Guidelines for a Homeland Security Strategy

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Executive Summary

This memorandum posits that the agencies in charge of regulating security in Israel are working in an insufficient and unsynchronized manner. These agencies include the Israel Police's Security Division, the Israel Security Agency (Shabak), the Ministry of Defense Security Authority (MALMAB), the Israel Defense Forces (IDF), the Privacy Protection Authority, and the Ministry of Public Security Firearms Licensing Branch.

Given this situation, this memorandum presents and details the need to create a governmental security authority that would be in charge of regulating security in Israel and would be the authoritative agency on this matter. Such agency will oversee, direct, and regulate the national, governmental, and private security activities in the State of Israel.

A survey of homeland security in other countries reveals that many have established a process of organizing and defining security in terms of responsibilities, legislation, and powers. All the countries surveyed also lack a governmental agency that centralizes security under its authority. Although uncertainties between the various agencies regarding responsibilities and authority exist in all the countries reviewed, and while several countries are working to remedy said deficiencies through legislation and organization, Israel lags behind. Israel faces a wide range of threats, including terrorist and criminal threats, necessitating the evaluation of up-to-date security policy and selection of a suitable approach to organize the security field in the country.

The Fundamental Problems of Security
The problems in security include:

Unsupervised Security entities: Israel has many entities and institutions that conduct (or refrain from conducting) various security operations and operate without any regulations or guidance. At times, such entities employ security guards who were trained under police supervision and receive guidance from the police but are unfamiliar with its most up-to-date guidelines.

Shifting roles and powers in the security field: The void, stemming from the lack of regulation in the security industry,is exploited by property owners and interest groups and have thus encouraged security roles and powers to shift from governmental bodies to non-governmental, civilian ones.

Legislative issues: The law is not always clear regarding security objectives. For example, it is not always apparent if the law allows security operations to also be used for protecting public order and not merely for preventing terror attacks. Additionally, the powers granted by the legislation do not seem to match the objectives of the law in every situation. In addition, the powers granted by the law to security personnel are not easily understandable and applicable, and often do not include—most likely intentionally—the possibility of responding to certain situations. For this reason, the security array is compelled to resort to use of civilian powers, which in turn leads to complex legal issues.

These conflicts of interest and pressures from stakeholders in the security field, along with the privatization of a large number of activities—without proper oversight—harm the level of security that Israel provides its citizens. It should be mentioned in this regard that securing educational institutions and public transportation was initially the responsibility of select police units before being handed over to private security companies.

Are armed citizens a burden or an asset? This issue has not been resolved in Israel and shifts depending on the circumstances. During terror attacks, armed citizens are considered assets but are seen as a burden when murders occur. Human rights organizations repeatedly demand to reduce the number of firearms possessed by civilians; however, decision makers have been inconsistent in their decisions on this matter and in establishing criteria for issuing firearms licenses.

Reactionary and lacking initiative: Security entities in Israel primarily engage in "chasing after events" and in closing gaps in ways that are neither optimal nor professional. Since a long-term planning approach is lacking, many of the threats that surface do not receive any serious attention, not even in hindsight.

The absence of a satisfactory link between security and homeland security policies: Even though Israel does not have a formally approved homeland security policy, this issue has been discussed immensely, and the government tends to act according to an accepted approach even if it is an informal one. In contrast, a security policy has never been discussed at the national level. Over the years terror attacks have led to a deterioration of security, and therefore the absence of a security policy could ultimately lead to a war as a result of security events. The reason for this is clear: From Israel's history, we learn that there is a direct link between the severity of the damage and the scope of a terror attack and the response that follows. A terror attack that is thwarted or results in few casualties does not result in a response or may elicit only a minor one, while a "successful" attack with a large number of casualties is likely to lead to a widespread response and escalation.

These fundamental issues cannot be resolved with the current regulatory structure. This is why a homeland security policy must be developed and implemented with a long-term vision, both because of the substantial amount of time

needed to apply this far-reaching decision (regarding personnel and the necessary training), and due to the need for up-to-date technology and its implementation. As Israel suffers from a constant lack of trained security personnel, only a comprehensive vision of the needs and the possible responses can provide a balance between the demands and the capabilities needed and the resources necessary to enable and encourage work in the security industry.

The Establishment of a Homeland Security Authority

In this memorandum, we put forth a recommendation for the creation of an independent homeland security authority, operating under a government minister, and capable of considering the overall needs, including those of everyone engaged in this field, and the necessary balance that is inherent in a democratic state. This national authority will serve as an executive body that will determine the regulations and criteria in the operational, intelligence, methodological, instructional, and technological aspects of security as well as all that relates to human resources; essentially, it will serve as an hub for the entire security industry.

This authority will not replace the current operational agencies; however, some agencies may have to change their procedures because this proposed authority will become the primarily regulator, while the existing entities will be responsible for adapting the authority's regulations to their subordinates and supervising their implementation. In addition, the existing entities will be required to pass on to the authority any intelligence they may have in their possession.

The purpose of this authority is to develop—and later update—a homeland security policy and to actively implement it, to advise the government on the security

policy in Israel, and to regulate the various regulatory and executive entities under these policies. The primary roles of this authority are detailed as follows:

- Develop a homeland security policy for Israel and to actively implement it;
- Serve as the central regulator for the supervising agencies in the security industry (the Israel Police, IDF, MALMAB, Shabak);
- Regulate the civilian entities that are not under the authority of any of the aforementioned regulatory agencies;
- Advise other agencies with overlaping regulatory authority over the field security, such as the Privacy Protection Authority, the Ministry of Economy and Industry, and the Israeli Defense Export Controls Agency (DECA), and to provide guidance on all topics that affect the field of security;
- Formulate the threat reference and determine priorities in responding to them;
- Supervise the implementation of the security policy.

As for the organization of this authority and its leadership, it is proposed that it should have a matrix organizational structure. Alongside those who have subject matter roles, there will be liaisons to agencies and institutions, both regulated and unregulated. The current regulatory agencies (the Israel Police, IDF, Shabak, and MALMAB) will maintain their authority, but will, however, be subject to the principles determined by the authority with regard to the security policy, personnel, and the required training.

The authority will also need to develop the following specific areas:

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1) Development of a homeland security policy. This policy will help determine the security methodology (i.e., the methods and measures through which the homeland security policy will be implemented).

2) Training of suitable qualified personnel, who are the key component to the implementation of the homeland security policy and methodology. In order to train qualified personnel, the proposed homeland security authority will need to determine the requisite security roles as well as the qualifications required of the personnel to be trained and employed in the security field; to develop the appropriate training processes for these various roles, and to establish an oversite mechanism to ensure these standards are met..

3) Determining the weapons and technological means that are most appropriate for the relevant bodies and providing assistance in acquiring them. Additionally, the proposed authority should identify technological gaps and determine future operational needs to develop and purchase the appropriate means for dealing with future threats and for planning a long-term security budget.

4) Validating and embedding the homeland security policy and its methodology through a comprehensive exercise/drill training program that should be incorporated into Israel's national preparatory drills with the proposed authority initiating and executing specific drills.

5) Finally, this proposed authority should work with the legislative and judicial branch regarding legislation in the field of security and the interpretation of laws in the court system.

The situation in Israel requires the establishment of a homeland security authority. This requires various preliminary steps, the first of which is the approval of

the principles discussed in this document by the government of Israel, so that a decision to establish a homeland security authority can made. After approval of the formation of the authority, the plan presented in this document must be thoroughly examined.

As customary in Israel, it would be difficult to establish a new powerful agency without the cooperation of all security and executing entities. This is why it is proposed that all the regulating agencies in the security field should participate in the final and precise formulation of the requirements and the definition of this new authority and of its structure accordingly.

Introduction

On Monday, September 12, 1949, Avraham Tsarfati, a new immigrant from Iran, infiltrated into the Kesem theater in Tel Aviv (now the Opera House), which was then the temporary location of the Israeli Parliament, the Knesset, and aimed a Sten submachine gun at the government's table, where Prime Minister David Ben-Gurion was sitting. Knesset Usher, Yitzhak Ziegler, then rushed Tsarfati, disarmed him, and knocked him to the ground before he could fire. When he was interrogated, Tsarfati stated that he had wanted to convince the Knesset members to establish a third temple.[1] This event can be seen as the first politically motivated attack in the young country's history; of course, it would not be the last.

Eight years later on October 29, 1957, during a routine session in the Knesset, which at the time was located at "Frumin House" in Jerusalem, Moshe Dwek threw a grenade toward the government's table. Prime Minister David Ben-Gurion, Foreign Minister Golda Meir, and Transportation Minister Moshe Carmel were lightly wounded, while Moshe Shapira, the religions minister, was seriously injured. This attack provided the impetus to form the personal protection unit in the Shabak according to a much wider model than in the past.

Israeli civilians have been subjected to numerous security threats over the years. In the 1950s, the Palestinian *fedayeen* (guerilla fighters) crossed the border to conduct sporadic terror attacks. In July 1968, an El Al passenger jet (Flight 426) from Rome to

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[1] Since the destruction of the Second Temple in 70 CE, some religious Jews have expressed their desire to see a Third Temple built on the Temple Mount in Jerusalem.

Lod airport was hijacked and forced to land in Algeria. In May 1972, the Japanese Red Army (on behalf of the People's Front for the Liberation of Palestine led by George Habash) carried out a serious attack at Ben-Gurion Airport. In September 1972, Israeli athletes were massacred at the twentieth Olympics in Munich, Germany. These events, similar to many other attacks against civilian targets in Israel and abroad that are motivated nationalism, anti-Semitism, and political differences, served as the catalyst for Government Decision no. 231.[2] This was the first decision defining the areas of responsibility of the various security agencies.

On May 15, 1974, three terrorists from the Democratic Front for the Liberation of Palestine killed a passenger on a bus and then murdered three residents in the town of Ma'alot. They then took a group of schoolchildren hostage. An attempt to free the hostages failed, resulting in the deaths of 22 children and an IDF soldier and injuring 68 civilians and soldiers. The three terrorists were killed in an exchange of fire with the IDF. The massacre in Ma'alot hastened Government Decision no. 411 on January 26, 1975,[3] which laid the foundation for the civilian security industry. It created the basis for the division of responsibilities between the various security agencies, and determined the relationships between a regulatory entity and one which is regulated in the security field.

This decision stated that the regulating agency would be in charge of determining the security doctrines, guidelines, methods, and tools for carrying out security, for training and supervising security officers and other security personnel

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[2] See Government Decision no. 231 [in Hebrew].

[3] See Government Decision no. 411 [in Hebrew].

and for disseminating intelligence. According to the decision, it would be the responsibility of the entity being regulated to initiate contact with the regulating entity and present it with the importance of each action carried out, obtain the resources (personnel and budget) to implement the guidelines it receives, and establish a means of supervising and reporting on what actually transpired. This would be acomplished by the appointment of a security officer.

The terror incidents mentioned here compelled Israeli decisionmakers to establish the responsibility and the operational models for dealing with terrorism in Israel and abroad. Although terrorism at first was a tactical factor, it has become a strategic one that influences the homeland security of many countries. Although a homeland security policy exists in Israel—even if unofficially—a security policy has never been drafted for various reasons. Without one, a small number of laws and regulations serves as the main tool for the various security entities.

The expansion of threats in the civilian public space requires streamlining and building of professional capabilities to provide an integrated security response. This is how the role of the security manager was created in various organizations. In the past, security managers focused on physical security, but nowadays the scope of their responsibilities has increased, and in addition to the classic physical security, the security manager is responsible for information security, emergency preparedness, and providing initial response.

What Is Security?

Protecting the public from non-military and non-criminal threats is not a new phenomenon, with the government relying on the police and law enforcement agencies to provide security to citizens for many years. Security is defined as all the

actions and means invested to protect a person or organization and its assets against malicious acts by hostile people or organizations.[4] The assets to be protected include human life, property, reputation, and intellectual property.

While classic police duties, such as law enforcement and maintaining order, fighting crime, enforcing traffic laws, handling explosives, and the like have not been privatized or transferred to other entities and have remained the full responsibility of the police, security has evolved differently. Although the Israel Police were given responsibility for security by Government Decision no. 411 of 1975, a security division was established within the Israel Police only in the late 2000s when the police began to professionally handle the field (until then only a small department dealt with security). Today, the responsibility of providing protections against terrorism in Israel rests primarily with civilian security personnel, some of them under the direction of the Israel Police.

This memorandum does not address why security was not established as a unique discipline, why it was not established as a profession carried out by professionals, or why it has not become one of the central and most important arms of the Israel Police in an era of ongoing terrorist threats. Although this memorandum does not address these questions, the appointment of civilian security managers to various entities notably has led to a broadening of the term "security."

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[4] See the definition by Chief Superintendent (Ret.) Shmulik Barak on Wikipedia in Hebrew (https://bit.ly/2DzwxYw). This memorandum is mainly about events in the public sphere whose motives are political, ideological, and nationalist. It should be noted that in some cases, civil crimes also have nationalist and political motives.

If in the past the original goal of security personnel was to assist the police in dealing with terrorism, security now includes many other tasks, subjecting the security managers to many regulatory entities that are not necessarily consistent in their guidelines. Thus, security managers now engage in a wide range of areas, in addition to the security field, which is critical in Israel.

The Purpose of This Memorandum

Henry Kissinger has argued that in the absence of a clear doctrine, random actions will occur, informed by contradictory factors that have no real basis; every problem that arises will seem new; and the course of action will be reactionary.[5] This memorandum argues that there is no entity responsible for the integration of all civilian security in Israel today. Determining the doctrine—the professional conception in the field of security—should be vested in a dedicated professional entity, while the Israel Police, the Ministry of Defense Security Authority (MALMAB),[6] the Israel Security Agency (Shabak), and the IDF should be its operational branches.

The memorandum illustrates the gap which exists, for all practical purposes, between the civilian security managers and the regulatory agencies today, led by the Israel Police. Even though the police did not manage to transform security into a

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[5] Henry Kissinger, *Nuclear Weapons and Foreign Policy* (Sadan Publishing, 1974), 186–187 [in Hebrew].

[6] The Ministry of Defense Security Authority (MALMAB) is a department in the Ministry of Defense, which is responsible for overseeing the Ministry of Defense and certain security enterprises. MALMAB operates by virtue of several laws, including the Regulation of Security in Public Bodies, 5758–1998.

discipline as it did with other disciplines nor was it transformed into a profession, the civilian security sector has nonetheless developed and expanded. The police do not have the ability or the tools to properly regulate the civilian sector because first, the full range of issues addressed by the civilian security sector is not the responsibility of the police; and second, it appears that the police have other priorities, making it difficult for them to function as a professional regulatory entity in the field of security, which is not considered one of its core functions. Moreover, it is highly questionable whether a distinctly non-civilian and hierarchical entity can oversee the routine management of civilian entities and develop a productive and effective dialogue with them. Furthermore, as outlined in the memorandum, in addition to the Israel Police, three other agencies—the Shabak, MALMAB, and the IDF—serve as regulatory entities for security, and the coordination between them is poor and sometimes even non-existent.

Given this reality, this memorandum presents and makes the case for the establishment of a homeland security authority, which will be responsible for regulating security in Israel and will act as the leading authority in this matter. The proposed authority will direct and regulate national and state security operations as well as private security operations in Israel.

The Structure of the Memorandum

The first part of the memorandum presents an overview of concepts and documents relating to security in several other countries to determine the extent to which we can deduce from them the situation in Israel. In the second part, we analyze the existing situation in Israel and in the third section, we discuss the basic problems of the current situation. In the fourth section, we outline our recommended response, which is the

establishment of a homeland security authority that will be responsible for defining

the components, including operating principals, the training of personnel, recruitment

of resources, and preparation of exercises and drills. In the conclusion, we offer

directions for further action.

Homeland Security in Other Countries and in Israel

Homeland Security in Other Countries

A survey of homeland security in other countries points to similarities and differences with Israel (see table 1 below). In the United States, the United Kingdom, Germany, and the European Union—the four case studies—the process of organizing and defining the areas of responsibility, standardization, and powers in terms of security already has occurred. None of the countries, however, has a single central authority that is responsible for all the homeland security, is entrusted with defining threats and supplying a response, determining and inspecting standards; rather, in most of these countries, the state or federal police forces are responsible for security.

Legislative and regulatory processes have defined both the security needs in the public sphere as well as the security requirements of the private sector. These processes also have determined the powers, responsibilities, and training of security companies and their employees. In the United Kingdom, the United States, and Germany, the 9/11 attacks served as a catalyst for legislative processes and for defining responsibilities between the various entities; yet most often, the establishment of many other government agencies was considered the solution. In the United States, however, the government decided to set up the Department of Homeland Security to serve as an umbrella agency for all homeland defense operations.

Table 1. Survey of homeland security in other countries

	United States	European Union	United Kingdom	Germany
Is there legislation regarding homeland security?	There is partial legislation.	There is partial legislation.	There is partial legislation.	There is clear and regulated legislation.
Is there a central regulator for homeland security?	The Department of Homeland Security is the central organization. The task of regulation is partially distributed.	The European Union serves as a central regulator of homeland security in certain areas.	There is no central regulator for homeland security.	There is no central regulator for homeland security.
Is the civilian sector integrated into the security field?	The civilian sector is integrated into the security field, including that of businesses; it is regulated by security agencies.	Not relevant.	The civilian sector is integrated in the security field, including that of businesses; it is regulated by security agencies.	The civilian sector is integrated in the security field, including that of businesses; it is regulated by security agencies.
Areas of governmental responsibilities	The responsibility for securing public entities, senior government officials, and the public space is divided between the US federal government and the states. The state security powers are responsible for providing the first response.	The European Union has no responsibility in this area. The EU governments oversees the European states in regulatory matters in certain areas.	The government, in its different bodies, is responsible for the security of senior government officials and for the security of transportation, infrastructure, and public buildings. In practice, it is responsible for the space that is not private.	The responsibilities for securing public entities, senior government officials, and the public space is divided between the German federal government and the states. The state security powers are responsible for providing the initial response.
Security of public entities	Security in the public and commercial spaces within a state's domain is the responsibility mainly of the police.	Not relevant.	Security of public institutions is the responsibility of the police.	Security of public institutions is the responsibility of the police.
Training of security guards	Each state has different regulations regarding the requirements of security guards and security	Not relevant.	A private security authority (the Security Industry Authority or SIA) is responsible for granting licenses and for	In the governmental sector, most of the security guards are police officers, and in the private sector an 80-hour course is required. A Chamber

	companies in training, certification, and modes of operation.		supervising fields of security as obligated by the government decision, which includes security training, collection of fees, and all activities requiring a license. The license is granted for a limited period.	of Commerce (Industrie und Handelskammertag or IHK) provides the the certification.

Table 1 above shows that the countries surveyed all suffer from the lack of a government entity that is responsible for overseeing the entire field of homeland security, with the exception of the United States. In every country surveyed, there are areas in which the responsibility and authority for security are not clear, though some states are working to remedy these deficiencies through legislation and regulation.

Homeland Security in Israel—Background

The issue of regulating homeland security in Israel has been on the agenda of decision makers since the wave of terrorist attacks in Israel in the 1970s, culminating in the attack by the Japanese Red Army at Ben-Gurion Airport in May 1972, as well as ones targeting Israelis abroad, particularly the massacre of the Israeli delegation at the 1972 Olympics. As a result of these events, the Israeli government legislated that the Shabak and the Israel Police should be responsible for regulating homeland security in Israel and of Israeli entities abroad.[7] The Shabak already had been entrusted with

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[7] Government of Israel, Cabinet Resolution no. 411, January 26, 1975.

securing Israeli delegations abroad as well as securing civil aviation and establishing a designated array of security personnel.[8]

The security responsibilities of the Shabak included:

- formulating security practices and conceptualizations for the regulated entities in Israel and abroad

- transferring security practices to the regulated entities

- regularly updating relevant intelligence information for these entities

- training security personnel in these entities and maintaining their operational competence

- inspecting regulated entities to ensure competency, relevance, and security preparedness.

The Israel Police were also instructed to take similar actions toward the entities under its responsibility.[9] The purpose of the security and licensing division of the Israel Police is to be a "professional authority and a leading information source in the fields of its responsibility, it will determine a comprehensive security policy, professionally defining the entities that deal with security, to protect lives and vital interests of the State of Israel." According to this designation, the tasks of the Security Division are as follows:

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[8] Effi Meltzer and Haim Ben-Ami, "Dave Beckerman—The Sniper From Texas," *Mabat Malam*, no. 36 (March 2004): 37 [in Hebrew].

[9] See the Israel Police's website: https://bit.ly/309Hr0C.

- determining the kinds of security threats that the police are expected to handle

- establishing an overall security policy

- providing professional guidance to the entities that require unique security and to the partners in the security field

- determining the concept of protection, technologies, and the security measures required by the regulated entities

- training and certifying security practitioners in the regulated entities and of the police security officers

- integrating the activities and tasks of the Israel Police to improve personal security.

Following the wave of terror attacks in March 1996, the government decided to establish the Counterterrorism Bureau. Its purpose is to "streamline the war on terror by formulating recommendations, setting goals and initiating action plans; increasing coordination and cooperation on the war on terror between the security, intelligence, and other entities; to determine priorities and oversee the execution of decisions."[10]

Since then, the Counterterrorism Bureau has handled a number of issues, some under the direction of the prime minister, and others at the initiative of the security agencies, government ministries, and various economic bodies. In most of its operations, the Bureau improves the response of the civilian and security entities in

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[10] Government of Israel, Cabinet Resolution no. 4889, March 7, 1999.

the war on terror through interorganizational coordination and response to current and impending gaps.

It should be noted that the government did not define any regulatory role for the MALMAB and the IDF. In the late 1990s, the Vardi Commission clarified the division of responsibility between the MALMAB and the Shabak in the areas of information security and physical security of the Ministry of Defense's facilities in Israel and abroad.

Other security organizations are the Courts Protective Services and the Knesset Guard. The Courts Protective Services is the official security agency of the judicial branch in Israel. It was established in 1995 to ensure that court orders are enforced throughout the country, and it has about 750 security guards. The personnel of the Courts Protective Services are sometimes tasked with guarding certain judges outside the courthouses when these judges are threatened. The security guards have the power to detain and arrest within the premises of the courts.[11]

The Knesset Guard is an independent organization and is responsible for the protection of the Knesset building. The Knesset Guard was established after a hand grenade was thrown during a plenary session at the Knesset in October 1957 and was authorized by the Knesset Guard Law, 1968. Initially upon its establishment, the Knesset Guard was part of the Israel Police, but later it became an independent entity that is subordinate to the Speaker of the Knesset.[12]

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[11] Courts Law (Amendment no. 83), 5776–2016.

[12] Knesset Building, Premises, Knesset Guard, Israel Knesset Law of 5728–1968, https://bit.ly/2E1leZ2 [in Hebrew].

The IDF also is responsible for specific areas of security. First, the IDF guards all its bases, utilizing the soldiers who serve at those bases. Second, the IDF operates the chief of staff's Senior Officers Protective Services Detail, which is responsible for protecting the chief of staff and other senior officers during routine operations and when they go to combat areas. The IDF also serves as the regulatory authority for security entities in Judea and Samaria and the communities that are close to the borders, as will be later discussed.

The Legal Aspect

The security field in Israel requires a broad legal reference.[13] Israel has many security entities. Some of them operate according to a specific law;[14] others are regulated entities,[15] or have specific powers according to the law, and other entities operate according to the legal rights that every person in Israel has regarding security,[16] with the authority granted to them from the power of their employer. Although naturally, it is possible to classify the security entities into other categories, here we have chosen to classify them according to the legal basis by which they operate.

In the first category are governmental agencies, with the security units of the three branches of government: the Close Protection Unit of the Shabak,[17] which operates according to the General Security Service Law of 5762–2002; the service of

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[13] This issue was analyzed in depth by Adv. Perry Novotny, a member of the editorial team of this memorandum. The analysis presented here is based on his work, "Security According to Israeli Law.

[14] The Shabak, the Courts Protective Services, the Knesset Guard, and other security agencies all operate under specific laws.

[15] The term "regulated entity" refers to the body that is under the supervision (in this case in the field of security) of an agency that regulates policy in the field. There are several security regulatory agencies in Israel that operate under the laws outlined below, with some directly regulating other bodies and others indirectly.

[16] These legal rights include the right to self-defense, the right to detain another person (if the detainee is suspected of committing a violent or criminal offense), the duty to assist a police officer in an arrest, and the right to protect property.

[17] The Close Protection Unit is responsible for the security of the seven symbols of government, including the legislature and the judiciary.

the Knesset guards, which operates according to the Knesset Building and Precincts Law of 5728–1968; and the Court Protective Services, which operates according to the Courts Law [consolidated version] of 5744–1984, which was revised in 2016.

Governmental ministries and authorized units, other symbols of authority,[18] and critical infrastructures[19] are considered "public entities" and their physical security (as opposed to information and cybersecurity) is regulated by the Regulation of Security in Public Bodies Law, 5758–1998 by means of a few regulatory entities, including the Israel Police, the Shabak, and the MALMAB.[20]

The second category include entities that are regulated according to the requirements of the business licensing laws, which allow the minister of the interior to establish by executive order the types of entities that require licensure. The minister can require them to undertake various actions to prevent, as the law states, "dangers to public safety and securing from robbery and burglary," within the framework of licensure as determined by both the police and this legislation. These entities include event and performance spaces, central bus stations, shopping malls, and large stores, as well as other businesses where crowds congregate; energy infrastructure, certain

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[18] The other symbols of authority are the Jewish Agency, Nature and Parks Authority, Israel Lands Authority, Israel Antiquities Authority, and the Jewish National Fund.

[19] Critical infrastructure includes electricity, water, gas, mail, communications, and public transportation.

[20] The Regulation of Security in Public Bodies Law enables a regulatory entity to work through the head of security of another public entity.

factories, banks, firearms dealers, and others.[21] It should be emphasized that not every entity subject to licensure is bound to the regulations of the police and not every entity bound to these regulations is required to have a physical security setup that includes security guards.[22]

Entities that require a security setup because of the business licensing laws are usually given separate authorization for security guards working in such places. This authorization allows the guards to exercise their powers under the Powers for Protecting Public Safety Law of 5765–2005. Without this authorization, the security obligation would be exercised by virtue of the business licensing law, but without any legal authority to use powers to protect the public for this purpose.

Entities governed by the Prohibition of Violence in Sports Law of 5768–2008 form a third category. This particular law addresses the instructions that are given by directors of the events that are defined by this law, the type of activity that takes place at these events, and the number of people attending. These entities also have powers that are granted according to the Licensing of Business L aw mentioned earlier.

In the three categories mentioned above, security guards employed by private security companies often work for the regulated entity. Although the involvement of these companies in supplying security services in the public sector is sometimes disputed and is at the heart of a public debate on the use of private law enforcement

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[21] Licensing of Business Order (Licensed Business), 5773–2013, published in Regulations No. 7229 of March 4, 2013

[22] For a prolonged period, including at the time of this writing, the police regulations of the business licensing requirements also include safety aspects, but these will not be discussed here.

entities in a democratic country, this is not the place for this discussion. These security guards operate according to the regulations of the regulated entity as if they were its employees for all intents and purposes, while the regulated entity hires guards from private security companies due to economic considerations.

The fourth category of security entities are those at the local municipalities, as established by the Streamlining Enforcement and Municipal Inspection at the Local Authorities (Temporary Provisions) Law of 5771–2011. This law led to the establishment of municipal enforcement units—shared units of both the Israel Police and local municipalities—whereby police and municipal inspectors who have special authorization and are known as "assistant inspectors" work together.

Inspectors in these units are granted special permission that allows them in certain conditions to apply their authority without the presence of a police officer. This includes the right to search, detain, and confiscate. Municipal enforcement is under the guidance of the Ministry of Public Security in tens of municipalities in Israel[23] along with other enforcement units in the local municipalities.[24]

In addition to these municipal enforcement units, in some municipalities, municipal employees (some who are inspectors) in certain units handle security

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[23] The exact number of authorities in which this project operates often varies, but as of this writing, more than seventy authorities/municipalities were participating.

[24] Although these are inspectors, the municipal enforcement units act sometimes on behalf of the Supervisory Division and sometimes on behalf of the Security Division, affecting their perception of their role.

issues,[25] as defined earlier. These units operate under the authorization of the Municipalities Order [New Version], which was amended in 2011 after an appeal to the Supreme Court on the issue.[26] This legislation allows municipalities to regulate employment in security with ordinances[27] according to certain rules. Although this is the case at the time of this writing, no local municipality has yet used an ordinance to regulate the issue of establishing a security unit and its powers.

Some of the additional entities that are authorized by the Ministry of Public Safety to operate security units under the Protecting Public Safety Law of 5765–2005 include:

- educational institutions, by virtue of decisions made by a unity government,[28] are authorized by the Powers for Protecting Public Safety

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[25] These are sometimes referred to as "security patrols," operated by municipal employees who are authorized to be inspectors. The Tel Aviv municipality, for example, operates the SELA (Urban Security Patrol, which has a municipal enforcement unit for policing (*merhav shitur*) and one for patrolling (*merhav siyur*) in terms of security. It has inspectors who are not authorized to be assistant inspectors. Similar units operate in Haifa and other cities. In some cities, such as Hadera, the "Municipal Security Patrol" was dismantled following the establishment of the Municipal Enforcement Unit. These units should not be confused with units belonging to guard companies, which are often referred to as "security patrols" because of a lack of legal nomenclature.

[26] Supreme Court Case 7186/06 Yulia Malinovski and others v. Holon Municipality and others, https://bit.ly/2VBm5uE.

[27] The wording of the section permits the municipality to regulate bylaws "in matters of safeguarding, security, and public order."

[28] Cabinet Resolutions nos. 4383, 4042, 3738, 4514, and 5719 relating to the security of educational institutions.

Law of 5765–2005, which was validated by the Minister of Public Security[29]

- public transportation security bodies[30]

- the Western Wall security unit[31]

- security guards of polling stations for elections to the Knesset or local municipalities[32]

- the security guards of police installations

- the security guards of Clalit Health Services and Assuta hospitals

- the border security guards[33]

- the security guards of local municipalities and the US embassy's security guards.

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[29] Authorization was issued in the Official Gazette, no. 5544, dated June 25, 2006, and included both security guards and security managers of institutions in the local municipalities.

[30] According to Cabinet Resolution no. 2002 of May 9, 1997, which was partially overturned by Cabinet Resolution no. 404 of May 27, 2006, the public transport security began to operate again following the wave of attacks referred to as the "Knife Intifada," and it continues to operate, as of the writing of this memorandum.

[31] Authorized by the Powers for Protecting Public Safety Law, which was published in the Official Gazette, no. 5547 on July 2, 2006.

[32] Official Gazette, no. 5870, November 25, 2008.

[33] Implementation of the Interim Agreement on the West Bank and Gaza (Jurisdiction and Other Provisions) Legislative Amendments, 5753–1996.

In addition, some security entities operate without authorization or regulation, based upon generic legal principles, including the principle of self-defense,[34] citizen's arrest,[35] and the laws that allow protection of property from trespassing.[36] In a small number of them, the security employees are employed by the entity itself, although in most cases they are employed by security guard companies that operate under a license granted by virtue of the Guard Services and Private Investigators Law, 5732–1972.

According to the law, no authorization is needed to place guards nor is any background check or training of security guards necessary. Only those entities on the list that appears in the Guard Services and Private Investigators Law, 5732–1972 as determined by the minister of justice,[37] require a "guard license," which is acquired by a simple process that does not require any training, legal principles, or using powers. By virtue of the Guard Services and Private Investigators Law, 5732–1972, hundreds of security guard companies[38] have provide unregulated, and unsupervised private security. The number of entities that have large private security arrangements

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[34] Section 34 of the Penal Law, 5777–1977.

[35] Section 75 of the Criminal Procedure Law (Enforcement Powers—Arrest, 5756–1996).

[36] Section 18 of the Real Estate Law, 5729–1969 and Section 8 of the Movable Property Law, 5731–1971.

[37] See the Guard Services Order (types of guard services that require a license), 5732–1972, which was last updated in 2018. The update added construction sites and machinery pooling sites.

[38] In the past (no date), the Commission for Private Investigators and Security Services published that 800 or so companies in Israel are authorized to operate. This figure no longer appears on the Ministry of Justice website.

may be greater than the number of entities that are regulated and operate according to the law, while the number of people employed by the private security companies may be greater than those employed by regulated entities.

Security companies provide guards to the private and public sectors, to factories and businesses, office buildings, shared housing,[39] public entities,[40] and local municipalities.[41] They also supply additional services, such as dispatcher services, security cameras, preparation of risk assessments and security plans, as well as security management services.

The IDF also participates, as noted, in the security of Israel by protecting military installations and their personnel, as well as civilians under the IDF's responsibility. Securing of IDF soldiers and its assets is the role of the IDF and its subordinates, the order of which is as law.[42] The IDF relies on several sources of authority to grant powers to its personnel security. Specifically, these are the Powers for Protecting Public Safety Law, 5765–2005, which gives soldiers security powers;

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[39] Restriction of Guard Services in Shared Homes, 2008, which was enacted to address the phenomenon of protecting criminals, imposes various restrictions on security in shared homes.

[40] This does not include the security of educational institutions, mass events, municipal enforcement units, and employees who have been threatened according to the Security Regulation Law – Security. Most local authority facilities are not regulated, and they employ workers from the security companies according to the principles outlined in this paragraph.

[41] After circumventing the Supreme Court's legislation, some local authorities operate a "security patrol" provided by security companies, such as "Ben Security," in Kfar Saba, which, according to its website, provides security patrols.

[42] Sections 2a. to 3 of the Military Justice Law, 5715–1955.

the Defense (Emergency) Regulations of 1945, dating back to the British Mandate era, and also the civilian powers mentioned earlier.[43]

In addition to securing military assets, the military is also responsible for some civilian security, most prominently of hundreds of thousands of Israeli citizens living in Judea and Samaria. This is not about the IDF's security actions in the area but rather the guarding of settlements, securing educational institutions, and guarding field trips. If they were within the Green Line, these security details would fall under the responsibility of civilian security.

As a result of the legal situation in Judea and Samaria, the military commander serves as a "proxy for the sovereignty" and fills the role of the state's agencies, including by means of "security orders" according to the military legislation in Judea and Samaria, which deals partly with regulating civilian security. Thus, the order for regulating the guarding of the settlements (Judea and Samaria) (No. 432) of 5731–1971 deals with guarding the settlements of Judea and Samaria, including granting of powers to the guards, similar to the Local Authorities (Regulation of Guard-Service) Law, 5721–1961, which is valid within the Green Line. This order requires settlements in Judea and Samaria to employ military security coordinators (*ravshatz*) who are appointed by the area regiment commander and are authorized by its area defense officer.

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[43] Section 34J of the Penal Law, 5737–1977; section 75 of the Criminal Procedure Law (Enforcement Powers—Arrest, 5756–1996; section 18 of the Real Estate Law, 5729–1969; and section 8 of the Movable Property Law, 5731–1971.

The military security coordinators have powers granted from the aforementioned order, and they possess military equipment, including weapons, for carrying out their mission. Recently the IDF decided that in some cases the military security coordinators should be considered reserve personnel, and the military can operate them as a military force. Other orders also deal with security in Judea and Samaria and include guarding industrial areas, the authorities at checkpoints,[44] and use of municipal enforcement units.[45]

In the field of Israeli security, there are also various volunteer units, such as the Civil Guard that works with the Israel Police; the Neighborhood Patrol units that operate in some municipalities as part of the "Cities without Violence" program of the Ministry of Public Security,[46] often working independently and together with the municipality's enforcement units[47]; the HaShomer HaHadash (New Guard) organization, which was established due to complaints that guarding the country's agricultural lands had been neglected.[48] The organization coordinates volunteers for

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[44] Order No. 1665 on Regulation of Powers at Crossing Locations (Temporary Order).

[45] Provisions of the Law for Efficient Municipal Enforcement and Supervision in Local Authorities (Temporary Order), 5771–2011 were incorporated into the bylaws of the local councils (Judea and Samaria), 5741–1981 of the area commander. Under this law, the municipal enforcement units were established within the Green Line.

[46] See, for example, the website of the Ministry of Internal Security, announcing that "A New Guard Has Come to the Neighborhood," November 19, 2019, https://bit.ly/2WISjR5.

[47] See "The Neighborhood Watch Patrol is also in Ramat Poleg," Netanyanet, February 7, 2018, https://bit.ly/2Ywr24B.

[48] "Our Mission, HaShomer HaChadash website, accessed September 5, 2020, https://bit.ly/3i3GRKu.

guarding farms and estates to prevent thefts, arson, and damage of agricultural equipment,[49] with the encouragement and financial support of governmental offices.

The Civil Guard operates within the Israel Police by virtue of the fourth chapter in the Police Ordinance[New Version], 5731–1971, which also defines its powers. Despite this, other bodies rely upon the authority given to each person, while the legal basis for operation is not always clear.

In the early years after Israel's establishment, soldiers,[50] the Civil Defense (HAGA), and police officers guarded essential assets. Gradually the accepted regulatory model that is used today was applied, by which the security provider relies on its own resources but is regulated and audited. In the beginning, because of the existence of many essential assets in Israel's control, it was possible not only to regulate but also to supply the required budget for carrying out the security. When the circumstances changed, other legal arrangements were applied to the regulations.[51] The current practice allows to circumvent the restrictions that have been created over

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[49] "Farmland Watch," HaShomer HaChadash website, accessed September 5, 2020, https://bit.ly/2QY9pch.

[50] The Shabak also belonged to the IDF at the outset and moved to the Ministry of Defense only later, according to the Shabak's website. The Shabak assumed exclusive responsibility for protecting individuals in 1957, after which the security of some was transferred to the regulatory model discussed here.

[51] Thus, for example, according to the Aviation Ordinance (Maintaining Order at Airports and Airports), 5733–1973, the authority to regulate was given to the head of the Civil Aviation Administration at the Ministry of Transport. Similar arrangements can also be seen in other laws.

the years by privatization and enables security providers that are not subject to or not affiliated with the regulating body to be regulated by virtue of the law.

The Shabak was one of the first regulatory bodies. Its involvement in security began after the Six-Day War following attempts to damage civil aviation and shipping.[52] Subsequently, after two difficult terrorist incidents, one at the Israeli Embassy in Thailand and the other at Ben-Gurion Airport in 1972,[53] the Shabak began to lead the security arrangements in the delegations of the Ministry of Foreign Affairs abroad and at Israel's border crossings. Following a terrorist attack in1973, the Shabak then began to direct the security of Jews from the Soviet Union who were on their way to Israel and in transit in Austria.[54]

Other entities, including the IDF,[55] the Israel Police,[56] and the MALMAB have joined the directive and are now among the agencies overseeing the security in the

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[52] "The Six-Day War, Countering Palestinian Terror and Regulating Security, https://www.shabak.gov.il/heritage/Pages/default.aspx#cbpf=.1968-1993. [in Hebrew].

[53] "The Shabak directs overseas delegation security," and "the Shabak establishes a unit for the security of ports and border crossings in Israel,"
https://www.shabak.gov.il/heritage/Pages/default.aspx#cbpf=.1968-1993.

[54] See, for example, "The Shabak guards the immigrants in Austria,"
https://www.shabak.gov.il/heritage/Pages/default.aspx#cbpf=.1968-1993.

[55] The IDF regulates the field of maritime security, at seaport pools, and at the natural gas rig, in addition to being responsible for security in specific areas. For example, the IDF regulates the securing of trips in the Golan Heights.

[56] The Israeli police, for example, oversee the security of the Israeli educational institutions, per Article 4 of Cabinet Resolution 4514: "Specific civilian security of educational institutions as mentioned in section 3 above will be carried out in coordination with the Ministry of Education, Culture and Sports

State of Israel through legislative arrangements, mainly through the Regulation of Security in Public Bodies Law, 5758–1998. The proposal that led to the enactment of this law states that the law is intended to "address a situation where one of the important areas regarding the day-to-day activities of the citizens of the state have been breached and are not regulated by legislation."

The Licensing of Businesses Law, 5738–1968 is another prominent arrangement, which is a source of authority for security regulation for the Israel Police. In 1972, four years after its enactment, the law began to serve as a tool to protect the public from robbery and burglary and from security-based dangers,[57] given the reality at the time.

Although legal arrangements from recent years introduced many of the security bodies in Israel—certainly the most important ones—under the supervision of four major regulatory bodies, a great deal of security activity occurs without any regulation and oversight. Local authorities undertake security activities that are not monitored and lack the wide vision characteristic of regulation. This issue will be discussed later in the memorandum, in addition to other security oversights.

(heretofore—the Ministry of Education) through security officers and the local authorities—under the guidance of the police."

[57] In the Principle Legislation 666 of 5729–1969, an amendment was made to this law, according to which the Minister of the Interior would be entitled to determine which businesses could be targeted in order to prevent public safety hazards, robberies, burglaries, and more.

Firearms in Security

The Firearms Law, 5709–1949 applies to all firearms in Israel, except those held by the IDF, the Israel Police, the Prison Service, and the Knesset Guard.[58] The minister of public security is entrusted with executing the Firearms Law,[59] and the Firearms Licensing department, which operates within the Ministry of Public Security, regulates the activity with authorities and licensing officials, as defined by law.

According to the Firearms Law, firearms in Israel are divided into two main categories: private possession of firearms—those who possess them must hold a license or carry license under the provisions of sections 4 and 5 of the law—and organizational firearms, which fall within one of the categories prescribed by law in sections 9 to 10d. In Israel, private firearms owners are not allowed to work in security positions that require the use of firearms,[60] whereas employment in security positions that require a weapon need police approval. Approval can be obtained at the request for possessing an organizational weapon if it is an "enterprise" according to section 10 of the law, or at the request for placing armed security at a particular site, if it is a security company operating under license under section 10c of the law.[61]

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[58] Proposed Firearms Bill, 5777–2017 sought to expand the number of security agencies but has not yet become a law.

[59] In 2011, the government transferred responsibility from the Ministry of the Interior to the Ministry of Public Security.

[60] Instructions of the approved authority, according to the Firearms Law, 5709–1949.

[61] "Conditions for a Special License," a booklet for a special license holder at a security guard company, the Ministry of Public Security.

Although the provisions of the Firearms Law, 5709–1949 do not apply to firearms held by IDF soldiers, the military's policy on this subject also has undergone many changes. For example, in the IDF, an ordinance was issued that required the officers and non-commissioned officers to carry personal weapons. In December 2005, it was decided to cancel this sweeping regulation. Moreover, the IDF decided to substantially reduce the opportunity to carry firearms in units that do not participate in operational activities and also in operational units when the soldiers are on leave. The IDF made this decision following cases of gun theft, some which included the murder of soldiers, as well as incidents with firearms, including accidental discharges and suicides. In February 2016, however, infantry soldier Tuvia Yanai Wiseman was murdered when he tried to prevent a terrorist attack in a supermarket in Judea and Samaria while on leave and unarmed. Shortly thereafter, the IDF again changed its orders and allowed combat soldiers to carry weapons during their holidays, subject to certain rules.[62] In 2017, it was decided to give all IDF soldiers pepper spray, so that they could defend themselves while not carrying a weapon on vacation.[63] After a few years the IDF announced that this was a failure since the pepper spray did not provide an effective response for different situations and it ws decided to cease using it.[64]

These descriptions of the military's conduct are just an example of the way that the security bodies conduct themselves. Armed security of entities that are not subject

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[62] Yohai Ofer, "Soldiers Armed with Weapons: Too Bad They Waited for Something to Happen," NRG, February 23, 2016.

[63] Tali Stambolchik, "Pepper Spray also for Men," BaMahane, July 3, 2017, https://bit.ly/30n4Bke.

[64] Ido Ben Porat, "The IDF Stops Tear Gas for Soldiers," Arutz 7, July 2, 2018, https://bit.ly/2W7ain8.

to the Firearms Law is implemented according to the definition of the entity, sometimes according to short-term considerations, which change after events and do not reflect any kind of concept. Regulated entities require and most often receive the police's permission to carry weapons, while non-regulated entities are at the discretion of the police officer advising the Firearms Licensing Division.[65] In this case, however, problems in the field are evident, especially among local authorities and unregulated entities.

Rules of Engagement

Rules of engagement determine the conditions for the use of firearms in various situations. The rules of engagement are legal and mandatory, based on the provisions of the law and the rulings of the courts and give a practical expression of the legal concept in certain situations.

Naturally, legal differences between entities dictate modifications in the rules of engagement. For example, entities that are allowed to detain under the law may, in certain situations, use firearms to carry out the detention.[66] In the Penal Code, for example, the Israel Police were given the right to disperse rioters by shooting in the air,[67] which, for obvious reasons, has been removed from the rules of engagement. Nonetheless, the use of firearms is primarily for situations of self-defense[68] and these

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[65] The appointments were published in Publications 7858, dated June 28, 2018.

[66] According to 486/88 Staff Sergeant Anconina v. The Chief Military Prosecutor, in which the Supreme Court set conditions for opening fire when making arrests.

[67] See Section 153 of the Penal Code.

[68] Including the protection of others, as provided by section 34J of the Penal Code.

situations do not differ much between the various security entities. Nevertheless, for unclear reasons, the various security agencies in Israel operate according to different rules of engagement.

The Israel Police have separate rules of engagement for their officers, which differ from the instructions given to security guards operating under the police's oversight. The Shabak and the MALMAB also issued their own rules of engagement, and although they are based on similar situations and the same principles, their wording is very different from that of the Israel Police. Security guards employed in unregulated entities also act according to rules of engagement that were issued by the Firearms Licensing Division at the Ministry of Public Security, but these rules differ from those of the regulated entities. These instructions are also valid for armed civilians.[69] In addition, security guards working with regulated entities are required to agree twice a year to the instructions for the rules of engagement, even though they operate in accordance to the rules of engagement of the regulating entity (which is not the Ministry of Public Safety).

Even though they are in the same operational situation, people will respond differently because they work according to different rules of engagement. A prime example is the shooting attack at the Sarona Complex in central Tel Aviv in 2016. In the vicinity were security guards—under police regulation—employed at the Sarona Complex and the nearby government center. Security guards from the Ministry of Defense who are overseen by MALMAB; the security guards of the Prime Minister's

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[69] These instructions were published by the Ministry of Public Security in training booklets for special licensees in various entities and the training booklet for armed civilians.

Office's, who are under the regulations of the Shabak; the soldiers who secure the military facilities and operate according to their own rules of engagement; and the auxiliary inspectors of the Tel Aviv municipality and armed civilians who follow rules of engagement of the Ministry of Public Safety and the Israel Police were also present at Sarona Complex.

With the exception of firearms, there are no restrictions in Israel on carrying other weapons in security positions, other than those prohibited by law.[70] Regulatory entities generally establish strict procedures on firearms and other weapons, including requirements for training and refresher training in use of weapons, but these rules do not apply to non-regulated entities. As a result, security practitioners often use many types of weapon, such as pepper sprays, batons, and electric stun guns, and often they are not even trained to use them.

The above discussion shows that Israel does not have uniform law when it comes to the use of firearms and protective equipment during security operations, and various security agencies are allowed to act as they understand correctly. This is the most prominent example of the lack of widespread, uniform regulation in Israel's security field, which will be discussed later, and naturally, this leads to undesirable consequences at the national and international levels.

Additional Regulation on Security and Security Measures

An additional entity that determines binding regulations is the Privacy Protection Authority at the Ministry of Justice, which operates under the Protection of Privacy

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[70] The Firearms Law, 5709–1949 imposes restrictions on certain types of pepper spray and tear gas, and the Penal Code of 5737–1977 prohibits carrying a knife or knuckle-duster.

Law, 5771–1981.[71] Since its establishment, the Privacy Protection Authority has published a series of regulations on privacy protection in databases. As far as physical security is concerned, the main regulations are 04/2012 and 72.05/2017.[72]

These regulations are legally binding; criminal, administrative, and civil sanctions may apply if these regulations and the provisions of the law are violated. However, many security personnel—both those employed by regulated and non-regulated entities—are not cognizant of these regulations, do not have to sign confidentiality agreements, and do not comply with their instructions. The scope of this phenomenon is evident from various "leaked" videoclips from different sites—especially after criminal and terrorist incidents have occurred—which raises concern that these videoclips are illegal. Publishing these films violates the victims' privacy and disrupts investigations. The Privacy Protection Authority does not coordinate its positions with security companies, even when its regulations could have a significant effect on the security companies, such as when publishing the Privacy Protection Authority's regulations of April 2012, which addressed the use of security cameras in public spaces.

Conclusion

 A large number of different security companies work in Israel, but often there is no regulation in the field and people do as they wish. Some of the security companies—

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[71] The head of the Privacy Protection Authority serves in the role of "Database Registrar" per chapter B, mark A of the law.

[72] Guidelines on the Use of Surveillance Cameras in the Public Space and the Labor Relations Framework.

including those operating in the public sphere—are not subject to any disciplinary proceedings. Many of the personnel are not properly trained (certainly not for giving adequate response to terror attacks in the public sphere) or they are not trained at all, and some have not been vetted to see if they are even suitable for working in security, nor have they been screened for criminal activity and mental illness.

The unregulated security companies, including those operating in public and local entities, seem most problematic:

- There is no requirement to verify that security measures are actually being implemented;

- There is no requirement to determine goals, and if the goals are set, they do not always match the public interest;

- There is no requirement to appoint a qualified security manager;

- It seems that the decision to allow security personnel to carry firearms is not made according to any uniform criteria.

Security in some of these entities is not only ineffective and does not necessarily fulfill its mission, but it is also inconsistent with the concern for public safety and security.

Key Issues with the Current Mode

The security industry suffers from particular problems that require an institutional and governmental response. In this chapter, we will analyze these problems and their consequences.

Unregulated Security Entities

Many security entities and institutions operate in Israel and are not regulated by the Israel Police. These entities adopt—or do not adopt—security measures at their own discretion. Many security managers work for these companies and perform their tasks as they see fit, without any regulation or consultation from any professional government source. Most security managers receive their training through a security manager course that is regulated by the Israel Police, as the police allow and even encourage them to participate in the training that it provides; however, they do not maintain regular contact with the police, are not supervised by the police, and do receive any updates on procedures.

These security managers do not receive any incident analyses and reports or intelligence information and assessments, nor do they have anyone to contact when a professional dilemma arises. This happens even when they employ certified security guards who are supposedly bound to the guidelines of the Israel Police, when they manage a secured open-air event, or when the police approves a non-regulated entity such as a municipality to employ security companies and armed security guards. A solution to this issue has not yet been found for those security managers who are

employed by unregulated entities. Moreover, the security companies, which provide most of the security personnel, currently are not regulated by the police as dictated by the law.

Trickling Down of Roles and Security Responsibilities

The vacuum created due to insufficient security arrangements has not been left empty as a result of the demands of the public, property owners, and stakeholders, thus creating a merger of security roles and powers. Ariella Shadmi, a retired senior police commissioned officer, points out in her book that many of the police roles have been privatized over the years.[73] When it comes to government entities operating by law and dealing with professional issues that require specific expertise, such as the environment, natural values, archeology, and taxes, this is not without merit; however, Shadmi states that transferring core law enforcement interests to private hands is fundamentally wrong.[74]

In a report written by the Association for Civil Rights in Israel (ACRI), the director of the Department of Security at the Ministry of Housing reportedly claimed in a letter he sent to ACRI's CEO on February 25, 2010 that "the police appear to

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[73] Ariella Shadmi, *Secure Land—Police, Policing and the Politics of Personal Security* (Tel Aviv: Kibbutz Hameuchad, 2012).

[74] For example, the amendment to the Prisons Ordinance that allows the establishment of a private prison was repealed by the High Court. The High Court determined that it contradicts the values of the State of Israel as expressed in the Basic Law: Human Dignity and Liberty.

overly trust a civilian security unit even in situations where the civilian unit should not be intended and unable to cope." [75]

Another example of the trickling down of authority can be found in the motorized patrol units set up by some of the security companies. Security companies established motorcycle patrol units to secure bank branches when the effectiveness of the bank security guards was called into question due to the difficulty in recruiting and retaining qualified personnel for these positions.[76] The guards recruited to the patrol units are more skilled, while the motorcycles allow quick operations outside the branches; as a result, this move received police support. Nonetheless, the stationary security guards at the banks provide a different security response than the motorized patrol units, as their role is not to prevent robberies but rather to deter terrorists and thwart terrorist attacks against those inside the banks.[77] The motorized patrol units find it difficult to fulfill that role, as they are not present at the bank branches while their task is mainly to respond to events rather than prevent them.

Thus, a private mobile unit, whose primary function is to respond to robbery and incidents of public disorder, was established, raising some fear that it was done without taking into account the necessary considerations.[78] The example of these

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[75] "Law and Order Inc., Privatization of Law Enforcement in Israel," Association for Civil Rights in Israel, August 2013, https://bit.ly/2YrNfAP.

[76] Aviv Levy, "Electra Acquires Banking Unit Security Operations," *Globes*, August 10, 2010

[77] The stationary security guards receive explicit instructions from their managers, according to bank directives, not to interfere during robberies.

[78] Yossi Eli, "Motorcyclists, The New Weapon of the Police against Bank Robbers," Walla, August 10, 2015, https://bit.ly/2JNhcaz [in Hebrew].

mobile security guards is not complete without mentioning that the teams were asked not only to secure banks—giving them a license to use of powers and weapons—but also to provide security services to other entities as well. These include unregulated bodies whose security guards were not necessarily granted special powers or the right to use firearms in their duties. Thus, these bodies have obtained armed security guards who are granted special powers but without the approval of the competent entities.[79] This phenomenon is apparent with other motorized security units set up to respond to events in regulated bodies—such as educational institutions—which, as part of their operational approach, provide an organized response to other events in their vicinity.[80]

In addition, there is another difficulty among the police and guard companies: A security guard who is usually employed in a regulated body carries a license granting powers by the police or another party. How is it possible to ensure that when security guards are called to temporarily reinforce another facility, they will not use their powers at their temporary post? This has not yet been answered.

Problems with Security Legislation in Israel

Security legislation in Israel is also not devoid of criticism, as it is not always clear what the law states regarding the security objectives. For example, it is not always apparent whether security operations legally can also include events where public order is required. Moreover, it seems that the powers granted by law do not always

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[79] Alda Netanel, "Motorcycle Security Guard Unit Will Protect Maccabi Health Services Teams from Ashdod," Ashdodnet website, November 13, 2017.https: //bit.ly/2JpbGLX. Please note that Maccabi Health Services is not a regulated entity.

[80] According to conversations with security managers.

correspond to the law's objectives. Furthermore, the powers conferred on security practitioners are not easy to understand and implement, and the fact that they do not respond to certain events may be intentional. In these circumstances, the security array was forced to use civilian powers, which leads to judicial complexity.

The security laws have created a situation where security is unequal: in some places security is required, and in others—seemingly equal in importance in terms of their security—there is no such obligation. In addition, the various regulators do not fully understand the law, as expressed in their guidelines for the entities under their supervision.[81]

Except for certain situations, security legislation does not emphasize the status of practitioners in the field, and it is therefore easy for employers to employ security personnel under conditions that deter quality personnel. For example, the term "security guard" has not been regulated by law and can be used in a way that could be misleading while not infringing upon the law; a consequence of this situation is having to frequently replace the security personnel.

According to the Guard Services and Private Investigators Law, 5732–1972, mandatory training and prior certification test is not required for the process of licensing security personnel for organizations that do not deal with law enforcement or human rights, similar to that of the private investigators who operate under the

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[81] For example, the Israel Police, the Shabak, and the Ministry of Defense all give different responses as to whether security guards have the authority to use handcuffs while detaining a person. The police claim that it is illegal, while the Shabak and the Ministry of Defense claim that they are authorized to do so. This issue, however, is not even discussed in terms of the jurisdiction of the assistant inspectors, although many regularly carry handcuffs that were issued to them at their units.

same law and in other countries as well. The security personnel are not obligated to participate in periodic training nor is there any effective mechanism for verifying complaints about security guard companies, security guards, and their managers.

In the current legal situation, the security guard companies, which employ tens of thousands of security guards who possess firearms, are not properly regulated nor supervised. This lack of supervision often leads to neglecting professional considerations as well as taking unreasonable professional risks.[82]

In Israel, there are too many sources of authority for the security agencies, and the oversight of all those involved in security—especially with regard to certification, training, and the use of various security measures—is inadequate. The absence of an all-inclusive source has led to a situation where each regulator in the security field addresses a narrow sphere without having any overall all-encompassing vision.

An example of this situation can be found in a police-defined procedure to address complaints against security guards in public entities,[83] so that the security guards are protected against the potential consequences of false complaints. Although the procedure deals with investigating security guards and in criminal records—areas that are the sole responsibility of the police—the police chose to apply the procedure

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[82] These risks include, for example, the employment of security guards in educational institutions without checking whether they have been accused or charged with sexual offenses. See Yoav Zeitun, "Petach Tikva: Pedophile Employed as a Kindergarten Security Guard," Ynet, October 12, 2010, https://bit.ly/2Q9a9Kp [Hebrew].

[83] See Procedure "Handling Complaints Against Security Personnel in Public Entities," https://bit.ly/2Q8tQSN [Hebrew].

only to security guards who operate under its guidance and not to those working under other regulators, even though all security guards operate according to the same legal arrangement.

In addition, the status of armed citizens in Israel and what is expected of them is not clear. Recently, the minister of public safety expanded the criteria for civilians to carry firearms so that they can act as a force multiplier and respond to attacks. Nonetheless, the policy on this issue is still not clear nor firmly established. Although this issue is brought up regularly after terror incidents, it has not been subject to any overall conception, even though it has significant implications for the public's safety.

Conflicts of Interest and Pressures of Stakeholders

A study prepared for the security conference held by the magazine *Metzuda* in 2016 found that security costs in Israel in that year had reached over 9 billion NIS. Most of it was funded by private entities and the rest by the state. The security expenses that private owners invest in their organizations could cause them to shift from profits to loss. The huge costs incurred in funding security as well as the government decision that business entities must cover their own security costs have created a situation in which organizations are pressured to reduce security expenditures in order to meet their business goals.

In many cases, the regulator does not take this into consideration, and it is doubtful that it is even possible to consider the total number of components affected by any mandatory security directive. Given the above, high security costs cause strong entities in the economy to exert influence on the regulatory body for leniency or for special security procedures. Stakeholders and lobbyists may also try to exercise their power. For example, the Israel Restaurants Association struggled with the police to

waive the requirement to place a security guard at the entrance of restaurants; the

hotel managers formulated a security policy for hotels based on the size and

occupancy of the hotels; the Association of Banks in Israel created a new security

policy (the mobilized security forces discussed above) at the banks. Even if the

security solutions were suitable, economic considerations and pressure exerted by

stakeholders accelerated their adoption. The problem with this methodology is that it

does not have a wide, all-encompassing vision that will allow an appropriate solution

applied in one area to be implemented in other similar areas.

Ariella Shadmi sees the trend of "paid policing" as discriminating between

those who can pay and those who cannot. She describes the phenomenon of

"sponsored policing" and claims that "this opens up what is accepted in other

places—sponsors of business owners and wealthy persons to police actions."[84] She

also addresses the trend of "public policing"—which includes policing units,

enforcement, and oversight—by government ministries outside of the police:

> This is about the growing amount of enforcement units, such as the Courts
> Protective Services, the Ministry of Agriculture's patrol unit, the Ministry of
> Environmental Protection's enforcement unit, the Enforcement and Collection
> Authority and the Israel Money Laundering and Terror Financing Prohibition
> Authority. These entities were established to operate in areas that were
> previously the responsibility of the Israel Police, sometimes to enforce laws that
> the Israel Police do not handle at all, and are under the authority of various
> government offices, and sometimes in order to meet new needs that have
> evolved over time.[85]

Shadmi also devotes many chapters to municipal policing. Among other things,

she writes that "an economic gap between localities will probably be a decisive factor

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[84] Shadmi, *Secure Land*, 50–53.

[85] Shadmi, *Secure Land*, 53.

in the level of security that residents will receive." She further declares that "the

powers of security companies in the service of the mayor are not entirely clear" and

that the "local municipalities . . . will use ordinances—and through them in the

municipal police—to enforce desired behaviors for only locals, to drive out rivals and

political opponents." [86]

> Expanding upon Shadmi, Attorney Anne Suciu of ACRI said that:

> apart from the absence of public restrictions, the privatization of law
> enforcement services is characterized by a conflict of interest between the
> public purpose of the authority and private interests, first and foremost the
> economic interests of private entities to reduce spending and increase their
> profits. The use of abusive measures on the basis of private considerations,
> which are not necessarily in the public interest, creates a real risk of human
> rights abuses . . . Private companies are working to lower the costs of personnel
> and the services they provide to maximize their profits. In some cases, a
> contract was established between the authority and the private company as a
> method of economic incentive which entails a structured conflict of interest
> between the public interest of the authority and the private interests of the
> company.[87]

In recent years, citizens have been given or have assumed significant policing

roles. This is noticeable among inspectors in the developing world, in municipal and

integrated policing, as well as in rural and agricultural areas. Attorney Suciu writes

that "under the pressure of the local authorities in March 2011, the Knesset passed an

amendment to the Municipal Ordinance, which will allow the local authorities to

continue operating municipal patrol units and to collect the fees from the residents . . .

these do not define the limits of activity and allow a wide opening to activate private

policing units, composed of security guards from private security companies wholack

[86] Shadmi, *Secure Land*, 58.

[87] Anne Suciu, "Law and Order Inc., Privatization of Law Enforcement in Israel," Association for Civil

Rights in Israel (August 2013), 11–12, https://bit.ly/2YrNfAP [Hebrew].

training and supervision, who carry out a wide range of actions that have been considered the core of police activity to date."[88]

The phenomenon of stakeholders exerting pressure not only harms the field of security but also affects the level of security that citizens receive. While economic considerations are legitimate and even required, they should be restrained by a well-organized professional system, and this does not seem to be the case in Israel.

A Reactionary Approach and a Lack of a Proactive Initiative

The security approach in the Israeli civilian sector is to respond to events and to close security loopholes following events that have already occurred but not to plan for the long-term future. The civilian security sector does not have any discussions regarding the future of the security industry or about who the security guards are and how will they be characterized in another decade. The absence of planning for the future of security in the civilian sector may be the result of not having an entity that has this as its defined mission.

Although Israel has a constant shortage of security personnel, there is no discussion of resolving this problem. Israeli security personnel today mostly do not face terrorist threats; rather, the greatest threats facing Israeli security personnel are various forms of violence, especially in hospitals, courts, and public transportation.

[88]Ibid., 21. This law was the Municipalities Amendment Law (Temporary Order, 5771–2011), and the temporary order was valid until December 31, 2013. The Municipal Ordinances included regulations that authorize the municipalities to regulate both mobile and stationary security in the public domain and in local Authority facilities, including for the purpose of preventing hostile terrorist activity, as well as the assistance to the Israel Police in safeguarding the public safety and order, including the securing of mass events.

Their training does not provide them with the tools needed to deal with this threat nor has their training changed to reflect it. As a result, at a local initiative, special units to deal with violence were established, but the formal training they receive is not according to the police directive. Additional threats are also only addressed retrospectively and are often ignored. For example, the issue of drones stands out, as they are a real threat that has been with us for several years but has not yet received adequate response.

The issue of security in the public sphere became most prominent after the terror attack on the Sarona Complex in Tel Aviv in June 2016. Newspaper headlines called to review it, but nothing has been done. The issue of securing educational institutions and mass outdoor events also has not been reexamined, even though security managers repeatedly call for their reexamination, especially in terms of how security is implemented and how the security personnel are trained. These calls, however, have not yet received any response, as it seems that no one has yet stepped forward to examine these issues in depth. The fear is that we will be surprised by the opponent's offensive initiatives in these areas, which will make it difficult for the security system to respond and then to recover.

The Need for a Link between Security Policy and Homeland Security

Several prominent examples demonstrate the connection between the lack of a security policy and its actual implementation and the possibility of the deterioration of homeland security. The relationship between the magnitude of the damage and its scope at the time of an attack and the reaction that followed is quite clear throughout Israel's history. An attack that has a small number of casualties or is thwarted altogether does not cause a reaction or, at most, the response is minor in contrast to a

terrorist attack or a large number of casualties, which leads to a dramatic reaction. The examples below illustrate the impact of terrorist attacks, which could have had a different outcome or could have been avoided, had the objects of the attack been secured.

- Attack on Egged bus number 300 on April 12, 1984, when four Palestinian terrorists seized a bus carrying thirty-five passengers. Although the attack did not involve many casualties (one Israeli killed by the fire of the rescuing forces), it brought about fatal consequences for the state in general and the Shabak in particular.

- The attack on the "mothers' bus" on March 7, 1988, in which three armed Palestinian terrorists seized a bus that was taking workers to the nuclear reactor near Dimona. The terrorists took 11 passengers hostage and killed three of them. This attack may have been one of the factors that hastened the decision to carry out the assassination in Tunis of Abu Jihad, who was Yasser Arafat's deputy and the head of the military wing of the Palestine Liberation Organization (PLO).

- On April 17, 1986, the young Anne-Marie Murphy intended to board at Heathrow airport an El Al flight from New York to Tel Aviv, which had a layover in London. Unknown to Murphy, in her possession was a bomb that was supposed to explode when the plane was in mid-air; Israeli security, however, thwarted the attack. At the time, Prime Minister Shimon

Peres said that if the attack had been successful, it would have led to war

with Syria, whose military intelligence was behind the attempted attack.[89]

- The assassination of Hezbollah Secretary-General Abbas al-Musawi on
  February 16, 1992 led to an attack on the Israeli embassy in Buenos Aires
  on March 17, 1992. A car bomb, driven by a suicide bomber blew up
  outside the embassy's gate, demolishing the building and killing 29
  people, including four Israeli Foreign Ministry workers and four Jewish
  women from Argentina, and injuring more than 220 people. Hezbollah
  claimed the attack was in response to al-Musawi's assassination.
  Following the attack, the security approach for Israeli delegations abroad
  completely changed, and their security was allocated a significant amount
  of resources.

These cases highlight the need for a close connection between the security

policy and homeland security, given the potential implications that local terrorist

attacks have on Israel's policy toward the organizations responsible for those attacks

and the countries that sponsor them. This affinity means setting priorities and

allocating resources in order to maintain a security level that matches the level of risk

and its implications.

Multiple Regulatory Entities

According to the laws of the State of Israel andto the relevant government decisions,

there are five regulatory entities in Israel in the field of security, in addition to

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[89] "Thwarting an attempted attack on an El Al aircraft in London, (1986)," Shabak website, January 6, 1986, https://www.shabak.gov.il/heritage/affairs/Pages/april1986.aspx [Hebrew].

regulatory agencies that deal with the protection of privacy and the use of firearms. The five main agencies are as follows:

1. *The Israel Police.* The Israel Police regulates security according to several laws, including the Regulation of Security in Public Bodies Law, 5758–1998; the Prohibition of Violence in Sports Law, 5768–2008; the Law of Powers; the Licensing of Businesses Law, 5738–1968; and the Police Ordinance.

2. *The IDF.* The IDF controls the security at its bases and of its people and oversees the security of civilians in areas where there is military rule and in a specific maritime space.

3. *The Shabak.* The Shabak regulates the security of the government representation—the facilities and personnel. It oversees the security of certain aspects of Israel's aviation and its border checkpoints, Israel's representatives overseas and their personnel, as well as facilities for which the Shabak is responsible for their security in Israel.

4. *The Ministry of Defense Security Authority (MALMAB).* The MALMAB is responsible for controlling the security of the Ministry of Defense, security industries, and certain security facilities.

5. *The Ministry of Public Security.* The Ministry of Public Security directs a significant part of the municipal supervising and policing activities. The Ministry of Public Security, through the Firearms Licensing Division, oversees all that is related to carrying weapons by Israeli citizens.

It should be noted that the Privacy Protection Authority is not a regulator in the field of security but does control all that is related to the use of information, cameras, and security measures that could affect the disclosure of private information.

These entities do not coordinate in any defined or specific way on security issues although they do regarding specific events and scenarios. The lack of coordination is also evident in the training and in the training institutions. Each entity relies on different training facilities for its personnel. Although the Israel Police has authorized civilian schools for training security managers and personnel, the police does not train its own personnel in these schools and instead relies on its own institutions, thus leading to gaps in knowledge and misunderstandings between its own personnel who serve as regulators and the civilian security personnel. Similarly, the Shabak has its own training facility, while the MALMAB trains its security personnel at the training facilities of its choice. Likewise, the Israel Airports Authority has its own security training facilities where it trains its security personnel while the military trains its personnel in military frameworks. Thus, each entity determines the training and the way it is done.

The different training means that these bodies do not share knowledge among themselves, nor do they share the cumulative experience of one entity with the others in order to improve training. Establishing a central body that would determine the training content, apply a broad view, and monitor the quality of the training and the professional competence of the field personnel may be the right move.

The Policy of Granting Firearms Licenses to Civilians and the Concept of "The Armed Citizen"

The policy of granting firearm licenses to civilians indicates a lack of a concept on this important issue, which has implications for public safety. In March 2002, in the middle of the wave of terror, the chief of police at the time, Shlomo Aharonishki, said that "it has already been proven that an armed civilian with a weapon can neutralize a

terrorist."[90] The policy then was to greatly increase the number of weapons held by civilians. Ten years later, from April until August, 2013, the state comptroller checked the issue of licensing firearms and supervising their possession. From January to August in that same year, 12 out of 13 cases of murder and suicide had been committed with organizational firearms. According to the state comptroller in a report in 2014, "The sharp rise in the number of incidents in which people lost their lives due to licensed firearms compared to previous years requires a comprehensive overview of the subject."[91]

Referring to the firearms held by the public, the state comptroller wrote that

Their possession and oversight often rises to the forefront of the public discourse. Civilians' possession of firearms affects one's sense of security, because it gives owners the opportunity to use their firearms to protect themselves and other civilians. However, possession of a firearm involves the dangers of misuse and taking the law into one's own hand, and there is a concern that the firearm will be stolen or lost and reach undesirable entities.

The state comptroller further added that

In documents expressing the minister's objectives for the years 2011–2013, it was determined that action should be taken to reduce the number of illegal guns, reduce the prohibited use of illegal firearms in Israel, reduce the number of firearms available to the public, with emphasis on reducing the number of firearms in permits granted to authorized organizations . . . contrary to the policy of the minister, the department did not prepare detailed plans for reducing private firearms and no details about the required measures to achieve the target to reduce their numbers.[92]

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[90] Haim Broida and Nurit Pelter, "Easing Gun Distribution to the Public," *Ynet* March 6, 2002 https://bit.ly/2VzgUpQ [Hebrew].

[91] State Comptroller, "Firearms Licensing and Supervision of their Possession," *Annual Report* 64c (5774–2014), https://bit.ly/2Ih0e26 [Hebrew].

[92] Ibid.

The minister of public security at the time, Yitzhak Aharonovich, reported that the public possessed about 290,000 private weapons and that his office intended to reduce this number to a large extent. The minister of public security also announced that he would impose additional restrictions on possessing weapons by adding required health checks and medical approvals as well as adding a requirement to install a gun safe in the home of the person who possesses the firearm.[93] In April 2013, the minister issued directives that firearms in the possession of security companies were not to be removed from the site that was being secured and that only in exceptional cases could the head of the Security Division or of the Police Operations Department sign for their removal from the site. On May 1, 2013, regulations for the entire security system was published as "Prohibition on Carrying Firearms from Security Companies by Security Officers—Guideline no. 9/2013." The message was clear as was the policy; however, this decisive policy did not last long.

In November 2014, a terror attack occurred at the Kehilat Bnei Torah synagogue in the Har Nof neighborhood of Jerusalem, in which six people were murdered. The attack was the culmination of a chain of attacks that occurred over a short span of time throughout the country. On the same day, it was announced that the minister of public security had ordered his office to look into the possibility of easing

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[93] Eyal Magen, "Minister of Public Security at Special Committee of the Interior: The Public Has Over 290,000 Weapons," Rotter, April 2012, https://bit.ly/2HsgWfD.

the restrictions upon civilians in carrying weapons.[94] Almost a year later, in October 2015, the minister of defense explicitly called upon civilians to carry weapons to protect themselves from terrorist attacks. In August 2018, the minister of public security published a new set of criteria for civilians to possess weapons, stating that he believed that there was a high chance that an armed civilian would be the "first responder" in a terror attack. He stated that this decision would allow a large number of civilians to request and obtain weapons permits.

In addition to a lack of a fixed policy about issuing firearm licenses, the role of the armed citizen in Israel's security policy has never been discussed in depth. Various officials, including political figures and senior civil servants, previously had called upon civilians to carry their weapons during waves of terrorist attacks. The question of how an armed citizen is expected to act, however, has never been answered. Thus, it turns out that the armed citizens are trained according to different worldviews, some relating to the world of security and law enforcement, which could cause serious legal problems when implemented.

The lack of a regular policy on this important and principled issue has led to the emergence of groups of armed civilians who seek to defend the public. In its description, one of these organizations uses professional military terms, such as

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[94] Gili Cohen, "Following the Escalation: The Minister of Public Security Approves Extensive Relaxation in Giving Firearms Licenses," *Haaretz*, November 20, 2014, https://bit.ly/2Ih0e26 [Hebrew].

"breaking the line of progress of the attacker and exploiting movement to increase survivability"; "opening a line of fire within a crowd"; "utilizing angles and concealment to control the area"; and "controlling areas and spatial blocs for advancement or retreat." This is allegedly an offense against section 143 of the Penal Code, which deals with unauthorized military training. By law, those who "teach, train, or instruct to use weapons or carry out military exercises, maneuvers or operations, without the government's permission" face a seven-year sentence while those who practice or practice such activity or even just present for to practice and train could expect a three-year reduced sentence.[95] At the end of November 2018, a coalition of human rights organizations filed a petition with the High Court of Justice against the minister of public security, claims that relate to some of what is written here in this document and reinforce what is stated therein.[96]

The conclusion is that the absence of policies about the arming of civilians has led to inconsistent decisions over the years. Arming or disarming civilians is a lengthy and long-term process, so one cannot expect quick results. Inconsistent decisions do not contribute to the public's cooperation and support of the decisions and may prevent the decision makers from achieving their goals.

The Role of Security Officers in Israel

Training of the security officer currently is done in one two ways. One kind of training is conducted through a course given by the police. In some cases, candidates

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[95] Paragraph 14 of the Penal Law, https://bit.ly/2WeNdim.

[96] https://pic-upload.ynet.co.il/news/petition.pdf. [Hebrew].

who are not regulated at all but who are employed in the security field are accepted into this courses. In many work places, training is not a prerequisite for the job, and many security officers receive their training after they start working. In some cases, however, security offers have long periods of work without training, including in regulated entities, such as security officers in educational institutions. The other training is conducted with neither police oversight nor mandatory regulation. The police do not recognize this kind of training, and it is only intended for security officers in non-regulated entities.

Many security officers also are tasked with information and cybersecurity, loss prevention, integrity testing, and investigations, fields in which the Israel Police do not provide training or oversight. It should be noted that cyber threats now could cause greater harm to many organizations than terrorist threats. Security officers devote a great deal of time to these fields not under police regulations. For example, the security officers in retail and trade are primarily responsible for preventing loss in their companies, which conflict with the security functions perceived and regulated by the police. In many cases, the requirements of the regulatory entity do not relate to the core occupations of the security officers, while there is no other regulatory entity that can oversee them in their work.

Civilian Security Against Hostile Terrorist Activity

In the early 2000s, Israel endured waves of terror attacks that had a major effect on security. Security guards were posted at every restaurant, mall, and store. The number of security companies in those years jumped to over 350 and employed more than

100,000 security personnel, most of whom were recruited without having to meet any criteria, without having regular training and operating without any authority.

During this time, in 2007, the Israel Police's security department was upgraded to a division. At the time, the police realized that it would not be able to fulfil its tasks, because of the legal implications, the multiplicity of attacks, and the increase in the scope of civilian security. Four laws and several regulations have provided the legal infrastructure for the division's work, reflecting the development of the security field:

1. The Regulation of Security in Public Bodies Law, 5758–1998, which concerns the definition of the role of the security officers, their manner of appointment, and their powers. The law mainly addresses government ministries and entities, government companies, infrastructure entities, and official public entities. The law deals with the training of the security officers in general and states that the police will determine the course of training in the entities under its authority. Some bodies were excluded in the law, including the colleges (even though they have more students than in the universities), municipalities and local councils, strategic facilities such as Israel Chemicals, and food manufacturers, such as Osem and Coca-Cola. The main reason for not including them in the law was due to budgetary reasons.

2. Powers for Protecting Public Safety Law, 5765–2005 mainly lists the powers given to security guards. The law stipulates that security guards must undergo "appropriate training" to be legally authorized to act. This law repealed a 1969 law, the Powers of Search (Emergency) (Temporary Provision) Law, 5729–

1969, which allowed a police officer, a soldier, or a "member of the Civil Defense" to search a person suspected of carrying an unlawful weapon.

3. Prohibition of Violence in Sports Law, 5768–2008 specifically addresses sports events and lists the powers of the ushers/stewards. The law mentions that "appropriate skills and training" are required for the various positions.

4. The Licensing of Businesses Law, 5738–1968 requires the approval of the police to open a business and includes security guidelines.

In addition to these laws, government decisions dealing with security have also informed the work of the Israel Police's Security Division. These include:

1. Resolution 5764 of June 25, 1995 directing the police to secure educational institutions.

2. Resolution 3738 of October 3, 2011, which expanded the security directives of the educational institutions, including addressing civil threats and maintaining public order.

3. Resolution 5764 of the Ministerial Committee, which addressed the security of public transportation.

These laws and regulations make it clear that the authorities must determine the appropriate training. Until today, in the field of sports, the authorities have been unclear about who is responsible for implementing the law in all that relates to security training.

Since the establishment of the Security Division in 2007, the police have begun to exercise a substantial part of its duties according to the government decisions. As

over a decade has passed since the division was established, it is possible to see if its objectives have been achieved.

The first aspect to consider concerns proper oversight of the regulatory entities. The gap between the size of the private security systems and the powers allocated to the police for control and supervision is unreasonable. For example, the Security Division of the Israel Police has only three officers who supervise the security at all educational institutions in the country. The second aspect concerns the lack of uniformity in security procedures. The difficulty in representing the division as a regulatory entity before the bodies in the field—the district—may be the reasons for differing security regulations in the various districts. For example, when the Turner Stadium in Beer Sheva began operating, the area commander decided that physical searches on a person would be done only if the person was suspicious, while at other stadiums throughout the country, each person is physically searched, as directed by the Security Division of the Israel Police.

The third aspect relates to the function of the Security Division as a professional regulatory entity in all that relates to the following:

- **Positions**: Those who have positions in the Security Division and who are responsible for regulating security are usually appointed without having any background in security. The term of office in the division is two to three years, and this period also includes the time required to study the various aspects of the field. In contrast, in the civilian security system, most of the security officers have long-standing experience, exceeding those who regulate them.

- **Writing of procedures**: The writing of procedures does not have any uniformity and consistency. One of the functions of a regulatory entity is to issue procedures and validate them regularly, to write instructive materials, and to provide training.

- **Operational doctrine**: Despite the need to develop an operational doctrine in a variety of security areas, it is missing in many areas. Although an operational doctrine also should develop regarding result of investigations and lessons learned, but these are practically never done.

- **Auditing**: Reviews of the training and the operations of the security officers and guards in the field are conducted to a very limited extent.

- **Strategic development**: Developing long-term plans requires forward-thinking discussions. These discussions are usually not held.

Due to the lack of a uniform security approach, the security in various places and the behavior of different security agencies varies, even when it comes to performing the same tasks under similar conditions. The lack of a security concept also leads to inconsistencies in guidelines and in levels of security, as well as not executing good security solutions and responses at a lateral level.

Conclusion: The Significance of the Lack of a Homeland Security Strategy

In this chapter, we analyzed the current situation, indicating that many issues cannot be resolved within the context of the current regulatory structure. Many security personnel are not regulated by the police nor by any other entity. Security personnel working for the same kind of environment may be regulated by different entities, thus

following different guidelines. Many areas of police-regulated security practices are not subject to police guidance, but the police do not take this into account.

The growth and scope of civilian security has made it more difficult for the police to regulate and supervise as required. Civilian security extends across a wide range of disciplines that require dedicated and focused professionalism, outside the skill and expertise of the police. Due to the budget, personnel, and prioritization, the police—being the main regulatory entity—has been unable to build a sufficiently professional regulatory system, while the entire training process has been privatized without sufficient supervision.

Israel needs a security concept in part because of the lengthy period of time it would take to implement major changes affecting security personnel and their required training and the acquisition and implementation of state-of-the-art security technology. Israel is in a constant crisis of not having enough skilled security personnel. Only a broad and comprehensive view of the needs and the responses will enable the security field to balance between the security needs and the ability to adequately provide them.

Given that the technological investment required for security is enormous, a long-term vision is essential. For example, facial recognition technology is impossible with older generation cameras, but replacing an organization's security cameras could be very costly. In the absence of a long-term security concept, regulated entities could spend exorbitant funds on expensive technologies that are not necessarily better than others.

Often, the police do not determine the security priorities if at all. While the Israel Police participate in the security of some localities, agricultural areas, and events, the police do not participate in financing the security of other entities, such as

El Al. In some cases, the police even require business owners to employ their own police officers. Past security incidents have and will continue to affect the concept of security; therefore, decisions relating to security—including who and what to secure—should not be restricted to just the police.

The Proposed Solution: Establishment of a Homeland Security Authority

One of the important goals of a security strategy is to regulate the areas of activity and responsibility of the various regulators. The Israeli government was supposed to have determined this strategy but it has failed to do so. It is necessary to change the existing situation and appoint a single entity that will outline the security strategy, coordinate the regulators, and monitor the actual implementation of public security.

We propose that a homeland security authority be established, which would be able to meet the full range of needs and matters of this field. This authority would determine regulations and criteria in operational, intelligence, doctrinal, instructional, and technological fields, in addition to determining the human resources. This authority would be the address for all security professionals. It would not replace the existing entities, although some may have to change the way they work. The authority would be the principal regulator and the existing entities would be responsible for translating the regulations to their subordinates and supervising their implementation. We have examined three alternatives for establishing the authority: (1) Establishing a homeland security authority based on the Security Division of the Israel Police; that is, turning the Police Security Division into the State Security Authority; (2) Forming a security authority on the basis of the Counterterrorism, Public Security and Home Front Division within the National Security Council (NSC) in the Prime Minister's Office. It is possible to implement this alternative by transferring these activities from the NSC to an independent entity or by subordinating it to the NSC; and (3) Establishing an independent homeland security authority that would be subordinate to the Prime Minister's Office or the Ministry of Public Security.

Several criteria were established for analyzing these alternatives. Table 2 below

lists the criteria and analysis of each alternative in accordance with these criteria.

Table 2. Criteria for analyzing the alternatives

Criterion	Authority that is based on the police's security department	Independent authority that is subordinate to an appointed minister	Authority based on the Counterterrorism, Public Security and Home Front branch at the NSC
Connection to an appointed minister	**Medium**—Access to the appointed official through the chief superintendent of the Police.	**Strong**—Direct access to the appointed official.	**Medium**—Indirect access to the appointed official through the head of the NSC.
Leading legislation	**Medium**—Difficult to drive legislative processes and change of a veteran body operating within the police.	**Strong**—Pushing legislation through the appointed minister.	**Strong**—Pushing legislation through the appointed minister.
Access to resources	**Medium**—This authority will rely on the police budget and will find it difficult to mobilize dedicated resources directly.	**Strong**—The authority will be able to mobilize resources through the minister in charge and through designated government decisions.	**Strong**—The authority will be able to mobilize resources through the minister in charge and through designated government decisions.
Access to intelligence	**Medium**—Use of police resources, but additional intelligence will be required from other intelligence collection and evaluation entities, such as the IDF and the Shabak.	**Medium**—The authority will depend on receiving intelligence from other entities, such as the police, the IDF, and the Shabak.	**Medium**—The authority will depend on receiving intelligence from other entities, such as the police, the IDF, and the Shabak.
Potential for conflict with other agencies	**Medium**—Some resistance due to partial extension of the powers of the Security Division.	**Medium**—Partial resistance to the new body. From the experience gained from setting up the cyber array, it seems that this resistance can be overcome in the medium term.	**Strong**—Partial resistance to a new (though familiar) body and conflict of interest (regulated entities that may disagree with their position).
The entity's interest to lead change	**Weak**—A built-in difficulty to drive changes in an existing entity.	**Strong**—High ability and motivation to create change in a new entity.	**Weak**—A built-in difficulty to enact changes in an existing entity in activities that could lead to conflict with the security agencies.
Economic effects	**Medium**—Using the sources of the existing entity.	**High**—Establishing a new entity will involve considerable costs.	**High**—Using sources of the existing body but with a considerable addition to costs.

Although the police is the largest and main regulatory body, a decision to

expand its security powers is not applicable for two main reasons: First, it is highly

doubtful that the police will succeed in addressing the many civil issues not at the

core of its practice, which require specialization and also have financial implications.

Second, the police has proven during the ten years of the Security Division's existence—and even earlier, since the government's decision in 1974—that security is not purely a police discipline. It is enough to compare the police's dealing its core issues—such as investigations, sabotage, intelligence, and traffic—to its dealing with security issues to see that security was and still remains outside its core actions.

The NSC is the prime minister and the government's headquarters on issues of homeland security. It derives its authority from the law and acts according to directives of the prime minister. Subordinating the security authority to the NSC could counteract many the potential objections from forming the new authority. Another advantage of subordinating the authority to the NSC is the ability to rely on existing personnel, processes, and knowledge without having to establish everything anew. Moreover, there would be great synergy between the NSC and some of the roles of the security authority. Nonetheless, the NSC is a staffed entity that serves the government and the prime minister and does not handle ongoing long-term projects that require direct responsibility for processes, persons, and institutions. One of the functions of the NSC is to examine the opinions and ideas of the various security entities and even confront them when necessary, thus, it is unlikely that the NSC would also serve as the professional regulator in the field of security.

Creating and successfully implementing an independent authority has been an appropriate alternative for the cyber field and, and one can see similarities between the cyber and security fields. Like the Cyber Authority, a homeland securityauthority would be able to issue warnings, provide security bodies with an operational doctrine, and offer advice even to those who are not formally under its regulation.

The security authority should be situated in the Prime Minister's Office, where it would gain more prestige and power, or in the Ministry of Public Security. The

advantage of subordinating it to the Ministry of Public Security is that the minister of

public security is responsible for the police and can synchronize between the two. The

advantage of being subordinate to the prime minister is that the authority will have

status and proximity to the most senior and influential decision makers, and it will be

able to engage in areas for which the various government ministries are responsible.

Given these considerations, the best option is an independent authority that is

subordinate to an appointed minister. In the next section, we present the structure of

the authority in general and how it would function.

Creating a Homeland Security Authority

The enormous security challenges in Israel, the ever-growing private security sector,

the numerous regulators in the security field, and the economic implications of such a

large security system necessitate the establishment of an independent homeland

security authority. This authority should be directly subordinate to a relevant

government office and should be responsible for all security activity, as it will be able

to see the whole picture and balance the sometimes contradictory pressures and

demands of those involved in the field.

The Main Functions of the Homeland Security Authority

The purpose of the Homeland Security Authority will be to develop a homeland

security policy and to ensure its implementation, provide advice on security policy in

Israel to the government, and provide guidance to the various regulators and security

entities accordingly.

Its main functions will be as follows:

1. Developing a national concept for security in Israel and its actual

   implementation, synchronized and coordinated with all relevant entities in the

country in the following fields: physical security, including terrorism, public order, and violence; occupational integrity; prevention of loss and functional continuity; and protection of information in coordination with the Cyber Authority;

2. Serving as the main supervisor of the security regulators, including the Israel Police, the IDF, the MALMAB, and the Shabak, but without assuming their responsibility for implementation;

3. Determining priorities, criteria for specific levels of security, and requirements of security practitioners;

4. Providing guidance to anyone who deals with security and to those who are not directly supervised by an existing regulator;

5. Developing a concept for regulating security systems to deal with emergencies, handle hazardous substances, and address violations of order, in full coordination with the Israel Police and the Home Front Command;

6. Establishing uniform professional principles for all security issues in accordance with operational needs;

7. Conducting and supporting research studies of security, including examining recruitment, the retention of personnel and technology, weapons and security. The Homeland Security Authority will also promote research that examines the relationship between security and democracy and the cooperation with foreign security entities and relevant organizations;

8. Serving as a professional advisor to the state authorities regarding legislation that may be security related;

9. Monitoring and supervising the security entities both directly and indirectly through the entities that it will authorize.

Roles and Responsibilities

The IDF, Israel Police, Ministry of Defense, the Shabak and other agencies will be the implementing agencies, responsible for carrying out the directives of the Homeland Security Authority. The Homeland Security Authority will not regulate the Israel Police in its ongoing activities (such as handling demonstrations), or other security entities in their ongoing professional activities, (such as securing the Shabak's operations), even if these activities necessitate security measures.

The Homeland Security Authority will regulate the implementing entities in the following areas: personal protection, and security of shipping, aviation, and Israeli delegations abroad.[97] A separate dedicated professional body will be established within the Authority for this purpose.

The Components of Force Building in the Establishment of the Homeland Security Authority

During the establishment of the Homeland Security Authority, several components of force building must be considered. They are as follows:

1. **Development of a homeland security policy and doctrine**

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[97] It will regulate, among other things, the security of the overseas delegations of the Ministry of Defense, the Jewish Agency, government institutions, Keren Hayesod, and the Jewish National Fund. In times of war, the Authority will oversee the security of recruitment centers around the world and any other activity required by the IDF.

One of the Homeland Security Authority's first actions will be to formulate a homeland security policy and then develop a security doctrine, which is the interpretation of the methods and means of implementing the homeland security policy. The Authority will be required to develop and implement a national system of documents about security.

The Homeland Security Authority will develop the homeland security policy in coordination with all the relevant entities in the security field. It will serve as the interface with these entities—observing the boundaries between them—for sharing intelligence, regulatory processes, and implementation oversight as well as additional aspects. The homeland security policy will be approved by the responsible minister or by the government in accordance with the decision of the responsible minister.

This homeland security policy will serve as the foundation from which the force building processes will be formed, in terms of training personnel as well as in technology, organization, and implementation.

2. **Personnel**

Training of appropriate professional personnel is critical to realizing the homeland security policy and doctrine. In terms of personnel, the main issues are to determine the range of security professionals required and the minimum conditions for acceptance; to develop and maintain appropriate training for the personnel; to monitor and test the personnel to ensure that they actually meet the Authority's requirements.

The Israel Police and other regulating entities have criteria for recruiting and training security personnel. The Homeland Security Authority should determine the policies related to the personnel who will be employed in security, and these criteria will serve as the basis for recruiting and training personnel.

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The Homeland Security Authority should determine the structure of training and its content, as well as the criteria for selecting the instructors based on the combat doctrine for homeland security. The Homeland Security Authority should also determine and review the training content and its quality, in addition to establishing criteria for qualifying, regulating, and supervising the training institutions. The Homeland Security Authority should establish a database for collecting data for all the areas it will cover.

The security personnel should include armed security guards, security screeners, ushers, dispatchers, shift supervisors, and security managers. In terms of personnel, the Homeland SecurityAuthority should take the following steps:

• Determine personnel recruitment criteria for all security arrangements, as well as for moving between positions and publish these criteria;

• Create a database for collecting and monitoring data;

• Oversee personnel who move between entities;

• Monitor the various executing entities and oversee how the guidelines are executed.

The Homeland Security Authority will also oversee security consultants, whose field of activity is currently unregulated. Criteria and standards for consultants should be established in these fields: writing security plans and building security systems; low voltage protective measures; (noncyber) information security. The Homeland Security Authority should visit the consultants employed in the various fields and establish a database for collecting and monitoring data.

In the field of occupational integrity, the Homeland Security Authority will be responsible for determining a mandatory work methodology for the security industry;

establishing criteria and standards for companies in this field when they deal with the security industry; and auditing and overseeing these companies.

The Homeland Security Authority will establish an institution for handling the hiring of security personnel and monitoring their terms of service.

3. **Means and technology**

The Homeland Security Authority will review the Israeli and global market, identify the appropriate weapons, and assist in their acquisition. In addition, the Homeland Security Authority should identify technological gaps in the relevant performance factors and identify the operational needs requiring the development of weapons.

The Homeland Security Authority will work to identify needs during both routine times and exceptional events when technological responses are inadequate or when intelligence is received from the competent authorities or following exercises. After having identified the needs, the Homeland Security Authority will conduct research to determine the gaps and provide adequate responses within three years for acute threats; three to five years for permanent and potential threats to infrastructure that could develop; and a strategic response to threats that could develop over a period of more than five years.

The Homeland Security Authority will determine the priorities for addressing the technological gaps and the entity that should handle them, in addition to assessing the costs and work to obtain the resources necessary for a response. The Homeland Security Authority should define and prioritize gaps in collaboration with relevant stakeholders, such as those facing threats, and associates in Israel and around the world who are engaged in identical or similar fields.

The Homeland Security Authority will serve as a headquarters and not as an operational organization; thus, it will not be required to actually provide the weapons and technological solutions; rather it will consolidate and coordinate their handling. The consolidation and coordination efforts will include the following actions:

- Defining the operational need;

- Analyzing alternatives and selecting an alternative;

- Issuing specifications for the preferred alternative;

- Locating budgetary sources;

- Choosing the entity that will handle the security operation;

- Accompanying the handling and quality control of the solution;

- Accessing and assimilating the product as a solution for the specified purpose.

The response will be done in constant dialogue with the clients and regulatory entities in the country to avoid a situation in which resources are invested in a response that does not meet the standards or is inappropriate for the needs.

This work will be done in collaboration with relevant groups, such as academic institutions, peer bodies, innovation centers, industrial bodies, and manufacturers. The public will be kept informed through public announcements or through annual competitions on relevant topics, such as competition for startups dedicated to counterterrorism technologies, for example the Combating Terrorism Technology Startup Challenge (CTTSC).

4. **Organizational aspects**

It is proposed that the Homeland Security Authority be set up in according to a matrix organizational structure, which, along with topical functions, will include references to the existing regulatory entities and to those entities and institutions that are not currently regulated. The responsibilities that are currently entrusted to the regulatory entities (Israel Police, IDF, Shabak, and MALMAB) will continue, but they will be subject to the Homeland Security Authority regarding the security policy, personnel, and required training. In addition, the Homeland Security Authority will need to determine guidelines for entities that are not regulated.

It is proposed that the Homeland SecurityAuthority include the following office holders:

Head of the Homeland Security Authority: This person will be appointed by the government and should have a rich background, knowledge, and experience in both state and civilian security.

Deputy head: This person should have a rich background, knowledge, and experience in the field of state and civilian security and will be responsible for areas determined by the head of the Homeland Security Authority. In case of absence of the head of the Homeland Security Authority, the deputy head will assume their position.

In addition, the professional headquarters will be composed of the following office holders:

An attorney general will advise the head of the Homeland Security Authority and its various staff members on all legal matters relating to their powers, duties, and tasks. The attorney general will also represent the Homeland Security Authority in any legal proceedings.

A comptroller will conduct internal audits of the Homeland Security Authority in accordance with the provisions of the Internal Audit Law.

A treasurer will be appointed in coordination with the Accountant General in the State Treasury and will be responsible for all the financial activities of the Homeland Security Authority.

It is proposed that the Homeland Security Authority operate intelligence, technology, and foreign relations units, and their functions will be as follows:

Intelligence—This unit will establish the subjects for collecting information, conducting research, monitoring intelligence gathering, and transferring it to all security agencies in Israel and worldwide. Professional representatives from the intelligence entities could serve as the link between the Homeland Security Authority and the intelligence agencies. These representatives would be relevant to the research, processing, and dissemination of intelligence according to the criteria relevant to the security field.

Technology— This unit will be responsible for providing technological responses for security needs, in addition to conducting ongoing research as well as scientific and technological development.

External relations—This unit will engage in building and fostering relationships with peer organizations in Israel and abroad.

In addition to these units, professional entities will act in accordance with the following content fields:

Personal protection: This entity will be responsible for regulating personal protection of VIPs and others, according to the list of people who are given personal protection, as determined by the government or police, as well as professional regulation of all the governmental agencies that engage in personal protection.

Securing delegations: This entity will be in charge of regulating the security of Israeli representative offices abroad and delegations that represent the state abroad.

Information security: This entity will be responsible for the physical security of sensitive information.

Security of transportation and border crossings: This entity will be authorized to regulate the security of all Israeli airports and ports, aircrafts, and the security of ships, trains, and public transportation.

Security of critical infrastructures, public and private institutions: This entity will be responsible for regulating the security of infrastructures, facilities, educational institutions, public institutions, commercial and private institutions.

Security of public events: This entity will be in charge of regulating the security of sporting, cultural, and entertainment events in public spaces, rural areas, and more.

Security of communities and camps: This entity will be responsible for regulating the security of communities and camps.

5. **Implementation of the concept, training, and exercises**

The development of the four components of force building of the proposed Homeland Security Authority cannot be complete without assimilating the security policy, the combat doctrine, and regulation accordingly within the framework of a comprehensive program of training and drills. The State of Israel holds annual training and drills on a variety of topics for the IDF, the Home Front Command, as well as national cyber exercises and more. It is proposed that the Homeland Security

Authority be integrated into the training and drills program with specific exercises that it will initiate and implement.

One role of the Homeland Security Authority will be to conduct audits and exercises for the implementing entities, and for this purpose, it will have to establish criteria and standards for external entities that will actually conduct the audits and exercises. These entities will be subject to regulation and review by the Homeland Security Authority. The training and drills will assist in developing knowledge and updating the security policy and combat doctrine. The Homeland Security Authority will also conduct routine investigations to examine whether and how its actual regulations are being implemented.

Conclusion

Since its establishment, the State of Israel has been confronted with hostile terrorist activity in various forms. In response to a number of serious security incidents, the Israeli government has made different decisions over the years to divide the responsibilities of maintaining security among a number of relevant entities. However, due to an expanding array of security threats, fundamental problems have developed over the years that have not yet been resolved.

Israel suffers from a plethora of security regulators. Five main regulatory entities regulate security in Israel: (1) the Israel Police, which act in accordance to a series of laws, including the Regulation of Security in Public Bodies Law, the Prohibition of Violence in Sport Law, the Law of Powers, the Licensing of Business Law, and the Police Ordinance; (2) the IDF, which regulates security at the military bases, Israeli communities in Judea and Samaria, and in the maritime space; (3) the Shabak, which regulates the security of symbols of governance, facilities, aviation, delegations, and VIPs; (4) the MALMAB, which is responsible for regulating the Ministry of Defense, defense facilities, and defense industries; and (5) the Ministry of Public Security, which regulates weapons maintenance and supervising activities and municipal policing.

These regulating entities operate without any optimal synchronization, resulting in the poor service that the citizens receive. In addition, the trend of privatizing security has expanded, as a result of the state's difficulties in providing reasonable security. Privatization occurs without sufficient professional regulation and is generated primarily by the interests and pressures of stakeholders. Many security agencies find themselves without any oversight and they operate as they see fit. Moreover, there is both a lack of a long-term vision regarding technological developments, which could help advance security, as well as of a clear perception of the role of the armed citizen in Israel.

In this memorandum, we have proposed to establish a Homeland Security Authority that will be subordinate to an appointed minister. The Authority will work to develop a homeland security policy and to implement it effectively, to recommend Israel's homeland security policy to the government, and to oversee the various regulating and operational entities accordingly. Its duties will include determining priorities and allocating resources based on the levels of security needed for handling basic threats; serving as the head regulator for the existing regulating entities; coordinating between the various government agencies that are related to security; and controlling and supervising all security entities operating in the country. Establishment of the Homeland Security Authority requires an upgraded system, to be set up by experienced security professionals, who fufill different security roles in various fields and who are trained and have the necessary abilities to perform their duties. Several preliminary steps are required for the establishment of this Homeland Security Authority. The Israeli government must approve this document and decide to establish a Homeland

Security Authority in Israel. Approval of its structure will require extensive study of the work plan.

As is customary in Israel, it will be difficult to establish a new and powerful entity without the cooperation of all the security and operational entities. Therefore, it is proposed that all security entities should participate in finalizing the requirements of the Homeland Security Authority and in defining its structure accordingly.

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Hagai Baram, Perry Novotny, Itzhak Shadar, Shlomo Harnoy, retired Police Commissioner Shlomo Aharonishky, Oded Raz, Zvi Kanfer and Haim Kenig have supported the writing of this work under the guidance of Prof. Gabi Siboni. They initiated this work, in recognition it's importance to the security of the State of Israel. All of them have extensive experience in the in the fields of security and homeland security gained during years of service in Israel's security organizations. They all have one common interest — to promote and strengthen the level of security in the State of Israel.