"Order" includes appointment, order, announcement, instruction, application and permit.

"Land" includes land of whatever kind and whatever ownership, all structures, trees and other things affixed to it, any part of the sea, the shore, or a river, and any right, enjoyment or privilege of the use of land, water or the surface of water.

"Essential services" mean services which are essential to the maintenance of regular government in the Region, public peace, security of soldiers of the IDF, public order, supplies and other services essential to the life of the community.

^{4/} "Proclamations, Orders and Announcements of the IDF Command in the Region of the Golan Heights", No. 1, 8 February 1968, pp. 8-36. It seems that identical or similar security instructions were issued for the other occupied territories.

(2) Reference in this Order to bombs, hand-grenades, explosive or incendiary substances, or munitions shall be understood to include any component thereof.

(3) For the purposes of this Order, any person who is in possession of a place in which an object is or was situated shall be deemed to be or to have been in possession of that object, as the case may be, so long as he has not proved the contrary.

(4) An order issued on the strength of the instructions below shall come into force at the time specified in the order. If the time is not specified in the order, it shall come into force on the date it is issued.

(5) Any order may be issued verbally, if the authority giving or issuing the order deems it appropriate to do so.

(6) The authority giving or issuing an order shall cause a notice concerning its entry into force to be published as soon as possible and in a manner it deems appropriate. However, no order shall be regarded as inapplicable to any person to whom it applies by reason of the fact that his attention was not drawn to it.

Appointment
of military
commanders

2. (1) The Regional Commander may appoint a military commander for any area or place in the Region. Such an appointment may be made by name or by reference to a post and if a post is referred to, the person occupying that post at any time shall be the military commander of the area or place in question.

(2) All of the powers vested in a military commander under this Order and all of the functions for which he is responsible in accordance with this Order may also be used, or exercised, by the Regional Commander in respect of any area or place in the Region. Any order given by the Regional Commander in the exercise of this authority with respect to any area or place in the Region shall take precedence over, and shall supersede, any order by the military commander.

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(3) The Regional Commander may confer the authority of a military commander on someone else, in whole or in part. In any case in which an order given by virtue of authority so conferred conflicts with an order by the Regional Commander or by the military commander, the order by the Regional Commander or the military commander shall prevail.

Use of
Authority

3. Where authority has been conferred upon a person by this Order or by any order issued on the strength of this Order, that person or any other person acting on his instructions, may make use of that authority and may employ the reasonable measure of force required to exercise it.

Permits,
authoriz-
ations,
etc.

4. (1) Permits, authorizations, endorsements, credentials or releases issued in keeping with this Order or with any order given on the strength of this Order may be furnished subject to whatever conditions the issuing authority may deem appropriate, and the authority may cancel, modify or make additions to them at any time. A person who violates any such condition shall be guilty of an offence against this Order.

(2) A person holding a permit, authorization, endorsement, credential or release, who fails to display it at the request of a soldier shall be guilty of an offence against this Order.

(3) A person who alters any permit, authorization, endorsement, credential or release, or misuses it, or transfers it to another, or allows another to alter, misuse or transfer it or makes, or has in his possession or under his control, any document so resembling a permit, authorization, endorsement, credential or release as to be misleading shall be guilty of an offence against this Order unless he proves that he committed the act with which he is charged for a plausible reason and without intent to deceive.

B. Courts and jurisdiction

5. A military commander shall set up such military courts as he deems essential for the purposes of this Order: military courts in accordance with article 6, and one-judge military courts in accordance with article 43.

6. A military court shall consist of a president, who shall be an officer of the IDF of the rank of captain or above, and two members, who may be officers of any rank. The president and members shall be appointed by the military commander. The president of the court shall be an officer with legal training.

7. A military court shall sit at the times and places ordered by its president.

8. A military court shall be competent to judge any offence defined in this Order, or in the proclamations, orders and announcements which have been or will be published by the Regional Commander, at his behest or on his behalf, or by a military commander, and any other offence that those commanders may provide for in an order.

9. The prosecution before a military court shall be directed by whoever is appointed as military prosecutor by the Regional Commander. The defendant may have the assistance of a lawyer for his defence.

10. On rules of evidence, military courts shall be governed by the principles governing the military courts that try soldiers, with the proviso that a military court may depart from the rules of evidence for special reasons, which shall be placed on record, if it believes that the cause of justice so requires.

11. On any question of procedure not determined in this Order a military court may decide to follow such procedures as it considers most likely to ensure that justice will be done.

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Publicity of
proceedings

12. A military court shall hold its trials in public; however, it may order that a trial shall be held, in whole or in part, behind closed doors if it believes that it is proper to do so in the interests of the security of the IDF, justice or public safety.

Witnesses and
interpreters

13. Every witness and every interpreter in a military court shall be sworn or shall make an affirmation in a manner and form that commits his conscience, with the proviso that the court shall be authorized, for reasons that shall be placed on record, to accept the testimony of any witness on his word of honour without an oath or affirmation.

Postponements

14. A military court may at any stage of the proceedings suspend its sittings and resume them at the time and place it shall order. A military court may make any order concerning the holding in custody of the defendant and his appearance at the later sitting.

Preparation
of record

15. (1) The president of the court shall keep a record of the proceedings, personally or through the intermediary of the clerk of the court.

(2) The record shall contain a summary of the following:

- (a) Defendant's answer to the charge
- (b) Witnesses' testimony
- (c) Particulars of exhibits
- (d) Judgement (Findings of the court and decision to convict or acquit)
- (e) Sentence

(3) The president of the court shall sign every judgement and every sentence.

Summoning of
witnesses and
arrest for
failure to
appear

16. (1) If a court is convinced that a person can provide testimony at a trial or is in possession of evidence needed at a trial and that person avoids appearing and testifying or handing over the evidence, any officer of the IDF may send the

said person a summons to appear before the military court or may require him to bring and present to the court any evidence in his possession or under his control, as specified in a summons.

(2) If such officer of the IDF has reason to believe that the said person will not answer the summons, he may issue a warrant for his arrest, in writing, enforceable by any soldier.

(3) Any person arrested under this article shall be brought before the court as soon as possible and shall be held in a place of detention or shall be released, in accordance with the instructions of the court and subject to whatever conditions it shall impose.

Imprisonment of
witness for
disobeying
summons; con-
tempt of court

17. If a person is summoned to come and testify before a military court and without reasonable cause fails to come or fails to present a document or a piece of evidence which is in his possession or under his control, or if he comes to the court and leaves it without obtaining the permission of the court, or insults the court or any of its members or if he interferes with or disrupts the proceedings in the court, the court may sentence him forthwith to a term of imprisonment of not more than two years.

Questioning of
witnesses

18. Witnesses testifying before a military court, with the exception of the defendant who presents an unsworn statement, shall be subject to examination, cross-examination and re-examination.

Finality of
decision

19. There shall be no appeal to any instance from a decision of a military court.

Conviction by
military

20. A person shall not be found guilty by a military court except by a unanimous decision of the president and the members.

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Charge-sheet

21. Before a defendant is brought before a military court, the substance of the charge shall be recorded on a charge-sheet, which shall be submitted to the court by the military prosecutor. A copy of the charge-sheet shall be presented to the defendant before his trial. At the beginning of the trial the charge shall be read out in the presence of the defendant in a language he understands and he shall be asked whether he pleads guilty or not guilty to the charge.

Concurrent charges

22. The charges shall be itemized so that there is a separate charge for each offence, but a person may be tried on a number of charges simultaneously and they may be judged separately or all together, as the court may at any time decide. The defendant shall be asked to answer to each individual charge separately.

Rectification or substitution of a charge

23. At any stage of the proceedings the court may, at the request of the military prosecutor or of the defendant or of its own motion, rectify the charge or order that the defendant should be charged with a different offence; before continuing to hear the case after such rectification or substitution of the charge the court may as it sees fit, taking into account the interests of the defendant, decide to postpone the continuation of the trial or to permit the prosecution or the defence to recall any witness for questioning.

Grouping of defendants

24. Defendants charged with similar offences or offences resulting from a given series of acts may be charged and judged separately or together, as the court may at any time determine.

Severance of cases

25. Should at any stage of the proceedings a court decide that the case against defendants should be divided, it may if it decides to continue the case, continue the proceedings against the defendant or defendants whose case is severed, from that stage in the joint proceedings at which it decided sever the case.

Procedure after
plea of guilty

26. If a defendant pleads guilty to a charge, the court shall, before finding him guilty, carefully examine whether the defendant duly understands the nature of the charge and the consequences of his plea. Before sentencing the defendant, the court shall address itself to the actions of the defendant as described by witnesses or by the military prosecutor in so far as the defendant does not disagree with what he says.

Procedure after
plea of not
guilty

27. (1) If a defendant pleads not guilty to a charge, or if the court refuses to accept his plea of guilty, it shall hear the statements of the military prosecutor and his witnesses, and any other testimony it may deem appropriate.

(2) If the defendant does not have the assistance of a lawyer, the court shall, after completing its questioning of each prosecution witness, ask the defendant whether he wishes to put any questions to the witness. The court shall mention his reply in the record.

Acquittal at
completion of
prosecution's
presentation

28. If at the completion of the prosecution's presentation the Court is of the opinion that there is nothing in the evidence to require the defendant to answer to a charge, it shall acquit the defendant of that charge.

Presentation of
the defence

29. (1) If at the completion of the prosecution's presentation it seems to the court that there is something in the evidence presented that requires the defendant to answer to the charge, it shall make it clear to the defendant that he is not obliged to testify and that if he does testify under oath he shall be subject to cross-examination, and it shall ask him whether he wishes to answer to the charge or to testify or to call any witness for his defence. The court shall hear the testimony of the defendant, if he is prepared to testify, and the testimony of all the witnesses that shall be called to testify.

(2) Should the defendant state that he has witnesses but they are not present, the court may, at its discretion, postpone further proceedings and, if it deems it necessary, even order that measures be taken to ensure the appearance of such witnesses on the date that shall be fixed.

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Summing up

30. At the completion of the defence's presentation, the prosecutor shall be permitted to sum up his arguments, and the defendant, or his lawyer, the arguments for the defence.

Immediate
declaration
of acquittal

31. Should the court find the defendant not guilty, it shall declare him acquitted at once and the defendant shall be liberated unless he is to be held in custody for other reasons.

Guilt and
sentencing

32. If the court finds the defendant guilty of the charge, it shall pronounce its sentence.

Presence of
defendant at
trial

33. (1) Every person tried by a military court shall be entitled to be present in court during the whole of the trial proceedings so long as he conducts himself properly.

(2) If he misconducts himself, the court may, at its discretion, order him to be removed from the court-room and the trial to be continued in his absence, ensuring, however, that the defendant is kept informed of what is happening at the trial, and it shall enable the defendant to defend himself.

(3) The court may, as it deems appropriate, authorize the defendant to be outside the court during the whole or part of the trial, subject to conditions specified by it.

Defendant of
unsound mind

34. (1) If a person is tried in a military court and the court is of the opinion that that person is guilty of the offence with which he is charged but that at the time he committed the offence he was not normal owing to a mental disorder which affected his ability to comprehend what he was doing or to know that the act or omission constituting his offence was prohibited, the court shall find the defendant "guilty but of unsound mind" and shall order him detained for a period to be fixed by the Regional Commander.

(2) If during the course of proceedings in a military court the court is of the opinion that the defendant is of unsound mind to the extent that he cannot be tried, it shall order him to be detained for a period to be ordered by the Regional Commander. If two military doctors certify that the person detained under this paragraph is of sound mind and the Regional Commander is convinced that it is proper to do so, he shall order such person to be tried in accordance with the law for the offence with which he is charged.

(3) The Regional Commander may from time to time give instructions as appropriate with regard to the detention of persons detained under the provisions of this article.

Application of
provisions of
Geneva
Convention

35. A military court and the administrative service of a military court shall apply the provisions of the Geneva Convention relative to the Protection of Civilians in Time of War of 12 August 1949 in all that relates to judicial proceedings, and in case of conflict between this Order and the said Convention, the provisions of the Convention shall prevail.

Transmittal of
judgement for
confirmation

36. The judgement of the Court shall, as soon as possible after the conclusion of the trial, be transmitted to the Regional Commander for confirmation.

Places of
detention
and impris-
onment

37. (1) A person detained under this Order shall be held in custody in a place designated by the military commander.

(2) A sentence of imprisonment shall be served in a place of imprisonment designated by the Regional Commander.

Conviction
and sentence
require
confirmation

38. The conviction and sentence of a person by a military court shall be valid only in so far as they are confirmed by the Regional Commander. If the person tried is sentenced to a term of imprisonment, the court shall order that he be held in custody pending confirmation of the sentence, and the time so spent in custody shall, if the sentence is confirmed, be reckoned as part of the term of imprisonment.

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Powers of
confirming
commander

39. (1) In acting on the case, the Regional Commander may:
- (a) confirm the conviction and sentence, or
 - (b) reject the findings of the court, acquit the defendant and order his release, or
 - (c) confirm the conviction, and mitigate the penalty or suspend it, or
 - (d) annul the trial, and order a retrial before the same court or any other military court.

(2) A convicted person may address appeals or requests to the Regional Commander concerning his conviction or sentence.

Review of
sentence

40. The Regional Commander may at any time review the sentence of a military court which has been confirmed, and shall be competent to mitigate the sentence or suspend it.

41. The decision or confirmation of the Regional Commander shall be transmitted to the military court and a written order from the court shall serve as authorization for any person to carry out the sentence of the court and all instructions relating thereto given by the Regional Commander thereafter.

Fine, im-
prisonment
in lieu of
fine

42. (1) If a person is found guilty of an offence by a military court, the court may, subject to the provisions of article 43 (3)(b) below, sentence him to a term of imprisonment or a fine, or both.

(2) A military court shall not impose a fine of more than IL5,000 unless otherwise specially determined by an order of the Regional Commander.

(3) In the case of non-payment of a fine, a military court may impose imprisonment for a term which it deems appropriate but not more than two years, in addition to the term of imprisonment to which it may already have sentenced the convicted person.

(4) A term of imprisonment for non-payment of a fine shall be served after the completion of any sentence to imprisonment the convicted person has to serve.

43. (1) In addition to the military courts referred to in article 5 above, the Regional Commander may establish military courts consisting of a single officer appointed for the purposes of this Order, hereinafter referred to as "one-judge courts". The judge of such a court shall have had legal training.

(2) The provisions of this Order shall apply to one-judge courts as if they were full military courts, and wherever in this Order mention is made of a "court" it includes a one-judge court unless otherwise provided.

(3) (a) A one-judge court shall sit at the times and places the judge himself shall decide.

(b) A one-judge court shall not be competent to impose the death penalty or a term of imprisonment of more than two years or a fine of more than IL3,000, or both a fine and imprisonment together.

(c) Conviction and sentence by a one-judge court shall not require the confirmation of the Regional Commander and shall be immediately enforceable.

(d) With respect to judgement and sentence by a one-judge court, the Regional Commander may of his own motion or on application by the person tried:

1. annul the judgement and sentence, acquit the defendant and order his release;

2. reduce the penalty or suspend the sentence.

(e) The record of the proceedings of every trial before a one-judge court shall include the following only:

1. the charge or charges;

2. arguments of the defendant;

3. summary of testimony;

4. judgement and sentence.

(f) A written order by the judge shall serve as authorization for any person to carry out the sentence of the court and all instructions given thereafter by the Regional Commander in respect thereof.

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(4) At any time prior to giving judgement a one-judge court shall have authority to transfer the trial of any charge to a military court constituted in accordance with article 6 above, and to return the defendant to custody or to release him subject to the conditions it shall determine with a view to ensuring the defendant's appearance before such military court, and thereafter such military court shall be competent to judge and decide on the charge, as if the charge had been brought before it from the beginning.

C. Offences

Use of fire-
arms,
explosive
substances,
etc.

44.(1)(a) No person may fire a firearm at a person or at any place where people are likely to be.

(b) No person may throw or place a bomb, hand-grenade or explosive or incendiary substance with the intention of causing death or injury to a person, or damage to property.

(2) A person who violates this article shall be sentenced to death, or to such other penalty as the court shall order.

45.(1)(a) No person may carry a firearm,ammunition, bomb, hand-grenade, or explosive or incendiary substance without a permit issued by a military commander or on his behalf, or contrary to the conditions specified in the permit.

Carrying of
firearms,
explosive
substances,
etc.

(b) No person may be a member of a group of which one or more members committed an offence against article 44 or against this article at the time they belonged to the group, or are engaged in the commission of such an offence.

(2) A person who violates this article shall be sentenced to imprisonment for life, or to such other penalty as the court shall order.

Offences
against
maintenance
of public
order

46.(1)(a) No person may have at his disposal a firearm, ammunition, bomb, hand-grenade or explosive or incendiary substance unless he is the holder of a permit issued by a military commander or on behalf of a military commander and fulfils the conditions of his authorization or of the permit which he holds.

(b) No person may have at his disposal a firearm, substance or object designed or liable to cause death or serious damage.

(c) No person may manufacture a firearm, ammunition, bomb, hand-grenade or explosive or incendiary substance without a permit issued by a military commander or on his behalf, or contrary to the conditions for such a permit.

(d) No person may destroy, endanger, interfere with, or commit any act or omission designed to destroy, damage, injure, endanger or interfere with, the security of the Region or of the IDF and its soldiers or of their operations and employment, or with the security of any of the following: ships, aircraft, ports, docks, piers, wharves, airfields, railways, waterways, highways, unpaved roads, locomotives, vehicles, lorries, or any other means of public conveyance, or any enterprise, establishment or equipment used or designed to be used to manufacture, supply, store, transport, deliver or distribute water, fuel, gas electricity or any property belonging to the State of Israel or the IDF.

(e) No person may approach, or be in the vicinity of, any property mentioned in sub-paragraph (d) above or enter it in order to commit any act prohibited in that sub-paragraph; or

(f) No person may be a member of a group of which one or more members committed at the time they were members of the group, or are engaged in the commission of, an offence against this article.

(2) A person who violates this article shall be sentenced to imprisonment for life, or to such other penalty as the court may order.

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Disguises

47. (1) No person may use a disguise under circumstances in which the use of a disguise may be prejudicial to public tranquillity, the protection of the defence of the Region, or the maintenance of public order.

(2) A person who violates this article shall be sentenced to a term of imprisonment of not more than five years.

Giving refuge

48. (1) No person shall assist or give refuge to a person who is committing, or has committed, an offence against this Order, or who is engaged or has been engaged, in any activity which is prejudicial to public tranquillity, the tranquillity of the IDF and its soldiers, or the maintenance of public order, either by giving him information, or by providing him with shelter, food, drink, money, clothing, arms, ammunition, supplies, fodder, transport, petrol or any other type of fuel, or in any other manner.

(2) A person who violates this article shall be sentenced to a term of imprisonment of not more than five years.

False
witness

49. (1) No person may bear false witness in any proceedings before a military court or engage in misconduct before any such court.

(2) A person who violates this article shall be sentenced to a term of imprisonment of not more than five years.

Aiding and
abetting

50. (1) A person shall be deemed to have encouraged another person to commit an offence against this Order if he abets, counsels or causes the commission of such an offence, irrespective of whether the person receiving aid actually commits the offence or whether he is unable to do so owing to the force of the law.

(2) A person aiding another person who commits an offence against this Order shall be punished as if he himself had committed it.

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Attempt to
commit
offence

51. A person shall be deemed to be engaged in an attempt to commit an offence if he takes steps towards execution and clearly shows his intention to act but does not carry it out to the extent of actually committing the offence. In this connexion, it is immaterial - except in so far as it affects the penalty - whether the offender does everything necessary to complete the act of committing the offence, or whether the complete carrying out of his intention is prevented by circumstances beyond his control or whether he himself discontinues the carrying out of his intention. It is also immaterial whether it is impossible to commit the offence owing to circumstances not known to the offender.

(2) A person who attempts to commit an offence shall be guilty of an offence, and if convicted of such an attempt shall be punishable as follows:

- (a) Imprisonment for life, if the penalty for the offence he attempted to commit is death;
- (b) Imprisonment for a term of not more than ten years, if the penalty for the offence he attempted to commit is imprisonment for life;
- (c) In all other cases, a penalty of not more than half of the maximum penalty to which he would have been subject if he had committed the offence he attempted to commit.

Interference
in IDF
affairs

52. A person who

(1) commits any act concerning which there is reason to believe that it was intended to prevent the IDF, or persons engaged in the performance of essential services, from carrying out their duties; or

(2) knowingly commits any act likely to render a soldier, or a person engaged in the performance of essential services, incapable of carrying out his duties efficiently, shall be guilty of an offence against this Order.

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Information
of military
significance

53. (1) Any person who when not engaged in the performance of his duties:

- (a) obtains, or
- (b) makes notes of, or
- (c) communicates to any other person, or makes public, or
- (d) has in his possession, any document or record containing information related to, or claiming to be related to, the following matters: the number, description, equipment, supply, location, movement or condition of IDF forces, its vehicles, aircraft and watercraft, operations of the IDF being carried out or to be carried out, its prisoners, combat equipment, any of its means of defence, fortifications of any place, or any other information of military significance or claiming to be of military significance,

shall be guilty of an offence against this Order and shall be sentenced to a term of imprisonment of fifteen years.

(2) Without prejudice to the generality of subparagraph (1)(c) above, a person who gives or sends any signal or notification by any means whatever to, or makes contact with, any other person in a manner or under circumstances under which he is likely to transmit information shall be deemed to have in effect communicated information to the other person.

Hindrance

54. A person who hinders a soldier in the performance of his duties or any other person exercising any authority or carrying out any duties given him or conferred upon him by this Order or any order issued on the strength of this Order, or performing any duties related to the tranquillity of the public, the security of the IDF, the defence of the Region, the maintenance of public order, or the maintenance of supplies and services in general, shall be guilty of an offence against this Order.

Possession of
military
equipment

55. (1) In this article "military equipment" means arms, ammunition, explosives, clothing, medals, uniforms, personal equipment of soldiers and all other items of equipment supplied for the use of the IDF or owned by it or regularly issued to it or situated in its stores, or brought to the Region for its use.

(2) No person may be in possession of military equipment without a permit or reasonable justification, the burden of proof whereof shall be upon him.

(3) No person may buy, exchange, keep at his disposal or receive from or on behalf of, or in the name of, a soldier military equipment, or request, urge or help a soldier to sell or give up control of military equipment in any manner whatever.

(4) A person who violates this article shall be sentenced to imprisonment for a term of ten years.

Escape from
custody

56. A person who escapes from lawful custody shall be guilty of an offence against this Order.

Threats

57. (1) A person who threatens to do another person bodily harm, or damage his good name or his property, or to do bodily harm or damage the good name of a person for whose property and honour that other person is responsible, and makes such threats with the intention of inducing that other person to do anything which he is not required to do by law, or to prevent him from doing anything which he is entitled to do by law; or

(2) A person who in a similar manner and with a similar intention threatens people in general or people of a particular kind or category - shall be guilty of an offence against this Order.

/...

Power to
obtain in-
formation

58. A person who fails to obey an instruction given by a military commander or on his behalf to provide or present information or objects at his disposal to an authority or a person indicated in the instruction shall be guilty of an offence against this Order.

False in-
formation

59. (1) A person who makes a false declaration or submits a false document, or makes use of any document containing a falsehood in some essential detail, for a reason connected with this Order or an order made on the strength of this Order; or

(2) A person who forges a document issued for the purposes of this Order or of an order made on the strength of this Order, or makes use of, or lends to or allows any other person to make use of, such a forged document - shall be guilty of an offence against this Order.

D. Detention, Search, Seizure and Confiscation

Arrest and
detention

60. (1) A soldier may arrest without a warrant any person who violates the provisions of this Order or concerning whom there are grounds for suspicion that he has committed an offence against this Order.

(2) A person arrested in accordance with paragraph (1) above shall be sent as soon as possible to a place of detention designated in pursuance of this Order and shall be brought, within 96 hours from the time of his arrest, before a military court, which shall be competent to order the continuation of his detention from time to time for a total period of not more than six months, or his release subject to the conditions it shall determine.

(3) If a person is charged before a military court, the court shall be competent to order his detention until the end of his trial, or his release subject to the conditions it shall determine.

Seizure and
confiscation

61. (1) Any soldier may seize and take custody of goods, articles, documents and objects with respect to which he has reason to suspect that an offence against this Order was committed, or which he has reason to suspect were used in the commission of such an offence or for the purpose of facilitating the execution of any act constituting such an offence, or which he has reason to believe may serve as evidence of an act constituting such an offence.

(2) Goods, articles, documents or objects with respect to which an offence against this Order was committed, or which were used in the commission of such an offence or for the purpose of facilitating the execution of any act constituting such an offence shall be confiscated in favour of the IDF and shall be dealt with in whatever manner the Regional Commander shall direct.

(3) Goods, articles, documents or objects which are seized in accordance with this article as liable to confiscation or usable as evidence of an act constituting an offence and which are subsequently found not to be so liable or so usable shall be released.

Search

62. An officer, or a soldier authorized by an officer in general terms or in specific terms to do so, may at any time enter any place, vehicle, ship or aircraft which offers grounds for suspicion that it is being used or has been used for a purpose prejudicial to public tranquillity, the security of the IDF or its soldiers, or the maintenance of public order, or for purposes of insurrection, rebellion or agitation, or which invites the suspicion that it contains a person who has committed an offence, or goods, articles, documents or any other objects liable to seizure under this Order, and he may carry out a search of any place, vehicle, ship or aircraft and of any person present in it or leaving it.

/...

Searching of
persons

63. Any soldier may stop and search any person whom he has reason to suspect of making use of any object liable to seizure under this Order, or any animal suspected of carrying some such object.

Halting of
vehicles,
ships, and
aircraft

64. (1) A person authorized by this Order to enter any vehicle, ship or aircraft may stop or detain it by the use of force if that is necessary.

(2) A person who is in charge or in control of any vehicle, ship or aircraft and who does not stop it immediately when asked, orally or by means of a sign or by any other means, by a person authorized to do so, shall be guilty of an offence against this Order.

E. Restriction orders, surveillance orders and
administrative detention

Restriction
orders

65. (1) A military commander may make an order in respect of any person, for one or more of the following purposes:

- (a) to ensure that such person shall not be present in any of the areas of the Region stipulated in the order except in so far as he is permitted to be by the order or by an authority or person specified in the order;
- (b) to require him to provide information concerning his movements, in the manner, at the times, and to the authority or person specified in the order;
- (c) to prohibit or restrict the possession or use by such person of objects stipulated in the
- (d) to impose upon him restrictions stipulated in the order as regards his employment or business activity, or as regards his relations with other persons, or his actions in connexion with the dissemination of news or opinions.

(2) A person who violates an order made under this article shall be guilty of an offence against this Order.

Special surveillance

66. (1) A military commander may direct by an order that a person shall be placed under special surveillance.

(2) A person who is placed under special surveillance by an order made under this article shall be subject to the following restrictions, in whole or in part, as the military commander shall direct:

- (a) he shall be required to live within the limits of a certain place stipulated by the military commander in the order;
- (b) he shall not leave the town, village or district in which he lives without the written permission of the military commander;
- (c) he shall at all times keep the military commander, or the person indicated to him by the military commander, of the house and the place in which he is living;
- (d) he shall be under a duty to appear, whenever asked to do so by the military commander and at the place indicated to him;
- (e) he shall remain indoors in his house from one hour after sunset until sunrise.

(3) A soldier may arrest a person with respect to whom an order has been made under paragraphs (1) and (2) above and conduct him to the area in which he is required to be.

(4) A person who violates an order made under this article shall be guilty of an offence against this Order.

Administrative detention

67. (1) A military commander, or whoever is authorized to do so on his behalf, may direct by an order that a person shall be held in a place of detention which the military commander shall designate in the order.

(2) If an order is made under this article concerning a person with respect to whom there is an order in force which was made under article 65 or 66 above, the order made under this article shall be deemed to have replaced that other order.

(3) A soldier may arrest any person with respect to whom a military commander has made an order under this article and may conduct him to the place of detention designated in the order.

(4) For the purposes of this article there shall be established an advisory committee composed of persons appointed by the Regional Commander. A judge, who shall be appointed in pursuance of this Order, shall serve as chairman of the committee. The functions of the Committee shall be to examine any appeal against an order made under this article and to submit its recommendations to the military commander concerning such appeal. If a person is detained under this article, the committee shall make a judgement on his detention at least once in six months, whether or not the detained person appeals to it.

(5) A person held in a place of detention in keeping with the provisions of this article who commits an act that violates order and discipline shall be guilty of an offence against this Order.

F. Restrictions

Movement and
traffic

68. (1) A military commander, or a person acting with the general or special authorization of a military commander, may, by making an order or by giving instructions or otherwise,

- (a) prohibit, restrict or control the use of roads in general or roads in a particular area, or particular roads, or designate routes which vehicles, animals or persons shall follow either generally or under certain circumstances

- (b) require any person who owns or is in charge or in control of a vehicle to make use of the vehicle for the transport of goods at the times and on the roads that he shall specify;
- (c) prohibit, restrict or control the movement of persons generally, or of persons of a particular kind or category, or of particular persons, in aircraft, trains, motor-cars, buses, other vehicles and ships.

(2) Any soldier may by an order require the inhabitants of any town, village, area or quarter, in whole or in part, to remove from a road any barrier or obstacle, or any glass, nails, barricade or other hindrance likely to interfere with the use of the road.

(3) A person who violates an order, instruction or requirement imposed in accordance with this article shall be guilty of an offence against this Order.

Curfew

69. A military commander may by an order require any person within an area described in the order to remain at home during the hours specified in the order. A person who is away from home within that area during those hours without a written permit issued by the military commander or on his behalf shall be guilty of an offence against this Order.

Closed areas

70. A military commander may by an order declare any area or place a closed area for the purposes of this Order. A person who enters or leaves an area or place thus closed during the period in which such an order relating to that area or place is in force without a written permit issued by the military commander or on his behalf shall be guilty of an offence against this Order.

/...

Miscellaneous provisions

General
penalty

71. A person who commits an offence against the provisions of this Order shall be liable to imprisonment for a term of five years or to a fine of IL1,000, or both, unless a different penalty is expressly indicated for that offence.

Offences by
an organ-
ization

72. If an organization is convicted of an offence against this Order, any person who at the time of the offence was a leader or official of the organization shall be deemed to be guilty of that offence, unless he shall prove that the offence was committed without his knowledge or that he took all reasonable steps to prevent its commission.

Burden of
proof

73. A person charged with an offence against this Order shall have to prove that his case is within the sphere of the exemption, legitimacy or justification which he claims, or that he was in possession of some form of licence, permit, approval or authorization.

Title

74. This Order shall be known as "Order concerning Security Instructions".

The Commander of the IDF
in the Region

Order No. 1

Order concerning Closed Areas^{5/}

By virtue of my authority under articles 2 (2) and 70 of the Order concerning Security Instructions [see Annex to Proclamation No. 3 already translated - DG7], I hereby order as follows:

- | | |
|----------------------|--|
| Closed area | 1. The area of the GOLAN HEIGHTS is declared a closed area. |
| Prohibition of entry | 2. No person shall enter the Region of the GOLAN HEIGHTS from a region outside it without a permit issued by me or by the military commander of the Region of the Golan Heights. |
| Penalty | 3. A person who violates the provisions of article 2 shall be liable to a penalty of imprisonment for five years. |
| Entry into force | 4. This Order shall enter into force on the day of its signature. |
| Title | 5. This Order shall be known as "Order concerning Closed Areas (Golan Heights) (No. 1) - 1967". |

18 June 1967

David Elazar,
Colonel Commanding the
Israel Defence Force
in the Region of the
Golan Heights

^{5/} Published in "Proclamations, Orders and Announcements of the IDF Command in the Region of the Golan Heights", No. 1, 8 February 1968, p. 38.

Order No. 2

Order concerning Prohibition of Looting^{6/}

By virtue of my authority as IDF Commander in the Region, I hereby order as follows:

Prohibition
of Looting

1. Any person who loots, or breaks into a house, or other place, for the purpose of looting, or who knowingly aids and abets looting, shall be liable to a penalty of imprisonment for life.

Entry into
force

2. This Order shall enter into force on 18 June 1967.

Title

3. This Order shall be known as "Order concerning Prohibition of Looting (Golan Heights) (No. 2) - 1967".

18 June 1967

David Elazar,
Colonel Commanding the
Israel Defence Force
in the Region of the
Golan Heights

^{6/} Published in "Proclamations, Orders and Announcements of the IDF Command in the Region of the Golan Heights", No. 1, 8 February 1968, p. 40.

Order No. 5

Order concerning Establishment of Military Court^{7/}

By virtue of my authority as IDF Commander in the Region of the Golan Heights, and in accordance with article 5 of the Order concerning Security Instructions, I hereby establish a military court in the Region of the Golan Heights.

21 June 1967

David Elazar,
Colonel Commanding the
Israel Defence Force
in the Region of the
Golan Heights

^{7/} Published in "Proclamations, Orders and Announcements of the IDF Command in the Region of the Golan Heights", No. 1, 8 February 1968, p. 44.

Order No. 8

Order concerning Jurisdiction in Criminal Offences^{8/}

Whereas I deem this necessary for the maintenance of normal government and for the security of the IDF, I do hereby order as follows:

Judging of
criminal
offences

1. (a) In addition to the judicial powers given to the military courts which are established in accordance with the provisions of the Order concerning Security Instructions [see annex to Proclamation No. 3 already translated - DG], the said military courts shall be competent to judge any offence against a law of the Region which was in force immediately prior to the entry of the IDF into the Region, provided that the law was in force on the day the offence was committed, irrespective of whether it was committed before or after the IDF entered the Region.

(b) In this connexion, the provisions of the Order concerning Security Instructions and the powers provided for therein shall apply as if the offence against the laws of the Region were an offence against the said Order.

(c) If a person is convicted of an offence as described in paragraph (a) above, the military court shall be competent to impose a penalty which is not greater than that which an ordinary court of the Region would have been competent to impose in the case of conviction, provided that there is not some other provision concerning legislation which has been published by me.

^{8/} Published in "Proclamations, Orders and Announcements of the IDF Command in the Region of the Golan Heights", No. 1, 8 February 1968, p. 48.

Entry into
force

2. This Order shall enter into force on 30 June 1967.

Title

3. This Order shall be known as "Order concerning
Jurisdiction in Criminal Offences (Golan Heights) (No. 8) -
1967".

30 June 1967

David Elazar,
Colonel Commanding the
Israel Defence Force
in the Region of the
Golan Heights

/...

Order No. 11

Order concerning Security Instructions (Amendment No. 1)^{2/}

Substitution
for
article 44

1. In the Order concerning Security Instructions appearing as an annex to the Proclamation relating to Security Instructions (Golan Heights) (No. 3) - 1967 [already translated - DG] (hereinafter referred to as the principal order), article 44 shall be replaced by the following:

"Sabotage and
causing
death

(1) A person who intentionally causes the death of another or who commits sabotage in an IDF installation shall be liable to the penalty of death or to another penalty as the court shall direct.

(2) The court shall not impose the death penalty on a defendant who was under the age of eighteen years at the time the offence was committed."

Amendment of
article 71

2. In article 71 of the principal order, after the words "a person who commits an offence against the provisions of this Order" there shall be inserted the words "or who fails to comply with an instruction or obligation laid down in a proclamation or order of the Regional Commander or of a military commander".

Entry into
force

3. This Order shall enter into force on the day it is issued.

Title

4. This Order shall be known as "Order concerning Security Instructions (Golan Heights) (Amendment No. 1) (Order No. 11) - 1967".

3. July 1967

David Elazar,
Colonel Commanding the
Israel Defence Force
in the Region of the
Golan Heights

^{2/} Published in "Proclamations, Orders and Announcements of the IDF Command in the Region of the Golan Heights", No. 1, 8 February 1968, p. 52.

Order No. 12

Order concerning Security Instructions

Order concerning Establishment of Advisory Committee^{10/}

By virtue of my authority under articles 2 (2) and 67 (4) of the Order concerning Security Instructions [see annex to Proclamation No. 3 already translated - DG], I hereby order as follows:

Establishment
of Advisory
Committee

1. An advisory committee (hereinafter referred to as the Committee) shall be established composed of three persons whose chairman shall be a military judge from the list of judges appointed in respect of article 43 of the Order concerning Security Instructions and whose functions shall include the examination of any appeal with respect to an order of administrative detention issued under article 67 (1) of the Order concerning Security Instructions.

Composition
of Com-
mittee

2. I hereby appoint the officers designated below as members of the Committee:

- (1) Captain David Solomonov, Judge, Chairman of the Committee;
- (2) Major Joseph Alon, Member;
- (3) Major Yedidiah Argman, Member.

Powers of
Committee

3. The powers of the Committee are specified in article 67 (4) of the Order concerning Security Instructions.

Address and
meeting-
place of
Committee

4. The address of the Committee and its meeting-place shall be: Region of Golan Heights, Military Government House, Kuneitra.

^{10/} Published in "Proclamations, Orders and Announcements of the IDF Command in the Region of the Golan Heights", No. 1, 8 February 1968, p. 54.

Entry into
force

5. This Order shall enter into force on the day it is issued.

Title

6. This Order shall be known as "Order concerning Establishment of Advisory Committee (Golan Heights) (No. 12) - 1967".

4 July 1967

David Elazar,
Colonel Commanding the
Israel Defence Force
in the Region of the
Golan Heights

Order No. 13

Order concerning Movement and Curfew^{11/}

Whereas I deem this necessary for the maintenance of public order and security in the Region, I do hereby order as follows:

Curfew

1. No person shall remain outside the walls of his abode between the hours of 6 p.m. and 5 a.m. of the following day except with a written authorization issued by me, or on my behalf, and in accordance with the terms of that authorization.

Prohibition
of assembly

2. Assembling in the streets or public places is prohibited.

Identity
documents

3. Every person shall carry with him at all times an official document which bears his photograph and permits him to be identified.

Penalties

4. A person who violates the provisions of this Order, or who infringes any of the terms of an authorization permitting movement during the hours of the curfew, shall be liable to imprisonment for five years, or to a fine of IL 1,000, or both.

Entry into
force

5. This Order shall enter into force on the day it is issued.

Title

6. This Order shall be known as "Order concerning Curfew and Movement (Golan Heights) (No. 13) - 1967".

4 July 1967

David Elazar,
Colonel Commanding the
Israel Defence Force
in the Region of the
Golan Heights

^{11/} Published in "Proclamations, Orders, and Announcements of the IDF Command in the Region of the Golan Heights", No. 1, 3 February 1968, p. 56.

Order No. 18

Order concerning Land Transactions (dated 11 July 1967)^{12/}

(Summary)

No land transactions may take place without the permission of an official appointed by the Regional Commander. Transactions without such permission shall be null and void and without legal effect, and punishable by five years imprisonment or a fine of £1 15,000 or both.

^{12/} Ibid., p. 62.

Order No. 20

Order concerning Abandoned Private Property
(dated 20 July 1967) 13/

(Summary)

A custodian is appointed to look after property whose owners have left the region. The order provides that the custodian will hand back the property if the owner returns together with any income from it, subject to deduction of administrative costs.

13/ Ibid., pp. 66-70.

B. WEST BANK REGION

Order No. 58

Order concerning Abandoned (Private) Property^{14/}

Whereas I deem this necessary for the needs of normal government and public order, I do hereby order as follows:

Definitions

1. In this Order-

- (a) "Region" means the Region of the West Bank.
- (b) "Custodian" means the Custodian of Abandoned Property to be appointed in accordance with this Order.
- (c) "Date of reference" means 7 June 1967.
- (d) "Movable property" means any kind of property other than immovable property.
- (e) "Immovable property" means any sort of land regardless of the manner of its possession, any structure, tree or other thing affixed to land, any part of a sea, shore or river, and any right of enjoyment or beneficial mortgage with respect to land, water or what is on the surface thereof.^{15/}
- (f) "Property" includes movable and immovable property, money, securities, present or future claim on property, goodwill, and any right in an association, or in its administration, constituting private property.
- (g) "Abandoned property" means property whose legal owner or lawful possessor left the Region before the date of reference, on the date of reference or thereafter, leaving behind the property in the Region, except that property possessed by a

^{14/} Published in "Proclamations, Orders and Appointments of the IDF Command in the Region of the West Bank" No. 5, 15 November 1967, p. 158. This is the translation of the Hebrew text of Order No. 58, previously mentioned in the "Summary of Contents" of West Bank Gazette No. 5.

^{15/} Amendment No. 1 to the corresponding order for Golan Heights adds at this point the words "as well as minerals".

person who is not the owner shall not be regarded as abandoned property unless both the owner and the possessor are absent from the Region.

(h) "Private property" means any property not owned by the State which ruled the Region before the date of reference.

(i) "Financial year" means the year beginning on 1 April of a given year and ending on 31 March of the following year.

(j) "Corporate body" means a company, corporation or association of persons whether or not legally incorporated.

Appointment of Custodian 2. The Regional Commander shall appoint a Custodian of Abandoned Property.

Powers 3. (a) The Custodian shall have legal personality and may enter into contracts, take over and manage property, rent and let property, and acquire and dispose of movable property.

(b) Without prejudice to the generalities above, the Custodian may

(1) appoint inspectors of abandoned property and transfer to an inspector any of his powers except the power to appoint inspectors;

(2) appoint agents to manage abandoned property and establish and pay remuneration for their services;

(3) appoint other officials and employees.

Conveyance of abandoned property to Custodian 4. (a) All abandoned property is conveyed to the Custodian as from the time at which it becomes abandoned property, and the Custodian is empowered to take possession of it, and to adopt any measures he deems necessary in order to do so.

(b) All rights which an owner or possessor had in abandoned property automatically pass to the Custodian at the time of conveyance of the abandoned property; the authority of the Custodian is the same as that of the owner of the abandoned property.

(c) Ignorance of the identity of the owner or the possessor of the property does not prevent the property from being abandoned property.

- Handover of abandoned property 5. A person in control of abandoned property is under a duty to hand it over to the Custodian.
- Abandoned property of corporate body 6. Property which is owned or possessed by a corporate body shall be regarded as abandoned property subject to the provisions of article 4, if all of the partners, directors or administrators of the corporate body, as the case may be, have left the Region.
- Treatment of produce of abandoned property 7. The produce of abandoned property shall be regulated in the same way as the abandoned property which produces it.
- Care of abandoned property 8. (a) The Custodian shall take care of the abandoned property personally or through others with his written approval, for the purpose of ensuring the greatest possible protection of the abandoned property, or its full equivalent, on behalf of the owner or the possessor, as the case may be.
- (b) The Custodian may, personally or through others with his written approval, make any expenditures or investments necessary for the protection of the abandoned property, including the costs of maintaining, storing, transporting, repairing or developing the property, or for similar purposes.
- Sale of abandoned property 9. (a) The Custodian may sell abandoned property which is movable or the produce of abandoned property, if in the circumstances he finds that only such action will ensure under favourable conditions that the owner, or person in lawful possession of the property, will receive compensation for the value of his interest in the property.
- (b) The proceeds of the sale shall be placed in safe deposit by the Custodian, so as to enable him to fulfil the provisions of article 13 (a) below.
- Legitimacy of transactions 10. Any transaction entered into in good faith between the Custodian and another person with respect to property which the Custodian believed at the time of the transaction to be conveyed property shall not be annulled and shall remain valid even if it is shown that the property had not been conveyed at the time.
- Keeping of record 11. (a) The Custodian shall keep a full record of all property which comes into his possession.

(b) The record shall include:

- (1) the name of the owner of the abandoned property if known;
- (2) the date the property was taken over and the condition of the abandoned property at that time;
- (3) the steps taken to look after the property;
- (4) in the case of movable property: the place where it was received or found and the place where it is stored;
- (5) in the case of sale of movable property: the proceeds and the place where the proceeds are deposited;
- (6) all expenditure and income relating to the abandoned property.

Annual
report

12. Once a year and not later than six months after the end of the financial year, the Custodian shall present a report on his activities to the Regional Commander. This is without prejudice to the authority to request additional reports.

Restoration
to owner or
possessor

13. (a) If a person who was the owner or the lawful possessor of the abandoned property returns to the Region and proves his ownership of the abandoned property or his right to be in possession thereof, as the case may be, the Custodian shall transfer the property or the proceeds to him and thereupon such property shall cease to be abandoned property and all rights which that person enjoyed in such property immediately prior to its conveyance to the Custodian shall be restored to him or to whoever replaces him.

(b) At the time the property ceases to be abandoned property, the Custodian may collect compensation for his expenses in an amount which shall not exceed a percentage of the value of the property as determined in an order of the Regional Commander.

Penalties

14. (a) A person who misappropriates abandoned property or fails to hand over abandoned property to the Custodian shall be liable to imprisonment for five years or a fine of £1 10,000 or both.

(b) A person who interferes with the activities of the Custodian shall be liable to imprisonment for two years or a fine of £1 5,000, or both.

/...

(c) . Nothing in this article shall prevent the prosecution or conviction of a person for a different offence if his act constitutes an offence under a proclamation or another order of the Regional Commander, except that criminal responsibility shall not be entailed twice for the same act or omission.

Entry into force 15. This Order shall enter into force as from 23 July 1967.

Title 16. This Order shall be known as "Order concerning Abandoned (private) Property (West Bank) (No. 58), 1967".

23 July 1967

Uzi Narkis,
Colonel, Commanding the
Israel Defence Forces
in the Region of the
West Bank.

Order No. 150

Order concerning Abandoned (Private) Property
(Supplementary Provisions) (No. 1) 16/

Whereas I deem this necessary for the needs of normal government and public order and to safeguard the rights of the individual, I do hereby order as follows:

Definitions

1. (a) In this Order

"principal order" means the Order concerning Abandoned (Private) Property (West Bank) (No. 58), 1967;^{17/}

"enemy" has the meaning given it in the Order concerning Government Property (West Bank) (No. 59), 1967.^{18/}

(b) An expression which is defined in the principal order has the meaning it has in the principal order unless there is a provision in this Order which gives it a different meaning.

Explanatory provisions

2. In order to prevent any misunderstanding and without prejudice to the generality of the definitions contained in the principal order, it is hereby explained that the rights specified below are included in abandoned property:

(1) the right of tenancy, where the tenant has left the Region as stated in article 1 of the principal order;

(2) the right to rent living quarters, where the landlord has left the Region as stated in article 1 of the principal order;

(3) rights in a corporate body, including rights as a share-holder or bond-holder, where the person having such rights has left the Region as stated in article 1 of the principal order.

16/ Published in "Proclamations, Orders and Appointments of the IDF Command in the Region of the West Bank", No. 8, 29 December 1967, p. 311.

17/ See English translation of Order No. 58.

18/ Order No. 59 contains a definition not of "enemy" but of "enemy State" as follows: "'Enemy State' means The Hashemite Kingdom of Jordan, or any other enemy State, including the Government of the State, and any unit, mission, authority or corporate body of the State or Government."

Duty to make
declaration
concerning
property

3. (a) A person or association of persons in possession of, or managing or enjoying property which has been conveyed^{19/} shall submit to the Custodian, within 30 days from the entry into force of this article, a written declaration containing details concerning the conveyed property; and if the person or association commenced the possession, management or enjoyment of the property, without the approval of the Custodian, after the entry into force of this article, within 30 days after such possession, management or enjoyment commenced; and if the property became conveyed property after the entry into force of this article, within 30 days after it is conveyed.
- (b) A company registered in the Region or operating in the Region or having an office in the Region for the transfer or registration of shares shall, within 30 days from the entry into force of this article, submit a written declaration to the Custodian containing full details of all securities (including shares, undistributed shares, bonds and certificates of indebtedness) issued by the company and registered in the name of a person who has left the Region as stated in article 1 of the principal order and whether they are being held on his behalf or are in his possession; and if securities are associated, as indicated above, with a person who leaves the Region after the entry into force of this article, the company shall submit the said declaration to the Custodian within 30 days after the day he leaves the Region.
- (c) An economic association^{20/} having among its associates a person who has left the Region as stated in article 1 of the principal order shall be under a duty, as shall each of its associates, to submit to the Custodian, within 30 days from the date of entry into force of this article, a written declaration

^{19/} i.e., taken over by the Custodian as provided in the principal order - translator.

^{20/} i.e., co-operative, partnership etc. - translator.

containing full details concerning the share in the association of each associate that has left the Region and his other rights with respect to the association and his associates, and if an associate leaves the Region after the date of entry into force of this article, the association shall be under a duty, as shall each of the associates, to submit the said declaration within 30 days after the associate leaves the Region.

(d) Any person required under this article to submit a written declaration to the Custodian is also required to furnish him from time to time with reports, accounts and other documents or information, relating to the property in respect of which there is a duty to submit a declaration, as the Custodian may from time to time request.

(e) If the Custodian requests a person to furnish him, within the time specified in a notification, with reports, accounts or other documents or information, as stated in paragraph (d) above, that person shall be under a duty to comply with whatever is stated in the notification.

Corporate
body
controlled
from enemy
country

4. If the Custodian is convinced that the control of a corporate body or an association having property in the Region is in the hands of elements operating in an enemy country, he may take possession and assume the management of the said property, as if it were abandoned property.

Treatment
of property
of enemy
resident

5. The property of a resident of an enemy country who is not in the Region shall be treated in the same way as abandoned property.

Burden of
proof

6. A person who claims a right to ownership or lawful possession of property shall bear the burden of proof.

Deposit of
monies by
Custodian

7. The Custodian shall deposit all the income from property, and all other monies coming into his possession by virtue of his duties and powers in accordance with the provisions of article 9 of the principal order.

/...

Entry into
force

8. (a) This Order, with the exception of article 3, enters into force as from the entry into force of the principal order.

(b) Article 3 shall enter into force on 3 November 1967.

Title

9. This Order shall be known as "Order concerning Abandoned (Private) Property (Supplementary Provisions) (No. 1) (West Bank) (No. 150), 1967".

23 October 1967

Uzi Narkis,
Colonel, General Staff
and Commander of the
Israel Defence Force in the
Region of the West Bank.

Order No. 64

Order concerning Security Instructions (Amendment No. 5)²¹/*

By virtue of my authority as IDF Commander in the Region of the West Bank, I hereby order as follows:

Additional
article
54 A

1. The following shall be inserted after article 54:

"Disturbance, 54 A (1) Any person who behaves in an
insults and insulting manner towards an IDF authority
threats in the Region on one of its symbols, or

(2) Any person who threatens another
or insults him in a manner liable to disturb
the peace and public order, shall be guilty
of an offence against this Order."

Entry into
force

2. This Order shall enter into force as from 8 August 1967.

Title

3. This Order shall be known as "Order concerning Security
Instructions (West Bank) (Amendment No. 5) (Order No. 64) -
1967".

8 August 1967

Uzi Narkis,
Colonel, General Staff,
and IDF Commander of
the Region of the West Bank

12/ Published in "Proclamations, Orders and Appointments of the IDF Command in the Region of the West Bank", No. 5, 15 November 1968, p. 172.

* The text of the Security instructions applicable to the West Bank Region is not so far available. It seems, however, that it is similar to that applicable to the Golan Heights (see under section A above).

Order No. 66

Order concerning Protection of Holy Places^{22/}

Whereas I deem this necessary for the needs of normal government and military order, I hereby order as follows:

Protection of
Holy Places

1. The Holy Places^{23/} shall be protected from desecration and any other disturbance and from anything that is prejudicial to freedom of access of followers of a religion to the places sacred to them, or anything offensive to their sentiments regarding such places.

Offences and
penalties

2. (a) A person who desecrates a Holy Place or disturbs it in any other way shall be liable to imprisonment for seven years.

(b) A person who does anything that is prejudicial to freedom of access of followers of a religion to the places sacred to them or anything offensive to their sentiments regarding such places shall be liable to imprisonment for five years.

Legal safe-
guard

3. This Order is supplementary to and without prejudice to any other law or regulation.

Entry into
force

4. This Order shall enter into force on 10 August 1967.

Title

5. This Order shall be known as "Order concerning Protection of Holy Places (West Bank) (No. 66) - 1967".

10 August 1967

Uzi Narkis,
Colonel, General Staff,
and IDF Commander in
the Region of the West Bank

^{22/} Published in "Proclamations, Orders and Appointments of the IDF Command in the Region of the West Bank", No. 5, 15 November 1968, p. 175.

^{23/} The wording of this Order is almost identical with the text of a law adopted by the Knesset on 27 June 1967 (Laws of the State of Israel, No. 499, 28/VI/67, p. 75).

Order No. 143

Order concerning the Defence in a Military Court^{24/}

By virtue of my authority as IDF Commander in the Region of the West Bank and in order to ensure justice and the effective administration of justice, I hereby order as follows:

Definitions

1. In this Order -

"Military court" means a military court established in accordance with article 6 of the Order concerning Security Instructions. "Law" means an act of legislation of a legislative body which was in force on the day prior to the determining date, including any regulation made on the strength of such act of legislation. "Determining date" means 7 June 1967. "Lawyer" means a local lawyer or an Israel lawyer. "Israel lawyer" means a person authorized by the legislation of Israel to practice as a lawyer. "Local lawyer" means a person authorized by law to practice as a lawyer.

Defence in a
military
court

2. A person charged before a military court has the right to choose as his defence counsel a local lawyer or an Israel lawyer, or to conduct his own defence.

Appointment
of defence
Counsel by
military
court

3. (a) Where a defendant does not have defence counsel and if he agrees, the military court may appoint a lawyer or an officer with legal training to act as his defence counsel, provided either of the following conditions is present:

- (1) he is charged with murder or some other serious offence;
- (2) he is deaf, dumb or blind.

^{24/} Published in "Proclamations, Orders and Appointments" of the IDF Command in the Region of the West Bank, No. 8, of 24 December 1967, p. 143

(b) The military court must appoint such defence counsel if the defendant is charged with an offence whose maximum penalty is death and he agrees to the appointment.

(c) An Israel lawyer shall not be appointed as defence counsel, unless he agrees.

Duties of defence counsel appointed by military court

4. A defence counsel appointed by a military court shall represent the defendant in all proceedings before the court.

Cessation of representation by defence counsel

5. A defence counsel appointed by the defendant himself or named by the court shall not cease to represent the defendant so long as the trial for which he was appointed continues, except with the permission of the court.

Reservation as regards appointment of defence counsel

6. Where the military court has given a defence counsel permission to cease to represent the defendant by reason of lack of co-operation with his defender, the military court may, article 3 notwithstanding, refrain from appointing another defender if it sees that it is useless to do so.

Changing of defence counsel

7. If the defendant appoints a defence counsel to replace a defender named by the military court or previously appointed by him, the military court shall not refuse to give the previous defence counsel permission to cease to represent the defendant, unless it sees that the changing of defence counsel will necessitate an unreasonable delay in the trial.

Defence costs

8. Where a defence counsel has been appointed by the military court, the defence costs including the costs and remuneration of the defender and the witnesses, shall be paid by one of the authorities of the Region, including a local authority, as the Commander of the Region shall direct.

Prohibited remuneration

9. A defence counsel appointed by the military court shall not accept from the defendant or another person any remuneration, fee, gift or other favour.

Interpreter
for
defendant

10. If a defendant does not understand Hebrew, the court shall appoint an interpreter to translate for him what is said during the proceedings and what is decided by the court, unless the defendant voluntarily dispenses with translation, in whole or in part. The defendant shall have the right to object to the interpreter and to request that he be changed.

Entry into
force

11. This Order shall enter into force on 8 October 1967.

Title

12. This Order shall be known as "Order concerning the Defence in a Military Court" (West Bank) (No. 143) - 1967.

8 October 1967

Uzi Narkis,
Colonel, General Staff,
and IDF Commander in
the Region of the West Bank

/...

Order No. 144

Order concerning Security Instructions (Amendment No. 9)^{25/}

By virtue of my authority as IDF Commander in the Region of the West Bank, I hereby order as follows:

Replacement
of
article 35

1. In the Order concerning Security Instructions annexed to the Proclamation relating to the Entry into Force of the Order concerning Security Instructions (West Bank) (No. 3) - 1967 (hereinafter referred to as the principal Order),^{26/} replace article 35 by the following text:

"Period of detention 35. If a military court sentences a convicted person to imprisonment, any period during which that person was subjected to detention in connexion with the same offence prior to the sentence shall be included in the term of imprisonment."

Amendment of
article 39

2. In article 39 (1) (c), replace the words "and mitigate the penalty or suspend it", by the words: "pardon the convicted person or mitigate the penalty, in whole or in part, by reducing it, altering it or making it conditional. For the purposes of this Order, a fine shall be regarded as a lighter penalty than any term of imprisonment".

Replacement
of
article 42

3. Replace article 42 by the following text:

"Penalties 42 (a) (1) If a person is found guilty of an offence before a military court, the court may, subject to the provisions of article 43 (3) (b) below, sentence him to a term of imprisonment, or a fine, or both.

^{25/} Published in "Proclamations, Orders and Appointments of the IDF Command in the Region of the West Bank", No. 3, 29 December 1967, p. 303.

^{26/} Not so far available in Hebrew, but see translation of Security Instructions for the Golan Heights.

(2) In addition to any penalty of imprisonment imposed by a military court, the court may, for non-payment of a fine, impose a sentence of imprisonment for a term which it deems appropriate, provided that it is not more than two years.

(3) A term of imprisonment for non-payment of a fine shall be served after any sentence of imprisonment to be served by the convicted person.

(b) If a person is sentenced to imprisonment, including imprisonment for non-payment of a fine, and before he completes his sentence he is sentenced to imprisonment again for a different offence, the second term of imprisonment shall begin at once and be concurrent with the first, unless the military court directs otherwise.

(c) A military court which has imposed a sentence of imprisonment, other than for non-payment of a fine, may order that the term of imprisonment shall be served, in whole or in part, at hard labour. The Regional Commander shall determine from time to time what kinds of labour shall be imposed on a person who has received such a sentence.

(d) (1) A military court which has imposed, for an offence other than the non-payment of a fine, a sentence of imprisonment for a fixed term may order that the sentence shall, in whole or in part, be conditional.

(2) A person sentenced to conditional imprisonment shall not serve his penalty unless during the period stipulated in the sentence (hereinafter referred to as the conditional period) he commits one of the offences defined in the sentence (hereinafter referred to as an additional offence).

(3) If the convicted person receives a conditional sentence and he is found guilty of an additional offence during or after the conditional period, the court shall order the application of the conditional penalty.

/...

(4) If the convicted person is found guilty and the military court fails to order the application of the conditional penalty a military prosecutor may, not later than thirty days after the court's sentence, request the court to apply the conditional penalty.

(5) A person who has been sentenced to imprisonment for an additional offence and against whom a conditional sentence of imprisonment has been applied, shall serve the two terms of imprisonment successively unless the military court, for reasons which shall be placed on record, directs that the two terms, in whole or in part, shall overlap.

(6) An order given under sub-paragraphs (3) to (5) above shall, for all intents and purposes, be deemed to be a sentence of a military court."

Amendment of
article 46

4. In article 46 (a) of the principal Order -

(1) In sub-paragraph (a), after the words "explosive or incendiary substance", insert the words "device, substance or object designed or liable to cause death or serious damage".

(2) Delete sub-paragraph (b).

Additional
paragraph
50A

5. Insert after paragraph 50 of the principal Order:

"Non-pre-
vention
of an
offence
50A. A person who knows that another person intends to commit an offence punishable by a term of imprisonment of more than three years and fails to take reasonable action to prevent its commission or its completion shall be guilty of an offence against this Order."

Amendment of
article 71

6. In article 71 of the principal Order, replace the words "a proclamation or order of the Regional Commander or of a military commander" by the words "a security regulation", and replace the words "IL 1,000" by the words "IL 5,000".

Rescinding
of Order
No. 27

7. The Order concerning Jurisdictional Powers (West Bank) (No. 27)^{27/} is rescinded.

^{27/} So far not available.

Entry into
force

8. This Order shall enter into force on the day of its signature.

Title

9. This Order shall be known as "Order concerning Security Instructions (West Bank) (Amendment No. 9) (Order No. 144) - 1967".

22 October 1967

Uzi Narkis,
Colonel, General Staff,
and IDF Commander of
the Region of the West Bank

/...

Order No. 157

Order concerning Prolongation of Detention Warrant
(Temporary Provision) 28/

By virtue of my authority as IDF Commander in the Region, I hereby order as follows:

Definitions

1. In this Order -

"Order concerning Security Instructions" means the Order concerning Security Instructions annexed to the Proclamation relating to the Entry into Force of the Order Concerning Security Instructions (West Bank) (No. 3) - 1967".

"Police Officer" means an officer referred to in the Order concerning Police Forces Co-operating with the IDF (West Bank) (No. 52) - 1967.^{29/}

Prolongation
of warrant
of deten-
tion

2. A police officer whose rank is not lower than that of "Pakad"^{30/} whose attention has been drawn to the fact that the investigation material being assembled against a person in respect of whom a detention warrant has been issued as stated in article 60 (4) of the Order concerning Security Instructions^{31/} requires that he continue to be held in custody, may, notwithstanding what is stated in the Order concerning Security Instructions, prolong the validity of the detention warrant for an additional period of not more than seven days.

^{28/} Published in "Proclamations, Orders and Appointments of the IDF Command in the Region of the West Bank", No. 8, 29 December 1967, p. 324.

^{29/} The Hebrew text of Order No. 52 is as yet not available. A French translation of that text indicates that the police referred to are members of the Israel Police.

^{30/} Probably Police Commander.

^{31/} This Order in the Golan Heights version has no paragraph (4). Article 60 expressly states that no warrant is needed, and it may be that paragraph (4) refers to warrants in the case of arrests for offences against the local law.

Applicability
of provisions

3. The provisions of articles 60 (7) and 60A of the Order concerning Security Instructions shall apply to a detention warrant prolonged as stated in paragraph 2 above, unless the detained person shall have been released by an order of a police officer whose rank is not lower than that of "Pakad".

Entry into
force and
temporary
provision

4. (a) This Order shall enter into force on the day of its signature.

(b) This Order shall cease to be valid three months after the day of its entry into force, unless it is rescinded, amended or prolonged by me before the expiry of that date, but there shall be nothing in the expiry of the validity of this Order to prevent the continuation of its validity for the period specified in a detention warrant issued on the strength of this Order.

Title

5. This Order shall be known as "Order concerning Prolongation of Detention Warrant (Temporary Provision) (West Bank) (No. 157) - 1967".

1 November 1967

Uzi Narkis,
Colonel, General Staff,
and IDF Commander of
the Region of the West Bank

/...

ISRAEL DEFENCE FORCE

Order No. 160

Clarification Order (Supplementary Provisions) (No. 1)^{32/}

By virtue of my authority as IDF Commander in the West Bank, I hereby order as follows:

Definitions

1. In this Order -

"The Official Gazette" means what it means in the Definitions Ordinance, 1945.

"Secret law" means any act of legislation of which the Region was not informed by its enacter during the period between 29 November 1947 and 15 May 1948 and which was not published in the Official Gazette in spite of its being of a type of legislation whose publication in the Official Gazette was, during that period, mandatory or customary.

Secret law

2. In order to eliminate uncertainty, it is hereby stated that no secret law has, or ever has had, any validity.

Title

3. This Order shall be known as "Clarification Order (Supplementary Provisions) (No. 1) (West Bank) (No. 160) - 1967".

5 November 1967

Uzi Narkis,
Colonel, General Staff,
and IDF Commander of
the Region of the West Bank

^{32/} Published in "Proclamations, Orders and Appointments of the IDF Command in the Region of the West Bank, No. 8, 29 December 1967, p. 329.

/...

Order concerning Security Regulations (Amendment No. 4)
(dated 27 July 1967)

(Summary)^{33/}

In the Security Regulations (see translation of corresponding Order for Golan Heights) the Order amends article 1 (1) to include definitions of "Chief Military Prosecutor" and "Legal Adviser" (i.e. adviser to a military Commander); replaces article 44 with an article entitled "Sabotage and Causing of Death", which imposes a death sentence "or other penalty as the Court shall direct" on a person who intentionally causes the death of another, or sabotages IDF installations and which rules out the death penalty for persons under eighteen at the time of the offence; inserts a paragraph 2 (a) after article 67 (a) which requires an officer issuing a detention order to inform the legal adviser thereof within ninety-six hours; inserts in article 71 the words "or who fails to comply with a provision or obligation laid down in a proclamation or in an order of the Regional Commander or of a military commander", and cancels Order No. 53 (Amendment No. 3 to the Security Regulations).

^{33/} Translated from "Proclamations, Orders and Appointments of the IDF Command in the West Bank Region", No. 5, 15 November 1967.

Order No. 163

Order concerning Reporting of Wounded Persons^{34/}

By virtue of my authority as IDF Commander in the Region of the West Bank, I hereby order as follows:

Definitions

1. In this Order -

"Hospital" means any place in which ill or wounded persons are treated.

"Administrator of Hospital" includes the person responsible for running or supervising the hospital at the time.

Information
by doctor
concerning
wounded
person

2. A doctor, medical assistant or nurse who treats a person for a wound liable to have been caused by a firearm, bomb, grenade or explosive substance shall, immediately after treatment, so inform the nearest police-station.

Information
by hospital

3. The administrator as well as the reception officer of a hospital to which a person as described in article 2 has come or in which such a person is present shall immediately so inform the nearest police-station.

Entry into
force

4. This Order shall enter into force on 1 November 1967.

Title

5. This Order shall be known as "Order concerning Reporting of Wounded Persons (West Bank) (No. 163) - 1967".

5 November 1967

Uzi Narkis,
Colonel, General Staff,
and IDF Commander in the
Region of the West Bank.

^{34/} Published in "Proclamations, Orders and Appointments of the IDF Command in the Region of the West Bank", No. 8, 29 December 1967, p. 332. This is the translation, as requested, of the Order described in the "Summary of Contents of Gazette No. 8 for the West Bank.

Order No. 164

Order concerning Local Courts
(Status of IDF Authorities) 35/

By virtue of my authority as IDF Commander in the Region, I hereby order as follows:

Definitions

1. In this Order -

"local court" means a lawfully constituted court;
"claim" means a claim in any civil, criminal or other matter and includes a demand, in an order, judgement or otherwise, to appear in court, to enter or oppose a plea, in writing or orally, under oath or otherwise, to testify, to present or open files or documents, to provide details or to answer questions in writing or orally, to furnish security, or to do or not to do anything in any legal proceeding.

Non-competence
with respect
to claims

2. No claim shall be brought in a local court, and a local court shall not consider a claim and shall not issue an order, judgement or other instruction authorizing or entertaining a claim, directed against any of the following:

- (1) the State of Israel, its authorities or its employees;
- (2) the Israel Defence Force or its soldiers;
- (3) the authorities which have been appointed by the IDF Commander in the Region or by a military commander or which have been empowered by them to operate in the Region;
- (4) persons serving in the authorities mentioned in paragraph (3) above;
- (5) persons engaged in the service of the IDF or in IDF missions.

35/ Published in "Proclamations, Orders and Appointments of the IDF Command in the Region of the West Bank", No. 8, 29 December 1967, p. 333.

/...

Reservation
as to non-
competence

3. The provisions of article 2 above notwithstanding, the IDF Commander in the Region, or a person empowered by him to do so, may:

- (1) authorize in a particular proceeding, or with respect to a particular person, the giving of evidence, the furnishing of documents or disclosure of information, and the giving of details or replies to questions in writing or orally; or
- (2) authorize the bringing of a claim in a local court against a person working in the service of the IDF or in an IDF mission or in the service of any of the authorities mentioned in article 2 (3).

Evidence

4. A certificate signed by the IDF Commander in the Region or by a person empowered by him to do so shall serve as conclusive evidence that a provision of this Order applies to a person whose name is given in the certificate.

Appeals

5. (a) A person who considers himself to have been injured by an act or omission of an authority or a person specified in article 2 above may apply to the IDF Regional Commander and complain about the act or omission or appeal against it.
- (b) Nothing in this article shall prejudice the right of a person to apply to an appeals committee which shall be established for the purpose of considering matters of certain kinds.

Entry into
force

6. This Order shall enter into force on the day of its signature.

Title

7. This Order shall be known as "Order concerning Local Courts (Status of IDF Authorities) (West Bank) (No. 164), 1967".

Dated 3 November 1967

Signature: Uzi Narkis,
Colonel, General Staff,
and IDF Commander in the
Region of West Bank.

C. GAZA STRIP AND NORTHERN SINAI REGION

Order No. 257 concerning Extension of Detention Ordinance
(Temporary Provision) (Extension of Validity) (dated
8 January 1969) 36/

The Order extends for an indefinite period, pending further order by the Regional Commander, Order No. 114, of 1967, on the same subject, as extended by Order No. 215, of 1968 /of which the Hebrew text is not available/.

36/ "Proclamations, Orders and Announcements of the IDF Command in the region of the Gaza Strip and Northern Sinai", No. 14, 11 June 1969, p. 1018.

Order No. 263 concerning Prosecutions (Amendment No. 1)
(dated 16 February 1969) (Summary) 37/

The Order amends various paragraphs of the original order (No. 234, of 1968, as yet not available in Hebrew). Article 7 (b) is replaced by a paragraph which empowers the officer in charge of prosecutions to compel the appearance of witnesses and the submission of evidence in connexion with the consideration of a prosecution. Article 8 is replaced by an article providing for the appointment of a prosecutions appeals committee to hear objections to the decisions of the officer in charge of prosecutions. According to two articles inserted after article 9, the chairman must be a legal expert and the committee is guided only by the law and by security regulations and is independent of the Commander's authority. In its procedure it is not bound by the rules of evidence, except that it must ensure the right of any applicant to appear before it or be represented by counsel. Otherwise, the chairman of the committee is the master of its procedure and the committee may meet behind closed doors.

37/ Ibid. (page not known).

Order No. 266 concerning Identification of Goods (Amendment No. 1)
(dated 18 February 1969) 38/

968, The Order inserts a new article after article 4 of the original Order
ich (No. 168, of 1968, the Hebrew text of which is as yet unavailable, except in the
of a version for the Golan Heights) providing that the authority responsible for the
at application of the original order may, with the agreement of a person who has
violated it or is suspected of violating it, accept a compensatory sum of money
greater than the maximum fine for the offence, and in that case the person
concerned will not be prosecuted, or if he is on trial, the proceedings will be
y stopped.

38/ Ibid., p. 1040.

Instruction concerning Designation of Places of Detention
and Imprisonment (dated 5 February 1970) 39/

By virtue of my authority under article 37 of the Order concerning Security Instructions and article 1 of the Order concerning the Operation of Custody Facilities (Gaza Strip and Northern Sinai) (No. 25) - 1967, I hereby determine that:

1. Any prison that is designated as a place of detention and imprisonment in the security regulations of the Region of Judea and Samaria shall serve as a place of detention and imprisonment for persons in custody who are residents of Judea and Samaria.
2. This Instruction shall come into force on 5 February 1969.

5 February 1969

Mordecai Gur, Lt.-Col.,
IDF Commander in the
Region of the Gaza Strip
and Northern Sinai.
