

Flygtningenævnets baggrundsmateriale

Bilagsnr.:	123
Land:	Gaza-Vestbredden
Kilde:	U.S. Department of State
Titel:	International Religious Freedom Report 2008
Udgivet:	19. september 2008
Optaget på baggrundsmaterialet:	18. november 2008



Israel and the occupied territories

International Religious Freedom Report 2008

Released by the Bureau of Democracy, Human Rights, and Labor

The religious freedom situation in the [occupied territories](#) is discussed in the annex appended to this report. A report on the occupied territories (including areas subject to the jurisdiction of the Palestinian Authority) is appended at the end of this report.

Israel has no Constitution; however, the Basic Law on Human Dignity and Liberty provides for freedom of worship. Government policy continued to support the generally free practice of religion; however, some increases in societal abuses and discrimination contributed to a slight decline in respect for religious freedom during the reporting period. Specifically, societal abuses and discrimination increased against some evangelical Christian groups as well as Messianic Jews (persons who identify as Jews and who believe Jesus was the Messiah).

The Declaration of Independence and the Basic Law on Human Dignity and Liberty describe the country as a "Jewish and democratic state." Most members of the non-Jewish minority were generally free to practice their religious beliefs but were subject to various forms of discrimination, some of which have religious dimensions.

Relations among religious and ethnic groups--between Jews and non-Jews, Muslims and Christians, Arabs and non-Arabs, secular and religious Jews, and among the different streams of Judaism--often were strained during the reporting period. This was due primarily to the continuing Israeli-Palestinian conflict and the Government's unequal treatment of non-Orthodox Jews, including the Government's recognition of only Orthodox Jewish religious authorities in personal and some civil status matters concerning Jews. Government allocations of state resources favor Orthodox (including Modern and National Religious streams of Orthodoxy) and ultra-Orthodox (sometimes referred to as "Haredi") Jewish religious groups and institutions. There were no reports of religious prisoners or detainees in the country.

Tensions between Israeli Jews and Israeli Arabs increased significantly after the start of the second Palestinian Intifada (or uprising) in 2000, and remained high due to institutional, legal, and societal discrimination against the country's non-Jewish citizens and recent acts of terrorism by Palestinian residents of Jerusalem.

The U.S. Government discusses religious freedom with the Government as part of its overall policy to promote human rights.

Section I. Religious Demography

Based on its pre-1967 borders, the country has an area of 7,685 square miles and a population of 7.3 million, of which 5.5 million are Jewish, 1.5 million are Arabs, and 320,000 are classified as "other"--mostly persons from the former Soviet Union who immigrated under the Law of Return but who did not qualify as Jews according to the Orthodox Jewish definition or the definition used by the Government for civil procedures. According to figures from the Central Bureau of Statistics for 2005, the latest year such information was available, 7 percent of the Jewish population are Haredi, 10 percent are Orthodox, 38 percent describe themselves as "traditionally observant" or "traditional," and 45 percent describe themselves as "secular" Jews, most of whom observed some Jewish traditions. A growing but still small number of traditional and secular Jews associate themselves with the Conservative, Reform, and Reconstructionist streams of Judaism, which are not officially recognized for purposes of civil and personal status matters involving their adherents. Although the Government does not officially recognize them, these streams of Judaism received a small amount of government funding and were recognized by the courts. There is a small but growing community of approximately 10,000 Messianic Jews.

Slightly more than 20 percent of the population is non-Jewish, the vast majority of whom are ethnic Arabs. Of the non-Jewish population, Muslims constitute 16.5 percent, Christians 2.1 percent; Druze 1.7 percent; other religious groups 0.5 percent, including relatively small communities of, among others, Messianic Jews, Jehovah's Witnesses, and Baha'is.

The Government reported that during 2007 it issued 88,500 permits for foreigners to work in the country, and estimated that another 84,000 illegal foreign workers reside in the country. Most foreign workers are Protestant, Roman Catholic, Orthodox Christian, Buddhist, Hindu, or Muslim.

Section II. Status of Religious Freedom

Legal/Policy Framework

There is no Constitution; however, the Basic Law on Human Dignity and Liberty provides for freedom of worship, and the Government generally respected this right in practice. The Basic Law and the Declaration of Independence describe the country as a "Jewish and democratic state," establishing Judaism as the dominant religion while also promising full social and political equality, regardless of religious affiliation.

While the law explicitly guarantees freedom of religion and the safeguarding of "holy places of all religions," in practice Jewish holy places enjoyed significantly greater levels of legal protection and government resources than did the holy places of other religious groups. Discrepancies between Jews and various non-Jewish communities, as well as between Haredi and non-Orthodox Jews, were also prevalent during the reporting period.

The 1967 Protection of Holy Sites Law applies to holy sites of all religious groups within the country and in all of Jerusalem. The Penal Law makes it a criminal offense to damage any holy site. However, the Government only drafted regulations to identify, protect, and fund Jewish holy sites. Non-Jewish holy sites do not enjoy legal protection under the 1967 law because the Government does not recognize any non-Jewish sites as official holy sites. By the end of the reporting period, the Government had not responded to repeated High Court orders to explain its unequal implementation of the law.

The "status quo" agreement reached at the founding of the state between the country's founders and the mainstream Orthodox rabbinical councils, which has been upheld throughout the state's history, requires that the Government implement some policies based on Orthodox Jewish interpretations of religious law. For example, the Government recognizes only in-country marriages that are performed by the Orthodox Jewish establishment and does not allow civil marriages (e.g., secular ceremonies performed by state or municipal authorities). Exclusive control over marriages--including eligibility for marriage and the performance of marriage rites--resides by law with recognized bodies of the recognized religious denominations. The Orthodox Jewish establishment also determines who is buried in Jewish state cemeteries, limiting this right to individuals considered "Jewish" by Orthodox standards.

Proselytizing is legal in the country; however, a 1977 law prohibits any person from offering material benefits as an inducement to conversion.

The country's airline El Al and public buses in every city except Haifa did not operate on Saturday, the Jewish Sabbath; however, several private bus companies did operate during the reporting period. Additionally, streets in most Haredi Jewish neighborhoods were closed to vehicles on the Sabbath. According to the Law on Work and Rest Hours of 1951, which was upheld by the Supreme Court in April 2005, Jews in most professions were prohibited from working on the Sabbath unless they were granted a special permit by the Ministry of Trade, Industry, and Employment. However, the Government often chose not to enforce the law.

The law considers "religious communities" to be those recognized by, and carried over from, the British Mandate period (1920-48), during which Great Britain administered present-day Israel and the Occupied Territories. These include: Eastern Orthodox, Latin (Roman Catholic), Gregorian-Armenian, Armenian-Catholic, Syrian (Catholic), Chaldean (Chaldean Uniate Catholic), Greek Catholic Melkite, Maronite, Syrian Orthodox, and Jewish.

Since the founding of the country, the Government has recognized three additional religious communities--the Druze (a Gnostic offshoot of Islam) in 1957, the evangelical Episcopal Church in 1970, and the Baha'i in 1971. The fact that the Muslim population was not defined as a religious community was a vestige of the

Ottoman period when Islam was the dominant religion and it has not limited Muslims from practicing their faith. A collection of ad hoc arrangements with various government agencies defined the status of several Christian denominations with representation in the country. The Government allowed members of unrecognized religious groups the freedom to practice their religious beliefs. According to the Government there were no religious groups awaiting recognition during the reporting period.

With some exceptions, each recognized religious community had legal authority over its members in matters of marriage, divorce, and burial during the reporting period. Legislation enacted in 1961 afforded the Muslim courts exclusive jurisdiction to rule in matters of personal status concerning Muslims. For so-called unrecognized religions, no local religious tribunals exercised jurisdiction over their members in matters of personal status. Only recognized religious communities received government funding for their religious services.

In recent years the Arrangements Law, drafted annually to guide Government spending, has provided exemption from municipal taxes for any place of worship of a recognized religious group. Exemption from tax payments was also granted to groups that have not been officially recognized by law. However, the Government has generally interpreted the exemption from municipal taxes to apply only to that portion of the property of religious organizations actually used for worship.

Not-for-profit religious organizations also sometimes received tax exemptions. For example, the Lutheran World Federation (LWF) had tax-exempt status for its hospital on the Mount of Olives for almost 40 years until the District Court revoked this privilege in 2002. The LWF appealed to the Supreme Court and commenced negotiations with the Government to resolve the matter. The case was still pending before the Supreme Court at the end of the reporting period.

Secular courts have primacy over questions of inheritance, but parties, by mutual agreement, also brought such cases to religious courts. Jewish, Druze, and Christian families may ask for some family status matters, such as alimony and child custody in divorces, to be adjudicated in civil courts as an alternative to religious courts. Muslims have the right to bring matters such as alimony and property division associated with divorce to civil courts in family-status cases. However, paternity cases remained under the exclusive jurisdiction of Shari'a courts. There is no overarching law or directive that prescribes these varying approaches.

In 2003 the Government introduced a core curriculum program that required all state-funded schools to teach core subjects, such as English, mathematics, and science. Following years of failure by state-subsidized Haredi Jewish religious schools to implement the core curriculum, the High Court warned that under existing legislation, if the curriculum was not adopted by the beginning of the 2008-09 school year, Haredi schools would be ineligible for government funding. On July 23, 2008, the Knesset responded to the High Court's warning by passing new legislation that would allow the state to continue financing approximately 60 percent of these schools' expenses, even if they do not implement the core curriculum.

The Supreme Court ruled in April 2006 that Jewish rabbinical courts may not arbitrate property disputes between a divorced husband and wife. This ruling has, in effect, repudiated the authority of the rabbinical courts to serve as arbitrators in all financial disputes, even if neither party in the dispute objects to the rabbinic courts playing this role. Although the rabbinical courts ruled on financial matters since before the establishment of the state, their jurisdiction on these matters has never been established in law. In response to the Supreme Court ruling, the rabbinical courts initiated a Knesset bill to secure in law their jurisdiction over financial matters, which they presented in June 2006 to the Justice Ministry for its consideration. The Justice Ministry's review of the draft legislation was ongoing at the end of the reporting period.

The Ministry of the Interior has jurisdiction over religious matters concerning non-Jewish groups, while the Ministry of Tourism is responsible for the protection and upkeep of non-Jewish holy sites. The Ministry of Religious Affairs--re-established on January 14, 2008 after several years during which its functions were absorbed into the Prime Minister's Office--has jurisdiction over the nation's 133 Jewish religious councils, which oversee the provision of religious services in Jewish communities. A single non-Jewish religious council exists for the Druze and is overseen by the Interior Ministry's Department of Non-Jewish Affairs. Legislation establishing religious councils does not include non-Jewish religious communities other than the Druze. Instead, the Ministry of the Interior provides a limited amount of direct funds for religious services for recognized non-Jewish communities. The Government continues to finance approximately 40 percent of the religious councils' budgets and local authorities funded the remainder.

According to government figures, the 2007 budget for religious services and religious institutions for the Jewish population was approximately \$400 million (NIS 1.6 billion). Religious minorities, which constituted approximately 20 percent of the population, received approximately \$20.5 million (NIS 82 million), or just over 5 percent of total funding.

Under the Law of Return the Government grants immigration and residence rights to individuals who meet established criteria defining Jewish identity. Included in this definition is a child or grandchild of a Jew, the spouse of a Jew, the spouse of a child of a Jew, and the spouse of a grandchild of a Jew. The Government uses a separate, more rigorous standard based on Orthodox Jewish criteria to determine the right to full citizenship, entitlement to government financial support for immigrants, the legitimacy of conversions to Judaism performed within the country, and Jewish status for purposes of personal and some civil status issues.

Residency rights were not granted to relatives of converts to Judaism, except for children of female converts who are born after the mother's conversion is complete. According to the most recent Central Bureau of Statistics figures, approximately 31 percent of the country's Jewish population was born outside the country.

After the High Court ruled the practice illegal in 2007, the Interior Ministry no longer required that identification cards carry a nationality designation. In practice, however, the Interior Ministry still distinguishes between Jews and non-Jews on identification cards by printing the birth date of Jews in Hebrew letters according to the Jewish calendar while listing that of others according to the Gregorian calendar. Citizens and residents are required to register with the Ministry of the Interior's Population Registry as one of a set list of nationalities.

According to the Government watchdog group Movement for Quality in Government, between 2002 and 2007, 1,520 Haredi men chose to enter the workforce through programs mandated by the Tal Law, while 50,000 continued to study in yeshivas. According to Israeli Defense Force (IDF) figures released in July 2007, approximately 11 percent of all male candidates for military service had deferments as full-time yeshiva students, up from 7.3 percent in 2000.

Public Hebrew-speaking secular schools teach Jewish history and Jewish religious texts. These classes primarily cover Jewish heritage and culture, rather than religious belief. Public Arabic-speaking schools with Arab student bodies teach mandatory classes on the Qur'an and the Bible, since both Muslim and Christian Arabs attend these schools. Orthodox Jewish religious schools that are part of the public school system teach mandatory religion classes, as do private Haredi schools that receive some state funding.

Mixed Jewish-Arab schools are rare. Those private mixed schools that exist have proven to be successful for Arabs and Jews. For example, during the reporting period, an Arab and Israeli mixed school in Jerusalem gained popularity. Each class had an Arab and Jewish teacher each teaching in their mother tongue, and the school itself was run by two co-principals--one Arab and one Jewish. Students observe Muslim, Christian, and Jewish holidays, taking time off for both the Jewish high holidays and Eid al-Fitr at the end of Ramadan. All three religions were taught and discussed.

The Government observed the following Jewish holy days as national holidays: Rosh Hashanah, Yom Kippur, Sukkot, Simhat Torah, Passover, and Shavuot. Arab municipalities often recognize Christian and Muslim holidays.

Restrictions on Religious Freedom

Government policy continued to support the generally free practice of religion; however, an increase in societal abuses and discrimination contributed to a slight decline in respect for religious freedom during the reporting period. Specifically, societal abuses and discrimination increased against some evangelical Christian groups as well as Messianic Jews (persons who identify as Jews and follow Jewish traditions but who believe Jesus was the Messiah).

Many Jewish citizens objected to the exclusive control of the Orthodox establishment over Jewish marriages and other personal status matters, and to the absence of provision for civil marriage. Restrictions on movement and access to non-Jewish religious sites, as well as limits on funding and protection of those sites, also contributed to religious tensions.

Approximately 310,000 citizens--mostly immigrants from the former Soviet Union who immigrated under

the Law of Return--were ineligible to marry in the country during the reporting period because they were not recognized as Jewish by Orthodox religious authorities. Jews wishing to marry in a non-Orthodox religious ceremony or wishing to marry someone of another faith had to do so abroad. The Ministry of the Interior recognizes such marriages only when performed abroad. According to the nongovernmental organization (NGO) New Family Organization, more than 5,000 couples marry in civil ceremonies abroad each year, most in Cyprus.

The 1967 Protection of Holy Sites Law protects all holy sites, but the Government implemented regulations only for Jewish sites. At the end of 2007 there were 136 designated holy sites, all of which were Jewish. The Holy Sepulcher and other well-known sites have de facto protection as a result of their international importance; however, community mosques, churches, and shrines often face threats from developers and municipalities that Jewish sites do not face. The Christian pilgrimage sites around the Sea of Galilee face regular threats of encroachment from district planners who want to use parts of their properties for recreation. In the past, only diplomatic interventions have forestalled such efforts.

In 2004 the Arab-Israeli legal advocacy group Adalah petitioned the Supreme Court to compel the Government to protect Muslim sites. Adalah charged that all of the locations designated as holy sites were Jewish and accused the Government of failing to draft implementing regulations to protect non-Jewish sites, which resulted in desecration and conversion of individual Muslim sites. In January 2006 the Government stated that it appointed an interministerial committee to examine the administrative and budgetary management of holy sites. On August 20, 2007, the Supreme Court directed the Government to explain its failure to protect Islamic holy sites and provide funds for their maintenance. The Government's response to the Supreme Court was pending at the end of the reporting period.

During Jewish holidays, following terrorist attacks, and in response to other potential threats, the Government imposed closures to restrict travel in the country and the Occupied Territories for security purposes. These closures impeded access to holy sites in the country for Arab Muslims and Christians as well as Israeli-Arabs and Palestinians who possessed Jerusalem identification cards. The construction of the separation barrier also impeded access to holy sites throughout the country and the Occupied Territories during the reporting period.

In 2006 the Arab Association of Human Rights (AAHR) reported that the Government was reluctant to refurbish mosques in areas where there was no longer a Muslim population and has never in its history budgeted for the building of a new mosque. Muslim clerics, judges, and political leaders cited a lack of government funding for maintenance of and access to mosques in Tiberias, Safed, Be'er Sheva, Caesarea, and other places. The Government allowed private citizens or municipalities to turn several into galleries, restaurants, and museums.

The Government stated that the AAHR report referred to abandoned sites and not to active sites, and the abandoned sites were not properly maintained. There is no restriction on the construction of new mosques, and the Government noted that while the state budget does not cover the costs of new construction, it provided some assistance in the maintenance of mosques.

Muslim residents of the Be'er Sheva area, including members of Bedouin tribes, protested the municipality's intention to reopen the city's old mosque as a museum rather than as a mosque for the area's Muslim residents. The High Court rejected a petition from Adalah, representing the area's Muslim community, to enjoin the municipality from renovating the mosque into a museum. The petitioners argued that there were no alternative mosques in the Be'er Sheva area. In July 2006 the High Court proposed a compromise whereby the mosque would be used as a museum of Islamic culture. On January 21, 2007, Adalah rejected the court proposal, arguing that there was a need to uphold the religious rights of area Muslims. Adalah's response to the court observed that while there was 1 synagogue for every 700 Jews in Be'er Sheva, there was not a single mosque for the city's 5,000 Muslims. The case was pending at the end of the reporting period.

The approximately 80,000 Bedouin living in unrecognized villages were unable to build or legally maintain mosques as a result of longstanding government policy to deny ownership claims, building requests, and municipal services in such communities. Mosques existed in unrecognized Bedouin communities, but as with homes and other community structures, were considered illegal by the Government and therefore subject to demolition.

Missionaries were allowed to proselytize, although offering material inducements for conversion or converting persons under 18-years-old remained illegal unless one parent was of the religious group

seeking to convert the minor. The Church of Jesus Christ of Latter-day Saints (Mormons) voluntarily refrained from proselytizing under a longstanding agreement with the Government. While officially legal, missionaries continued to face harassment and discrimination by some Haredi Jewish activists and organizations and certain local government officials.

By the end of the reporting period the Knesset had not ratified the Fundamental Agreement that was negotiated in 1993 establishing relations between the Holy See and the Government. Ongoing government negotiations with the Holy See addressed tax exemptions for Roman Catholic institutions and property (churches, monasteries, convents, and educational and social welfare organizations) and the access of such institutions to Israeli courts. Under current law, property disputes involving religious institutions are handled by the executive branch of the Government. The 13-year-old negotiations between the Government and the Holy See were ongoing at the end of the reporting period.

Since the Government did not have diplomatic relations with Saudi Arabia, Muslim citizens traveled through another country, usually Jordan, to obtain travel documents for the Hajj (pilgrimage to Mecca). The average annual number of Hajj pilgrims traveling from the country in recent years was approximately 4,500, and the overall number allowed to participate in the Hajj was determined by Saudi Arabian authorities. According to the Government travel to hostile countries, including travel to Saudi Arabia for the Hajj, may be restricted; however, these restrictions were based on security concerns rather than on any religious or ethnic factors.

During the reporting period many groups and individuals of numerous religious groups traveled to the country freely. However, according to representatives of Christian institutions, visa issuance rates for some of their religious workers continued to decline in previous years. In October 2007 the Interior Ministry announced that several weeks earlier it had cancelled all multiple-entry visas for Christian clergy operating in the Occupied Territories. Clergy who wished to return to or visit their parishes in the Occupied Territories were required to apply for new, single-entry visas at consulates abroad, a process which could take months.

On October 26, 2007, the Interior Ministry told the newspaper *Ha'aretz* that the unannounced mass visa revocation was conducted at the request of security officials, and that the Ministry was "trying to coordinate a means of operation that would make it easier for clergymen and women to travel." In January 2008 the Interior Ministry agreed to reinstate multiple entry visas for certain senior clergy while offering others the opportunity to obtain re-entry visas at the same time they apply for permits to depart. At the end of the reporting period representatives of Christian institutions continued to complain of difficulties in securing re-entry visas.

The Government used private non-Jewish clergy as chaplains at military burials when a non-Muslim or non-Jewish soldier died in service. The Interior Ministry reported that it provided imams to conduct funerals according to Muslim customs. All Jewish chaplains in the IDF are Orthodox. The IDF did not have any Muslim or Christian chaplains because, according to government sources, the frequent home leave accorded to all soldiers allowed Muslim and Christian soldiers easy and regular access to their respective clergy and religious services at home.

The IDF sponsored Orthodox Jewish conversion courses for Jewish soldiers who received non-Orthodox (and therefore unrecognized) conversions and for non-Jewish soldiers seeking to convert to Judaism.

Military service is compulsory only for Jews, Druze, and Circassians (Muslims from the northwestern Caucasus region who immigrated to various points in the Ottoman-controlled Middle East in the late nineteenth century). Military service is not mandatory for Israeli-Arabs, and the vast majority of Israeli-Arabs opt not to serve in the army. Some Arab citizens, mainly Bedouin, are accepted as volunteers. As of June 2007, Israeli Arabs and Orthodox Jews can perform national service for 1 to 2 years as volunteers in health, education, or welfare sectors in lieu of military service. This service confers eligibility for the same national benefits accorded military veterans.

However, Israeli-Arab advocacy groups, Knesset members, and local community leaders charged that housing, educational, and other benefits, as well as employment preferences based on military experience, effectively discriminated in favor of the Jewish population, the majority of which served in the military.

Government resources available for religious/heritage studies to Arab and non-Orthodox Jewish public schools were proportionately less than those available to Orthodox Jewish public schools during the

reporting period. According to the Israel Religious Action Committee (IRAC), in 2006 approximately 96 percent of all state funds for Jewish religious education were allocated to Orthodox or Haredi Jewish schools. Public and private Arab schools offer studies in both Islam and Christianity, but the state funding for such studies was proportionately less than the funding for religious education courses in Jewish schools.

The 1996 Alternative Burial Law established the right of any individual to be buried in a civil ceremony and required the establishment of 21 public civil cemeteries throughout the country. However, at the end of the reporting period, only two public civil cemeteries existed, in Be'er Sheva and Kiryat Shmona. These were the only two public cemeteries available to the approximately 310,000 citizens, mostly immigrants from the former Soviet Union, who immigrated under the Law of Return but are not considered Jewish according to the Orthodox Jewish authorities. As in previous reporting periods, the Religious Affairs Ministry failed to implement the law during the reporting period and did not utilize any of the \$2.9 million (NIS 11.5 million) allocated in the 2007 state budget for the development of civil-secular burial plots. Certain Kibbutzim offered secular burials, but such burials were expensive. On January 31, 2008, the Jerusalem municipality approved plans to establish a new city cemetery for use by secular citizens free of charge.

In April 2005 the High Court instructed the Government to inform the court within 3 months of the Government's position on whether to recognize so-called consular marriages, those conducted by officials of foreign embassies in the country. On September 2, 2007, the Government stated that it would allow consular marriages as long as both parties are classified as having no religion or belonging to a religious community not recognized by the state.

The three Israeli municipalities of Tel Aviv, Mevasseret Zion, and Lod officially recognized the "Partnership Cards" issued by the Israeli NGO New Family **Organization for Family Rights**. The cards, which detail the rights and responsibilities of a shared life, are signed by both partners and a lawyer. The cards were issued to hundreds of couples, including some of the 310,000 Russian-speaking immigrants who are not entitled to marry in the country because they are not recognized as Jewish, to same-sex couples, and to citizens protesting the Orthodox rabbinical monopoly on Jewish marriage in the country.

The state does not recognize conversions to Judaism performed in the country by non-Orthodox rabbis. In a 2004 ruling the High Court determined that non-Jews who move to the country and then convert in the country through an Orthodox conversion were eligible to become immigrants and citizens pursuant to the Law of Return. On February 6, 2008, a ministerial committee on conversions announced the establishment of a new Conversion Authority--headed by Sephardic Chief Rabbi Shlomo Amar--to appoint and oversee the work of religious judges who evaluate the bona fides of would-be converts to Judaism. Critics charged that the appointment of Amar to head the Authority effectively erased years of progress toward broadening the official definition of Jewishness and solidified the Orthodox establishment's hold on matters of Jewish identity.

In May 2008 the High Rabbinical Court, headed by Chief Rabbi Amar, briefly annulled the conversion of a woman who had already passed the strict criteria of the Conversion Authority and been formally declared a Jew. The Court reversed its decision, however, following a public outcry from other Orthodox converts who feared their status as Jews might be called into question.

In May 2006 the Chief Rabbinate announced that it had decided 2 years earlier not to recognize automatically conversions performed by Orthodox rabbis abroad, citing the need for consistency of standards in the conversion process. During the reporting period, the Chief Rabbinate and the Rabbinical Council of America reportedly agreed on a list of Orthodox tribunals abroad whose conversion rulings would be recognized by the Chief Rabbinate.

Under the Jewish religious court's interpretation of personal status law, a Jewish woman may not receive a final writ of divorce without her husband's consent. Consequently, thousands of women, so-called agunot--"chained women"--are unable to remarry or have legitimate children because their husbands have either disappeared or refused to grant divorces. Rabbinical tribunals had the authority to impose sanctions on husbands who refuse to divorce their wives or on wives who refuse to accept divorce from their husbands, but they could not grant a divorce without the husband's consent.

Some Islamic law courts have held that Muslim women could not request a divorce but could be forced to consent if a divorce was granted to the husband. Divorced Arab women were stigmatized in their communities and experienced difficulties remarrying.

Members of unrecognized religious groups, particularly evangelical Christians, faced problems in obtaining marriage certifications or burial services that were similar to the problems faced by Jews who were not considered Jewish by the Orthodox establishment. Informal arrangements with other recognized religious groups provided relief in some cases.

On April 28, 2008, immigration police arrested German student Barbara Ludwig and prepared to deport her for failing to maintain a valid student visa to continue her graduate studies at Hebrew University. According to Ludwig and her attorneys at the Jerusalem Institute of Justice (JIJ), she made repeated attempts to renew her student visa but was denied because the Interior Ministry determined that she was a Messianic Jew. In an April 29 article, the *Jerusalem Post* described letters it had seen addressed to Ludwig from the Interior Ministry in which the ministry criticized her alleged missionary activity.

Most Orthodox Jews believed that mixed gender prayer services violate the precepts of Judaism. As a result, such services were prohibited at, among other places, the Western Wall, the holiest site in Judaism, where men and women must use separate areas to visit and pray. Women also were not allowed to conduct any prayers at the Western Wall wearing prayer shawls, which are typically worn by men, and could not read from Torah scrolls.

In 2004 the U.S.-based Simon Wiesenthal Center began construction of a \$150 million (NIS 600 million) Center for Human Dignity and Museum of Tolerance in Jerusalem. The Wiesenthal Center began building on the site of a municipal parking lot, which local officials built in the 1960s over part of a centuries-old Muslim cemetery. Supporters of the Wiesenthal Center cited an 1894 ruling by the Shari'a court, which stated that because the cemetery was abandoned, it was no longer sacred. During the reporting period, builders unearthed hundreds of skeletons and skeletal remains. After several Muslim organizations petitioned the High Court to stop construction, the court ordered the sides to arbitration and issued an injunction stopping construction work. The arbitration failed and the case was ongoing at the end of the reporting period.

The JIJ also alleged that officials in the Interior Ministry denied services to certain citizens based on their religious beliefs. The JIJ's legal defense caseload for such cases contained approximately 143 open files during the reporting period, including numerous cases dealing with attempts by the Interior Ministry to revoke the citizenship of persons discovered holding Messianic or Christian beliefs, or to deny certain national services--such as welfare benefits or passports--to such persons.

In other cases the JIJ alleged that the Interior Ministry refused to process immigration applications from persons entitled to citizenship under the Law of Return if it was determined such persons held Christian or Messianic Jewish religious beliefs. In one such case, the JIJ released a letter received by one of its clients, in which the Interior Ministry told the client--a legal resident otherwise eligible to immigrate under the Law of Return--that it was rejecting his application for status and ordering him to leave the country in 14 days because he "was involved in Messianic faith... (and) a person who is eligible for the Right of Return who advances the Messianic faith acts illegally." Responding to a petition filed by the JIJ on behalf of 12 applicants for immigration, the High Court ruled on April 16, 2008, that the Government could not deny status to a person eligible to immigrate under the Law of Return on the basis of that person's identification as a Messianic Jew, as long as that person was not also considered Jewish under the Orthodox definition.

There were no reports of religious prisoners or detainees in the country.

Forced Religious Conversion

There were no reports of forced religious conversion, including of minor U.S. citizens who had been abducted or illegally removed from the United States, or of the refusal to allow such citizens to be returned to the United States.

Persecution by Terrorist Organizations

During the reporting period, terrorist organizations, including Hamas, Palestinian Islamic Jihad, and Al Aqsa Martyrs Brigades, carried out regular attacks against Jewish citizens, mostly in the form of indiscriminate rocket and mortar attacks from the Gaza Strip. Terrorists often accompanied the attacks with anti-Semitic rhetoric.

Improvements and Positive Developments in Respect for Religious Freedom

In May 2008 the first-ever state-funded Reform and Conservative synagogues were opened in Modi'in. This followed the High Court's ruling in 2003 that it was permissible to use state funds for the construction of non-Orthodox synagogues. An agreement between the Government and the municipality of Modi'in resulted in the decision to provide state (but not municipal) funds for the construction and operation of non-Orthodox synagogues. Earlier in 2003, IRAC had petitioned the High Court on behalf of a Reform congregation in Modi'in to require that Modi'in municipality fund construction of a Reform synagogue.

On December 16, 2007, the Government formally recognized Theophilus III as the Greek Orthodox Patriarch following a ministerial review of his appointment. Earlier, the Government withheld recognition after the Greek Orthodox Church deposed the previous Greek Patriarch of Jerusalem, Irineos I, amid allegations that he authorized the sale of church property to Israeli investors.

As of December 2007, according to the Government, minorities (Arab Muslims, Christians, Circassians, and Druze) filled 51 of the 528 board seats of state-run companies. According to government data, the number of non-Jewish directors on the boards of state-owned companies increased from 5.5 percent in 2002 to almost 10 percent in 2007. A 2000 law that requires minorities have "appropriate representation" in the civil service and on the boards of government corporations.

In January 2007 Ghaleb Majadle, a Muslim member of the Labor Party, was appointed Minister of Science, Culture, and Sport, becoming the first-ever Muslim cabinet minister. Ahmed Tibi, a Muslim Knesset Member of the Ra'am-Ta'al Party, currently serves as the Deputy Speaker of the Knesset.

Section III. Societal Abuses and Discrimination

There was a slight increase in reports of societal abuses or discrimination based on religious belief or practice. While Jewish-Arab tensions remained at approximately the same level as in recent years, tensions between certain Orthodox and ultra-Orthodox Jewish communities and evangelical Christian and Messianic Jewish communities grew significantly during the reporting period. Relations among other religious and ethnic groups, including Muslims and Christians, Arabs and non-Arabs, and secular and religious Jews, also continued to be strained. Such religious and ethnic tensions are the result of historical grievances as well as cultural and religious differences, and they have been compounded by the ongoing Palestinian-Israeli conflict, which has included terrorist attacks targeting Jewish civilians, IDF operations in the Occupied Territories, incidents of Jewish militants targeting Israeli-Arabs, and incidents of Israeli-Arab involvement in terrorist activity.

Animosity between secular and religious Jews continued during the period covered by this report. Non-Orthodox Jews have complained of discrimination and intolerance by members of Orthodox Jewish groups. Persons who consider themselves Jewish but who are not considered Jewish under Orthodox law particularly complained of discrimination. As in past years, Haredi Jews in Jerusalem and other Haredi enclaves threw rocks at passing motorists driving on the Sabbath and periodically harassed or assaulted women whose appearance they considered immodest. Society's attitudes toward missionary activities and conversion generally were negative. Many Jews were opposed to missionary activity directed at Jews, and some were hostile toward Jewish converts to Christianity. The Messianic Jewish and Jehovah's Witnesses communities, among others, accused groups such as Yad L'achim, a Jewish religious organization opposed to missionary activity, of harassing and occasionally assaulting its members.

Despite harassment, the number of Messianic Jews and evangelical Christians has grown in recent years through both immigration and conversion. During the reporting period, however, increased press reporting and complaints from religious freedom activists indicated a corresponding increase in Yad L'achim activism and a growing wider backlash against the presence of evangelical Christian or Messianic Jewish congregations and missionaries living in Jewish communities.

Jehovah's Witnesses representatives reported an increase in assaults and other crimes against their members in the past 12 month period (up from one to two a month in early 2007 to eight to nine a month in early 2008) and noted the difficulties their members faced convincing the police to investigate or apprehend the perpetrators. The JIJ--a legal defense NGO for religious rights that represents mostly evangelical Christians and Messianic Jews--noted a similar increase in crimes and violent assaults against members of congregations it represents.

On May 15, 2008, residents of the Tel Aviv suburb of Or Yehuda publicly burned hundreds of Christian

Bibles distributed in the community by missionaries in recent months. The incident was reportedly organized by the deputy mayor of Or Yehuda, Uzi Aharon, after he received complaints about the Messianic Jewish presence from area residents. After the incident Aharon told the daily newspaper *Ma'ariv* that he sent a group of students from a local Haredi Jewish school throughout the town to collect the New Testaments, which were subsequently burned in front of a synagogue, while "hundreds" of students danced around the burning books. Aharon told *Ma'ariv* that the municipality operated a team of activists devoted entirely to uprooting missionary activity and that the book burning was a fulfillment of the commandment to "burn the evil from your midst." While Aharon subsequently sought to downplay his comments by expressing regret for any damage done to Jewish-Christian relations, he continued to defend the burning, stating on the country's Army Radio that it was necessary in order to "purge the evil among us."

A flyer distributed by Aharon's antimissionary team in months prior to the book burning exhorted residents to "Save your families!... Say no to missionaries who look for your soul... Be careful! Reject them! Chase them away from the place you live!" The flyer listed the cell phone numbers of Aharon and other members of the team and was accompanied by leaflets with the names, photographs, and addresses of local residents accused of harboring Messianic beliefs. The Chief Rabbinate, joined by Christian and Muslim leaders from the country and the West Bank, issued a statement on May 27 condemning the Or Yehuda New Testament burning while also condemning all attempts to convert a person from one faith to another. The Foreign Ministry issued a statement on May 29 condemning the book burning as "contrary to the values of the State of Israel as a democratic Jewish state that grants freedom of religion and freedom of worship to all its citizens."

In early May 2008 controversy erupted over the disclosure that an Israeli finalist in the International Jewish Bible Quiz was a Messianic Jew, prompting the country's two Chief Rabbis to call for the cancellation of the quiz on the grounds that selecting the 15-year-old "cult member" represented a "transgression of Jewish law."

On March 20, 2008, 15-year-old Ami Ortiz--a dual American-Israeli citizen and the son of a Messianic Jewish pastor--was seriously injured when a bomb exploded in his home in the West Bank settlement of Ariel. (see Annex on the Occupied Territories for further details).

On March 6, 2008, Palestinian Jerusalem resident Alaa Abu Dhein went on a shooting rampage at Jerusalem's prominent Mercaz Harav Yeshiva, killing eight students and wounding ten before being killed himself.

On March 3, 2008, unknown vandals broke into the Hassan Bek Mosque in Tel Aviv, damaging the gardens and property.

On November 8, 2007, a group of 13 visiting Austrian bishops, accompanied by the Austrian Ambassador, were barred from visiting the Western Wall, Judaism's holiest site, by the site's chief rabbi because they refused to remove the crosses they wore around their necks. The rabbi, Shmuel Rabinowitz, told the press that while the site is open to members of all religious groups, the crosses worn by the bishops were "insulting and provocative."

On October 23, 2007, arsonists fire-bombed a church in West Jerusalem shared by Baptists and Messianic Jews.

On September 17, 2007, Rivka Zagaron, a 75-year-old Holocaust survivor, was assaulted in Haifa by two young men shouting "Heil Hitler." After she escaped, the two youths reportedly assaulted a nearby custodial employee. Dozens of additional incidents of neo-Nazi vandalism--including offensive and threatening graffiti and property destruction--were reported throughout the country during August-September 2007, during what police characterized as a rash of such activity by disaffected youths generally from new-immigrant families.

An observer reported that a group of approximately 200 Orthodox Jews violently disrupted the religious service of a Messianic congregation in Be'er Sheva on December 24, 2005. According to the account, the group pushed and slapped the congregation's pastor and damaged property. On December 26, 2005, the observer filed a report with the Be'er Sheva police. Members of the congregation subsequently filed charges against the assailants. The Be'er Sheva District Court scheduled the case for trial on October 8, 2007, but following additional delays, the trial was rescheduled to commence on June 10, 2009.

Numerous NGOs in the country were dedicated to promoting Jewish-Arab coexistence and interfaith understanding. Their programs included events to increase productive contact between religious groups and to promote Jewish-Arab dialogue and cooperation. These groups and their events have had varying degrees of success. Interfaith dialogue often was linked to the peace process between Israelis and Palestinians and between the country and its Arab neighbors. A number of NGOs existed that sought to build understanding and create dialogue between religious groups and between religious and secular Jewish communities. Several examples were the Geshar Foundation (Hebrew for "bridge"); Meitarim, which operates a pluralistic Jewish-oriented school system; and the Interreligious Coordinating Council, which promoted interfaith dialogue among Jewish, Muslim, and Christian institutions. The Council of Religious Institutions of the Holy Land--comprised of the chief religious authorities of the area's Jewish, Muslim, and Christian establishments--continued to meet during the reporting period in its effort to build religious support for peace between Israelis and Palestinians.

Section IV. U.S. Government Policy

The U.S. Government discusses religious freedom with the Government as part of its overall policy to promote human rights. The U.S. Embassy consistently raised concerns of religious freedom with the Foreign Ministry, the police, the Prime Minister's office, and other government agencies.

Embassy officials maintained a dialogue with nongovernmental organizations that follow human and civil rights matters, including religious freedom, and promote interfaith initiatives. Embassy representatives also attended and spoke at meetings of such organizations, including, among others, the Abraham Fund Initiatives, Hand-in-Hand, the Mossawa Advocacy Center for Arab Citizens in Israel, the Association for Civil Rights in Israel, the Israel Religious Action Center, and Adalah.

THE OCCUPIED TERRITORIES (INCLUDING AREAS SUBJECT TO THE JURISDICTION OF THE PALESTINIAN AUTHORITY)

The Palestinian Authority (PA) does not have a Constitution; however, the Palestinian Basic Law states that Islam is the official religion and the principles of Shari'a (Islamic law) shall be the main source of legislation. The Basic Law also provides for respect and sanctity for other "heavenly" religious groups, and the PA generally respected this right in practice.

There was little change in the status of the PA's respect for religious freedom during the reporting period. President Abbas took steps to eliminate religious incitement, although some incidents of incitement still occurred during the reporting period. There were unconfirmed reports that Christians were targeted for extortion or abuse during the period covered by this report and that the PA did not take action to investigate these injustices, some allegedly perpetrated by PA officials. The Gaza Strip was under the control of Hamas during the reporting period, and the PA was therefore unable to enforce respect for religious freedom or address reports of harassment of religious groups in the Gaza Strip.

Israel exercises varying degrees of legal, military, and economic control in the Occupied Territories, and although Israel has no Constitution, its Basic Law on Human Dignity and Liberty provides for freedom of worship. The Israeli Government generally respected this right in practice in the Occupied Territories during the reporting period. However, Israel's strict closure policies had the effect of frequently restricting the ability of Palestinians to reach places of worship and to practice their religions. Israeli law also restricted the ability of Israeli Jews to reach places of worship in areas under Palestinian control.

The construction of a separation barrier by the Government of Israel due to security concerns, particularly in and around East Jerusalem, severely limited access to holy sites and seriously impeded the work of religious organizations that provide education, healthcare, and other humanitarian relief and social services to Palestinians. Such impediments were not exclusive to religious believers or to religious organizations, and at times the Israeli Government made efforts to lessen the impact on religious communities. The Israeli Government confiscated land belonging to several religious institutions to build its separation barrier. Most Palestinians and religious institutions refused compensation to avoid any perception that accepting compensation would legalize the confiscation of land and building of the barrier. According to the Israeli Government, it sought to build the barrier on public lands where possible, and when private land was used, provided opportunities for compensation. In principle, compensation was offered automatically with every confiscation order related to the barrier; however, owners needed to go through an appeals process. The value of the compensation was not automatic and was subject to appraisal and verification.

Christians and Muslims generally enjoyed good relations, although tensions existed. Societal tensions between Jews and non-Jews remained high during the reporting period, and continuing violence heightened those tensions.

The U.S. Government discusses religious freedom with the Palestinian Authority as part of its overall policy to promote human rights and focused on some specific instances of crime and attacks targeting particular religious groups.

Section I. Religious Demography

The Gaza Strip has an area of 143 square miles and a population of 1.5 million. The West Bank (excluding East Jerusalem) has an area of 2,238 square miles, and its population is 2.6 million persons, not including approximately 250,000 Israelis. East Jerusalem has an area of 27 square miles, and its population is 415,000, including approximately 180,000 Israelis.

Approximately 98 percent of Palestinian residents of the Occupied Territories are Sunni Muslims. While estimates vary in the absence of reliable census data, there are about 120,000 Christians in the West Bank (including East Jerusalem) and an estimated 1,500 to 2,500 Christians in the Gaza Strip. A majority of Christians are Greek Orthodox; the remainder consists of Roman Catholics, Greek Catholics, Protestants, Syrian Orthodox, Armenian Orthodox, Copts, Maronites, and Ethiopian Orthodox denominations. Christians are concentrated primarily in the areas of Jerusalem, Ramallah, and Bethlehem, but smaller communities exist elsewhere. According to local Christian leaders, Palestinian Christians emigration has accelerated since 2001, reducing the number of Christians in the West Bank and Gaza Strip. Most left for security and economic reasons, often related to construction of the barrier; however, low birth rates among Palestinian Christians also contribute to their shrinking numbers. There is also a community of approximately 400 Samaritans located on Mount Gerazim near Nablus in the West Bank.

A very small number of adherents of several denominations of evangelical Christians, as well as members of the Jehovah's Witnesses, reside in the West Bank.

Section II. Status of Religious Freedom

Legal/Policy Framework

The PA does not have a Constitution; however, the Basic Law provides for religious freedom, and the PA generally respected this right in practice. The PA sought to protect religious freedom in full and did not tolerate its abuse by either governmental or private actors.

The Basic Law states that "Islam is the official religion in Palestine," and that "respect and sanctity of all other heavenly religious groups shall be maintained." The Basic Law states that the principles of Shari'a are "the main source of legislation."

Churches in Jerusalem, the West Bank, and Gaza operate under one of three general categories: churches recognized by the status quo agreements reached under Ottoman rule in the late 19th century; Protestant, including evangelical, churches established between the late 19th century and 1967, which, although they exist and operate, are not recognized officially by the PA; and a small number of churches that have become active within the last decade and whose legal status is less certain.

The first group of churches is governed by nineteenth century status quo agreements reached with Ottoman authorities, which the PA respects, and that specifically established the presence and rights of the Greek Orthodox, Roman Catholic, Armenian Orthodox, Assyrian, Syrian Orthodox, Greek Catholic, Coptic, and Ethiopian Orthodox Churches. The Episcopal and Lutheran Churches were added later to this list. The PA, immediately upon its establishment, recognized these churches and their rights. Like Shari'a courts under Islam, these religious groups are permitted to have ecclesiastical courts whose rulings are considered legally binding on personal status and some property matters for members of their religious communities. Civil courts do not adjudicate such matters.

Churches in the second category, which includes the Assembly of God, Nazarene Church, and some Baptist churches, have unwritten understandings with the PA based on the principles of the status quo agreements. They are permitted to operate freely and are able to perform certain personal status legal

functions, such as issuing marriage certificates.

The third group of churches consists of a small number of proselytizing churches, including Jehovah's Witnesses and some evangelical Christian groups. These groups have encountered opposition to their efforts to obtain recognition, both from Muslims, who oppose their proselytizing, and from Christians, who fear the new arrivals may disrupt the status quo. However, these churches generally operate unhindered by the PA.

Established Christian groups in general did not welcome less-established churches. A small number of proselytizing groups, including Jehovah's Witnesses and some evangelical Christians, encountered opposition to their efforts to obtain recognition, both from Muslims, who opposed their proselytizing, and from Christians, who feared the new arrivals might disrupt the status quo.

The PA requires Palestinians to declare their religious affiliation on identification papers and strongly enforces this requirement. Either Islamic or Christian ecclesiastical courts must handle all legal matters relating to personal status, if such courts exist for the individual's denomination. In general all matters related to personal status (i.e., inheritance, marriage, and divorce) are handled by such courts, which exist for Muslims and Christians.

All legally recognized individual sects are empowered to adjudicate personal status matters, and in practice most did so. The PA does not have a civil marriage law. Legally, members of one religious group mutually may agree to submit a personal status dispute to a different denomination to adjudicate, but in practice this did not occur. Churches that are not officially recognized by the PA must obtain special permission to perform marriages or adjudicate personal status matters; however, in practice nonrecognized churches advised their members to marry (or divorce) abroad.

Since Islam is the official religion of the PA, Islamic institutions and places of worship receive preferential treatment. The PA has a Ministry of Awqaf and Religious Affairs, which pays for the construction and maintenance of mosques and the salaries of many Palestinian imams. The Ministry also provides limited financial support to some Christian clergymen and Christian charitable organizations. The PA does not provide financial support to any Jewish institutions or holy sites in the West Bank; these areas are generally under Israeli control. The Government of Jordan maintains responsibility for Waqf institutions in Jerusalem.

The PA requires the teaching of religion in PA schools with separate courses for Muslim and Christian students. A compulsory curriculum requires the study of Christianity for Christian students and Islam for Muslim students in grades one through six. The PA Ministry of Education and Higher Education revised its primary and secondary school textbooks. A U.S. government-funded review of Palestinian textbooks undertaken by the Israeli-Palestinian Center for Research and Information concluded that the textbooks did not cross the line into incitement but continued to show elements of imbalance, bias, and inaccuracy. Critics noted, however, that the new textbooks often ignored historical Jewish connections to Israel and Jerusalem.

PA President Abbas had informal advisors on Christian affairs. Six seats in the 132-member Palestinian Legislative Council are reserved for Christians; there are no seats reserved for members of any other faith. The following holy days are considered national holidays: Eid al-Fitr, Eid al-Adha, Zikra al-Hijra al-Nabawiya, Christmas, and the Birth of the Prophet Muhammad. The Palestinian Authority maintains a Friday/Saturday weekend, but Christians are allowed to take Sunday off instead of Saturday. Christians take Easter as a fully paid religious holiday.

Restrictions on Religious Freedom

PA government policy contributed to the generally free practice of religion, although problems persisted during the reporting period. In East Jerusalem, the Haram al-Sharif (Noble Sanctuary) contains the Dome of the Rock and the al-Aqsa Mosque, among the holiest sites in Islam. Jews refer to the same place as the Temple Mount and consider it the location of the ancient Jewish temple. The location has been, as with all of East Jerusalem, under Israeli control since 1967, when Israel captured the city (East Jerusalem was formally annexed in 1980, and thus Israel applies its laws to East Jerusalem). The Haram al-Sharif is administered, however, by the Islamic Waqf, a Jordanian-funded and administered Muslim religious trust for East Jerusalem with ties to the PA.

The Israeli police have exclusive control of the Mughrabi Gate entrance to the compound and limit access to the compound from all entrances. In general, non-Muslim visitors were allowed to enter the compound at the Mughrabi Gate during set visiting hours. The Waqf can object to entrance of particular persons, such as non-Muslim religious groups, or to prohibited activities, such as prayer by non-Muslims or disrespectful clothing or behavior but it lacks effective authority to remove anyone from the site. In practice, the press reported that police sometimes allowed religious radicals (such as Jews seeking to remove the mosques and to rebuild the ancient temple on the site) and immodestly dressed persons to enter and sometimes were not responsive to enforcing the site's rules.

During the Jewish holiday of Sukkot in 2007, Israeli police escorted activists affiliated with "The Temple Mount Faithful" onto the compound carrying a model of the Second Temple. During the reporting period, the police prevented some non-Muslim religious observance on the site. During Passover in 2008, Israeli police prevented Orthodox (Haredi) Jews from sacrificing a lamb at the site.

The Government of Israel, as a matter of stated policy, has opposed worship at the Haram al-Sharif/Temple Mount by non-Muslims since 1967. Israeli police generally did not permit public prayer by non-Muslims and publicly indicated that this policy has not changed in light of the renewed visits of non-Muslims to the compound. However, Waqf officials contended that Israeli police, in contravention of their stated policy and the religious status quo, have allowed members of radical Jewish groups to enter and worship at the site, including during Sukkot in 2007. Representatives for these Jewish groups claimed successful attempts to pray inside the compound in interviews with the Israeli media. The Waqf interpreted police actions as part of an Israeli policy to incrementally reduce Waqf authority over the site and to give non-Muslims rights of worship in parts of the compound.

Although Israeli activity at the Haram al-Sharif generated criticism from Palestinian political and religious officials, there were few violent clashes during the reporting period between Israeli police and Muslim worshippers on the Haram al-Sharif.

Citing violence and security concerns, the Israeli Government has imposed a broad range of strict closures and curfews throughout the Occupied Territories since October 2000. These restrictions largely continued during the reporting period and resulted in significantly impeded freedom of access to places of worship in the West Bank for Muslims and Christians.

The Israeli Government prevented Palestinians from the West Bank and Gaza from reaching the Haram al-Sharif by prohibiting their entry into Jerusalem. Restrictions were often placed on entry into the Haram al-Sharif for Palestinian residents of Jerusalem, especially males under the age of 45. During Ramadan in 2007, the Government of Israel prohibited males under the age of 50 from entering the Haram al-Sharif due to security concerns.

There were also disputes between the Muslim administrators of the Haram al-Sharif/Temple Mount and Israeli authorities regarding Israeli restrictions on Waqf attempts to carry out repairs and physical improvements on the compound and its mosques. Israeli authorities halted excavations near the Mughrabi gate which had begun during the previous reporting period. Israeli authorities began a construction approval process for a permanent ramp onto the Haram al-Sharif/Temple Mount.

Personal status law for Palestinians is based on religious law. For Muslim Palestinians, personal status law is derived from Shari'a, while various ecclesiastical courts rule on personal status matters for Christians. A 1995 PA presidential decree stipulated that all laws in effect before the advent of the PA would continue in force until the PA enacted new laws or amended the old ones. Therefore, in the West Bank, which was formerly under Jordanian rule, the Shari'a-based Jordanian Status Law of 1976 governs Muslim women's status (among other matters). Under that law, which includes inheritance and marriage laws, women inherit less than male members of the family. The marriage law allowed men to take more than one wife, although few did so. Prior to marriage, a woman and man may stipulate terms in the marriage contract that govern financial and child custody matters in the event of divorce. Reportedly, few women used this section of the law.

Muslim women generally are discouraged from including divorce arrangements in a marriage contract as a result of social pressure. The PA personal status law states that child custody for children below the age of 18 is given to the mother. Child support and "divorce benefits" are also guaranteed by law. It is also customary that a sizable sum of a deferred dowry is documented in the marriage contract. Personal status law for Muslims in Gaza was based on an Egyptian interpretation of Shari'a during the period covered by this report; however, similar versions of the attendant restrictions on women described above apply there

as well.

The Israeli Government, citing security concerns, has continued since 2002 to construct a separation barrier, the route of which had the effect of inhibiting the ability of Palestinians and some Israelis to practice their religion during the reporting period. Construction of the barrier has involved confiscation of property owned by Palestinians, displacement of Christian and Muslim residents, and tightening of restrictions on movement for non-Jewish communities.

Construction of the separation barrier continued in and around East Jerusalem during the reporting period, seriously restricting access by West Bank Muslims and Christians to holy sites in Jerusalem and in the West Bank. The route of the barrier also limited Palestinians' access to schools, healthcare providers, and other humanitarian services provided by religious institutions, although in some cases the Government made efforts to lessen the impact on religious institutions.

The separation barrier made it particularly difficult for Bethlehem-area Christians to reach the Church of the Holy Sepulcher in Jerusalem, and it made visits to Christian sites in Bethany and Bethlehem difficult for Palestinian Christians who live on the Jerusalem side of the barrier, further fragmenting and dividing this small minority community. Foreign pilgrims sometimes experienced difficulty in obtaining access to Christian holy sites in the West Bank because of the barrier and Israeli restrictions on movement in the West Bank. The barrier and checkpoints also impeded the movement of clergy between Jerusalem and West Bank churches and monasteries, as well as the movement of congregations between their homes and places of worship.

Israel maintained a new crossing terminal from Jerusalem into Bethlehem for both tourists and non tourists. After initial complaints of long lines, the Israeli Government instituted new screening procedures and agreed to ease access into Bethlehem during the Christmas holiday season, with restrictions eased from December 24 to January 19. The press estimated that 22,000 tourists visited Bethlehem on Christmas Day 2007, an increase of 50 percent over 2006.

The Government of Israel constructed a barrier around Rachel's Tomb, a shrine holy to Jews, Christians, and Muslims. While Jewish visitors had unimpeded access, Palestinian access to Rachel's Tomb remained severely limited.

The barrier in Bethany blocked the annual Orthodox Palm Sunday procession from Lazarus' Tomb in Bethany to the Old City of Jerusalem, but Israel constructed a crossing terminal to allow foreign pilgrims and Christians living on the West Bank side of the barrier to participate in the procession. The terminal allowed restricted access through the barrier.

Israeli closure policies also had the effect of preventing tens of thousands of Palestinians from reaching places of worship in Jerusalem and the West Bank, including during religious holidays such as Ramadan, Christmas, and Easter. The Israeli Government's closure policy prevented several Palestinian religious leaders, both Muslim and Christian, from reaching their congregations. Muslim and Christian clergy reported problems accessing religious sites in Jerusalem and Bethlehem. While the Israeli Government made special arrangements on religious holidays for both Christians and Muslims, the main complaint remained inadequate free access arrangements in terms of number of permits issued and lack of smooth access.

During the reporting period, Palestinian violence against Israeli settlers prevented some Israelis from reaching Jewish holy sites in the Occupied Territories, such as Joseph's Tomb near Nablus. Since early 2001, following the outbreak of the Intifada, the Israeli Government has prohibited Israeli citizens in unofficial capacities from traveling to the parts of the West Bank under the civil and security control of the PA. This restriction prevented Israeli Arabs from visiting Muslim and Christian holy sites in the West Bank, and it prevented Jewish Israelis from visiting other sites, including an ancient synagogue in Jericho. Visits to the Jericho synagogue have been severely curtailed as a result of disagreements between Israel and the PA over security arrangements.

Settler violence against Palestinians prevented some Palestinians from reaching holy sites in the Occupied Territories. Settlers in Hebron forcibly prevented Muslim muezzins from reaching the al-Ibrahimi Mosque/Tomb of the Patriarchs to sound the call to prayer and harassed Muslim worshippers in Hebron.

While there were no specific restrictions placed on Palestinians making the Hajj, all Palestinian religious

groups faced restrictions in practice, such as closures and long waits at Israeli border crossings, which often impeded travel for religious purposes.

Abuses of Religious Freedom

Many of the national and municipal policies in Jerusalem were designed to limit or diminish the non-Jewish population of Jerusalem. According to Palestinian and Israeli human rights organizations, the Israeli Government used a combination of zoning restrictions on building for Palestinians, confiscation of Palestinian lands, and demolition of Palestinian homes to "contain" non-Jewish neighborhoods while simultaneously permitting Jewish settlement in predominantly Palestinian areas in East Jerusalem.

During the reporting period, Israeli authorities limited visas to Arab Christian clergy serving in the West Bank or Jerusalem to single-entry visas, complicating clergy's travel outside of the area. This disrupted their work and caused financial difficulties to their sponsoring religious organizations. Catholic and Orthodox priests, nuns, and other religious workers, often from Syria and Lebanon, faced long delays and sometimes were denied applications. The Israeli Government indicated that delays or denials were due to security processing for visas and extensions. The shortage of foreign clergy impeded the functioning of Christian congregations.

During Jewish holidays the Israeli Defense Force (IDF) closed to Muslims the Ibrahimi Mosque/Tomb of the Patriarchs in Hebron, the second most important mosque for Muslims in the Occupied Territories after Al Aqsa Mosque/Temple Mount. The IDF reopened the al-Ibrahimi Mosque/Tomb of the Patriarchs in Hebron to Muslim worship for times other than during Jewish holidays. During the reporting period, Israeli officers at times prevented the muezzin (Muslim call to prayer) at the al-Ibrahimi Mosque/Tomb of the Patriarchs in Hebron from sounding the call to prayer when Jews were praying in their portion of the shrine.

The Qalqilya branch of the YMCA closed following a firebombing of its office by local Muslims in April 2006. During the reporting period, the YMCA in Qalqilya reopened. Various political factions in the city and representatives of the Municipality condemned the incident and expressed their sympathy to the YMCA.

There were no reports of religious prisoners or detainees in the Occupied Territories.

Forced Religious Conversions

There were no reports of forced religious conversion, including of minor U.S. citizens who had been abducted or illegally removed from the United States, or of the refusal to allow such citizens to be returned to the United States.

Palestinian media published and broadcast material criticizing the Israeli occupation, including dismissing Jewish connections to Jerusalem. During the reporting period official PA media contained almost no derogatory statements about Israel and Jews. Other Palestinian media not under the control of the PA, particularly those controlled by Hamas, continued to use inflammatory language during the reporting period.

Unofficial Palestinian television broadcasting content sometimes praised suicide bombing and holy war until Palestine is free of Jewish control. Some children's programs aired on unofficial Palestinian television legitimized the killing of Israelis and Jews.

On November 18, 2008, *Filastin*--a Hamas publication--published an anti-Semitic caricature of Jewish man digging his way underground escaping from a mosque. The shape the man is digging forms a swastika.

On November 27, 2007, *Filastin* published a caricature that depicted Jews in an anti-Semitic manner.

On August 13, 2007 *Al-Hayat al-Jadida* published a cartoon that depicted Jews in an anti-Semitic manner.

In a column in the weekly *Al Risalah*, Sheik Yunus al-Astal, a Hamas legislator and imam, discussed a Quranic verse suggesting, "suffering by fire is the Jews' destiny in this world and the next."

Abuses by Rebel or Foreign Forces or Terrorist Organizations

Terrorists did not systematically attack anyone in the Occupied Territories for religious reasons, although

criminal activity that may be linked to terrorism affected Christians in the Gaza Strip. Hamas authorities often failed to effectively investigate or prosecute religiously driven crimes committed by Muslim extremist vigilante groups in Gaza.

Due to the Hamas take-over of the Gaza Strip, the PA was unable to pursue cases of religious discrimination there. Attacks on the Christian community in Gaza increased during the reporting period, and the press reported the Hamas regime did not arrest suspects in these attacks. There were numerous attacks during the reporting period in the Gaza Strip by Muslim extremist groups who went by variations of the name "Swords of Right," "Swords of Justice," and "Swords of Islam." Some Gazan Christians stated that they believed they were under scrutiny for being different from their Muslim neighbors, and they raised concerns that no authority was willing or able to reign in extremist groups. During the reporting period, attackers sought to intimidate Christians into handing over deeds to property.

On May 31, 2008, unidentified militants attacked a guard at the Lighthouse Baptist School in Gaza City and stole a bus from the Holy Book Association. On May 16, 2008, unknown assailants detonated a bomb outside a Christian school in Gaza City causing no injuries. Hamas officials stated they were looking into the incident, and the case remained open at the end of the reporting period.

On February 21, 2008, armed militants forced their way into the Lighthouse Baptist School in Gaza City, assaulted a guard, and vandalized classrooms. On February 15, armed men broke into the YMCA compound in Gaza City and attacked the guards. They set off two bombs, one in the library damaging thousands of books.

On December 8, 2007, masked gunmen attempted but failed to abduct a guard at a church in Gaza City.

On October 6, 2007, Rami Khader Ayyad was abducted and killed by unknown men on his way home from work at the Baptist-affiliated Holy Bible Association in Gaza. His body was found on October 7 in a field in Gaza City. According to Palestinian sources, Ayyad received three death threats and owned a bookstore previously targeted by the Army of Islam. A relative of Ayyad told the press on October 8 that Ayyad was being pressured to convert to Islam and that the Holy Bible Association offices were attacked with an explosive device several months before.

Improvements and Positive Developments in Respect for Religious Freedom

The PA did not officially sponsor interfaith dialogue during the reporting period; however, it sent representatives to meetings on improving interreligious relations and attempts to foster goodwill among religious leaders. In early 2008 the PA Ministry of Awqaf and Religious Affairs banned several imams from delivering Friday sermons because of the imams' extremist rhetoric.

Section III. Societal Abuses and Discrimination

The strong correlation between religion, ethnicity, and politics in the Occupied Territories at times imbued the Israeli-Palestinian conflict with a religious dimension. There were reports of societal abuses or discrimination based on religious affiliation, belief, or practice, primarily between Christians and Muslims during the reporting period. Relations between Jews and non-Jews often were strained as a result of the Palestinian-Israeli conflict as well as Israel's control of access to sites holy to Christians and Muslims. Relations among Jews living in Jerusalem and the West Bank were strained based on different interpretations of Judaism, and some non-Orthodox Jews experienced discrimination on the part of some Haredi Jews.

Societal attitudes continued to be a barrier to conversions especially for Muslims converting to Christianity; however, conversion is not illegal in the Occupied Territories. Muslim-Christian tension increased during this reporting period in the Gaza Strip, although some instances of Muslim-Christian violence appeared related to social or interfamily conflicts rather than religious disputes. Both Muslim and Christian Palestinians accused Israeli officials of attempting to foster animosity among Palestinians by exaggerating reports of Muslim-Christian tensions.

The PA did not take sufficient action during the reporting period to remedy past harassment and intimidation of Christian residents of Bethlehem by the city's Muslim majority. The PA judiciary failed to adjudicate numerous cases of seizures of Christian-owned land in the Bethlehem area by criminal gangs. PA officials appeared to have been complicit in property extortion of Palestinian Christian residents, as

there were reports of PA security forces and judicial officials colluded with gang members in property extortion schemes. Several attacks against Christians in Bethlehem went unaddressed by the PA, but authorities investigated attacks against Muslims in the same area.

Israeli settler radio stations often depicted Arabs as subhuman and called for Palestinians to be expelled from the West Bank. Some of this rhetoric contained religious references. Pro-settler organizations such as Women in Green, and various Hebron-area publications, published several cartoons that demonized Palestinians. Jewish settlers, acting either alone or in groups, engaged in assaulting Palestinians and destroying Palestinian property. Most instances of violence or property destruction reportedly committed against Palestinians did not result in arrests or convictions during the reporting period.

Palestinian media frequently published and broadcast material that included anti-Semitic content. Rhetoric by Palestinian terrorist groups included expressions of anti-Semitism, as did sermons by some Muslim religious leaders carried on the official PA television.

Interfaith romance was a sensitive issue during the reporting period. Most Christian and Muslim families in the Occupied Territories encouraged their children--especially their daughters--to marry within their respective religious groups. Couples who challenged this societal norm encountered considerable societal and familial opposition.

In March 2005 a dispute over the sale of property owned by the Greek Orthodox Church to investors in Jerusalem's Old City led a Holy Synod meeting in Istanbul to depose the Greek Patriarch of Jerusalem, Irineos I, in May 2005. In December 2007 the Government of Israel recognized Theophilus III as the Greek Orthodox Patriarch.

There were instances of Israeli nationalists harassing Muslims during the period covered by this report. On a few occasions a group known as the Temple Mount Faithful attempted to force their way inside the wall enclosing the Haram al-Sharif/Temple Mount. The same group periodically attempted to lay a cornerstone for the building of a new Jewish temple that would replace the Muslim Dome of the Rock, an act that Muslims considered provocative and offensive. Members of this organization were allowed access to the Haram al-Sharif/Temple Mount during Sukkot in 2007.

Harassment of Messianic Jews (people who identify as Jews and follow Jewish traditions but who believe Jesus was the Messiah) by Orthodox Jews increased during the reporting period. Orthodox Jewish groups published announcements in religious newspapers calling Messianic Jews "dangerous" and calling for their expulsion from Israeli areas.

In early May 2008 a group of rabbis called for a boycott of an International Bible Quiz in Jerusalem after discovering that one of the four finalists from Israel was a Messianic Jew.

On March 20, 2008, a 15-year-old boy from the West Bank settlement of Ariel was seriously wounded by shrapnel after a bomb exploded that was concealed in a traditional Purim gift basket in front of his home. The boy's father is a Messianic Jew and was previously the victim of a smear campaign by Orthodox Jews, who hung posters of his face and called him a "dangerous missionary." Local contacts believed the family was attacked because of their religious beliefs, and the family's lawyer reported that the investigation progressed slowly and received very little attention from the police.

On October 23, 2007, suspected arsonists set fire to the Narkis Street Baptist Church in West Jerusalem. The pastor of a Russian Messianic Jewish congregation that meets in the church stated Yad l'Achim, a Haredi anti-missionary organization, threatened him and his congregation over the few years leading up to the attack.

Section IV. U.S. Government Policy

U.S. officials discussed religious freedom matters with the PA as part of its overall policy to promote human rights.

The U.S. consulate regularly met with religious representatives to ensure their legitimate grievances were reported and addressed. The Consulate maintained a high level of contact with representatives of the Jerusalem Waqf, an Islamic trust and charitable organization that owns and manages large amounts of real estate, including the Haram al-Sharif/Temple Mount in Jerusalem. U.S. officials had frequent contact

with Islamic leaders throughout Jerusalem, the West Bank, and Gaza. The consulate also maintained regular contact with leaders of the Christian and Jewish communities in Jerusalem and the West Bank. During the reporting period, the Consul General and consulate officers met with the Greek, Latin, and Armenian Patriarchs, leaders of the Syrian Orthodox, Russian Orthodox, Coptic, Anglican, and Lutheran Churches, as well as members of the Church of Jesus Christ of Latter-day Saints (Mormons). The consulate also met with rabbis, other central figures from Orthodox religious groups, and other Jewish communities.

During the reporting period, the consulate investigated a range of charges including allegations of damage to places of worship, incitement, and allegations concerning access to holy sites. Consulate officers met with representatives of the Bethlehem Christian community and traveled to the area to investigate charges of mistreatment of Christians by the PA. The consulate raised the issue of seizure of Christian-owned land in discussions with PA officials.

Released on September 19, 2008

[International Religious Freedom Report Home Page](#)



Published by the U.S. Department of State Website at <http://www.state.gov> maintained by the Bureau of Public Affairs.