

2013 Country Reports on Human Rights Practices - Israel

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EXECUTIVE SUMMARY

Note: This report was updated 3/05/14; see Appendix H: Errata for more information.

Israel is a multiparty parliamentary democracy. Although it has no constitution, the parliament, the unicameral 120-member Knesset, has enacted a series of "Basic Laws" that enumerate fundamental rights. Certain fundamental laws, orders, and regulations legally depend on the existence of a "State of Emergency," which has been in effect since 1948. Under the Basic Laws, the Knesset has the power to dissolve the government and mandate elections. The nationwide Knesset elections on January 22, considered free and fair, resulted in a coalition government led by Prime Minister Benjamin Netanyahu. Security forces reported to civilian authorities. There were allegations of human rights abuses committed by Israeli security forces within the State of Israel. (An annex to this report covers human rights in the occupied territories. This report deals with human rights in Israel and the Israeli-occupied Golan Heights.)

The most significant human rights problems during the year were terrorist attacks against civilians; institutional and societal discrimination against Arab citizens, including the Bedouin, in particular in access to equal education and employment opportunities; societal discrimination against women; and the treatment of refugees, asylum seekers, and irregular migrants.

Other human rights problems included institutional and societal discrimination against non-Orthodox Jews and some minority religious groups, societal discrimination against persons with disabilities and Ethiopian Jews, and labor rights abuses against foreign workers.

Impunity was not a problem. The government took steps to prosecute and punish officials who committed abuses in the country regardless of rank or seniority.

Section 1. Respect for the Integrity of the Person, Including Freedom from:

a. Arbitrary or Unlawful Deprivation of Life

There were no reports the government or its agents committed arbitrary or unlawful killings during the year.

The number of terrorist attacks generally declined during the year as compared with 2012, particularly rockets and mortars fired from the Gaza Strip. There were still 33 rocket and mortar attacks, however, as well as three cross-border attacks originating from Egypt and Lebanon, fire bombings, and other attacks on civilians in Jerusalem which killed one person and injured 19.

In June the government appointed an inspector in the Department for Investigation of Police Officers in the Ministry of Justice to take over investigation of complaints against Israel Security Agency (ISA) bodies such as the border police and ISA interrogators. Investigative authority will continue to reside with ISA until the Ministry of Justice unit is fully functional. Investigative responsibility for abuses by the Israeli Defense Forces (IDF) remained within the Ministry of Defense in the Military Police Criminal Investigations Department.

On February 6, the Public Commission to Examine the Maritime Incident of May 31, 2010, (commonly known as the "Turkel Commission") released the second part of its report, which made 18 recommendations to improve the efficacy, speed, and transparency of internal investigative processes.

On July 9, the High Court of Justice ordered the military to conduct a comprehensive review concerning its policies on the use of certain artillery shells containing white phosphorus for smoke screening purposes and urged the military to use alternatives to white phosphorus "whenever possible," although the court dismissed a petition to ban the use of the shells. The government stated that the military had pledged to reduce significantly its use of these shells in urban areas in most cases prior to the court's treatment of the matter.

b. Disappearance

There were no reports of disappearances or politically motivated abductions.

c. Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment

The law does not refer to a specific crime of torture but prohibits acts such as assault and pressure by a public official. In 1999 the High Court of Justice ruled that, although torture and the application of physical or psychological pain were illegal, ISA interrogators may be exempt from criminal prosecution if they used such methods in extraordinary cases determined to involve an imminent threat or "ticking time bomb" scenario. Human rights organizations alleged that interrogation methods permitted by law and actually used by security personnel included beatings and forcing an individual to hold a stress position for long periods. Nongovernmental organizations (NGOs) continued to criticize these and other alleged detention practices they termed abusive, including isolation, sleep deprivation, and psychological abuse, such as threats to interrogate family

members or demolish family homes. In 2012 NGOs filed petitions to open criminal investigations against ISA interrogators of allegations of torture, but the Ministry of Justice stated the investigations were pending until the Ministry of Justice's inspector for complaints assumed duties. The government stated that the ISA did not use isolation as an interrogation technique or as a means to obtain confessions.

On February 23, Palestinian Arafat Jaradat, who Israeli security forces detained on February 18 for allegedly throwing stones near Hebron during November 2012 protests against Operation Pillar of Defense, died in custody at Megido Prison. Israeli authorities stated that an autopsy on Jaradat was "inconclusive." Palestinian authorities, who also conducted an autopsy, asserted that Jaradat's body bore signs of torture. The government appointed a judge and police unit to investigate the death, and the investigation was pending at year's end.

On July 15 and August 1, witnesses claimed that security forces used excessive force to disperse demonstrations throughout the country, including in Beer Sheva, Sakhnin, and Wadi Ara, against a law on relocation of Bedouin communities in the Negev. The witnesses stated that police provoked demonstrators and, after some demonstrators responded violently, beat them, in some cases charged the demonstrators with horses, used tear gas inappropriately, and conducted unwarranted arrests. Police stated that they employed crowd dispersal techniques only when other methods failed to move the demonstrators from blocking central roads and alleged that the demonstrators initiated violence in Beer Sheva on July 15 by assaulting police officers with sticks and bottles. A court in Beer Sheva upheld the legality of the arrests. Witnesses alleged police used excessive force, including firing a water cannon at close range and beating and subduing a nonviolent protestor, in subsequent demonstrations in Haifa and Houra on November 30, but did not deny that the demonstrations became "unruly." There were 40 arrests and 15 police officers injured in the demonstration. Police stated protestors in Houra threw stones at police who were dispersing the demonstrators.

In August the chief of police temporarily suspended police use of taser guns pending investigation into the use of force in the arrest of a Jewish settler in the West Bank.

Prison and Detention Center Conditions

The law provides prisoners and detainees the right to conditions that do not harm their health or dignity. Conditions in facilities run by the Israel Prison Service (IPS) generally met international standards, according to international and domestic NGOs. NGOs reported that the government restricted access to the detention facilities for African migrants and asylum seekers. Two NGOs reported that the IPS did not respond to their request during a hunger strike in June to allow volunteer doctors to examine the hunger strikers. (Conditions in four facilities for security detainees are covered in the annex.)

Physical Conditions: All prisoners had access to potable water. At year's end there were 19,358 prisoners in IPS facilities in Israel and the occupied territories, including 383 minors. Prison conditions were the same for male and female prisoners. Security prisoners, the majority of whom were Palestinians from the West Bank, East Jerusalem, and Gaza, often faced different conditions from those of the general prison population, including administrative detention and solitary confinement. According to the government, as of December 31, there were 152 administrative detainees in IPS detention centers, of whom six were detained for between two and four years.

None was detained longer than four years (see section 1.d.). One administrative detainee was a minor.

Security prisoners occasionally organized hunger strikes to protest prison conditions. Palestinian hunger striker Samir Issawi ended an eight-month hunger strike in April in exchange for early release from prison.

Death was rare in prisons and detention centers. Palestinian prisoner Maysra Abu-Hamadia, who was serving a life sentence on multiple counts, including planning a failed suicide bomb attack, was diagnosed with terminal cancer in February. He remained in prison until March 30 when he was hospitalized. On April 2, he died of complications related to his illness, according to the Ministry of Health.

In September the government reached a 3.9 million NIS (\$1.1 million) settlement with the family of Australian-Israeli citizen Benjamin Zygier, known as "Prisoner X," who committed suicide while in solitary confinement in Ayalon Prison in 2010 despite 24-hour surveillance. Although not offered as a legal obligation, the settlement followed claims by Zygier's family that the government had been negligent in handling the case. The family and Zygier's lawyer knew of his detention and were in the process of negotiating a plea bargain at the time of Zygier's death. Due to a gag order imposed by the High Court, information about his arrest only became available to the general public in February. The government responded to NGO requests for the publication of all details of the legal proceedings in the case, including details of Zygier's arrest and death by releasing information in July that mentioned the existence of a second secret detainee in Ayalon Prison. NGOs objected to the practice of secret arrests and trials in a July letter to the attorney general.

NGOs reported lack of access to medical, legal, and social services in detention centers for irregular migrants.

Administration: Recordkeeping was adequate. The law allows for alternatives to sentencing for nonviolent offenders, including community service. Prisoners and detainees had reasonable access to visitors, including through a program of the International Committee of the Red Cross (ICRC) that brought prisoners' relatives from the West Bank into the country for prison visits. A pilot program facilitated by the ICRC enabled family members from the Gaza Strip to visit their relatives in three prisons in southern Israel. Travel restrictions on entry into the country affected some Palestinian prisoners' access to visitors and lawyers, although authorities allowed visits from a lawyer even in the absence of active legal proceedings. Authorities permitted prisoners religious observance and to send and receive letters. The Public Committee Against Torture in Israel (PCATI) alleged there were low hygienic standards and a lack of Arabic-speaking social workers and medical personnel for female prisoners.

The law allows prisoners to submit a petition to judicial authorities in response to substandard prison conditions, and authorities investigated credible allegations of inhuman conditions and documented results of such investigations publicly. Additionally, the state comptroller serves as ombudsman and investigates public complaints against government institutions, including the IPS.

Independent Monitoring: The ICRC regularly monitored IPS facilities and the two IDF provisional detention centers in accordance with its standard modalities. It also visited detainees in interrogation centers. PCATI reported it was able to study the pre-check and investigative materials from

interrogations for the first time on October 24. The Public Defenders' Office is officially responsible for monitoring and reporting on prison conditions, and it did so during the year. The government also permitted the Israel Bar Association to inspect IPS facilities.

d. Arbitrary Arrest or Detention

The law prohibits arbitrary arrest and detention, and the government generally observed these prohibitions for all citizens. Non-Israeli residents of the Israeli-occupied Golan Heights were subjected to the same laws as Israeli citizens. Noncitizens of Palestinian origin detained on security grounds fell under military jurisdiction even if detained in Israel (see annex). Until overturned by the High Court on September 16, migrants, including children, suspected of immigration violations were subject to the 2012 amendment to the 1954 Prevention of Infiltration Law which permits indefinite detention. A new amendment passed by the Knesset December 10 allows the government to detain newly arrived irregular migrants for one year and hold irregular migrants already in the country indefinitely in a remote open facility run by the IPS (see section 2.d.). Migrants held at the open facility must check in three times per day, must return at night, and may not seek employment.

Role of the Police and Security Apparatus

Under the authority of the prime minister, the ISA combats terrorism and espionage in the country and the occupied territories. The National Police, including the Border Police and the Immigration Police, is under the authority of the Ministry of Internal Security. The IDF is responsible for external security and has no jurisdiction over citizens. ISA forces operating in the occupied territories fall under the IDF for operations and operational debriefing. Civilian authorities maintained effective control over the ISA and police forces, and the government has effective mechanisms to investigate and punish abuse and corruption. There were no credible reports of impunity involving the security forces during the year, although NGOs criticized the low number of indictments issued relative to the number of investigations opened and the high percentage of cases closed due to investigation failures by military police. In June the government began implementing a 2010 ruling that ISA bodies such as the Border Police are subject to the Department for Investigation of Police Officers in the Ministry of Justice by appointing an inspector within the ministry to serve as the inspector for complaints against ISA interrogators.

Arrest Procedures and Treatment of Detainees

Police apprehend criminal suspects with warrants based on sufficient evidence and issued by an authorized official. Authorities generally informed such persons promptly of charges against them. The law allows authorities to detain suspects without charge for 24 hours before bringing them before a judge, with limited exceptions allowing for up to 48 hours. Authorities respected these rights for persons arrested in the country. Authorities allowed detainees to consult with an attorney in a timely manner, including one provided by the government for the indigent, and to contact family members promptly. There was a functioning bail system, and detainees could appeal decisions denying bail.

According to the circumstances of each case, severity of the offenses, status if a minor, risk of escape, or other factors, authorities either granted or denied bail to noncitizens of Palestinian origin detained for security violations. A February report by the UN Children's Fund noted that authorities held most Palestinian minors (under age 18) arrested in the occupied territories in prisons in Israel

and prosecuted under the military law applicable to the occupied territories. A person detained on security grounds may be prosecuted criminally or held as an administrative detainee or illegal combatant, according to one of three legal regimes.

First, under a temporary law on criminal procedures, repeatedly renewed since 2006, the IPS may hold individuals suspected of a security offense for 48 hours prior to bringing them before a judge, with limited exceptions allowing the IPS to detain a suspect up to 96 hours before bringing the suspect before the senior judge of a district court. In security-related cases a person can be held for up to 35 days without an indictment (versus 30 days for non-security-related cases), and the law allows the court to lengthen the holding of a detainee on security grounds for an initial period of up to 20 days for interrogation without an indictment (versus 15 days for non-security-related cases). Authorities can prevent security detainees from meeting with an attorney for up to 21 days.

Second, the 1979 Emergency Powers Law allows the defense ministry to detain persons administratively without charge for up to six months, renewable indefinitely. Administrative detention was used as an exception when intelligence sources could not be presented as evidence for criminal proceedings. As of December 31, there were 152 Palestinian administrative detainees, a decline from 178 at the end of 2012. An administrative detainee has the right to appeal any decision to lengthen detention to a military court of appeals and then to the Supreme Court, which detainees routinely did. The military courts may rely on classified evidence denied to detainees and their lawyers when determining whether to prolong administrative detention.

Third, the 2002 Illegal Combatant Law permits authorities to hold a detainee for 14 days before review by a district court judge, deny access to counsel for up to 21 days with the attorney general's approval, and allow indefinite detention subject to twice-yearly district court reviews and appeals to the Supreme Court.

Pretrial Detention: Administrative detention declined slightly during the year, but continued to result in lengthy pretrial detention for Palestinian security detainees. Authorities held most detainees for less than one year, but held some for more than one year and a small number for more than two years.

Detention of Rejected Asylum Seekers or Stateless Persons: The law affords foreign nationals suspected of immigration violations a hearing within four days of detention. They have the right to, but no assurance of, legal representation. According to the NGO Hotline for Migrant Workers, interpreters in Ketziot, where most asylum seekers were detained, were rarely present during hearings. The government detained without access to a trial approximately 2,000 irregular migrants and asylum seekers under a June 2012 amendment to the 1954 Prevention of Infiltration Law, which defines all irregular border crossers as "infiltrators" and permits authorities to detain irregular migrants, including asylum seekers and their children, indefinitely. Under the law an "infiltrator" may be released if the government does not begin to process the asylum claim within three months, does not decide the claim within nine months, or if three years elapse since authorities first detain the unauthorized migrant. NGOs reported authorities often missed these deadlines, yet authorities gave release orders to only some asylum seekers after NGOs advocated on their behalf. In these cases the bail sum, up to 10,000 NIS (\$2,800), prevented most asylum seekers from being released. On May 6, the Ministry of Interior released nine Eritrean women and 10 children ranging from 18 months to seven years of age who had been held at the Saharonim Detention Center for eight to 12

months under the Prevention of Infiltration Law, after the NGO Hotline for Migrant Workers advocated for their release on humanitarian grounds.

On September 16, the High Court overturned the amendment as it violated the Basic Law of Human Dignity and Freedom. The court gave the government 90 days to review each case individually and release eligible detainees. In response, on December 10, the Knesset passed legislation including a new amendment to the law which shortens the permitted length of detention for illegal entry from three years to one. It also allows the government to hold male African migrants and asylum seekers indefinitely in a remote open facility run by the IPS that is closed at night and requires three check-ins during the day. NGOs strongly criticized the open facility and asserted the limitations on movement, mandatory residency, and indefinite stay without judicial review constituted de facto detention. NGOs also accused the government of intentionally stalling the release of detainees after the High Court ruling to transfer them to the open facility. The government released only 707 of the 1,700 detainees. On December 14, 150 to 200 of the approximately 500 detainees transferred to the open facility began a protest march to Beer Sheva and then to the Knesset in Jerusalem. Police arrested them in Jerusalem December 17 and returned them to the Saharonim detention facility or the open facility. On December 21, approximately 2,000 African migrants protested in Tel Aviv against the new facility in the south.

e. Denial of Fair Public Trial

The law provides for an independent judiciary, and the government generally respected judicial independence.

Trial Procedures

Defendants enjoy the rights to presumption of innocence, to be informed promptly and in detail of the charges against them, to a fair trial without undue delay, and to adequate time and facilities to prepare their defense. They may not be compelled to testify or confess guilt, and may consult with an attorney, or if indigent, have one provided at public expense. Trials are public except when the court determines a closed trial is required to protect state security, foreign relations, a party's or witness' right to privacy, or a victim of a sexual offense. There are no trials by jury. Defendants have the right to confront witnesses against them, present witnesses and evidence on their behalf, access evidence held against them (except when the court determines such access would compromise national security), and appeal to the Supreme Court. Although the government may withhold from defense lawyers on security grounds evidence gathered by the government but not used in its case against the accused, it must make the evidence available to the court. The law allows the use of secret evidence against the accused in cases of espionage. (The annex covers military court trials of Palestinians and others in the occupied territories.)

At the discretion of the court, security or military trials may be open to independent observers but not to the general public.

Military courts provide most of the procedural rights granted in civil criminal courts. The 1970 evidentiary rules governing trials of Palestinians and others applicable in the occupied territories under military law are the same as evidentiary rules in criminal cases. According to the Ministry of Justice, the law does not permit convictions based solely on confessions. In military trials prosecutors often present secret evidence not available to the defendant or counsel. Counsel may

assist the accused in such trials, and a judge may assign counsel to defendants. Indigent detainees do not automatically receive free legal counsel for military trials, but in practical terms almost all detainees have counsel, even in minor cases. The defendant and public in court are read the indictment in Hebrew and, unless the defendant waives this right, in Arabic. In past years authorities translated many written indictments into Arabic. According to the government, during the year there were no requests for translations and the practice was to provide written translations of indictments into Arabic only upon request. At least one interpreter is present for simultaneous interpretation in every military court hearing, unless the defendant waives that right. Defendants can appeal through the Military Court of Appeals and petition the High Court of Justice.

On July 28, the cabinet approved the staged release of 104 Palestinian prisoners in four tranches over nine months as part of renewed negotiations with the Palestinians towards a final status agreement. On August 13, the government released the first tranche of 26 Palestinian prisoners whose crimes ranged from accessory to murder to murder in the first degree. On October 30, the government released the second tranche of 26 Palestinian prisoners with the same range of crimes. On December 30, the government released a third tranche of 26 Palestinian prisoners.

Political Prisoners and Detainees

There were no reports of citizen political prisoners or detainees. NGOs alleged there were noncitizen detainees held for political reasons, but the government maintained that it only held prisoners on criminal and security grounds (see annex).

Civil Judicial Procedures and Remedies

An independent and impartial judiciary adjudicates lawsuits seeking damages for, or cessation of, human rights violations. Administrative remedies exist, and court orders usually were enforced. The law grants Palestinians the possibility of obtaining compensation through civil suits in some cases, even when the actions against them were considered legal, when a criminal suit was unsuccessful.

f. Arbitrary Interference with Privacy, Family, Home, or Correspondence

The law prohibits such actions, and the government generally respected those prohibitions. Separate religious court systems adjudicate matters such as marriage and divorce for the Jewish, Muslim, Christian, and Druze communities. Each year an estimated 20,000 civil marriages, marriages of some non-Orthodox Jews, marriages in non-Orthodox ceremonies, marriages of a Jew to a non-Jew, or marriages of a Muslim woman to a non-Muslim must take place outside the country to be considered legal, as religious courts refuse to accept these marriages, and the country lacks a civil marriage law. Many Jewish citizens objected to exclusive Orthodox control over aspects of their personal lives. For example, the Orthodox Rabbinate does not consider Jewish approximately 322,000 citizens who consider themselves Jewish and who immigrated either as Jews or as family members of Jews; therefore, they cannot be married, divorced, or buried in Jewish cemeteries in the country. The estimated 20,000 Messianic Jews, who believe Jesus is the Messiah and consider themselves to be Jews, also often experienced these infringements on their personal lives, since the Orthodox Rabbinate did not consider them Jewish. Authorities did not fully implement a law requiring the government to establish civil cemeteries, although 34 civil burial locations – civil burial plots within Jewish cemeteries – existed and 12 municipalities were authorized to conduct civil burials.

The Law of Citizenship and Entry in Israel, renewed in April, prohibits Palestinians from the West Bank or Gaza, including those who are spouses of Israeli residents or citizens, from obtaining resident status in East Jerusalem or Israel on security grounds. The law provides for exceptions in special cases. NGOs argued that the government rarely granted exceptions and that the law prevented some families from living together unless the citizen or resident family member chose to relocate to the West Bank or Gaza Strip. Authorities required East Jerusalem residents who relocated to forfeit their Jerusalem identification cards.

NGOs accused the government of seizing private property owned by Palestinians in and around the city of Jerusalem without due process. The government asserted that the process leading to home demolitions provided due process and was necessary to enforce building regulations. In these cases the government did not provide restitution but rather charged the structures' owners for costs incurred in the destruction of the structures. Many owners demolished the structures themselves rather than incur the expense of demolition.

Section 2. Respect for Civil Liberties, Including:

a. Freedom of Speech and Press

The law provides for freedom of speech, including for members of the press, and the government generally respected these rights. An independent press, an effective judiciary, and a functioning democratic political system combined to promote freedom of speech and of the press.

Freedom of Speech: Individuals may criticize the government publicly and privately without reprisal. The law prohibits hate speech and incitement to violence, and the 1948 Prevention of Terrorism Ordinance prohibits expressing support for illegal or terrorist organizations. Legislation from 2011 permitting civil cases for damages against citizens who publicly and knowingly advocate for anti-Israel boycotts remained unimplemented pending a judgment by the High Court on its constitutionality. In October police detained citizen Razi Nabulsi for seven days for statements in leaflets and Facebook posts the state attorney determined to be subject to investigation as incitement offenses. The government stated that police interrogated Nabulsi and released him subject to several unspecified conditions, which the media claimed included a temporary ban on using a computer or telephone.

During the January 22 parliamentary elections, the chairman of the Central Election Committee moved to disqualify parts of the Otzma Leyisrael and Balad parties' advertisements on grounds that they contained racial incitement and provocative satirical elements. The High Court ruled against the motion.

Press Freedoms: The independent media were active and expressed a wide variety of views without restriction, although there were prohibitions on publicizing content liable to incite to discrimination on grounds of race, origin, religion, nationality, and gender.

The government did not renew licenses to import books published in an "enemy state" because importing such materials violated national trade laws. These actions limited Arabic-speaking citizens' access to Arabic reading material.

Censorship or Content Restrictions: All media organizations must submit to military censors any material relating to specific military issues or strategic infrastructure issues, such as oil and water supplies. The censor's decisions may be appealed to the High Court of Justice, and the censor cannot appeal a court judgment.

News printed or broadcast abroad is subject to security censorship. The government did not fine newspapers or other mass media for violating censorship regulations during the year.

Libel Laws/National Security: NGOs reported increased use of libel litigation or the threat thereof by major companies and municipal authorities to limit free speech.

Internet Freedom

There were no government restrictions on access to the internet. The government monitored e-mail and internet chat rooms for security purposes. Internet access was widely available and approximately 70 percent of the country's inhabitants used it regularly.

Academic Freedom and Cultural Events

There were no government restrictions on academic freedom or cultural events.

b. Freedom of Peaceful Assembly and Association

The law provides for freedom of assembly and association, and the government generally respected these rights.

In September a judge acquitted 16 protesters that authorities arrested and jailed for three days in 2010, after they staged a demonstration against "Operation Cast Lead" at Tel Aviv's Dov Airport.

c. Freedom of Religion

See the Department of State's [*International Religious Freedom Report*](#).

d. Freedom of Movement, Internally Displaced Persons, Protection of Refugees, and Stateless Persons

The law provides for freedom of internal movement, foreign travel, emigration, and repatriation, and the government respected these rights for citizens. The Office of the UN High Commissioner for Refugees (UNHCR) and NGOs expressed concern over the government's actions in providing protection and assistance to some refugees, asylum seekers, and other persons of concern, including victims of trafficking, but not to others. The UNHCR raised specific concerns over the government's use of voluntary return of detained migrants; the government's failure to provide individual refugee status determinations for all migrants of sub-Saharan African origin, including Eritreans and Sudanese; and the government's continued use of "anti-infiltrator" laws, which impose long-term detention (including the possibility of indefinite detention) on all individuals who enter the country irregularly, including asylum seekers and their children. The amended Prevention of Infiltration Law defines all irregular border crossers as "infiltrators" and gives authorities the discretion to detain these individuals for unlawful entry, even if they request asylum.

The government reported 34 new arrivals of irregular migrants during the first half of the year, which represented a sharp decline from the previous year. Observers generally attributed the decline to the government's construction of a fence on the border with Egypt.

There were approximately 2,000 individuals, including a number of children and other vulnerable individuals – some of whom may have been trafficking victims – detained during the year under the new law. These included older persons, persons with disabilities, pregnant women, single mothers, unaccompanied minors, and those suffering from poor physical or mental health who were unable to work and dependent on the capacities of their communities and NGOs to support their basic needs. The government transferred the first 480 detainees from Saharonim to an open facility for "infiltrators" in December.

Foreign Travel: Citizens generally were free to travel abroad provided they had no outstanding military obligations and no administrative restrictions. The government may bar citizens from leaving the country based on security considerations. No citizen is permitted to travel to any state officially at war with the country without government permission. The government required all citizens to have a special permit to enter "Area A" in the West Bank (the area, according to the Interim Agreement, in which the Palestinian Authority exercises civil and security responsibility), although the government allowed Arab citizens access without permits. Following the May 2012 postponement of the High Court's decision in the 2007 case filed by the Association for Civil Rights in Israel (ACRI) and the NGO Adalah alleging ethnic profiling of Israeli Arabs during airport baggage screening, in July the Israel Airports Authority and the ISA announced changes in screening methods that would eliminate stringent searches of Arab citizens at the entrance of the airport terminal and introduced a new system to inspect passenger baggage that would treat all passengers in a uniform and equal manner, expedite security checks, and introduce a level of personal privacy not previously available. The High Court held a hearing on profiling of Arab citizens in November and gave the government until April 2014 to update the court on the implementation of the new airport procedures.

Protection of Refugees

Access to Asylum: The law provides for the granting of temporary asylum, and the government has established a system for providing temporary protection for most asylum seekers. In response to past criticism of limited capacity, the government hired additional interviewers in the interior ministry's Refugee Status Determination Unit. There were continuing complaints, however, about the system's accessibility, efficiency, and impartiality, and there were reports of discrimination. The rate of positive determinations remained less than 1 percent.

According to NGOs the Ministry of Interior began accepting asylum claims of detained Eritreans and Sudanese in February and began to provide asylum seekers in detention with the procedures to apply for asylum in March. The ministry examined 250 of the 1,800 asylum requests filed by Eritreans and Sudanese. Of those requests it rejected 155 claims, approved none, and made no decision on the remainder.

The government did not process individual status determinations outside of detention for Sudanese and Eritreans, who constituted approximately 85 percent of all asylum seekers in the country. It gave them renewable "conditional release" documents that deferred deportation and had to be renewed every few months. In late December NGOs and UNHCR reported that the government was

issuing renewable documents for one month instead of the previous four months with orders to report to the open facility. On August 28, the interior minister announced that the government planned to encourage these groups to leave willingly but did not specify whether individual asylum claims would be reviewed.

Government officials and media outlets periodically referred to asylum seekers as "infiltrators" and characterized them as directly associated with increases in crime, disease, and vagrancy. Beginning in July, the government adopted new protocols that broadened the definition of crimes under which illegal migrants can be detained. NGOs argued that the protocols were punitive.

Refoulement: The government provided some protection against the expulsion or return of refugees to countries where their lives or freedom could be threatened. The attorney general issued an order in February barring the deportation of Eritreans against their will after the UNHCR and some NGOs claimed that the Ministry of Interior pressured some groups of Eritreans and Sudanese to return to their countries of origin. In June the government instituted new voluntary return procedures for detainees that included some safeguards. The UNHCR and NGOs, however, continued to express concern about the broader policy, especially for those in detention who agreed to return. NGOs also claimed that Ministry of Interior officials continued to pressure asylum seekers in detention into agreeing to return voluntarily to their countries of origin. In November the cabinet approved a proposal to raise the amount of money given to African migrants who agree to leave the country voluntarily from approximately 5,300 NIS (\$1,500) to 12,300 NIS (\$3,490).

Refugee Abuse: Communities with a large concentration of African migrants were occasionally targets of violence. Police investigated reports of attacks on Africans in south Tel Aviv and, on August 25, arrested four persons for attacks they believed were racially motivated.

Employment: Access to employment became more difficult than in the previous year for African asylum seekers. Recognized refugees received renewable work visas, but renewable documents given to most asylum seekers explicitly stated, "This is not a work visa." Although the government has allowed asylum seekers to work in the informal sector, the interior minister suggested in August that the government might enforce a prohibition on employment.

On June 4, the Knesset approved new measures barring migrants from sending money from the country and limiting the amount they can take with them when they leave. Another measure defined taking money out of the country as a crime under the law prohibiting money laundering. NGO advocates expressed concern that these new measures would drive remittances underground and provide more incentives for black market activity. African asylum seekers in the new open facility for irregular border crossers may not work outside the facility, but some will be able to work inside the facility.

Access to Basic Services: Recognized refugees received social services, including access to the national health care system, but the government did not provide asylum seekers with public social benefits such as health insurance. The government stated that health services, welfare, education, professional training, and a small financial allowance would be available in the open facility for irregular border crossers, which includes asylum seekers.

Temporary Protection: The government provided temporary protection primarily to Eritrean and Sudanese asylum seekers. Beginning in June, however, the Ministry of Interior began processing

asylum applications of Eritreans and Sudanese in detention. The ministry rejected the applications of almost all of the 1,400 Eritrean detainees, concluding that military desertion provided insufficient grounds for presenting a subjective fear of persecution.

Section 3. Respect for Political Rights: The Right of Citizens to Change Their Government

The law provides the right for citizens peacefully to change their government, and citizens exercised this right through periodic, free, and fair elections based on universal suffrage.

Elections and Political Participation

Recent Elections: Observers considered parliamentary elections held January 22 free and fair. Observers considered municipal elections held October 22 largely free and fair. The government opened an investigation into voter fraud in the Beit Shemesh municipality and was considering an appeal on the nullification of 42 votes of persons with disabilities in the Nazareth municipality, where the mayor won by 21 votes.

Political Parties: The Basic Law prohibits the candidacy of any party or individual that denies the existence of the State of Israel as the state of the Jewish people or the democratic character of the state, or that incites racism. Otherwise, political parties operated without restriction or interference.

Participation of Women and Minorities: Women and minorities participated in political life on the same legal basis as men or nonminority citizens, although two political parties, SHAS and United Torah Judaism, prevented women from running as candidates. Although the senior political and social leaders have often come from among veterans of the predominantly male IDF, women generally did not face cultural barriers in politics, including in leadership positions up to prime minister. Women faced significant cultural barriers in political parties representing conservative religious movements and the Arab minority. Following the January 22 parliamentary elections, the 120-member Knesset had 27 female and 12 Arab members. The 22-member cabinet included four women but no Arabs, and two women were deputy ministers. Four members of the 15-member Supreme Court were women, and one was Arab.

Section 4. Corruption and Lack of Transparency in Government

The law provides criminal penalties for corruption by officials, and the government implemented these laws effectively. There were reports of government corruption during the year, although impunity was not a problem.

Corruption: The media routinely reported on corruption. The National Police, the state comptroller, the attorney general, and the accountant general are responsible for combating official corruption. These entities operated effectively and independently, and were sufficiently resourced. NGOs that focused on anticorruption efforts operated freely without government interference.

During the year the government continued to investigate and prosecute top political figures. Former Prime Minister Ehud Olmert continued to fight corruption charges, most notably in the trial involving the Holyland real estate development project in which Olmert faced charges that he accepted bribes from businessmen and stakeholders.

On November 6, the Jerusalem Magistrates Court acquitted Foreign Minister Avigdor Liberman, who was charged with breach of trust and fraud for allegedly ordering then Deputy Foreign Minister Danny Ayalon to advance the appointment of diplomat Ze'ev Ben Aryeh as ambassador to Latvia. Liberman resigned his post as foreign minister a day after the attorney general announced the indictment but was reappointed on November 13. Attorney General Yehuda Weinstein announced on December 18 that he would not appeal Liberman's acquittal.

Authorities were investigating at least nine city mayors for corruption at year's end.

Following a 2012 report by the NGO Transparency International that criticized the government for allegedly taking no steps to file cases for bribery of foreign officials and not opening any investigations, the Ministry of Defense directed its Defense Export Controls Directorate to take an exporter's engagement in foreign bribery into consideration in licensing and registration decisions. The law requires major defense exporters to adopt and implement corporate anticorruption compliance programs as a precondition for receiving marketing and export licenses.

Whistleblower Protection: The law protects workers who report violations of the law and ethics. The law authorizes labor courts to fine anyone who violates the law, imposes a criminal penalty of imprisonment or a fine on an employer who takes retaliatory action against an employee, and places the burden of proof on the employer. In general persons who disclose unethical or corrupt behavior are effectively protected by the law, and a 1992 law to encourage ethical conduct in public service mandates awards for whistleblowers on ethical issues.

Financial Disclosure: Senior officials are subject to comprehensive financial disclosure laws, and their disclosures are verified by the Civil Service Commission. Information in these disclosures is not made public without the consent of the person who submitted the disclosure. There is no specific criminal sanction for noncompliance.

Public Access to Information: The law requires governmental agencies to make their internal regulations, administrative procedures, and directives available to the public. The law was not effectively implemented by all governmental agencies.

Section 5. Governmental Attitude Regarding International and Nongovernmental Investigation of Alleged Violations of Human Rights

Numerous domestic and international human rights groups operated without government restriction, investigating and publishing their findings on human rights cases. Human rights NGOs have standing to petition the High Court directly regarding governmental policies and can appeal individual cases to the Supreme Court. Government officials were generally cooperative, responsive to their views, and routinely invited NGOs critical of the government to participate in Knesset

hearings on proposed legislation. A unit in the foreign ministry maintained relations with certain international and domestic NGOs.

During the year the Ministry of Interior continued to bar entry into the country to foreign nationals affiliated with certain pro-Palestinian NGOs and solidarity organizations. Authorities required some foreign nationals to sign declarations stating their understanding that "all relevant legal actions" would be taken against them "including deportation and denial of entry into Israel for a period of up to 10 years" if they traveled through the country to Palestinian Authority-controlled areas without appropriate authorization. The government stated this was done on an individual basis, not according to the activities or platform of the NGOs with which these persons were affiliated.

UN and Other International Bodies: The government generally cooperated with UN and other international bodies. In March 2012 the government suspended its participation with the UN Human Rights Council following the council's approval of a fact-finding mission on settlements, and the government partially suspended its coordination with UNESCO.

Government Human Rights Bodies: The state comptroller also served as ombudsman for human rights problems. The ombudsman investigates complaints against statutory bodies that are subject to audit by the state comptroller, including government ministries, local authorities, government enterprises and institutions, government corporations, and their employees. The ombudsman is entitled to use any relevant means of inquiry and has the authority to order any person or body to assist in the inquiry.

Section 6. Discrimination, Societal Abuses, and Trafficking in Persons

The law prohibits discrimination on the basis of race, gender, disability, language, sexual orientation, or social status, and the government was generally effective in enforcing these prohibitions.

Women

Rape and Domestic Violence: Rape, including spousal rape, is a felony punishable by 16 years in prison. The law doubles the penalty if the perpetrator assaults or rapes a relative. The government effectively enforced rape laws. In 2012 authorities served 278 indictments against 294 suspects for sex offenses.

From January to mid-October, police opened 18,250 domestic violence cases. Women filed the majority of complaints. According to police data, between January and May, 10 women were killed by their spouses.

After a coalition of NGOs raised concerns about the high rate of spousal killings by security guards using work-issued weapons, the Ministry of Public Security issued a new regulation in August requiring armed security guards to deposit their weapons with their employers at the end of their shift. According to the ACRI, security guards' weapons have been responsible for more than 30 killings in the last 10 years.

The family of a woman from Dabburriya, who was killed by her former husband, accused police of ignoring her reports of threats and violence. In September Bashir Najar allegedly shot his former wife, their daughter, his daughter by a previous marriage, and his former wife's employer before killing himself. According to the media, the court had rejected the former wife's request for a restraining order, and police had recommended closing the case against Najar for lack of evidence.

According to the Association of Rape Crisis Centers in Israel, the majority of rape victims did not report the crime to authorities due to social and cultural pressure. Women from certain Orthodox Jewish, Muslim, Bedouin, and Druze communities faced significant social pressure not to report rape or domestic abuse. According to police authorities provided training to investigators to address directly the difficulties in uncovering and reporting incidents of rape in traditional, conservative populations and to work with NGOs to provide support to victims during police investigations.

The Ministry of Social Affairs operated 14 battered women's shelters and a hotline for reporting abuse. The 14 shelters can accommodate 160 women and 320 children. As of November the shelters cared for 136 women and 223 children. Police operated a call center to inform victims about their cases. Women's organizations provided counseling, crisis intervention, legal assistance, and shelters.

Harmful Traditional Practices: Cases of killings involving perpetrators' intent to protect family "honor" continued to occur within the Arab community, contributing to a disproportionate number of killings of Arab women. Legal experts estimated that half of all homicides in the north and a majority of homicides in the south involved female Arab victims killed for alleged relationships that members of their families viewed as inappropriate. Approximately 20 Arab women have been killed in Lod and Ramle since 2000. Of the 13 women killed in the country by their spouses in 2012, police considered two to be motivated by "family honor."

According to the Ministry of Welfare, 22 of its 88 centers for prevention and treatment of domestic violence operated in Arab communities. In 2012 1,142 Arab women received treatment in these centers. Additionally, the Ministry of Welfare operated two domestic violence shelters designated for Arab women and their children and two mixed shelters for Jewish and Arab women. In 2012 35 Bedouin and eight Druze women stayed in these shelters. Police conducted weekly assessments of threatened women to determine the level of threat and required protection, and worked with social welfare and NGOs to safeguard threatened women.

Sexual Harassment: Sexual harassment is illegal but remained widespread. The Equal Employment Opportunity Commission reported in September a 45 percent increase in complaints of sexual harassment in the workplace, 32 compared with 22 in 2012. The commission attributed the increase in part to greater awareness due to awareness-raising efforts and media attention on high-profile sexual harassment cases. A *Haaretz* article on July 8 reported on a study in which nearly half of female physicians who responded reported they had been sexually harassed at work, either verbally or physically.

The law requires that suspected victims of harassment be informed of their right to assistance. Penalties for sexual harassment depend on the severity of the act and whether blackmail is involved. They range from two to nine years' imprisonment. From January through early November, police investigated 599 cases of sexual harassment, of which they closed 211 cases while 388 remained open. Police notified all victims of their right to be assisted by the Association of Rape Crisis

Centers in Israel, and the law provides that victims can be informed of the progress on their cases through a computerized system and information call center.

Harassment based on gender segregation continued in some public places, including on public buses. "Modesty patrols" continued to harass women in some "Haredi" (ultra-Orthodox) neighborhoods, according to local media. There were continued reports of male passengers in ultra-Orthodox communities telling women to sit in the back of buses. In July ultra-Orthodox protesters in Beit Shemesh smashed the windows of a bus and threw stones at two other buses after a bus driver stopped a bus and called police when an ultra-Orthodox couple asked a female passenger to move to the back of the bus. The Ministry of Transportation and Road Safety operates a 24-hour hotline to report complaints on public transportation, including segregation.

Reproductive Rights: Couples and individuals have the right to decide the number, spacing, and timing of children, and had the information and means to do so free from discrimination, although social and religious pressure on women in Haredi communities often led them to seek approval from a rabbi to use contraception.

Discrimination: In the secular criminal and civil courts, women and men enjoy the same rights, but religious courts responsible for adjudication of family law, including divorce, limit the rights of Jewish, Christian, Muslim, and Druze women. A Jewish woman is allowed to initiate divorce proceedings, but her husband must give his consent in order to make the divorce final. Because some men refused to grant divorces, thousands of women could not remarry or give birth to legitimate children. Rabbinical tribunals could, and sometimes did, sanction a husband who refused to give his wife a divorce, while at the same time declining to grant the divorce without the husband's consent.

A Muslim woman may petition for and receive a divorce through the sharia courts without her husband's consent under certain conditions, and a marriage contract may provide for other circumstances in which she may obtain a divorce without his consent. A Muslim man may divorce his wife without her consent and without petitioning the court. Through ecclesiastical courts, Christians may seek official separations or divorces, depending on their denomination. Druze divorces are performed by an oral declaration of the husband alone and then registered through the Druze religious courts, placing disproportionate burdens on the woman to leave the home as well as her children immediately. A civil family court or a religious court settles child custody, alimony, and property matters after the divorce, which gives preference to the father unless it can be demonstrated that a child especially "needs" the mother.

Although the law prohibits discrimination based on gender in employment and wages and provides for class action antidiscrimination suits, a wage gap between men and women persisted. Women's salaries averaged 66 percent of men's in 2012, according to government statistics. When calculated per working hour, women's salaries averaged 83 percent of men's. Almost half of the 925 complaints received by the Equal Employment Opportunity Commission alleged unfair treatment based on gender or family status.

The Authority for the Advancement of the Status of Women in the Prime Minister's Office (the authority) works to mainstream women's participation in the government and private sector, and to combat sexual harassment and domestic violence. The authority requires every city, local council, and government ministry to have an adviser working to advance women's issues. It maintains a list

of qualified women to serve on government committees. Committees must examine the list if they are unable to find a suitable female candidate for consideration and consider the women according to their expertise, education, training, and experience. Government Resolution 1362 requires ministers to appoint women to the directorates of government-owned companies until a representation of 60 percent is reached. As of June the rate of representation had reached 44 percent of the directors of government corporations and 34 percent of the directors in public corporations.

Discrimination in the form of gender segregation continued in some public places, including in public health clinics and at the Western Wall. At the request of Prime Minister Netanyahu, Natan Sharansky, the chairman of the Jewish Agency, in April presented a plan to make room for egalitarian prayer at the Wall, in addition to the existing gender-segregated prayer areas. In May the prime minister appointed a commission to implement this plan, which was working closely with Women of the Wall to explore alternative solutions at year's end. A temporary platform planned by Religious Services Minister Naftali Bennett and erected in August did not fully address the request of women to be able to pray at the Wall itself, according to the organization Women of the Wall.

In ultra-Orthodox areas of Jerusalem, images of women in advertising were repeatedly vandalized.

In March the attorney general adopted the recommendations of a Ministry of Justice team established to investigate the exclusion of women in the public sphere. The recommendations included halting the practices of gender segregation during funerals, at national ceremonies and public events, in public health clinics, on buses, and during broadcasts of public radio stations. The Authority for the Advancement of the Status of Women established a hotline for complaints regarding public exclusion of women.

Children

Birth Registration: Children derive citizenship at birth within or outside of the country from birth to at least one citizen parent. Births are registered within 10 days of the delivery. The country registers the births of Palestinians in Jerusalem, although Arab residents of Jerusalem reported delays in the process.

According to the National Council for the Child, 6 percent of children in the country did not have citizenship and, therefore, lacked its corresponding rights. The figure included children of legal and illegal foreign workers and children of mixed marriages, especially those between Arab-Israelis and Palestinian residents of the occupied territories. The government provides preventive health services to minors without civil status who are younger than six years old. It also provides services similar to those provided citizen children to noncitizen minors younger than 18 if their parents register them in the "Meuhedet" health care fund.

According to NGOs the Ministry of Interior has refused to list fathers' names or to give children their father's last names on the birth certificates of children without legal residency status in the country, mainly children of asylum seekers and migrant workers. The Ministry of Interior requires parents without a permit to sign a form declaring they are "present illegally" in the country before issuing a birth certificate. A petition to require the government to issue an official birth document listing both parents' names remained pending before the High Court.

Education: Primary and secondary education is free and universal through age 17. The government was gradually implementing a 2007 law to make education compulsory through grade 12 by 2014. The government continued to expand free public preschool beginning at age three. The government did not enforce compulsory education, however, in unrecognized Bedouin villages in the Negev, and Bedouin children, particularly girls, continued to have the highest illiteracy rate in the country. The government operated separate school systems for Hebrew-speaking children and Arabic-speaking children. For Jewish children there were separate school systems for religious and secular families. Individuals could choose to attend a school regardless of ethnicity. Approximately 400,000 students attended ultra-Orthodox Jewish schools. This growing population constituted 25 percent of all students. The government funded 55 to 75 percent of the operating costs of recognized ultra-Orthodox schools, which are required to teach a corresponding percentage of the national curriculum.

Haredi political parties continued to oppose government regulation of their government-funded school systems.

Gaps existed in government education funding, according to a *Haaretz* report, although the government is working to address these gaps. The Ministry of Education spent approximately 27,000 NIS (\$7,700) per student on average at government religious Jewish high schools, 24,800 NIS (\$7,050) at government secular Jewish high schools, and 21,100 NIS (\$5,990) at Arab high schools.

Dropout rates and incidents of violence were higher among Arab students than Jewish students, according to a Knesset Research and Information Center report. The 2011 dropout rate among Arab students was 4 percent, compared with 1.7 percent in Jewish schools. Twelve percent of Arab students reported physical abuse by teachers, compared to 3 to 5 percent of students in Jewish schools. The report included a survey by the National Authority for the Measurement and Evaluation in Education, which showed that in 2011, 26 percent of Arab students reported being subjected to moderate violence, compared to 19 percent of Jewish students, and that 17 percent of Arab students reported being subjected to severe violence, compared to 7 percent of Jewish students. Following a 2012 resolution, the government posted additional guards and police officers in Arab schools to increase security.

Child Abuse: The National Council of the Child received a number of complaints during the year of abuses related to health, availability of welfare services, education, physical and sexual abuse, child pornography, and poor educational environments. According to the council's most recent available annual report, there were 48,984 reported cases of child abuse in 2012. Also according to the council, the incidence of reported child abuse increased from 8.7 victims per 1,000 youths younger than 18 years old in 1995 to 18.9 victims per 1,000 in 2010. In a survey of more than 10,000 Israeli youth, released by the council in November, 48.5 percent of Jewish youth and 67.7 percent of Arab youth reported they had been physically, emotionally, or sexually abused. The council noted a significant gap between the percentage of youth who reported abuse in the survey and the 1.9 percent of the youth population that had reported abuse to social workers. The law requires mandatory reporting of any suspicion of child abuse. Police opened 2,950 cases of abuse against minors in 2012.

NGOs voiced concern regarding police negligence in child abuse and domestic violence cases reported in minority communities. A Bedouin mother of two girls from Al-Fura'a, whom her former

husband allegedly killed, sued police and the public security ministry for failing to prevent her daughters' deaths. She went to police the day before her daughters' deaths because she feared her former husband would kill the girls, but police did not respond to her reports. Authorities dismissed three police officials for misconduct in the case.

The government provided specialized training to psychologists, offered a free psychological treatment program to treat child victims of sexual offenses, and operated a 24-hour emergency hotline. The Ministry of Education operated a special unit for sexuality and for prevention of abuse of children and youth that assisted the education system in preventative educational work and with appropriate intervention in cases of suspected abuse of minors.

According to police in 2012, minors lodged two-thirds of the more than 5,000 complaints of sex crimes. The most common offense against minors – more than 50 percent of the cases – was forcible molestation. Approximately one-quarter of those complaints were for rape.

In July a court convicted prominent religious figure Rabbi Mordechai Elon of two counts of indecent assault by force against a 17-year-old minor. In December Rabbi Elon was sentenced to six months' community service and 15 months' probation. The Association of Rape Crisis Centers reported a significant increase in calls to its hotlines by religious men and women following the conviction and told the media the ruling was important in helping to break the silence about sexual assault in the religious community.

Forced and Early Marriage: In November the Knesset approved raising the legal minimum age of marriage from 17 to 18, with some exceptions for younger children due to pregnancy and for couples over 16 if the court permitted it due to unique circumstances. The rate of marriage for girls under 18 was 8 percent of all marriages and less than 1 percent for boys in 2011, the most recent year cited by the Central Bureau of Statistics.

Sexual Exploitation of Children: The law prohibits sexual exploitation of a minor and sets a penalty of at least seven to 20 years' imprisonment for violators, depending on the circumstances. The minimum age for consensual sex is 16. Consensual sexual relations with a minor between the ages of 14 and 16 are not necessarily considered rape but are punishable by five years' imprisonment on statutory rape charges.

The government supported a number of programs to combat sexual exploitation of children, including establishing an interministerial research team, preparing educational materials, and conducting numerous training sessions for government and police officials.

International Child Abductions: The country is a party to the 1980 Hague Convention on the Civil Aspects of International Child Abduction. For information see the Department of State's report on compliance at travel.state.gov/abduction/resources/congressreport/congressreport_4308.html.

Anti-Semitism

Jews constituted approximately 80 percent of the population. There were some reports of anti-Semitic acts allegedly perpetrated by members of minority groups. In May the Jerusalem district attorney filed an indictment against an 18-year-old Jerusalem resident who, along with a group of friends, attacked a young Haredi man during an event marking Nakba Day (when Palestinians

commemorate the events of 1948). In July unknown assailants slashed the tires of 12 Jewish-owned vehicles in the East Jerusalem settlement neighborhood of Abu Tor. Vandals repeatedly desecrated a synagogue in Bat Yam in what the Council on Religious Institutions in the Holy Land considered interreligious attacks. A special department in the State Attorney's Office prosecuted incitement-related crimes. The country is a leader within the Global Forum for Combating Anti-Semitism and the government organized a conference in May that included working groups with specific action plans for combating anti-Semitism around the world.

Trafficking in Persons

See the Department of State's [*Trafficking in Persons Report*](#).

Persons with Disabilities

The law provides a framework to prohibit discrimination against persons with disabilities in access to employment, education, health care, and selected other government services. Legislation mandates access to buildings, transportation, and physical accommodations and services in the workplace. According to NGOs government progress in enforcing these laws was limited.

Societal discrimination and lack of accessibility persisted in employment, transportation, housing, and education. According to the Ministry of Industry, Trade, and Labor, the employment rate of persons with disabilities rose from 40 percent in 2007 to 51 percent in 2012. The rate remained lower than the 74 percent employment rate for persons without disabilities.

According to 2012 statistics, gross per capita income of persons with disabilities was 73 percent of that of persons without disabilities, but net income was relatively higher at 80 percent. The average monthly income of persons with severe disabilities was 36 percent lower than that of persons without disabilities.

The government reported improved access to interurban buses with 91 percent of municipal buses and 68 percent of bus stops being accessible to persons with disabilities. Access to independent living facilities for persons with disabilities, however, remained limited. According to the disability rights NGO Bizchut, only 8 percent of persons with developmental disabilities entitled to out-of-home placements lived in the community, and 12,000 individuals with disabilities lived in institutions. Approximately 5,800 persons with intellectual and cognitive disabilities lived in institutions with more than 60 residents. The Ministry of Health decided to transfer patients with mental disabilities to public facilities from private psychiatric hospitals after reports of alleged abuse and violence against residents. In October 2012 police arrested more than 70 staff members from the private psychiatric hospital Neve Ya'akov for allegedly abusing patients, whose ages ranged from 20 to 70 years old. In September the courts sentenced a nurse at the Eitanim psychiatric hospital to nine months' imprisonment and gave three other employees suspended sentences and/or fines for abusing patients.

In October a series of regulations went into force to improve access by persons with disabilities to public services, such as eliminating waiting in line, providing adapted seating, and, for the deaf and hard-of-hearing, short message service public announcements. Additionally, the minister of justice signed new regulations that require accessible accommodations for public places other than buildings, such as public beaches, municipal parks, swimming pools, and cemeteries.

The Commission for Equal Rights of People with Disabilities within the Ministry of Justice is responsible for protecting the rights of persons with disabilities and worked with government ministries to enact regulations. The Division for Integrating Persons with Disabilities in the Labor Market, located within the Ministry of Industry, examined and promoted employment of persons with disabilities. The Ministry of Social Affairs and Social Services provided out-of-home placement and sheltered employment for persons with cognitive, physical, and communication disabilities. It also handled criminal investigations involving persons with certain disabilities, whether they were victims or offenders, when police requested assistance. The National Insurance Agency provided financial benefits and stipends, the Ministry of Health provided mental health and rehabilitation services, and the Ministry of Education provided special education services to persons with disabilities.

National/Racial/Ethnic Minorities

Arab citizens faced institutional and societal discrimination. Tensions between Arabs and Jews occasionally resulted in societal violence in areas where the two communities overlap, such as Jerusalem, the Galilee, and the Negev, and in some cities with historically separate Jewish and Arab neighborhoods.

"Price tag" attacks (property crimes and violent acts by extremist Jewish individuals and groups) continued and expanded beyond the West Bank and East Jerusalem to new locations in Israel. For example, unknown assailants burned four cars and spray-painted "price tag" and "don't touch our daughters" in the Arab village of Akbara, near Safed, on April 23; desecrated a Christian Orthodox cemetery in Jaffa on June 1; and punctured the tires of 28 vehicles and sprayed "Arabs Get Out" on walls of the town of Abu Ghosh on June 18. On June 16, the Security Cabinet authorized the minister of defense to declare groups that perpetrated such attacks as "illegal associations," which the minister did August 2. Minister of Defense Moshe Yaalon, Public Security Minister Yitzhak Aharanovitz, and Religious Services Minister Naftali Bennett were among the political leaders who publicly criticized the attacks. The government created a dedicated police unit to handle these crimes and carried out arrests of 15 alleged perpetrators, including minors, since the beginning of October, including persons who were suspected of planning to commit nationalist crimes, but the number of crimes did not decrease compared with 2012. Officials served one indictment against several of the suspects, and several investigations against the other suspects continued at year's end.

On February 24, approximately 15 Jewish youths attacked an Arab-Israeli municipal street cleaner in Tel Aviv, yelling racial slurs and causing severe injuries. Tel Aviv's mayor called the attack an incident of racism. Officials identified and interrogated the perpetrators, and the prosecution was preparing to examine the case and file an indictment in April. The indictment was pending at the end of the year. Following a police indictment of one 19-year-old and eight minors on charges of deliberately causing grievous bodily harm, incitement to racism, and incitement to violence after an August 2012 attack on three Arab youths in Jerusalem's Zion Square, a judge convicted three of the minors and sentenced them to prison terms of one, three, and eight months, while the remaining attackers signed plea bargains with the state attorney's office.

A 2012 petition to the High Court by NGOs seeking to overturn a 2011 law on community admissions committees, which NGOs claimed excluded Arabs unlawfully, was still pending at year's end. In May NGOs alleged discriminatory admissions procedures at a major amusement park, claiming the park's practice of admitting Jewish and Arab groups on different days, reportedly to

avoid any violent confrontations, violated the law. In June a television station broadcast a story concerning a private sports facility that allowed out-of-town Jewish patrons to enter but barred Bedouin citizens. As of August police had opened an investigation into the operators of the facility.

An anti-assimilation organization opened a hotline in August to enable members of the public to "inform" on Jewish women who were suspected of dating Arab men. The hotline made the names and telephone numbers of these Arab men available to the public and encouraged supporters to call them and encourage them to date Arab women instead.

After closing the investigation into Safed Rabbi Shmuel Eliyahu's reported statements in July 2012 calling on citizens to refuse to rent or sell apartments to Arabs, the attorney general declared that Eliyahu's candidacy to be chief rabbi of Israel was "improper" due to Eliyahu's racial incitement against Arabs.

The law exempts Arab citizens, except for the Druze, from mandatory military service, but a small percentage served voluntarily. Citizens who did not perform military service enjoyed fewer societal and economic benefits and sometimes were discriminated against in hiring practices. Citizens generally were ineligible to work in companies with defense contracts or in security-related fields if they had not served in the military. The government managed a National Civil Service program for citizens not drafted for military service, giving Arabs, Haredi Jews, Orthodox Jewish women, and others the opportunity to provide public service in their own communities and thus be eligible for the same financial benefits accorded military veterans. There were multiple instances of Haredi community members attacking Haredi soldiers for agreeing to serve in the military.

A June 2012 report published by the Prime Minister's Office stated 22 percent of employers indicated that they discriminated against Arab applicants in the hiring process. The government continued to implement multiyear economic development and social advancement projects for Arab and other minority populations, which were authorized in 2010 and 2011. The government employed affirmative action policies for Arabs and Druze in the civil service. As of June the government filled 1,421 of 1,730 positions in the civil service designated for "persons of the Arab population." The education ministry began implementing a plan to place 500 Arab teachers in positions in predominantly Jewish schools during the next five years. The plan offered partial solutions for many Arabs with teaching credentials who could not find work as teachers and for Hebrew-language schools that experienced a shortage of teachers in key subject areas including math, English, and science.

Resources devoted to education in Arabic were inferior to those devoted to education in Hebrew in the public education system, leading some Arabs in ethnically mixed cities to study in Hebrew instead. Nazareth Illit Mayor Shimon Gapso rejected a request to establish an Arab school in the city, although 20 percent of residents were Arab, explaining that he and most of the city's residents sought to maintain the city's Jewish character.

The separate school systems produced a large variance in education quality, with just 31 percent of Arabs qualifying for university acceptance on the matriculation exam, compared with 76 percent of Jews, according to the Central Bureau of Statistics. The percentage of Arab students in higher education (approximately 11 percent) was approximately half that of young Arab adults' share of the population (approximately 20 percent). The percentage of master's and doctoral degree students

who were Arab was 7 percent and 4 percent, respectively, which was significantly lower than the Arab percentage of the country's total population.

Approximately 93 percent of land is in the public domain, including approximately 12.5 percent owned by the NGO Jewish National Fund (JNF), whose statutes prohibit sale or lease of land to non-Jews. According to a 2005 attorney general ruling, the government cannot discriminate against Arab citizens in marketing and allocating lands it manages, including those of the JNF. As an interim measure, the government agreed to compensate the JNF for any land it leased to an Arab by transferring an equal amount of land from the Israel Lands Administration to the JNF. Legal petitions against the JNF policy of leasing public land only to Jews continued at year's end. The NGO Israel Land Fund continued its program to purchase Arab land throughout the country and market it to Jewish buyers, including in the diaspora. The organization claimed all the land belonged to Jews and described as a "danger" the purchase of Jewish-owned lands by non-Jews. Various Arab NGOs similarly bought land and built exclusively for Arabs.

New construction was illegal in towns that did not have an authorized outline plan for development, which is the legal responsibility of local authorities. Arab communities that still lacked fully approved planning schemes could turn to their municipal authorities to develop them, according to the government. As of August, 126 of 133 Arab localities had approved outline plans, 54 of which had been updated since 2000. The approved outline plans added an average of 70 percent to the land zoned for the communities, according to the government. The communities alleged that 45 percent of Arab towns and villages lacked authorized plans, that the update process was lengthy, and that authorities overwhelmingly enforced violations against Arab citizens. During the year the government issued 46 demolition orders in West Jerusalem for construction without legal permits. Localities were also responsible for initiating and submitting urban outline plans to the district committees, which approved any expansion of the municipalities.

While Arab communities in the country generally faced economic difficulties, the Bedouin segment of the Arab population continued to be the most disadvantaged. More than half the estimated 200,000 Bedouin population lived in seven government-planned communities. Approximately 30,000 lived in the 11 recognized villages of the Nave Midbar and Al-Qasum Regional Councils, formerly the Abu Basma Regional Council, and approximately 60,000 Bedouins lived in 35 unrecognized tent or shack villages that did not have water and electricity or educational, health, and welfare services. NGOs, Bedouin leaders, and the government noted that Bedouin towns ranked lowest on the country's standardized socioeconomic scale, with most ranking a one out of 10 and only Rahat, Hura, and Segev Shalom ranking two out of 10.

In the 35 unrecognized villages in the Negev claimed by various Bedouin tribes, the government viewed all buildings as illegal and subject to demolition. The Ministry of Interior confirmed that the government carried out 413 demolitions in recognized and unrecognized villages in the Negev in 2012, with an additional 449 Bedouin demolishing their homes themselves to avoid being assessed demolition costs by the government. During the year the NGO Dukium recorded 39 demolitions of homes and other structures in recognized Bedouin villages due to nonconformity with approved planning schemes, 69 demolitions in unrecognized villages, and 15 separate demolitions of the entire Al-Arakib village, which was rebuilt on government land 57 times since 1998 despite multiple eviction orders, a 2007 Supreme Court decision, and police enforcement since 2010. The Al-Arakib residents maintained that the government should recognize claims to the land. In cases of demolitions with no agreement from the residents to relocate, the government levied fines against

residents to cover expenses incurred in the course of demolitions. Many Bedouin whose residences or structures were subjected to demolition orders elected to self-demolish to avoid being fined. The government and some residents of al-Arakib engaged in mediation concerning restitution to the government for the costs of the repeated demolitions of the Al-Arakib village at year's end.

The government maintained a program to encourage Bedouins to relocate from unrecognized villages to established towns by providing low-cost land and compensation for demolition of illegal structures for those willing to move to designated permanent locations, but Bedouins often refused to participate in this program because they asserted that they owned the land or were given prior permission by the government to settle in their current locations. Rabbis for Human Rights asserted that rates of crime and unemployment were higher in the government-established permanent locations for the Bedouin than in the unrecognized villages, creating a disincentive for relocation. Some residents were caught between court-ordered demolitions and the rejection of their designated relocation destination for reasons of overcrowding. The government had planned to move the Saawa residents to the adjacent government-planned town of Hura, but the Hura municipality insisted that space in its community was earmarked for the families of current residents. In July the Beer Sheva District Court rejected a petition filed by 300 residents of the unrecognized village of Saawa against court orders to destroy their homes.

Many Bedouins complained that moving to government-planned towns would require them to give up claims to land they had occupied for several generations and would separate them from their livelihood, while the government claimed it was difficult and inefficient to provide services to clusters of buildings throughout the Negev that ignored planning procedures. Some Bedouins continued to pursue legal recognition of their 3,200 claims to parcels of land based on practices of land ownership and sale predating 1948.

The law bars family reunification when a citizen's spouse is a non-Jewish citizen of Iran, Iraq, Syria, or Lebanon. Citizens may apply for temporary visit permits for Palestinian male spouses 35 years old or older or Palestinian female spouses 25 years old or older, but they may not receive residency based on their marriage and have no path to citizenship. The government has yet to implement a policy in response to a 2010 Supreme Court recommendation that social services be provided to an estimated 5,000 Palestinian spouses of citizens granted "staying permits" to reside legally in Israel.

The government generally prohibited Druze citizens and residents from visiting Syria. The government, however, did coordinate with the UN Disengagement Observer Force for Druze residents of the Golan Heights to attend college in Syria and has permitted the Druze religious leadership to attend religious meetings in Damascus. The government also allowed noncitizen Druze residents from the Golan Heights to visit holy sites in Syria through the ICRC-managed pilgrimage program, but it has prevented family visitations since 1982.

An estimated population of 130,000 Ethiopian Jews faced persistent societal discrimination, although officials and the majority of citizens quickly and publicly criticized discriminatory acts against them.

Continued reports of discrimination by Ashkenazi Jews of European descent against Sephardic Jews of Middle Eastern descent, including the broadcast of a documentary on ethnic discrimination, sparked a national debate on this topic.

Societal Abuses, Discrimination, and Acts of Violence Based on Sexual Orientation and Gender Identity

The law prohibits discrimination based on sexual orientation, and the government generally enforced these laws, although discrimination based on sexual orientation or gender identity persisted in some parts of society.

A lesbian, gay, bisexual, and transgender (LGBT) violence prevention center and hotline established in 2012 reported it received 50 cases of violence and discrimination between August 2012 and October. In 2012 police opened 18 investigations of physical violence offenses and 24 investigations of verbal violence toward members of the LGBT community.

On July 8, prosecutors indicted Hagai Felician on homicide and attempted homicide charges in relation to a 2009 shooting at an LGBT youth club in Tel Aviv that killed two and injured 10. According to the indictment, Felician initiated the shootings to avenge the sexual assault of a person close to him by an employee at the club. Police believed the killings resulted from personal animosity, and it remained unclear whether the sexual orientation of the victims motivated the shooter.

Other Societal Violence or Discrimination

There were some reports of discrimination against persons with HIV/AIDS, including refusal by some doctors and dentists to provide care to HIV-positive individuals. One patient filed a complaint against two doctors for allegedly refusing to provide medical services based on his HIV status, which led the ethics committee of the Israel Medical Association to instruct doctors to treat patients regardless of HIV status. The Israel AIDS Task Force also submitted a complaint to the Ministry of Health regarding six dentists who allegedly refused care to HIV-positive patients. The Ministry of Health stated it acted immediately on any case brought to its attention of denial of treatment based on HIV status.

Section 7. Worker Rights

a. Freedom of Association and the Right to Collective Bargaining

The law protects the right of workers to form and join independent unions, strike, earn the minimum wage and overtime, and bargain collectively. The law specifically prohibits antiunion discrimination. A labor court has discretionary authority to order the reinstatement of a worker who is fired for union activity.

Court rulings and union regulations forbid simultaneous membership in more than one trade union. Members of the General Federation of Labor in Israel (Histadrut) who pay affiliation fees can be elected to the union's leadership bodies regardless of his or her ethnicity, religion or gender. Some Palestinian members of Histadrut complain that the union does little to protect them from labor violations.

Generally the government enforced labor law effectively. In practical terms authorities generally respected workers' rights to free association and collective bargaining for citizens, although foreign workers often faced difficulties exercising these rights. Worker organizations were independent of the government and political parties.

b. Prohibition of Forced or Compulsory Labor

While the law prohibits forced or compulsory labor and criminalizes labor exploitation, the government did not enforce effectively laws concerning minimum employment conditions for foreign workers. The passage of revised labor laws in 2012 increased penalties to 35,000 NIS (\$9,900) and helped investigation procedures but, according to the government, there were few criminal cases involving foreign workers because of difficulties gathering evidence.

In practical terms some workers, particularly foreign workers, experienced conditions of forced labor including the unlawful withholding of passports, restrictions on movement, limited ability to change or otherwise choose their employer, nonpayment of wages, exceedingly long working hours, threats, sexual assault, and physical intimidation. Foreign agricultural workers, construction workers, and nursing care workers – particularly women – were among the most vulnerable to conditions of forced labor, including in particular nonpayment and withholding of wages.

Also see the Department of State's [Trafficking in Persons Report](#).

c. Prohibition of Child Labor and Minimum Age for Employment

Laws provide for the protection of children from exploitation in the workplace and prohibit forced or compulsory labor. Children 14 years of age and older may be employed during official school holidays in light work that does not harm their health. Children at least 15 years old who have completed education through grade nine may be employed as apprentices. Regulations restrict working hours for youths between 16 and 18 years old in all sectors.

The government generally enforced these laws and conducted year-round inspections to locate cases of underage employment, with special emphasis on summer and school vacations. In 2012 the government opened six investigations against employers, including one in Jerusalem's central market.

d. Acceptable Conditions of Work

The national minimum wage was 22 NIS (\$6.25) per hour, and was slightly less for youths under the age of 18, who earned between 60 and 83 percent of the minimum wage. The law allows a maximum 43-hour workweek at regular pay and paid annual holidays. Premium pay for overtime was 125 percent for the first two hours and 150 percent for any additional hours, with a limit of 15 hours of overtime per week. The law did not cover some workers, such as migrant workers in the homecare sector.

The Labor Inspection Service, along with union representatives, enforced labor, health, and safety standards in the workplace. The media reported in September that the economy ministry opened more than 1,700 investigations of employers since the start of the year. During the year 62 persons

died in workplace accidents. There is little information about protection and enforcement standards in the informal economy.

There were approximately 70,000 foreign workers in the country, including almost 15,000 illegal foreign workers according to government figures. In 2012 the Health and Safety Administration investigated 24 workplace accidents involving foreign workers and conducted thousands of supervision visits to sites where large numbers of foreign workers were employed. Since the passage of revised labor laws in 2012, the government imposed more than 22 financial sanctions and 10 administrative fines against employers of foreign workers for a total of more than 1.7 million NIS (\$480,000). In September the government carried out a special investigation, and government investigators opened files against 63 businesses in south Tel Aviv for exploiting foreign workers.

According to some NGOs, however, the country failed to enforce its labor laws fully, and existing penalties were not sufficient to deter violations. Many foreign workers and persons with working capacity reduced by disabilities earned significantly less than the minimum wage. There were numerous documented cases of foreign laborers living in harsh conditions and subjected to debt bondage, but authorities prosecuted few employers. The government examined 250 complaints in 2012 from foreign workers and transferred several dozen cases for criminal or administrative enforcement. Nevertheless, the Foreign Workers Rights Department of the Ministry of Economics did not file any indictments.

In the homecare sector, live-in arrangements and lack of legal protections and inspections led to many cases of exploitive working conditions among female migrant workers. During the past three years, the NGO Kav LaOved filed hundreds of complaints on behalf of foreign caregivers, including allegations of underpayment of wages, physical violence, sexual harassment, and unsuitable employment conditions. The government received complaints and opened investigation files but noted most related to salary disputes and difficulties in effective enforcement.

The government signed bilateral work agreements with Bulgaria and Moldova in 2012 to regulate recruitment fees for construction workers. The Center for International Migration and Integration (CIMI), an NGO that monitored the agreements, reported that the agreements helped to reduce the number of migrants subjected to illegal recruitment fees. The CIMI claimed that migrant construction workers from Bulgaria and Moldova who arrived during the year paid between 1,400 and 1,800 NIS (\$398 to \$511) for all recruitment-related costs. Kav LaOved also recorded complaints from a group of Bulgarian construction workers for insufficient pay, long working hours, and poor living conditions. The government claimed it took complaints seriously, and the complaints had a positive effect on the conditions for other construction workers. In January the government closed a temporary camp for the workers and established additional provisions for Bulgarian workers in the country.

Beginning in 2012 the government also implemented an agreement with Thailand that resulted in the recruitment of approximately 4,000 agricultural workers during the year. The government claimed the work agreements increased transparency and safeguards in the hiring process. Kav LaOved asserted that conditions for foreign agricultural workers did not improve, and Thai workers registered complaints in even higher numbers. According to the Hotline for Migrant Workers, three Thai fishermen complained about high recruitment fees and poor working conditions in May. According to the government, workers, including foreign workers, can remove themselves from a

dangerous work situation and seek alternate employment. The government stated that it provided an orientation program to foreign agricultural workers which explained their rights, but NGOs argued that agricultural workers were bound to their employers and had no reasonable recourse.