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Israel Defense Force

Order No. 1500

Order Regarding Detention in Time of Combat (Temporary Order)

Pursuant to my authority as commander of IDF forces in the region, and in light of the exceptional security circumstances currently prevailing in the region, and whereas reasons of the security of the region and public safety so require it, including the need to combat the terror infrastructure, in all its parts, components, organizations and bodies, and being of the opinion that such action is necessary to thwart acts of terror and to destroy the terrorist infrastructure, and also to prevent harm to IDF forces and public order, I hereby order, as a temporary regulation, as follows:

Definitions

1. For the purpose of this Order –

“detainee” – A person who is detained during the combat actions in the region, commencing on 16 Nissan 5762 (29 March 2002), and the circumstances of his detention raise the suspicion as to the detainee that he endangers or is liable to endanger the security of the region, the safety of IDF forces or public safety.

“officer” – an IDF officer holding the rank of captain or higher, or a police officer holding the rank of superintendent or higher.

Detention in time of combat

2. a. Notwithstanding the provisions of section 78(a) – 78(d) of the Order Regarding Security Provisions (Judea and Samaria) (No. 378), 5730 – 1970 (hereinafter: the Order Regarding Security Provisions), an officer will be authorized to order that a detainee be held in detention, for a period not to exceed eighteen days (hereinafter: the period of detention).
- b. No later than eight days from the day of his detention, a detainee will be given the opportunity to make his case.
- c. Notwithstanding the provisions of subsection (a), the officer who is authorized by me for this purpose, may order the release of a detainee prior to the end of the period of detention, if he finds that the detention of the detainee is no longer necessary.

d. A detainee may continue to be held in detention for the purpose of investigation, in excess of the period of the detention, pursuant to a detention order given by an attorney-judge, in accordance with section 78(f) of the Order Regarding Security Provisions.

Prohibiting meeting with attorney

3. a. Notwithstanding the provisions of sections 78B and 78C of the Order Regarding Security Provisions, a detainee will not meet with an attorney during the period of the detention.
- b. Prohibiting a meeting of a detainee with an attorney at the end of the period of the detention will be done only upon the order of an approving authority, in accordance with the provisions of section 78C(c)(2) of the Order Regards Security Provisions.

Transition order and preservations of laws

4. a. This Order will also apply to a detainee who is detained pursuant to the provisions of the Order Regarding Security Provisions prior to the time that this Order took effect.
- b. For the avoidance of doubt, this Order will also apply to a detainee against whom a detention order was issued pursuant to section 78(f) of the Order Regarding Security Provisions prior to the time that this Order took effect.
- c. Subject to the aforesaid, the provisions of this Order do not derogate from the provisions of the Order Regarding Security Provisions.

Commencement of validity

5. This order shall take effect on the day of its signing and will remain in effect for two months.

Name

6. This Order will be called: Order Regarding Detention in Time of Combat (Temporary Order) (Judea and Samaria) (No. 1500), 5762 – 2002.

23 Nissan 5762

5 April 2002

[signed]

Yizhak Eitan, Major General

Commander of IDF Forces in
Judea and Samaria