

Document #2004252

USDOS – US Department of State

Country Report on Human Rights Practices 2018 - Israel, Golan Heights, West Bank, and Gaza - Israel and the Golan Heights

EXECUTIVE SUMMARY

Israel is a multiparty parliamentary democracy. Although it has no constitution, 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 in 2015, which were considered free and fair, resulted in a coalition government led by Prime Minister Benjamin Netanyahu. The Knesset voted on December 26 to dissolve itself and set April 9, 2019, as the date for national elections.

Civilian authorities maintained effective control over the security services.

Human rights issues included reports of unlawful or arbitrary killings, including Palestinian killings of Israeli civilians and soldiers; arbitrary detention; restrictions on Palestinian residents of Jerusalem including arbitrary or unlawful interference with privacy, family, and home; and significant restrictions on freedom of movement.

The government took steps to prosecute and punish officials who committed abuses within Israel regardless of rank or seniority.

This section includes Israel, including Jerusalem, and the Golan Heights. In December 2017 the United States recognized Jerusalem as the capital of Israel. It is the position of the United States that the specific boundaries of Israeli sovereignty in Jerusalem are subject to final status negotiations between the parties. The Palestinian Authority exercises no authority over Jerusalem.

As stated in Appendix A, this report contains data drawn from foreign government officials; victims of alleged human rights violations and abuses; academic and congressional studies; and reports from the press, international organizations, and nongovernmental organizations (NGOs) concerned with human rights. In the context of the Israeli-Palestinian conflict, some of those sources have been accused of harboring

political motivations. The Department of State assesses external reporting carefully but does not conduct independent investigations in all cases. We have sought and received input from the government of Israel and we have noted responses where applicable.

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

a. Arbitrary Deprivation of Life and Other Unlawful or Politically Motivated Killings

From March 30 to December 5, Palestinian militant groups launched more than 1,150 rockets and mortars from the Gaza Strip toward arbitrary or civilian targets in Israel. Gaza-based militants shot and killed one Israeli soldier, and a rocket launched by Gaza-based militants killed one Palestinian laborer in Ashkelon. More than 200 Israelis required treatment from these attacks, mostly for shock.

Beginning on March 30, Israeli forces engaged in conflict with Palestinians at the Gaza fence, including armed terrorists, militants who launched incendiary devices into Israel, and unarmed protesters. This occurred during mass protests co-opted by terrorist organization Hamas and dubbed a “March of Return.” The government stated that since March 30 it had been “contending with violent attempts led by Hamas to sabotage and destroy Israel’s defensive security infrastructure separating Israel from the Gaza Strip, penetrate Israel’s territory, harm Israeli security forces, overrun Israeli civilian areas, and murder Israeli civilians.” Israel Defense Forces (IDF) shot and killed 190 Palestinians at the Gaza fence as of the end of the year, including 41 minors, according to B’Tselem (see West Bank and Gaza section). According to the World Health Organization, 6,239 Palestinians in Gaza were injured by IDF live fire in the protests. Human rights organizations claimed most victims posed no imminent threat to the IDF. The government stated that many of the victims were operatives of Hamas or encouraged by Hamas to protest near the fence. The government claimed the IDF used live fire as a last resort, when a clear and imminent threat existed, and they aimed below the knee with the intention to wound but not to kill. The government also stated that it used live fire with lethal intent against terrorists perpetrating attacks against IDF forces at the border. The IDF stated they opened an internal inquiry into each Palestinian death at the border. The Israeli Military Advocate General opened five criminal investigations into IDF actions at the Gaza fence as of the end of the year.

On May 24, the Supreme Court rejected human rights organizations’ objections to the IDF rules of engagement that permitted live ammunition against demonstrators near the Gaza fence. The court ruled the applicable international legal paradigm is that of war, not law enforcement, but it called on the IDF to learn operational lessons that will lead to the use of alternative, nonlethal means, in light of “the number of casualties and injuries, and the fact that many were injured in their upper body and some in the back.” The number of Palestinian deaths from IDF fire at the border decreased significantly in the second half of the year.

On May 1, following an investigation of more than one year, State Attorney Shai Nitzan announced he was closing without charges the government’s investigation into a January 2017 incident in which a policeman and a Bedouin Israeli died during a police action to demolish homes in the unrecognized Bedouin village of Umm al-Hiran. Nitzan wrote that he decided not to bring criminal charges against police officers after concluding police shot Abu al-Qian because they feared for their lives, but he recommended disciplinary action against some officers due to “professional mistakes,” according to media reports. In votes on May 9 and June 13, the Knesset rejected a proposal by Minister of Knesset (MK) Taleb Abu Arar, one of three Bedouins in the Knesset, to establish a Knesset inquiry into the events and all subsequent investigations leading to Nitzan’s decision.

According to the government and media reports, during the year terrorist attacks targeting Jewish Israelis killed two persons and injured 23 others in Israel. The locations of attacks included Jerusalem, Acre, Sderot, Be’er Sheva, and Ashkelon. Most attackers were Palestinians from the West Bank or Gaza, but one was an Arab citizen of Israel. In addition, the Israeli government reported that security forces foiled approximately 500 terrorist attacks during the year. In April authorities indicted Jewish Israelis Koren Elkayam and Tamir Bartal on charges of terrorism targeting Arab citizens of Israel in a series of attacks, including a stabbing, in Be’er Sheva that began in 2016. According to the indictment, on several occasions the defendants assaulted men who they believed were Arab to deter them from dating Jewish women.

On March 18, Palestinian attacker Abd al-Rahman Bani Fadel stabbed and killed Israeli citizen Adiel Kolman in the Old City of Jerusalem. Police shot and killed the attacker. Palestinians carried out other terrorist attacks in Jerusalem during the year. Israeli forces killed other Palestinians in Jerusalem who were attempting to attack them or civilians. According to unsubstantiated media reports and NGOs, not all of those killed posed a lethal threat to the security forces or civilians at the time they were killed.

b. Disappearance

There were no reports of disappearances by or on behalf of government authorities.

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

There is no law explicitly banning torture; however, the law prohibits assault and pressure by a public official. In 1999 the Supreme Court ruled that although torture and the application of physical or psychological pain were illegal, Israeli Security Agency (ISA) interrogators may be exempt from criminal prosecution if they used “exceptional methods” in extraordinary cases determined to involve an imminent threat, such as the “ticking bomb” scenario, as long as such methods did not amount to torture. On June 19, the Lod District Court ruled that two defendants’ statements were inadmissible evidence because they followed application of interrogation measures “that severely impair the physical and mental well-being of the defendants, as well as their dignity.”

The case concerned two Jewish defendants indicted for the 2015 firebombing of a Palestinian home in Duma, the West Bank, which led to the deaths of three family members. The court acknowledged that those measures included physical pain but did not rule whether they amounted to torture. On November 26, the Supreme Court rejected a complaint alleging that ISA interrogators tortured West Bank resident Fares Tbeish in 2012, including punches, slaps, stress positions, threats, humiliation, and sleep deprivation. According to the verdict, the ISA was justified in extracting information from him with “exceptional methods,” even in a situation that did not qualify as a “ticking bomb” scenario. Whereas prior rulings had not expressly permitted violence in interrogations, the NGO Public Committee Against Torture in Israel (PCATI) stated the text of this ruling may imply that torture is permitted in highly extraordinary cases. The government stated that ISA rules, procedures, and methods of interrogation are confidential for security reasons, but they are subject to governmental supervision from within and outside of the ISA.

Authorities continued to state the ISA held detainees in isolation only in extreme cases and when there was no alternative option, and that the ISA did not use isolation as a means of augmenting interrogation, forcing a confession, or punishment. An independent Inspector for Complaints Against ISA Interrogators in the Ministry of Justice handled complaints of misconduct and abuse in interrogations. The decision to open an investigation against an ISA employee is at the discretion of the attorney general.

In criminal cases investigated by police involving crimes with a maximum imprisonment of 10 years or more, regulations require recording interrogations; however, an extended temporary law exempts the General Security Services from audio and video recording of interrogations of suspects related to “security offenses.”

The 2015 Ciechanover report, which suggested practical steps for implementing recommendations of the second report by the Turkel Commission concerning the legal framework surrounding the interception and capture by the Israeli Navy of ships carrying humanitarian aid bound for Gaza, recommended installing audiovisual documentation systems in ISA interrogation rooms. The government installed closed-circuit cameras and stated that cameras broadcast in real time from all ISA interrogation rooms to a control room, accessible to supervisors appointed by the Ministry of Justice, as of the beginning of 2018. Supervisors are required to report to the comptroller any irregularities they observe during interrogations. PCATI criticized this mechanism as insufficient to prevent and identify torture, since there is no recording of interrogations for later accountability and judicial review.

According to PCATI, the government had acknowledged that it used “exceptional measures” during interrogation in some cases. These methods included beatings, forcing an individual to hold a stress position for long periods, threats of rape and physical harm, and painful pressure from shackles or restraints applied to the forearms, sleep deprivation, and threats against families of detainees. As of May 21, one complaint led to a criminal investigation, but as of the end of the year, authorities had never indicted an ISA interrogator. Nonetheless, some preliminary examinations led to disciplinary measures, changes in procedures, and changes in methods of interrogation.

PCATI reported that the average amount of time for the ISA Interrogee Complaint Comptroller to render a decision on a case was more than 34 months, and the vast majority of complaints submitted in 2014 were unanswered as of November. The comptroller initiated 30 preliminary inquiries into allegations regarding ISA interrogations during the year, according to the government.

In its May 2016 review of the country’s compliance with the UN Convention Against Torture, the UN Committee Against Torture recommended (among 50 other recommendations) that the government provide for independent medical examinations for all detainees. The government stated that requests from prisoners for independent examination at the prisoner’s expense are reviewed by an Israel Prison Service (IPS) medical team. During the year 121 private doctors entered IPS facilities to provide both general medical care to the prisoners and individual care requested by prisoners. According to PCATI and Physicians for Human Rights Israel, Israeli medics and doctors ignored bruises and injuries resulting from violent arrests and interrogations. Regulations allow the IPS to deny medical treatment if there are budgetary concerns, according to Physicians for Human Rights Israel.

PCATI stated the government’s system for investigating allegations of mistreatment of detainees was complex and fragmented. For example allegations against police and the ISA are investigated by two separate departments of the Police Investigation Department in the State Attorney’s Office of the Ministry of Justice, each with different procedures. The National Prison Wardens Investigation Unit is responsible for investigating allegations against members of the IPS. PCATI reported this fragmentation created a disorganized system characterized by widely varying response times and professional standards.

Prison and Detention Center Conditions

The law provides prisoners and detainees the right to conditions that do not harm their health or dignity.

Physical Conditions: The IPS held 19,376 prisoners, including 12,475 Israeli citizens, 5,725 Palestinians from the West Bank, 836 Palestinians from East Jerusalem, and 340 Palestinians from Gaza, as of the end of the year. Of these prisoners, the IPS characterized 5,539 as “security prisoners” (those convicted or suspected of nationalistically motivated violence), as of the end of the year. The vast majority (85 percent) of the security prisoners were Palestinian residents of the West Bank; 6 percent were Palestinian residents of Jerusalem, 4 percent were Israeli citizens, and 4 percent were Palestinian residents of Gaza. These prisoners often faced more restrictive conditions than those for prisoners characterized as criminals, including increased incidence of administrative detention, restricted family visits, ineligibility for temporary furloughs, and solitary confinement.

A June 2017 report on 62 prisons by the Public Defender’s Office described physical neglect and harsh living conditions. The report also cited a shortage of treatment and rehabilitation groups for non-Hebrew-speaking prisoners, lack of social workers in some prisons, excessive shaking of detainees during transportation, and extended stays in court detention facilities beyond the duration of legal proceedings.

Among Israeli citizens, the percentage of minors of Ethiopian or Arab origin in prison was significantly higher than their proportion of the population. As of the end of the year, there were 11 Ethiopian-Israeli minors and 44 Arab citizen minors in prison. In addition, 181 imprisoned minors were Palestinians from the West Bank or Gaza and 48 were Palestinian residents of Jerusalem.

In June 2017 following a petition by the Association of Civil Rights in Israel (ACRI) and the Academic Center for Law and Business in Ramat Gan, the Supreme Court ruled that within 18 months, prisons must allocate a living space of 48 square feet to each prisoner, including toilet and shower, or 43 square feet, not including toilet and shower. According to ACRI, each prisoner is currently allocated 33 square feet, including toilet and shower, and approximately 40 percent of the prisoners were imprisoned in an area that amounted to less than 32 square feet per person. On November 1, the Supreme Court extended the deadline for implementing the verdict to May 2020 but stipulated that living space should be no less than 32 square feet by April 2019. On November 5, the Knesset passed a temporary law for three years to enable earlier release of prisoners excluding security prisoners--in order to facilitate implementation of the Supreme Court verdict on prisoners’ living space.

As of October the government had not applied a 2015 law authorizing force-feeding of hunger-striking prisoners under specific conditions. The Israel Medical Association declared the law unethical and urged doctors to refuse to implement it.

Administration: Authorities conducted proper investigations of credible allegations of mistreatment, except as noted above. While authorities usually allowed visits from lawyers and stated that every inmate who requested to meet with an attorney was able to do so, this was not always the case. NGOs alleged authorities did not allow Palestinian detainees, including minors, access to a lawyer during their initial arrest. The government granted permits to family members from the West Bank on a limited basis and restricted those entering from Gaza more severely.

In a report in July, the Public Defender’s Office stated that defendants with mental disabilities were often sent to prison when the justice system lacked suitable accommodations and supportive therapeutic treatment.

Independent Monitoring: The International Committee of the Red Cross maintained its regular visits to all detention facilities holding Palestinian detainees in Israel, including interrogation centers, in accordance with its standard modalities, as in previous years. The Public Defender’s Office is mandated to report on prison conditions, which it does every two years.

Improvements: In December 2017 the IPS published new regulations allowing HIV-positive prisoners to reside with the general prison population and to participate in activities as permitted other prisoners, subject to their medical condition.

d. Arbitrary Arrest or Detention

The law prohibits arbitrary arrest and detention and provides for the right of any person to challenge the lawfulness of his or her arrest or detention in court, and the government generally observed these requirements. Authorities subjected non-Israeli citizens in Jerusalem and the Israeli-controlled Golan Heights to the same laws as Israeli citizens. Palestinian residents of the West Bank and Gaza detained on security grounds fell under military jurisdiction as applied by Israel to Palestinians in the West Bank and Gaza, even if detained inside Israel (see “West Bank and Gaza” section).

With regard to irregular migrants from countries to which government policy prohibits deportation, mainly Eritrea and Sudan, the law allows the government to detain migrants who arrived after 2014, including asylum seekers, for three months in the Saharonim Prison “for the purpose of identification and to explore options for relocation of the individual.” The law also states authorities must bring irregular migrants taken into detention to a hearing within five days. After three months in Saharonim, authorities must release the migrant on bail, except when the migrant poses a risk to the state or the public, or when there is difficulty in identity verification.

On January 3, the government approved a plan to detain indefinitely in Saharonim migrants from Sudan and Eritrea who refused to depart to a third country after authorities denied their asylum claim, as well as those who had not submitted an asylum request by December 2017. The plan also included closing the Holot detention center, a remote facility where the IPS had detained Eritrean men for up to 12 months without a criminal conviction. On March 14, the IPS released all irregular migrants from Holot and closed the facility. On April 15, following a Supreme Court order, the IPS also released from Saharonim all Eritrean migrants except those suspected of criminal offenses. The government terminated the plan on April 24 (see section 2.d.).

A policy dating to 2014 authorizes the government to detain without trial and for an indefinite period irregular migrants who were “implicated in criminal proceedings.” The NGO Hotline for Refugees and Migrants noted this policy enabled indefinite detention even in cases in which there is insufficient evidence to try a suspect, including for relatively minor crimes, as well as cases of migrants who completed a sentence following conviction. The Office of the UN High Commissioner for Refugees (UNHCR) stated this policy is “at variance with international human rights and refugee law,” and called for migrants suspected of crimes to be treated equally under Israel’s existing criminal laws. On January 4, the Supreme Court ruled that the legality of this policy required additional review. It had not issued any new guidance as of October 27.

Role of the Police and Security Apparatus

Under the authority of the prime minister, the ISA combats terrorism and espionage in Israel, the Golan Heights, the West Bank, and Gaza. The national police, including the border police and the immigration police, are under the authority of the Ministry of Public Security. The IDF has no jurisdiction over Israeli citizens. ISA forces operating in the West Bank and East Jerusalem 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. The government took steps to investigate allegations of the use of excessive force by police and military.

The Department for Investigations of Police Officers (DIPO) is responsible for investigating complaints against ISA bodies, including incidents involving police and the border police that do not involve the use of a weapon. In April 2017 the State Comptroller published a report criticizing DIPO for investigating complaints narrowly on criteria of individual criminal or disciplinary violations rather than broadly on criteria of systemic or organizational problems. According to its annual report DIPO published in February, in 2017 DIPO filed criminal indictments in 249 cases (up from 110 in 2016) and 85 percent of indictments led to convictions. For example, in one case a police officer stopped a female driver and touched her inappropriately while conducting an illegal body search. The court sentenced him to five months in prison and 22,000 shekels (\$6,000) compensation.

Investigative responsibility for alleged abuses by the IDF, including incidents involving a weapon in which police units were operating under IDF authority in the West Bank and East Jerusalem, remains with the Military Police Criminal Investigations Department of the Ministry of Defense.

Arrest Procedures and Treatment of Detainees

Police must have a warrant based on sufficient evidence and issued by an authorized official to arrest a suspect. The following applies to detainees, excluding those in administrative detention: Authorities generally informed such persons promptly of charges against them; the law allows authorities to detain suspects without charge for 24 hours prior to bringing them before a judge, with limited exceptions allowing for up to 48 hours; authorities generally respected these rights for persons arrested in the country; there was a functioning bail system, and detainees could appeal decisions denying bail; and 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.

Authorities detained most Palestinian prisoners within Israel. (Further information on arrest procedures under military law can be found in the West Bank and Gaza section.)

Authorities may prosecute persons detained on security grounds criminally or hold them as administrative detainees or illegal combatants, according to one of three legal regimes.

First, under a temporary law on criminal procedures, repeatedly renewed since 2006, the IPS may hold persons 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 for up to 96 hours prior to bringing the suspect before the senior judge of a district court. In security-related cases, authorities may hold a person for up to 35 days without an indictment (versus 30 days for nonsecurity cases), and the law allows the court to extend detentions on security grounds for an initial period of up to 20 days for interrogation without an indictment (versus 15 days for nonsecurity cases). Authorities may deny security detainees access to an attorney for up to 21 days under Israeli civilian procedures.

Second, the Emergency Powers Law allows the Ministry of Defense to detain persons administratively without charge for up to six months, renewable indefinitely.

Third, the 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. As of October, according to B'Tselem based on IPS data, no Palestinian prisoners were held under this law.

NGOs including Military Court Watch, HaMoked, and B'Tselem accused authorities of using isolation to punish or silence politically prominent Palestinian detainees. According to the government, the IPS did not hold Palestinian detainees in separate detention punitively or to induce confessions. The government stated it uses separate detention only when a detainee threatens himself or others, and authorities have exhausted other options--or in some cases during interrogation, to prevent disclosure of information. In such cases authorities maintained the detainee had the right to meet with International Committee of the Red Cross representatives, IPS personnel, and medical personnel, if necessary.

Palestinian sources reported the IPS placed Palestinian detainees who were mentally disabled or a threat to themselves or others in isolation without a full medical evaluation. According to Physicians for Human Rights-Israel, isolation of Palestinian prisoners with mental disabilities was common.

Arbitrary Arrest: Allegations continued of arbitrary arrests of Arab citizens, Palestinian residents of Jerusalem, and Ethiopian-Israelis during protests. On May 18, police arrested Mossawa Center Director Jafar Farah, his son, and 17 other Israelis at a protest in Haifa involving primarily Arab citizens. Police officers subsequently broke his knee and inflicted blunt trauma injuries to his chest and abdomen while he was in custody, according to Farah. Police hospitalized him while under arrest, then released him and other detainees on May 21. On May 20, Public Security Minister Gilad Erdan stated that he expected the Justice Ministry Police Investigation Division to “quickly investigate the circumstances of Jafar Farah’s injury and his claims. It is urgent to clarify whether unnecessary force has been used illegally.” The Ministry of Justice stated on October 7 that it was considering indicting a police officer for assault and causing injury in this incident but had not indicted him by year’s end. The Israel National Police stated the officer was on compulsory leave since the opening of the investigation.

On November 5, President Rivlin and Justice Minister Ayelet Shaked invited Ethiopian-Israelis whom authorities had previously charged with minor offenses such as insulting a public servant, obstructing a public servant, and prohibited assembly and riot, and who were not imprisoned, to apply for their criminal records to be deleted. President Rivlin said the state would view these requests positively in light of the discrimination that Ethiopian-Israelis faced from officials and from Israeli society.

Pretrial Detention: Administrative detention continued to result in lengthy pretrial detention for security detainees (see above).

Detainee’s Ability to Challenge Lawfulness of Detention before a Court: By law persons arrested or detained on criminal or other grounds are entitled to challenge in court the legal basis or arbitrary nature of their detention and any delay in obtaining judicial rulings. If the court finds persons to have been detained unlawfully, they are entitled to prompt release, compensation, or both. 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. All categories of detainees routinely did so, including citizens, legal residents, and nonresident Palestinians. Military courts may rely on classified evidence denied to detainees and their lawyers when determining whether to prolong administrative detention. There is no system whereby authorities may clear a defense team member to view classified information used to justify holding an administrative detainee.

e. Denial of Fair Public Trial

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

Trial Procedures

The law provides for the right to a fair and public trial, and an independent judiciary generally enforced this right. Exceptions to the right for a public trial include national security concerns, protection of the interest of a minor or an individual requiring special protection, and safeguarding the identity of an accuser or defendant in a sex-offense case. On December 10, the Knesset passed an amendment eliminating the requirement for court involvement before publishing the identity of a victim of a sex offense, provided she or he gave written consent for publication.

Defendants enjoy the rights to a presumption of innocence, to be informed promptly and in detail of the charges against them, to a fair and public trial without undue delay, and to be present at their trial. They may consult with an attorney or, if indigent, have one provided at public expense. They have adequate time and facilities to prepare their defense. Defendants who cannot understand or speak the language used in court have the right to free interpretation as necessary from the moment charged through all

appeals. Defendants have the right to confront witnesses against them and to present witnesses and evidence on their behalf. They may not be compelled to testify or confess guilt and may appeal to the Supreme Court.

The prosecution is under a general obligation following an indictment to provide all evidence to the defense. The government may on security grounds withhold from defense lawyers evidence it has gathered but will not use in its case against the accused. The Supreme Court (with regard to civilian courts) and the Court of Appeals (with regard to military courts) can scrutinize the decision to withhold such evidence. The rules of evidence in espionage cases tried in criminal court do not differ from the normal rules of evidence, and no use of secret evidence is permissible.

Children as young as 12 years old may be imprisoned if convicted of serious crimes such as murder, attempted murder, or manslaughter. The government reported no child was imprisoned under this law as of the end of the year.

Political Prisoners and Detainees

The government described security prisoners as those convicted or suspected of nationalistically motivated violence. Some human rights organizations claimed that Palestinian security prisoners held in Israel should be considered political prisoners.

In February 2017 the Supreme Court imposed the following restrictions on a practice by the ISA of summoning Israeli political activists suspected of “subversive” activity unrelated to terror or espionage for questioning under caution, meaning they might be charged with a crime. Summoning will be carried out only after consultation with the legal advisor of the ISA; police and the ISA will clarify that questioning is voluntary and the person summoned is not required to appear; and the ISA will clarify during questioning that the suspect’s statements cannot be used in court for other proceedings. On July 31, ACRI sent a letter to the State Attorney’s Office contending the ISA violated the Supreme Court ruling in three incidents at Ben Gurion Airport in June and July, when it detained employees of civil society organizations for questioning upon their return to Israel from outside the country.

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. Palestinian residents of Jerusalem can file suit against the government of Israel. By law nonresident Palestinians may file suit in civilian courts to obtain compensation through civil suits in some cases, even when a criminal suit is unsuccessful and the actions against them considered legal. On November 4, however, the Be’er Sheva District Court rejected a tort claim filed by two NGOs in 2016 on behalf of a Palestinian teenager whom the Israeli military shot and injured in his Gaza home, in the absence of military operations, in 2014. Adalah claimed the verdict prevents Gazans from redress for civilians harmed by Israeli security forces under a 2012 amendment to Israel’s Civil Wrongs Law, which exempted from damages “persons who are not citizens or residents of Israel, and ... are residents of declared ‘enemy territory.’”

Property Restitution

New construction remained illegal in towns that did not have an authorized outline plan for development. The government stated that, as of June, 132 of 133 Arab localities had approved outline plans for development, of which 76 had been updated since 2005, and 18 had new plans undergoing statutory approval. NGOs criticized the lack of Arab representation on regional planning and zoning approval committees and stated that planning for Arab areas was much slower than for Jewish municipalities, leading Arab citizens to build or expand their homes without legal authorization, risking a government-issued demolition order. Authorities issued 1,792 administrative and judicial demolition orders during the year, including both Jewish-owned and Arab-owned structures. 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.

A plan for the Bedouin village of al-Fura’a was not yet completed as of the end of the year, despite government recognition of the village in 2006. As a result, the village lacked basic electricity and water infrastructure, and NGOs reported house demolitions occurred regularly. The government stated that a team from the Ministry of Agriculture Authority for the Development and Settlement of Bedouin in the Negev began working on this issue in the second half of the year, after completing a survey of 180 Bedouin residential clusters.

In April 2017 the Knesset passed an amendment that increased the government’s power to demolish unpermitted structures. Arab MKs and human rights organizations condemned the law for increasing enforcement and demolitions without addressing the systemic housing shortages in Arab communities that led to unpermitted construction. According to human rights organizations, approximately 50,000 Arab families lived in unpermitted houses.

According to the NGO Negev Coexistence Forum for Civil Equality (NCF), Bedouins accounted for 34 percent of the population of the Negev, but only 12.5 percent of the residential-zoned land was designated for the Bedouin population. The seven Bedouin townships were all crowded, especially in comparison to the Jewish towns and cities in the area, and had low-quality infrastructure and inadequate access to health, education, welfare, public transportation, postal, and garbage disposal services. In 35 unrecognized Bedouin villages in the Negev inhabited by approximately 90,000 persons, the government stated it used a “carrot and stick” approach to attempt to compel Bedouin Israelis to move, including demolishing unpermitted structures and offering incentives to move to Bedouin towns. Bedouins often refused to participate because they asserted they owned the land or that the government had given them prior permission to settle in their current locations, as well as fears of losing their traditional livelihoods and way of life and fears of moving onto land claimed by a rival Bedouin clan.

As of the end of the year, 34 percent of 163,089 acres of land that was under ownership dispute was no longer in dispute as a result of either settlement agreements or following legal proceedings, according to the government.

According to NCF, 115 of the 126 Jewish communities in the Negev maintained admission committees to screen new residents, effectively excluding non-Jewish residents. Following objections by multiple NGOs, authorities canceled plans for new Jewish communities called Daya, Eshel HaNasi, and Neve Gurion to replace existing Bedouin villages. The National Planning and Building Council recommended to the government in August to progress with the establishment of a town called Ir Ovot, which was to include a zone for approximately 50 Bedouin Israelis to stay in their current locations.

On April 11, Bedouin residents of the unrecognized village Umm al-Hiran signed an agreement with the Ministry of Agriculture Authority for the Development and Settlement of Bedouin in the Negev to self-demolish their structures and relocate to vacant plots in the Bedouin town of Hura, following extended legal action and negotiations. Umm al-Hiran was to be replaced with a Jewish community called Hiran.

NCF recorded 2,220 demolitions of Bedouin Israelis' structures in 2017, nearly double the number in 2016, and stated the demolition policy violated Bedouin Israelis' right to adequate housing. Demolitions by Israeli authorities increased to 641 in 2017 from 412 in 2016, while Bedouins demolished the remaining structures to avoid fines. In 2016 a report from the state comptroller recommended the government act to settle land claims as early as possible, plan resettlement of Bedouin citizens in cooperation with the Bedouin community, develop infrastructure in recognized Bedouin communities, and formulate an enforcement policy regarding illegal construction. The NGO Regavim praised the demolitions as combatting illegal construction by squatters.

In addition to the Negev, authorities ordered demolition of private property in Arab towns and villages, and in East Jerusalem, claiming that they were built without permits. On January 30, in one incident in Issawiya, authorities demolished 12 commercial and livestock structures that were the source of livelihood for nine families. Authorities demolished, or Palestinians demolished on authorities' orders, 177 Palestinian-owned structures in East Jerusalem due to lack of permits, a 20 percent increase over 2017, according to the UN Office for the Coordination of Humanitarian Affairs (UNOCHA). Human rights NGOs claimed that in Jerusalem, authorities often placed insurmountable obstacles against Palestinian applicants for construction permits, including the requirement that they document land ownership despite the absence of a uniform post-1967 land registration process, the imposition of high application fees, and requirements to connect new housing to often unavailable municipal works.

According to the government, all land ownership cases are assessed individually by an administrative committee, which is subject to judicial review.

According to Ir Amim and B'Tselem, authorities evicted some Palestinians in East Jerusalem based on legal challenges to their ownership of property prior to 1948. Palestinians evicted by authorities in East Jerusalem claimed they received unequal treatment under the law, as the law facilitated Jewish owners' claims on land owned prior to 1948, while not providing an opportunity for Palestinians to seek restitution for land they owned in Israel prior to 1948.

f. Arbitrary or Unlawful 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. The country lacks a civil marriage law. To be considered legal, civil marriages and any type of marriage that the religious courts refuse to conduct (for example, marriages in non-Orthodox ceremonies, same-sex marriages, 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. Approximately 15 percent of marriages registered with the Ministry of the Interior in 2016, the most recent year available, occurred abroad, according to the Central Bureau of Statistics. A growing number of Jewish couples married inside the country in ceremonies not sanctioned by the Chief Rabbinate and are, therefore, not recognized by the government, according to civil society organizations.

The Orthodox Rabbinate did not consider to be Jewish approximately 4 percent of the population who considered themselves Jewish and who immigrated either as Jews or as family members of Jews; therefore, these citizens could not be married or buried in Jewish cemeteries. The government stated that 24 cemeteries in the country served immigrants not considered Jewish by the Orthodox Rabbinate, but the NGO Hiddush stated that most of those cemeteries would not bury unrecognized Jews alongside recognized Jews nor allow them a non-Orthodox Jewish burial. Only two civil cemeteries were available to the general public, in addition to a few civil cemeteries in smaller localities reserved for local residents, leaving no access to civil burial in the vicinities of Tel Aviv or Jerusalem, where the majority of the Jewish population lives, according to Hiddush. The Orthodox Rabbinate had the authority to handle divorces of any Jewish couple regardless of how they were married.

The 2003 Law of Citizenship and Entry, which is renewed annually, prohibits non-Jewish Iranians, Iraqis, Syrians, Lebanese, and Palestinians from the West Bank or Gaza, including those who are spouses of Israeli residents or citizens, from obtaining resident status unless the Ministry of the Interior makes a special determination, usually on humanitarian grounds. The government has extended the law annually due to government reports that Palestinian family reunification allows entry to a disproportionate number of persons who are later involved in acts of terrorism. HaMoked asserted that statistics from government documents obtained through Freedom of Information Act requests contradicted these terrorism allegations, and the denial of residency to Palestinians from the West Bank or Gaza for the purposes of family reunification led to cases of family separation. According to HaMoked, there were approximately 10,000 Palestinians living in Israel, including Jerusalem, on temporary stay permits because of the law, with no legal guarantee that they would be able to continue living with their families. There were also cases of Palestinian spouses living in East Jerusalem without legal status. Authorities did not permit Palestinians who were abroad during the 1967 war or whose residency permits the government subsequently withdrew to reside permanently in Jerusalem. Amnesty International and other human

rights organizations called on the government to repeal this law and resume processing family unification applications. The law allows the entry of spouses of Israelis on a “staying permit” if the male spouse is age 35 or older and the female spouse is age 25 or older, but they may not receive residency based on their marriage and have no path to citizenship.

Section 2. Respect for Civil Liberties, Including:

a. Freedom of Expression, Including for the Press

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

The law imposes tort liability on any person who knowingly issues a public call for an economic, cultural, or academic boycott of the State of Israel or of institutions or entities in areas under its control in the West Bank. Plaintiffs must prove direct economic harm to claim damages under the “antiboycott” legislation. The law also permits the finance minister to impose administrative sanctions on those calling for such a boycott, including restrictions on participating in tenders for contracts with the government and denial of government benefits. According to an August 28 report in *Ha’aretz*, however, the Ministry of Finance’s legal advisor declined 14 requests to apply such sanctions over the prior 12 months.

In March 2017 the Knesset passed an amendment barring entry to the country to visitors who called for such a boycott. Criteria published in July 2017 by the Population and Immigration Authority restricted enforcement of this law to prominent activists promoting a boycott individually or as a leader of an organization. Following its passage, in January the Ministry of Strategic Affairs published a list of 20 organizations whose members would be refused entry to Israel. Based on the law, authorities denied entry to 10 visitors throughout the year, according to the government. In an October 18 court ruling in the case of a foreign student denied entry, the Supreme Court reversed the denial and restricted application of the law to visitors who are “currently” involved in “actively, consistently, and persistently calling publicly for a boycott,” as stated in the July 2017 regulations.

Freedom of Expression: The law prohibits hate speech and content liable to incite to violence or discrimination on grounds of race, origin, religion, nationality, and gender.

The maximum penalty for desecrating the Israeli flag is three years in prison and a fine of 58,400 shekels (\$16,200).

In cases of speech that are defined as incitement to violence or hate speech, the law empowers police to limit freedom of expression.

On July 16, the Knesset passed a law defining service in the IDF or national service alternative as an objective of the public education system and banning from schools any NGO whose activity “gravely and significantly contradicts the objectives of state education” or “actively initiates legal or political proceedings outside Israel against IDF soldiers for an action carried out in the course of their military duty or against the State of Israel.” The goal of the law was to “prohibit individuals or organizations that are not part of the education system from engaging in activities within an educational institution when the nature of the activity undermines the goals of state education,” according to its explanatory note. Both supporters and opponents of the bill said it targeted the NGO Breaking the Silence, which described the organization’s activities as collecting and publishing “the testimonies of soldiers who served in the occupied territories in order to generate public discourse on the reality of the occupation, with the aim of bringing it to an end.” Breaking the Silence criticized the new law as a violation of freedom of political expression. The Ministry of Education had not issued regulations necessary to implement the law as of the end of the year.

Israeli security officials prohibited Palestine Liberation Organization- or Palestinian Authority (PA)-affiliated groups from meeting in Jerusalem based on a 1995 law banning the PA from engaging in political, diplomatic, security or security-related activities in Israel, including Jerusalem. For example, on October 3, Public Security Minister Gilad Erdan ordered the cancelation of a PA-sponsored event commemorating a Palestinian resident of Jordan who worked to place schools for Palestinians under the authority of the Jordanian Waqf after the 1967 war.

Press and Media Freedom: Independent media were active and expressed a wide variety of views without restriction, with a few exceptions.

In August 2017 the Israeli Journalists Association filed a lawsuit against the minister of public security, police, and the Office of the Attorney General demanding that they stop harming journalists and freedom of the press, refrain from irrelevant restrictions on coverage, and set a transparent policy on maintaining press freedom and journalists’ rights. Police prevented photojournalist Debbie Hill from documenting a strike by Arab citizens of Israel in Jerusalem on October 1, according to media watchdog The Seventh Eye. Following a Supreme Court order, the police submitted to the court on October 18 a new procedure to regulate the work of journalists in areas experiencing clashes, which authorities claimed balanced freedom of press and the security requirements of policy. On November 1, the Supreme Court dismissed the lawsuit, stating that it was too early to judge the new regulations, but urged police and journalists to maintain a dialogue.

Violence and Harassment: Palestinian journalists who were able to obtain entry permits, as well as Jerusalem-based Palestinian journalists, reported incidents of harassment, racism, and occasional violence when they sought to cover news in Jerusalem, especially in the Old City and its vicinity. This included reports of alleged harassment by Israeli soldiers and acts of violence against Palestinian and Arab-Israeli journalists that prevented them from covering news stories. For example, on April 18, Israeli authorities closed the East Jerusalem offices of the Palestinian Elia Youth Media Foundation after then defense minister Avigdor Lieberman claimed the organization recruited young

Palestinians to create videos that encouraged violence. The Committee to Protect Journalists rejected the accusation and noted that Lieberman provided no evidence of his claim. The government stated that it allowed Palestinian journalists interested in visiting Israel to request an entry permit and instructed IDF soldiers to allow journalists as much freedom to carry out their work as operational circumstances permit, and that it investigated thoroughly any allegations of mistreatment by Israeli security forces.

Censorship or Content Restrictions: All media organizations must submit to military censors any material relating to specific military issues or strategic infrastructure problems, such as oil and water supplies. Organizations may appeal the censor’s decisions to the Supreme Court, and the censor may not appeal a court judgment. In July 2017 the Israel Democracy Institute stated that power to prohibit publication of news should be transferred from the military censor to the judicial system.

News printed or broadcast abroad is subject to security censorship. The government regularly enacted restrictive orders on sensitive security information and continuing investigations, and required foreign correspondents, as well as local media, to abide by these orders. According to data provided by the armed forces to the news outlet *Mekomit* and the NGO Movement for Freedom of Information, in 2017 the censor intervened in more than 2,350 articles of 11,000 submitted to it and banned 271 articles.

While the government retained the authority to censor the printing of publications for security concerns, anecdotal evidence suggested authorities did not actively review the Jerusalem-based *al-Quds* newspaper or other Jerusalem-based Arabic publications. Those publications, however, reported they engaged in self-censorship.

National Security: The law criminalizes as “terrorist acts” speech supporting terrorism, including public praise of a terrorist organization, display of symbols, expression of slogans, and “incitement.” On March 7, the Knesset amended the law to authorize restrictions on the release of bodies of terrorists and their funerals to prevent “incitement to terror or identification with a terrorist organization or an act of terror.” The government issued 59 indictments and courts convicted 12 persons under the law as of December 25, including the May 3 conviction by the Nazareth Magistrate’s Court of Dareen Tatour, an Arab citizen, as a result of the poems, pictures, and other media she posted online in 2015.

On July 6, police released to house arrest Sheikh Raed Salah, head of the Northern Islamic Movement, which the government outlawed in 2015. Authorities indicted Salah for incitement to terrorism and supporting an illegal association after arresting him in August 2017.

Internet Freedom

The government monitored electronic communications for security purposes. Based on a 2017 law authorizing district court judges to restrict access to internet sites to prevent the commission of crimes, district court judges approved requests from the state attorney’s cyber unit to remove 15 websites. The state attorney’s cyber unit’s end-of-

year report for 2017 stated that requests to social media outlets to remove content based on its assessment that the content is illegal under the law led to the removal of almost 10,500 online postings, up from 1,554 in 2016. According to the report, 73 percent of the requests were due to offenses related to a terror organization, and 26 percent were due to incitement offenses. Adalah wrote a letter to the attorney general on November 21 stating that the cyber unit should cease submitting requests to social media providers to remove content because only the judicial branch has the authority to determine whether any particular content constitutes a crime.

In August authorities arrested East Jerusalem resident Suzanne Abu Ghanem on suspicion of incitement to violence and terrorism, based on Facebook posts about the death of her son during the 2017 demonstrations on the Temple Mount/Haram al-Sharif.

Internet access was widely available. According to the International Telecommunication Union, 82 percent of the population used the internet in 2017.

Academic Freedom and Cultural Events

The law prohibits institutions that receive government funding from engaging in commemoration of the Nakba, or “catastrophe,” the term used by Palestinians to refer to the displacement of Palestinians during Israel’s 1948 War of Independence. According to an August 28 report in *Ha’aretz*, the Ministry of Finance rejected 98 requests to enforce the Nakba Law over the prior 12 months, including 60 requests from a political activist and 17 from Culture Minister Miri Regev.

In May, Education Minister and Chairman of the Council for Higher Education (CHE) Naftali Bennett agreed with the council of university heads regarding a new draft code of ethics to prevent academics from engaging in “political activity,” defined as supporting or opposing a party, political figure, or position on a topic under debate in the Knesset. According to the agreement, the CHE will not compel universities to adopt a unified ethics code, and the government will not advance legislation regarding an ethics code. Instead, academic institutions agreed to adopt five principles to their regulations, including nondiscrimination on the basis of political opinion and a regulation prohibiting faculty from presenting a personal political view as the view of the university.

Palestinian sources reported that Israeli authorities continued to provide an edited version of the Palestinian Authority curriculum that deleted information on Palestinian history and culture to schools in Palestinian-majority neighborhoods in East Jerusalem and sought to tie funding for those schools to the use of Israeli curriculum (see the West Bank and Gaza report for concerns regarding incitement and anti-Semitism in Palestinian Authority textbooks).

Israel maintained prohibitions on some prominent Jerusalem-based Palestinian institutions, such as the Jerusalem Chamber of Commerce and Orient House, which had been the de facto Palestine Liberation Organization office. The government renewed a military closure order for these and other institutions on the grounds they violated the

Oslo Accords by conducting political activities or otherwise operating on behalf of the Palestinian Authority in Jerusalem. The government likewise shut down several Palestinian academic and cultural events taking place in Jerusalem due to Palestinian Authority participation or support. For example, on July 14, authorities disrupted an al-Quds University conference in East Jerusalem on “Islamic Endowment Properties in Jerusalem” due to alleged Palestinian Authority sponsorship, and they temporarily detained a member of the university’s board of trustees before releasing him.

b. Freedoms of Peaceful Assembly and Association

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

Freedom of Peaceful Assembly

The law provides for this right, and the government generally respected it.

There were reports that police used excessive force in response to protests by certain groups, including ultra-Orthodox men and boys, Arab citizens and residents, and persons with disabilities. For example, on April 4 in Jerusalem, two police officers reportedly hit on the head an ultra-Orthodox man with a mental disability after he briefly stopped in the road and waved his hands while walking with a group of ultra-Orthodox protesters toward a demonstration, according to PCATI. Multiple NGOs reported that on some occasions, police used excessive force to break up permitted demonstrations after protesters waved a Palestinian flag.

Freedom of Association

The law provides for this right, and the government generally respected it.

The law prohibits registration of an association or a party if its goals include denial of the existence of the State of Israel or the democratic character of the state. A political party will not be registered if its goals include incitement to racism or support of an armed struggle, enemy state, or terror organization against Israel.

The 2016 NGO law, which came into effect after NGOs filed their 2017 annual statements in the first half of the year, requires NGOs receiving more than one-half of their funding from foreign governments to state this fact in all of their official publications, applications to attend Knesset meetings, websites, public campaigns, and any communication with the public. The law allows a fine of 29,200 shekels (\$8,000) for NGOs that violated these rules. As of December 15, the government had not taken legal action against any NGO for failing to comply with the law.

In March 2017 the Knesset passed a law mandating additional scrutiny on requests for National Service volunteers from NGOs that received more than one-half of their funding from foreign governments.

Israeli and Palestinian NGOs, particularly those focused on human rights problems and critical of the government, asserted the government sought to intimidate them and prevent them from receiving foreign government funding (see section 5).

c. Freedom of Religion

See the Department of State’s *International Religious Freedom Report* at www.state.gov/religiousfreedomreport/ (<http://www.state.gov/religiousfreedomreport/>).

d. Freedom of Movement

The law provides for freedom of internal movement, foreign travel, emigration, and repatriation, and the government generally respected these rights for citizens.

The government cooperated with UNHCR and other humanitarian organizations in providing protection and assistance to refugees, asylum seekers, stateless persons, or other persons of concern, except as noted below.

Abuse of Migrants, Refugees, and Stateless Persons: Communities with a large concentration of African migrants were occasionally targets of violence. Additionally, the nature of government policies on the legality of work forced many refugees to work in “unofficial” positions, making them more susceptible to poor treatment and questionable work practices by their employers.

On February 22, a court convicted Dennis Barshivatz of manslaughter and a minor of inflicting grievous bodily harm for the death of Sudanese asylum seeker Babikar Ali Adham, whom the defendants beat to death in the city of Petah Tikva in 2016. Adham died from brain-stem bleeding four days after being beaten.

In-country Movement: The security barrier that divided the majority of the West Bank from Israel also divided some Palestinian communities in Jerusalem, affecting access to places of worship, employment, agricultural lands, schools, and hospitals, as well as the conduct of journalism and humanitarian and NGO activities. For example, restrictions on access in Jerusalem had a negative effect on Palestinian residents who were patients and medical staff trying to reach the six Palestinian hospitals in Jerusalem that offered specialized care, including delays at checkpoints lasting up to two hours. Israeli authorities sometimes restricted movement within Palestinian-majority neighborhoods of Jerusalem and Jerusalem’s Old City and periodically blocked entrances to the East Jerusalem neighborhoods of Issawiya, Silwan, and Jabal Mukabber. The government stated that restrictions on movement in Jerusalem were temporary and implemented only when necessary for investigative operations, public safety, or public order, and when there was no viable alternative.

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, due to unpaid debts, or in cases in which a Jewish man refuses to grant his wife a Jewish legal writ of divorce. Authorities do not permit any citizen to travel to any state officially at war with Israel without government permission. This restriction includes travel to Iran, Iraq, Lebanon, Saudi Arabia, Syria, and Yemen.

The government requires 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), but the government allowed Arab citizens of Israel access to Area A without permits. Israel continued to revoke Palestinians’ Jerusalem identity cards. This meant Palestinian residents of Jerusalem could not return to reside in Jerusalem. Reasons for revocation included holding residency or citizenship of another country; living in another country, the West Bank, or Gaza for more than seven years; or, most commonly, being unable to prove a “center of life” (interpreted as full-time residency) in Jerusalem. Some Palestinians who were born in Jerusalem but studied abroad reported losing their Jerusalem residency status, but the government denied revoking residency status of anyone who left for the sole purpose of studying abroad. The government stated that during the year it revoked the Jerusalem residency status of six persons for “breach of trust” relating to terrorism, four persons for “breach of trust” relating to membership in the Palestinian Legislative Council, which has been defunct since 2007, and 13 persons whose residency status “expired.” The government added that the residency of individuals who maintain an “affinity to Israel” will not be revoked and former residents who wish to return to Israel may receive renewed residency status under certain conditions. On October 29, an immigration appeals tribunal granted permanent residence to a woman who had received temporary residency in 2009 based on marriage to a permanent resident but left the man in 2011 after suffering domestic abuse.

Palestinians possessing Jerusalem identity cards issued by the Israeli government needed special documents to travel abroad.

Exile: Following a September 2017 Supreme Court decision striking down the revocation of four Palestinians’ permanent residency for “breach of trust” because no law granted the Minister of the Interior that authority, on March 7, the Knesset passed an amendment to the Entry Into Israel Law granting the minister that authority. NGOs such as the Jerusalem Legal Aid and Human Rights Center criticized the amendment. Human rights organizations appealed against the law, and the case continued at year’s end. In 2017 Human Rights Watch (HRW) said continued Israeli revocation of Jerusalem identity cards amounted to forced exile of Palestinian residents of Jerusalem to the West Bank, Gaza, or abroad.

Citizenship: The law allows revocation of citizenship from a person on grounds of “breach of trust to the State of Israel” or following a conviction for an act of terror. In 2016 Minister of the Interior Aryeh Deri filed a motion with the Haifa District Court to revoke the citizenship of Alaa Zayoud, whom the courts convicted of four counts of attempted murder in a 2015 car-ramming attack. In August 2017 the Haifa District Court

ruled to revoke Zayoud’s citizenship, but the Supreme Court issued a temporary injunction preventing revocation of his citizenship in October 2017. As of September 18, the case was continuing.

Protection of Refugees

Refoulement: The government provided some protection against expulsion or return of refugees to countries where their lives or freedom could be threatened and stated its commitment to the principle of nonrefoulement.

The government maintained three policies to induce departure of irregular migrants and asylum seekers who entered the country without permission and whom the government could not deport to their home countries due to Israel’s temporary protection policy prohibiting deportation to those countries. As of September there were 34,370 irregular migrants and asylum seekers in this category, nearly all of whom were from Eritrea or Sudan, according to the Population and Immigration Authority (PIBA).

The first policy, announced in 2015, allowed deportation or indefinite detention of migrants and asylum seekers who refuse to depart the country “voluntarily.” On April 24, following three years of legal challenges, the government informed the Supreme Court that this policy had collapsed and it had no plan to deport migrants to a third country forcibly.

The second policy is to offer irregular migrants incentives to “depart” the country to one of two unspecified third countries in Africa, sometimes including a \$3,500 stipend (paid in U.S. dollars). The government claimed the third-country governments provided for full rights under secret agreements with Israel. The government provided most returnees with paid tickets to either Uganda or Rwanda, but NGOs and UNHCR confirmed that migrants who arrived in Uganda and Rwanda did not receive residency or employment rights. In July media reported that the government had stopped offering voluntary departure to Rwanda. During the year, 2,667 irregular migrants departed the country, compared with 3,375 in 2017. Approximately 1,000 of those who departed during the year were resettled to Canada after the Canadian government accepted their refugee claims. NGO advocates for irregular migrants claimed many of those who departed to other countries faced abuses in those countries and that this transfer could amount to refoulement. UNHCR and NGOs reported that many individuals who departed to other countries quickly left or returned to their country of origin because the foreign countries in which they arrived did not accord them protection, residency, and employment rights. The government affirmed it maintained a series of mechanisms to monitor the conditions of those who departed under this program. Authorities stated they had successfully contacted by telephone more than 85 percent of those who departed during the year.

The third policy was detaining irregular migrants without a legal conviction in the Holot facility; however, this policy ended when Holot closed on March 12 (see section 1.d.).

On April 2, Prime Minister Netanyahu announced an agreement with UNHCR to relocate 16,000 Eritrean and Sudanese migrants to Western countries over the next five years while settling a similar number in Israel. Netanyahu canceled the agreement less than 24 hours later, following criticism from his coalition partners and public supporters.

Access to Asylum: The law provides for granting of asylum or refugee status. The government has established a system for providing protection to refugees, but it has rarely done so. In 2008 authorities began giving the majority of asylum seekers a “conditional release visa” that requires renewal every one to six months. Only two Ministry of the Interior offices in the country, located in Bnei Brak and Eilat, renew these visas. The government provided these individuals with a limited form of group protection regarding freedom of movement, protection against refoulement, and informal access to the labor market. Advocacy groups argued that the policies and legislation adopted in 2011 were aimed at deterring future asylum seekers by making life difficult for those already in the country, and that these actions further curtailed the rights of the population and encouraged its departure.

Refugee status determination (RSD) recognition rates were extremely low. Since 2009 the government approved only 52 of 55,433 asylum requests, according to a report in May from the State Comptroller’s Office. The government approved six asylum requests during the year, including five from Eritreans and one from a Nigerian.

On February 15, an administrative appeals tribunal ruled that an Eritrean asylum seeker had a well founded fear of persecution after he fled military conscription, and PIBA should not have rejected his asylum application peremptorily. The Ministry of Interior appealed the ruling to a district court, where the case was pending as of the end of the year. As a result of the ruling, however, authorities released from detention 12 Eritreans with similar asylum claims that the government had previously rejected.

In February the government announced it would issue humanitarian visas, which allow migrants to work legally and to reenter Israel after a short departure, to 300 Sudanese migrants from Darfur, and in August the government announced it would issue another 300 to Sudanese migrants from Darfur, the Blue Nile, and Nuba Mountains. While this represented an improvement over previous “conditional release” status, NGOs cautioned that these migrants would continue to lack the full protections of refugee status. On October 28, the government announced a decision to cease issuance of the visas to Sudanese citizens and to begin examining their asylum claims individually.

Migrants from countries eligible for deportation under government policy and those who were unable to prove their citizenship, including those claiming to be Eritrean or Sudanese, were subjected to indefinite detention if they refused to depart after receiving a deportation order. There were 165 migrants with undetermined or disputed citizenship in detention at year’s end.

Despite a stated nondeportation policy preventing refoulement of irregular migrants and asylum seekers to Eritrea and Sudan, government officials and media outlets continued to refer to asylum seekers from Eritrea and Sudan as “infiltrators.” The term comes from the 1954 Prevention of Infiltration Law that applies to persons who entered Israel illegally.

A report in May from the state comptroller criticized PIBA regarding excessively long processing time for asylum applications, poor service at RSD facilities, and the exclusion of UNHCR from the PIBA advisory committee that adjudicates asylum claims.

Palestinian residents of the West Bank who claimed to be in a life-threatening situation due to their sexual orientation or other reasons, such as domestic violence, did not have access to the asylum system in Israel. NGOs stated this left persons who claimed they could not return to the West Bank due to fear of persecution vulnerable to human traffickers, violence, and exploitation. The government stated that the Coordinator of Government Activities in the Territories examines each case individually, with a preference for solutions that allow such individuals to remain under Palestinian administration, but can grant a residence permit in Israel in acute cases.

The government did not accept initial asylum claims at its airports. In October the immigration authority denied entry to 13 Sri Lankan citizens who sought to claim asylum, according to media and NGO reports. The NGO Hotline for Refugees and Migrants appealed for their release and to prevent their deportation. The 13 asylum seekers remained in detention as of December 4.

Safe Country of Origin/Transit: In 2017 PIBA announced a fast-track procedure to reject asylum applications from applicants whose country of citizenship the Ministry of the Interior determined was safe for return and began applying it to Georgian and Ukrainian applicants.

On October 7, PIBA announced the government ended the temporary protection policy for Democratic Republic of the Congo (DRC) citizens and those without a visa must leave Israel by January 5, 2019. Following a petition by human rights organizations, the Jerusalem District Court issued an injunction on December 31, suspending the order to depart. According to NGOs, as of October approximately 200 asylum claims from DRC citizens remained pending for more than 10 years. There were 314 DRC citizens in Israel at year’s end, according to media reports.

Freedom of Movement: Authorities prohibited asylum seekers released from the Holot facility from residing in Eilat and Tel Aviv. Additionally, following the closure of Holot, authorities prohibited asylum seekers from residing in Jerusalem, Petah Tikva, Netanya, Ashdod, and Bnei Brak.

Employment: The few recognized refugees received renewable work visas. Most asylum seekers held a 2A5 visa, which explicitly reads, “This is not a work visa.” The government allowed asylum seekers to work in the informal sector but not to open their own businesses or register to pay value-added tax, although the law does not prohibit these activities. Despite the lack of a legal right to employment, the government’s published

policy was not to indict asylum seekers or their employers for their employment. In September 2017, however, the Supreme Court ruled that asylum seekers are included as “foreign workers,” a category prohibited by Finance Ministry regulations from working on government contracts, including local government contracts for cleaning and maintenance, which often employed irregular migrants.

The law requires employers to deduct 20 percent of irregular migrants’ salaries for deposit in a special fund and adds another 16 percent from the employer’s funds. The employee can access the funds only upon departure from the country, and the government may deduct a penalty for each day that the employee is in the country without a visa. NGOs such as Kav LaOved and Hotline for Refugees and Migrants criticized the law for pushing vulnerable workers’ already low incomes below minimum wage, leading employers and employees to judge it to be more profitable to work on the black market, increasing migrants’ vulnerability to trafficking and prostitution. According to government officials and NGOs, some Eritrean women entered prostitution or survival sex arrangements in which a woman lives with several men and receives shelter in exchange for sex. The NGO ASSAF Aid Organization for Refugees and Asylum Seekers in Israel reported significant increases in homelessness, mental health concerns, and requests for food assistance following implementation of the law. In contrast to 2017, when technical problems prevented those who departed the country from receiving the accumulated funds, the government stated that 722 departing migrants withdrew their funds during the year. Kav LaOved reported there was no way for migrants to monitor their deposit balance, and approximately half of the funds were never deposited in the account by employers, despite withholding the funds from their employees. At least 30 migrants left the country without receiving any money that was deducted from their wages, according to Kav LaOved. A coalition of NGOs petitioned the Supreme Court against the deposit law in March 2017, leading the Knesset’s committee on Labor, Welfare, and Health to pass a regulation on June 27, reducing the deduction to 6 percent for vulnerable populations, including recognized trafficking victims. PIBA did not accept a letter from the police that confers official recognition as a trafficking victim for the purpose of reducing the deduction or refunding the deposit, according to Kav LaOved.

The law bars migrants from sending money abroad, limits to the minimum wage for the number of months they resided in the country the amount they may take with them when they leave, and defines taking money out of the country as a money-laundering crime.

Access to Basic Services: Access to health care and shelter was available on an inconsistent basis. The few 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 public housing, income assistance, or free health insurance to the most vulnerable individuals, including children, single parents, persons with chronic illnesses, and persons with disabilities. For example, Physicians for Human Rights Israel reported on the difficulties faced by five cancer patients who needed treatment during the year. The Ministry of Health offered medical insurance for minor children of asylum seekers for 120 shekels (\$33) per month. The government sponsored a mobile clinic, and mother and infant health-care stations in south Tel Aviv,

which were accessible to migrants and asylum seekers. Hospitals provided emergency care to migrants but often denied follow-up treatment to those who failed to pay for their emergency care, according to NGOs. The Ministry of Health funded one provider of mental health services to irregular migrants, which NGOs praised as very effective but overburdened.

Temporary Protection: The government also provided temporary protection to individuals whom it did not recognize as refugees or may not qualify as refugees and did so primarily to Eritrean and Sudanese irregular migrants, as described above.

Stateless Persons

Despite being eligible for Israeli citizenship since 1981, an estimated 23,000 Druze living in territory captured from Syria in 1967 largely refused to accept it, and their status as Syrian citizens was unclear. They held Israeli identification cards, which listed their nationality as “undefined.”

In August 2017 media reported the Ministry of the Interior had retroactively canceled the citizenship of 2,600 Bedouin citizens since 2010, alleging that a “registration error” had mistakenly granted citizenship to their ancestors between 1948 and 1951. Cancellation of their citizenship left these individuals stateless. The government stated at the end of the year that anyone in this group whose citizenship was a result of a clerical error would have the opportunity to regain citizenship, barring any criminal or other impediment.

Section 3. Freedom to Participate in the Political Process

The law provides citizens the ability to choose their government in free and fair periodic elections held by secret ballot and based on universal and equal suffrage. Palestinian residents of Jerusalem who have permanent residency status may vote in Jerusalem municipal elections and seek some municipal offices, but not mayor, and they cannot vote in Knesset elections or serve in the Knesset.

Elections and Political Participation

Recent Elections: Observers considered the October 30 municipal elections and parliamentary elections held in 2015 free and fair. In the October 30 municipal election, 60 percent of eligible voters cast ballots, but less than 2 percent of eligible Palestinian residents of Jerusalem did so. Police arrested and subsequently released four Fatah activists in the Jabal Mukabber and Sur Baher neighborhoods of Jerusalem for attempting to interfere with Palestinian residents of Jerusalem participating in the municipal elections.

Political Parties and Political Participation: The Basic Laws prohibit 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. The Northern Islamic Movement, banned in 2015, continued its practice of prohibiting its members from running for local or national office and boycotting elections.

In 2017 the Knesset passed a law restricting the funding of individuals and groups that engage in “election activity” during the period of a national election, which is typically three months. The law’s sponsors described it as an effort to prevent organizations and wealthy individuals from bypassing election-funding laws, but some civil society organizations expressed concern the law would stifle political participation.

The law allows dismissal of an MK if 90 of 120 MKs voted for expulsion, following a request of 70 MKs, including at least 10 from the opposition. The party of an expelled member could replace the MK with the next individual on its party list, and the expelled member could run in the next election. On May 27, the Supreme Court rejected a legal challenge to this law from Joint List MK Yousef Jabareen and two NGOs. They argued the government intended the law to target Arab legislators, and it harmed democratic principles such as electoral representation and freedom of expression.

Participation of Women and Minorities: No laws limit participation of women or members of minorities in the political process, and they did participate. The law provides an additional 15 percent in campaign funding to municipal party lists composed of at least one-third women. Women participated widely in politics, including in leadership positions. As of November 20, the 120-member Knesset had 35 female members and 18 members from ethnic or religious minorities (12 Muslims, three Druze, two Ethiopian-Israelis, and one Christian). As of September the 23-member cabinet included four women and one Druze minister. One woman was a deputy minister; there were no Arabs. Aida Touma Suliman, an Arab, chaired a permanent committee in the Knesset, the Committee on the Status of Women. Four members of the 15-member Supreme Court were women, and one was Arab. Following the October 30 municipal elections, the number of women mayors and local council heads increased from six to 14 of a total of 257.

On September 3, in response to a lawsuit against the ultra-Orthodox party Agudat Israel, the party told the Supreme Court it would change its regulations to allow women to run as candidates.

According to Adalah, the estimated 6,000 residents of the recognized Bedouin village of al-Fura’a were unable to vote in the October 30 municipal elections because the village had not been assigned to a regional council. The government stated that efforts by the Ministry of Agriculture Authority for the Development and Settlement of Bedouin in the Negev to create a plan of action for the village, including assigning jurisdiction to a local authority, remained underway as of the end of the year.

Section 4. Corruption and Lack of Transparency in Government

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

Corruption: The government continued to investigate and prosecute top political figures. As of December there were four continuing investigations of Prime Minister Netanyahu and individuals close to him. Investigations concerned alleged receipt of inappropriate gifts, an alleged attempt to misuse authority to suppress newspaper competition in exchange for favorable press, and alleged possible corruption involving regulation of a telecommunications company. Netanyahu denied wrongdoing in all cases. The Jerusalem District Attorney's Office indicted Netanyahu's wife, on June 21 for misuse of government funds related to the official prime minister's residence. Several other government ministers and senior officials were under investigation for various alleged offenses.

In December 2017 the Knesset passed a law prohibiting police from offering a recommendation whether to indict a public official when transferring an investigation to prosecutors. The attorney general or state prosecutor can ask police for a recommendation, however. Detectives or prosecutors who leak a police recommendation or an investigation summary can be imprisoned for up to three years. The law does not apply to investigations in process at the time of the law's passage.

The NGO Lawyers for Good Governance, which combats corruption in Israel's 86 Arab municipalities, reported that it received 782 corruption-related complaints through its hotline, up 65 percent from 2017. The NGO stated that during the year it prevented 30 senior staff appointments on the basis of nepotism or being hired without a public announcement, such as an appointment to the position of general manager in the northern town of Mashhad.

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

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

A variety of Israeli, Palestinian, and international human rights groups generally operated without government restriction, investigating and publishing their findings on human rights cases. Government officials were generally responsive to their views, and parliamentarians routinely invited NGOs critical of the government to participate in Knesset hearings on proposed legislation. Human rights NGOs have standing to petition the Supreme Court directly regarding governmental policies and may appeal individual cases to the Supreme Court.

Many NGOs, particularly those focused on human rights, viewed the NGO law (see section 2.b.), which came into effect during the year, as an attempt to stigmatize and delegitimize them. Supporters of the NGO law described it as a transparency measure to reveal foreign government influence. Critics noted it targeted only foreign government funding, while leaving organizations receiving the majority of their funding from foreign private donors secret. The NGO Im Tirtzu, which received a majority of its funding from foreign private donors and strongly supported the law, stated that foreign governments should promote their agendas directly through communication with the government and not indirectly through funding civil society.

Israeli and Palestinian NGOs, particularly those focused on human rights problems and critical of the government, asserted that the government sought to intimidate and stigmatize them. The Israeli branch of the New Israel Fund (NIF), an NGO that received the majority of its funding from foreign private donors, was the target of negative rhetoric from government officials during the year alleging it was responsible for Rwanda’s withdrawal from an agreement to receive migrants deported from Israel, a charge which the organization denied.

The attorney general notified the Prime Minister’s Office on November 19 that it has no legal authority to collect information on Israeli human rights NGOs and must delete any information already collected on civilian organizations, according to media reports.

In December 2017 the Be’er Sheva municipality ordered NCF’s Mulkata-Mifgash Cultural Center to evacuate the public shelter where they had operated for a decade on the grounds they had conducted “political activity” in the shelter in violation of the terms of their agreement. The Be’er Sheva District Court upheld the eviction on May 15. On December 26, however, the Supreme Court overturned the order, ruling that “political activity” refers only to activity relating to a political party.

On May 7, the government revoked the work permit of a foreign citizen HRW researcher and instructed him to leave the country within 14 days, based on allegations that he supported a boycott of Israel. He appealed the decision, and a court issued an injunction allowing him to remain in Israel until the end of his case. As of the end of the year, the case was continuing. In February 2017 the government accused HRW of spreading “Palestinian propaganda.”

The Ministry of the Interior continued to deny entry into the country to foreign nationals affiliated with certain NGOs that the government stated called for a boycott of the state of Israel, one of its institutions, or entities in areas under its control. (For information about boycotts against Israel and Israeli settlements in the West Bank, see section 2.a.).

The staffs of Israeli NGOs, particularly those calling for an end to Israel’s military presence in the West Bank, stated they received death threats from nongovernmental sources, which spiked during periods in which government officials spoke out against their activities or criticized them as enemies or traitors for opposing government policy. For example, NIF faced increased threats following PM Netanyahu’s April 3 statement and a video by the NGO Im Tirtzu on April 4 that accused NIF’s then president Talia Sasson of battling against the IDF and supporting terrorists.

The government stated that it makes concerted efforts to include civil society in the legislation process, in developing public policy, and in a variety of projects within government ministries, but did not state whether it participated in any civil society conferences following the attorney general's recommendation. Media reported on December 25 that PM Netanyahu barred an IDF legal advisor from participating in a course conducted by ACRI and the International Committee of the Red Cross.

The United Nations or Other International Bodies: The government generally cooperated with the United Nations and other international bodies. The government continued its policy of nonengagement with the UN Human Rights Council's "special rapporteur on the situation in the Palestinian territories occupied since 1967." Following a November 2 letter from four UN special rapporteurs requesting clarification about the Nation State Law (see section 6) in preparation for a report to the UN Human Rights Council, media reported that Israeli Ambassador to the UN Danny Danon stated, "The Council has no right to demand anything from us until it removes its clear bias against the State of Israel."

Government Human Rights Bodies: The state comptroller also served as ombudsman for human rights problems. The ombudsman investigated 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

Women

Rape and Domestic Violence: Rape, including spousal rape, is a felony punishable by 16 years in prison, or up to 20 years' imprisonment for rape under aggravated circumstances or if the perpetrator rapes or commits a sexual offense against a relative. Authorities opened 1,443 investigations of suspected rape, issued 235 indictments, and convicted 154 persons during the year.

During the year 26 women and girls, half of whom were Arab citizens, were killed, most by family members or male partners, including two girls in separate incidents on November 25. This was the highest number since 2011. According to the Women's International Zionist Organization, in 2016 and 2017 police had received domestic violence complaints from half of the women and girls who were later killed in these domestic attacks. On December 4, dozens of Jewish and Arab women NGOs mobilized tens of thousands of women to strike and protest across the country, demanding the elimination of violence against women. A governmental committee resolved on December 5 to finance a 250 million shekel (\$68 million) five-year plan and to expedite relevant legislation to combat violence against women.

The Ministry of Labor, Social Affairs, and Social Services operated 14 shelters for survivors of domestic abuse, including two for the Arab community, two mixed Jewish-Arab shelters, two for the ultra-Orthodox community, and eight for non-ultra-Orthodox Jewish communities. The Labor Ministry also operated a hotline for reporting abuse. The Labor Ministry reported that it assisted 600 women and girls involved in prostitution during the year, including providing emergency shelters, day centers, and therapeutic hostels.

Women from certain Orthodox Jewish, Muslim, and Druze communities faced significant social pressure not to report rape or domestic abuse. The government stated that police officers receive training to interact with persons of different cultures and backgrounds, with an emphasis on special minority communities.

Beginning in 2017 the global #MeToo campaign led Israeli women to speak out against men they claimed had sexually harassed or assaulted them. In one prominent case, on July 23, the Tel Aviv District Court sentenced real estate businessman and nightclub owner Alon Kastiel to four years and nine months in prison for sexually assaulting four women.

On December 31, the Knesset passed a law criminalizing the purchase of sex, while leaving the provision of sex legal. The law also created new mechanisms for rehabilitation of persons working in prostitution. In addition, police stated they took down some websites advertising prostitution and disconnected telephone numbers on advertisements for prostitution in major cities.

Sexual Harassment: Sexual harassment is illegal. Penalties for sexual harassment depend on the severity of the act and whether the harassment involved blackmail. The law provides that victims may follow the progress on their cases through a computerized system and information call center. The Association of Rape Crisis Centers in Israel reported that it received more than 9,000 requests for assistance relating to sexual harassment in 2017, and prosecutors filed 129 indictments for sexual harassment in 2017, up from 26 in 2016. From January 1 to October 15, police opened fewer sexual harassment investigations than during the same period in 2017, according to *Ma'ariv* newspaper. In March, Supreme Court Chief Justice Hayut established a committee to examine the judicial system's treatment of victims of sex offenses. The committee had not submitted recommendations as of October 5.

In May, Major General Roni Rittman, head of police anticorruption unit Lahav 433, resigned following accusations that he sexually harassed a subordinate in 2011.

Coercion in Population Control: There were no reports of coerced abortion or involuntary sterilization.

Discrimination: The law provides for the same legal status and rights for women as for men. In the criminal and civil courts, women and men enjoyed the same rights, but in some matters religious courts--responsible for adjudication of family law, including marriage and divorce--limited the rights of Jewish, Christian, Muslim, and Druze women.

On May 5, the state announced that it began recruiting women as legal advisors in rabbinical courts in response to a petition to the Supreme Court from the NGO ITIM. In June 2017, in response to a three-year court challenge by women’s rights organizations, the Rabbinical Courts Administration named its first female deputy director general. Although women served as judges in nonreligious courts, they remained barred from serving as judges in rabbinical courts.

The law allows a Jewish woman or man to initiate divorce proceedings, and both the husband and wife must give consent to make the divorce final. Sometimes a husband makes divorce contingent on his wife conceding to demands, such as those relating to property ownership or child custody. Jewish women in this situation could not remarry or give birth to legitimate children from another man. In rare cases Jewish women refused to grant men divorces, but this has lesser effect on a husband under Jewish law. Rabbinical courts sometimes sanctioned a husband who refused to give his wife a divorce, while also declining to grant the divorce without his consent.

A Muslim woman may petition for and receive a divorce through the sharia courts without her husband’s consent under certain conditions. 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 a disproportionate burden on the woman to leave the home with 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. On average, men earned 19 percent more per hour than women, according to the Central Bureau of Statistics.

The law requires every government ministry and every local government to have an advisor working to advance women’s rights. The government subsidizes day-care and after-school programs to encourage labor participation by mothers and offers professional training to single parents.

In some ultra-Orthodox neighborhoods, private organizations posted “modesty signs” demanding women obscure themselves from public view to avoid distracting devout men. The local municipality of Beit Shemesh failed to comply with court orders from 2015 and 2016 to remove the signs, leading the Jerusalem District Court to rule in 2017 that the municipality would face a fine of 10,000 shekels (\$2,800) per day if the signs remained posted. In December 2017 the municipality took down six of the eight signs, then ceased their removal due to a protest. Local residents put up new signs to replace those the municipality removed. On February 18, the Supreme Court ordered the

municipality to install security cameras and take action against those posting the signs. As of September 4, police had not made any arrests, and the court case continued. The municipality had not installed cameras as of November, according to media reports.

Women’s rights organizations cited a growing trend of gender segregation reflecting increased incorporation of Jewish religious observance in government institutions, including in the IDF, as accommodation to increase the enlistment of participants who follow strict interpretations of Jewish law prohibiting mixing of the sexes. For example, IDF commanders sometimes asked female soldiers serving in leadership or instructor positions to allow a male colleague to assume their duties when religious soldiers were present, according to the Israel Women’s Network. In response to this claim and similar allegations in media reports, IDF Chief of Personnel Director Major General Almoz said that such practices “are in violation of Army orders and policy, do unnecessary harm to large groups serving in the Army, and are inconsistent with IDF commanders’ responsibility.” In general the trend in recent years has been toward greater inclusion of women in the IDF, including in combat roles and senior leadership positions. In June the Army assigned four women to serve as tank commanders for the first time, and in August the Air Force announced the first female commander of a flight squadron.

Children

Birth Registration: Children derive citizenship at birth within or outside of the country if at least one parent is a citizen. Births are supposed to be registered within 10 days of delivery. Births are registered in the country only if the parents are citizens or permanent residents. Any child born in an Israeli hospital receives an official document from the hospital that affirms the birth.

A child’s status derives from a parent’s status; if one of the parents is an Israeli citizen and the other is not, the child may be registered as Israeli as long as he or she lives with the parent who is an Israeli citizen or permanent resident.

On July 25, in response to a petition by 34 lesbian mothers, the Supreme Court ordered the government to explain its refusal to list nonbiological mothers on birth certificates, despite court-issued parenting orders. In another petition same-sex couples demanded to be listed on the birth certificate of their adopted child, following the issue of a parenting order. The government argued that birth certificates should represent a child’s biological parents. As of September 4, both petitions were ongoing.

The Ministry of the Interior issues a confirmation of birth document, which is not a birth certificate, for children of nonresident parents, including those who lacked legal status in the country. The Supreme Court confirmed in a November 22 ruling that the ministry does not have the authority to issue birth certificates for nonresidents under existing law.

Israel registers the births of Palestinians born in Jerusalem, although Palestinian residents of Jerusalem sometimes reported delays lasting years in that process.

Education: Primary and secondary education is free and universal through age 17 and compulsory through grade 12.

The government did not enforce compulsory education in unrecognized Bedouin villages in the Negev. Bedouin children, particularly girls, continued to have the highest illiteracy rate in the country, and more than 5,000 kindergarten-age children were not enrolled in school, according to NCF. The government did not grant construction permits in unrecognized villages, including for schools. During the year the government began to provide transportation to preschools for 95 children from the unrecognized villages of al-Sira, al-Jaraf, and Umm al-Nameileh for the first time, in response to legal action. Following an October 2017 court order, the government agreed in May to fund the construction of school bus stops to serve approximately 20,000 Bedouin children from 19 villages, according to Adalah.

There were insufficient classrooms to accommodate schoolchildren in Jerusalem. Based on population data from the Central Bureau of Statistics, the NGO Ir Amim estimated there was a shortage of 2,500 classrooms for East Jerusalem Palestinian children, and 18,600 Palestinian children in Jerusalem were not enrolled in any school. On May 13, the government announced a two billion shekel (\$555 million), five-year development plan for East Jerusalem that included 445 million shekels (\$120 million) for education. Ir Amim stated that 43 percent of this amount was contingent on schools transitioning from the Palestinian to the Israeli curriculum.

The government operated separate public schools for Jewish children, in which classes were conducted in Hebrew, and for Arab children, with classes conducted in Arabic. For Jewish children separate public schools were available for religious and secular families. Individual families could choose a public school system for their children to attend regardless of ethnicity or religious observance.

The government funded approximately 34 percent of the Christian school system budget and restricted the schools' ability to charge tuition from parents, according to church officials. The government offered to fund Christian schools fully if they become part of the public (state) school system, but the churches continued to reject this option, citing concerns that they would lose control over admissions, hiring, and use of church property.

Dozens of Jewish schoolgirls were denied admission to ultra-Orthodox schools due to discrimination based on their Mizrahi ethnicity (those with ancestry from North Africa or the Middle East) despite a 2009 court ruling prohibiting ethnic segregation between Mizrahi and Ashkenazi schoolgirls, according to the NGO Noar Kahalacha.

The Netanya municipality moved 70 children of Eritrean irregular migrants from the different preschools they attended during the previous school year to one preschool in poor condition, segregating them from Israeli-born children, according to *Ha'aretz*. Fearing for their children's safety because the school was next to a park known for use by drug addicts, the parents of these children all withdrew them from school, according to migrant community leaders.

In recent years an influx of Arab residents to the primarily Jewish town of Nazareth Illit led to a population of some 2,600 Arab students with no option for education in Arabic. As a result most such students attended schools in Arab-majority Nazareth and nearby villages. Following a 2016 petition from ACRI demanding establishment of a school for Arabic-speaking students, authorities established a team to address the issue, including municipality employees, the mayor, Arab residents, and ACRI. The team was in the process of conducting a needs assessment as of the end of the year, according to ACRI.

The NGO National Council for the Child reported it received more than 2,400 complaints during the year relating to the infringement of children’s rights in the education system across the country, concerning issues related to children with disabilities, school transportation, violence in schools, early childhood education, and other issues. Nearly 1,000 of these complaints concerned verbal, emotional, and/or physical violence between students or violence by staff toward students.

On September 3, outgoing Jerusalem Mayor Nir Barkat announced plans to remove the UN Relief and Works Agency from the municipality and replace it with government providers of education and health care services to Palestinian beneficiaries within municipal boundaries, including the Shu’fat refugee camp. He accused the UN agency of operating illegally and promoting incitement against Israel. On October 8, Barkat visited Shu’fat Camp and promised to provide municipal services there. On October 28, residents of Shu’fat protested Barkat’s plan.

Child Abuse: The law requires mandatory reporting of any suspicion of child abuse. It also requires social service employees, medical and education professionals, and other officials to report indications that minors were victims of, engaged in, or coerced into prostitution, sexual offenses, abandonment, neglect, assault, abuse, or human trafficking. 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 prevention and appropriate intervention in cases of suspected abuse of minors.

The National Council for the Child received more than 2,000 complaints during the year relating to physical and sexual abuse, neglect, and child pornography.

According to local government officials, Gaza fence protests, air raid sirens, and rocket attacks led to psychological distress among children living near the Gaza Strip, including nightmares and posttraumatic stress disorder.

Early and Forced Marriage: The law sets the minimum age of marriage at 18 years, with some exceptions for minors due to pregnancy and for couples older than 16 years old if the court permitted it due to unique circumstances. Some Palestinian girls were coerced by their families into marrying older men who were Arab citizens of Israel, according to government and NGO sources.

Sexual Exploitation of Children: The law prohibits sexual exploitation of a minor and sets a penalty of seven to 20 years in prison for violators, depending on the circumstances. The law prohibits the possession of child pornography (by downloading) and accessing such material (by streaming). Authorities enforced the law. For example,

in October police arrested 42 suspects for internet-based pedophilia offenses. On November 14, media reported that authorities filed indictments against eight of the suspects. Websites and apps such as Telegram and Total Chat facilitated prostitution, including prostitution of children, according to NGOs.

The minimum age for consensual sex is 16 years old. Consensual sexual relations with a minor between the ages of 14 and 16 constitute statutory rape punishable by five years' imprisonment.

On September 6, authorities indicted handball coach Beno Reinhorn for sexual offenses, including rape, sodomy, sexual harassment, and cybersexual assault, against 170 girls ages nine to 15 in Israel and outside the country.

On November 19, the Ministry of Public Security launched a new hotline for complaints regarding online harm to children through bullying, spreading hurtful materials, extortion, sexual abuse, and exhortation to suicide.

International Child Abductions: The country is a party to the 1980 Hague Convention on the Civil Aspects of International Child Abduction. See the Department of State's report *Annual Report on International Parental Child Abduction* at <https://travel.state.gov/content/travel/en/International-Parental-Child-Abduction/for-providers/legal-reports-and-data.html> (<https://travel.state.gov/content/travel/en/International-Parental-Child-Abduction/for-providers/legal-reports-and-data.html>).

Anti-Semitism

Jews constituted approximately 75 percent of the population, according to the Central Bureau of Statistics. The government often defined crimes targeting Jews as nationalistic crimes relating to the Palestinian-Israeli conflict rather than as resulting from anti-Semitism.

On August 13, a vandal spray-painted Nazi symbols on the Mikdash Moshe synagogue and government offices in Petakh Tikva. On August 16, police arrested a suspect. No further information was available as of the end of the year.

Regarding claims for the return of, or restitution for, Holocaust-era assets, the government has laws and mechanisms in place. Relevant Israeli laws refer to assets imported during World War II whose owners did not survive the war. Unclaimed assets were held in trust and not transferred to legal inheritors, who in most cases were not aware that their late relatives had property in Israel.

Trafficking in Persons

See the Department of State's *Trafficking in Persons Report* at www.state.gov/j/tip/rls/tiprpt/ (<http://www.state.gov/j/tip/rls/tiprpt/>).

Persons with Disabilities

The Basic Laws provide a legal framework for prohibiting discrimination against persons with disabilities in the provision of government services. Legislation mandates access to buildings, information, communication, transportation, the judicial system, and physical accommodations and services in the workplace, as well as access to mental health services as part of government-subsidized health insurance, and the government generally enforced these laws. The law prioritizes access by persons with disabilities to public services, such as eliminating waiting in line. There were 1.5 million persons with disabilities in the country, including 790,000 of working age, according to a December report from the Ministry of Justice Commission for Equal Rights of Persons with Disabilities (CERPD). Among Arab citizens, 26 percent had a disability, compared with 18 percent of the general population. Of working-age adults with a disability, 60 percent were employed in 2017, compared with 52 percent in 2016.

The law mandated that local governments implement all necessary changes to public locations and buildings constructed before 2009 to make them accessible by November 1, but the Ministry of Justice extended the deadline to November 1, 2021, for buildings and places owned by local authorities. On March 5, the Knesset’s Committee on Labor, Welfare, and Health extended the deadline for 70 percent of government-owned buildings to December 31, and for the remaining 30 percent of government-owned buildings to December 31, 2019. By law buildings constructed since 2009 must be accessible.

Societal discrimination and lack of accessibility persisted in employment, housing, and education. Government ministries had not developed regulations regarding the accessibility of health services, roads, sidewalks, and intercity busses as of November.

The law requires that at least 5 percent of employees of every government employer with more than 100 workers be persons with disabilities. In 2017, 61 percent of government employers met this requirement, according to the December CERPD report.

Shortages of funding for Arab municipalities adversely affected Arabs with disabilities. The disability rights NGO Bizchut reported a lack of accessible transportation services in Palestinian-majority neighborhoods of East Jerusalem.

Access to community-based independent living facilities for persons with disabilities remained limited. Following a 2016 plan from the Ministry of Labor, Social Affairs, and Social Services to move 900 individuals from group homes to individual facilities, authorities had moved 350 individuals as of November.

On August 13, the government approved the establishment of two new towns, Shibolet in the north of the country and Daniel in the south, in which 20 percent of residents were to be persons with disabilities.

National/Racial/Ethnic Minorities

On June 19, the Knesset passed a new basic law referred to as the “Nation State Law.” The new law changed Arabic from an official language, which it had been since Israel adopted prevailing British Mandate law in 1948, to a language with a “special status.” The law also recognized only the Jewish People as having a national right of self-determination and called for promotion of “Jewish settlement” within Israel, which Arab organizations and leaders in Israel feared would lead to increased discrimination in housing and legal decisions pertaining to land. Druze leaders criticized the law for relegating a minority in Israel that serves in the military to second-class citizen status. Opponents also criticized the law for not mentioning the principle of equality to prevent harm to the rights of non-Jewish minorities. Supporters stated it was necessary to anchor Israel’s Jewish character in a basic law to balance the 1992 “Basic Law: Human Dignity and Liberty,” which protected individual rights, noting that the Supreme Court had already interpreted the 1992 law as mandating equality. Such supporters argued that the Human Dignity and Liberty law continues to safeguard individual civil rights. Political leaders conceded that the criticisms of the Druze community must be addressed. As of December 2, multiple lawsuits challenging the Nation State Law were pending with the Supreme Court.

There were “price tag” attacks, which refer to violence by Jewish individuals and groups against non-Jewish individuals and property with the stated purpose of exacting a “price” for actions taken by the government against the attackers’ interests. The government classifies any association using the phrase “price tag” as an illegal association and a price tag attack as a security (as opposed to criminal) offense. On March 29, the Lod District Court convicted one person of “membership in a terrorist organization” for a 2015 price tag attack, according to media reports. The most common offenses, according to police, were attacks on vehicles, defacement of real estate, harm to Muslim and Christian holy sites, assault, and damage to agricultural lands. For example, vandals slashed the tires of 30 vehicles and spray-painted pro-Jewish graffiti on a truck in the Arab town of Kafr Kassem in central Israel on December 2, according to media reports.

According to the Latin Patriarchate of Jerusalem, in October vandals damaged tombs and broke crosses at the cemetery of the Salesian Monastery at Beit Jimal near Beit Shemesh, the third attack on the monastery in three years. An October 18 statement from the Latin Patriarchate criticized Israeli authorities for failing to apprehend the culprits in any of the preceding cases.

On August 16, following an appeal by the State Attorney’s Office, the Supreme Court added 18 months to a four-year sentence for Yinon Reuveni, who burned and vandalized a large section of the Church of the Multiplication in Tabgha in 2015.

Arab citizens faced institutional and societal discrimination. There were multiple instances of security services’ or other citizens’ racially profiling Arab citizens. Some Arab civil society leaders described the government’s attitude toward the Arab minority as ambivalent; others cited examples in which Israeli political leaders incited racism against the Arab community or portrayed it as an enemy.

On April 24, Prime Minister Netanyahu announced two allocations aimed at increasing employment opportunities for Arab citizens in the high-tech sector. The Prime Minister’s Office Committee for Arab Affairs allocated 20 million shekels (\$5.6 million) for construction of technology parks to serve as research incubators and office space for high-tech startups in Arab communities and five million shekels (\$1.4 million) for roads and transportation services connecting Arab towns to the technology parks.

In 2015, following negotiations with the Arab community, the cabinet approved a five-year plan for development of the Arab sector in the fields of education, transportation, commerce and trade, employment, and policing. In September the government reported it had transferred 4.8 billion shekels (\$1.3 billion) under this resolution.

The government employed affirmative action policies for non-Jewish minorities in the civil service. The percentage of Arab employees in the 62 government-owned companies was 2.5 percent; however, Arab citizens held 12 percent of director positions in government-owned companies as of 2017, up from 1 percent in 2000, and Arab workers held 11 percent of government positions, up from 5 percent in 2000, according to the NGO Sikkuy. In August 2017 the Ministry of Labor, Social Affairs, and Social Services announced an investment of 15 million shekels (\$4.2 million) over the next five years to integrate Arab employees into the high-tech sector. The ministry reported that it signed contracts with two implementing partners, which conducted two training courses for 480 Arab students and graduates by the end of the year.

Separate school systems within the public and semipublic domains produced a large variance in education quality. Arab, Druze, and ultra-Orthodox students passed the matriculation exam at lower rates than their non-ultra-Orthodox Jewish counterparts. The government continued operating educational and scholarship programs to benefit Arab students. As of October, 15 percent of students in Israeli institutes of higher education were Arab citizens or residents, up from 9 percent in 2010, according to the organization Inter-Agency Task Force on Israeli Arab Issues.

In March, Kfar Vradim Mayor Sivan Yechieli reportedly suspended sales of new residential land plots after Arab citizens bought 58 of the first 125 plots in the otherwise Jewish town. Yechieli defended his decision as seeking to preserve “communal life and the special character” of the town, according to media reports, but he later clarified to Israel Channel 10 that he had not canceled the tender.

The ethics tribunal of the Israel Press Council, a voluntary association of publishers, journalists, and the public, ruled in May that *Israel Hayom* and *Yediot Ahronot*, two of the biggest newspapers, had violated their ethics code by publishing opinion polls of issues relevant to the entire public based on samples of only Jewish Israelis.

Approximately 93 percent of land in Israel is in the public domain. This includes approximately 12.5 percent owned by the Jewish National Fund (JNF), whose statutes prohibit sale or lease of land to non-Jews. Arab citizens are allowed to participate in bids for JNF land, but the Israel Lands Administration (ILA) will grant the JNF another parcel of land whenever an Arab citizen of Israel wins a bid. In 2016 human rights organizations petitioned the Supreme Court against the requirement that six of 14

members of the ILA Council be JNF representatives, claiming the JNF’s mission to benefit only Jewish citizens may make the council discriminatory against non-Jews. On June 21, the Supreme Court rejected the case, ruling that JNF representatives in the council are expected--like the other representatives--to uphold equality. The law requires representation of an Arab, Druze, or Circassian member in the ILA Executive Council.

The Bedouin segment of the Arab population continued to be the most disadvantaged. More than one-half of the estimated 258,000 Bedouin citizens in the Negev lived in seven government-planned towns. In nine of 11 recognized villages, all residences remained unconnected to the electricity grid or to the water infrastructure system, according to NCF. Nearly all public buildings in the recognized Bedouin villages were connected to the electricity grid and water infrastructure, as were residences that had received a building permit, but most residences did not have a building permit, according to the government. Each recognized village had at least one elementary school, and eight recognized villages had high schools.

Approximately 90,000 Bedouins lived in 35 unrecognized tent or shack villages without access to any government services. A three-billion-shekel (\$840 million) multiyear plan the government approved in February 2017 to promote economic and social development in Bedouin communities excluded the unrecognized villages. (See section 1.e. for issues of demolition and restitution for Bedouin property.)

In May women filed a class action lawsuit against four hospitals for segregating Jewish and Arab women in maternity wards, according to media reports. A May 2017 report from the state comptroller criticized this practice, noting that separation of patients for nonmedical reasons was incompatible with the principle of equality, even if such separation was requested by the patient or for “cultural considerations.”

Since 2013 the government facilitated the entry of several thousand Syrian nationals, including Druze, to Israel to receive medical treatment. The government generally prohibited Druze citizens and residents from visiting Syria. The government has prevented family visitations to Syria for noncitizen Druze since 1982.

An estimated population of 148,700 Ethiopian Jews faced persistent societal discrimination, although officials and citizens quickly and publicly criticized discriminatory acts against them. According to government assessments, the Ministry of Justice’s National Antiracism Unit (NARU), which combats racism and discrimination by government bodies or individuals against any minority group of Israeli citizens, was more effective in its work on behalf of Ethiopian-Israelis than Arab citizens. There were two Ethiopian-Israeli members of the Knesset. The government maintained several programs to address social, educational, and economic disparities between Ethiopian-Israelis and the general population. On February 19, the government passed a motion to recognize more Ethiopian-Jewish religious leaders and integrate them into Jewish religious councils. Additionally, on October 7, the cabinet approved a plan to facilitate immigration of approximately 1,000 parents of Ethiopian-Israelis from the Ethiopian Falash Mura community to Israel.

On November 5, police were photographed beating a 15-year-old Ethiopian-Israeli boy at his school in Ashdod, according to Kan Radio. On November 20, NARU asked the DIPO to investigate the incident.

On December 20, the Supreme Court partly overturned the conviction of Ethiopian-Israeli Yardau Kasai, whom a Haifa court had convicted after an altercation with city inspectors and police in 2012. The Supreme Court ruled the city inspectors and police were motivated by racism when they detained Kasai.

Following a statement by Sephardi Chief Rabbi of Israel Yitzhak Yosef comparing black persons to monkeys, on March 29, NARU stated it was reviewing the incident to assess whether it constituted incitement to racism.

Acts of Violence, Discrimination, and Other Abuses 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. There were reports of discrimination in the workplace against lesbian, gay, bisexual, transgender and intersex (LGBTI) persons, despite laws prohibiting such discrimination. At least 14 LGBTI candidates won seats in the October 30 municipal elections, up from eight in the 2013 election.

LGBTI activists were able to hold public events and demonstrations with few, if any, restrictions. On May 31, police canceled security restrictions they had imposed on organizers of the first ever Kfar Saba LGBTI Pride march, including a two-meter (six-foot) fence along the parade route, which would have cost approximately 24,000 shekels (\$6,700). This action followed an appeal to the Supreme Court by the NGOs Israel Gay Youth, ACRI, and the Aguda. The march was held on June 1.

Violence and discrimination against transgender persons in confinement remained a matter of concern. Following a lawsuit by a transgender woman and NGOs, on March 5, the IPS issued new regulations that prohibit holding transgender prisoners in solitary confinement, except for the first days after an arrest.

On September 6, the Tel Aviv Magistrate’s Court sentenced a police officer to two months of community service after he shared a video of a shirtless transgender woman detained at a police station.

HIV and AIDS Social Stigma

Although discrimination against persons with HIV is illegal, the Israel AIDS Task Force (IATF) reported instances of HIV-related stigma and discrimination, including cases related to employment, insurance, rehabilitation centers, and prisons.

On March 1, the Petah Tikva Magistrate’s Court ordered a beauty salon to pay 27,000 shekels (\$7,500) compensation to an HIV-positive man to whom the salon had refused service. In August the Kibbutzim movement refused to let a person with HIV volunteer in a kibbutz but later reversed its decision, according to IATF.

On April 1, the Ministry of Health began a two-year pilot program to accept blood donations from gay and bisexual men. Under the pilot program, a donation from a gay or bisexual man is to be stored until the man donates blood again four months later. If both donations pass routine screening tests, both will be used.

Other Societal Violence or Discrimination

Individuals and militant or terrorist groups attacked civilians in Israel, including five stabbing, bombing, or ramming attacks characterized by authorities as terror attacks (see section 1.a.), in addition to rockets shot into Israel by Gaza-based terrorist groups. Incendiary devices tied to kites and balloons caused nearly 2,000 fires and burned more than 5,600 acres of land in Israel, according to the government. These attacks caused 35 million shekels (\$10 million) of damage, according to government data. (For issues relating to violence or discrimination against asylum seekers, see section 2.d.)

Arab communities in Israel continued to experience high levels of crime and violence, especially from organized crime, and high numbers of illegal weapons, according to government data and NGOs. Arab citizens constitute 21 percent of the Israeli population, but they were 62 percent of murder victims and 56 percent of murder suspects from 2014 through the first half of 2017, according to a Knesset Research and Information Center report published on February 8. Causes included low level of policing; limited access to capital; easy access to illegal weapons; and socioeconomic factors, such as poverty, unemployment, and the breakdown of traditional family and authority structures, according to The Abraham Fund Initiatives and other NGOs. Government action to address the issue included the following: opening two police stations in Arab towns in 2017 and working to open or upgrade 20 stations by 2020, instituting a plan to hire more than 2,000 Arab officers by 2020, improving communication with Arab citizens through Arabic-language media and social media, and expanding joint patrols between police officers and local government-hired inspectors to every Israeli locality with more than 15,000 residents.

Israeli authorities investigated reported attacks against Palestinians and Arab citizens of Israel, primarily in Jerusalem, by members of organizations that made anti-Christian and anti-Muslim statements and objected to social relationships between Jews and non-Jews. In September police arrested a 21-year-old Jerusalem resident in connection with an attack on four Palestinian youth who were beaten, tasered, and stoned while sitting near a rail station in Jerusalem.

The Israeli government and Jewish organizations in Jerusalem made efforts to increase property ownership by Jewish Israelis and emphasized Jewish history in predominantly Palestinian neighborhoods of Jerusalem. Organizations such as UNOCHA, Bimkom, and Ir Amim alleged that the goal of Jerusalem municipal and Israeli national policies was to

decrease the number of Palestinian residents of Jerusalem. Jewish landowners and their descendants, or land trusts representing the families, were entitled to reclaim property they had abandoned in East Jerusalem during fighting prior to 1949, but Palestinians who abandoned property in Israel in the same period had no reciprocal right to stake their legal claim to the property. In some cases private Jewish organizations acquired legal ownership of reclaimed Jewish property in East Jerusalem, including in the Old City, and through protracted judicial action sought to evict Palestinian families living there. Authorities designated approximately 30 percent of East Jerusalem for Israeli settlements. Palestinians were able in some cases to rent or purchase Israeli-owned property, including private property on Israeli government-owned land, but faced significant barriers to both. Israeli NGOs stated that after accounting for Israeli settlements, Israeli government property and declared national parks, only 13 percent of all land in East Jerusalem was available for Palestinian construction.

Although Israeli law entitles Palestinian residents of Jerusalem to full and equal services provided by the municipality and other Israeli authorities, the Jerusalem municipality failed to provide sufficient social services, education, infrastructure, and emergency planning for Palestinian-majority neighborhoods in Jerusalem, especially in the areas between the security barrier and the municipal boundary. Approximately 117,000 Palestinians lived in that area, of whom approximately 61,000 were registered as Jerusalem residents, according to Israeli government data. According to ACRI, 76 percent of East Jerusalem’s Palestinian residents and 83 percent of Palestinian children in East Jerusalem lived in poverty. On May 13, the government announced a two-billion-shekel (\$555 million), five-year development plan for East Jerusalem (see section 6, “Children”).

Promotion of Acts of Discrimination

Following an oath to the State of Israel and its laws as they took office, members of the Afula City Council added an oath to “preserve the Jewish character” of the city on November 22, according to media reports. Arab analysts interpreted this as promotion of discrimination in accordance with the Nation State Law clause to promote Jewish settlement.

On February 12, in a speech regarding the Nation State bill (which passed into law on June 19), Justice Minister Ayelet Shaked called to “maintain a Jewish majority even at the price of violation of rights,” adding that democracy and maintaining a Jewish majority “must be parallel and one must not outweigh the other.”

Section 7. Worker Rights

a. Freedom of Association and the Right to Collective Bargaining

The law provides for the right of workers to form and join independent unions, strike, and bargain collectively. After a union declares a labor dispute, there is a 15-day “cooling period” in which the Histadrut, the country’s largest federation of trade unions,

negotiates with the employer to resolve the dispute. On the 16th day, employees are permitted to strike. Workers essential to state security, such as members of the military, police, prison service, Mossad, and the ISA, are not permitted to strike. While the law prohibits strikes over political issues and also allows the government to declare a state of emergency to block a strike that it deemed could threaten the economy or trade with foreign states, according to the Histadrut, this law has never been applied.

The law prohibits antiunion discrimination. A labor court has discretionary authority to order the reinstatement of a worker fired for union activity.

The government generally respected these rights; penalties for violations included compensation. The Histadrut raised concerns that enforcement was not always effective, primarily because the appeal process is lengthy and the compensation imposed on employers was insufficient to deter violations.

Court rulings and union regulations forbid simultaneous membership in more than one trade union. Approval by a minimum of one-third of the employees in a given workplace is needed to allow the trade union to represent all workers in that workplace. Members of the Histadrut who pay 0.95 percent of their wages in affiliation fees may be elected to the union's leadership bodies. Instead of affiliation fees, Palestinian workers pay 0.80 percent of their wages as “trade union fees,” of which half the Histadrut transfers to the Palestinian trade union. Only those who pay affiliation fees are eligible to elect and be elected to its governing bodies, according to the Histadrut.

Authorities generally respected workers' rights to free association and collective bargaining for citizens, although foreign workers continued facing difficulties exercising these rights during the year, according to the Histadrut. According to the International Trade Union Confederation (ITUC), some employers actively discouraged union participation, delayed or refused to engage in collective bargaining, or harassed workers attempting to form a union.

b. Prohibition of Forced or Compulsory Labor

While the law prohibits and criminalizes forced or compulsory labor, and prescribes up to 16 years' imprisonment for forced labor of an adult, the government did not effectively enforce laws for foreign workers and some citizen workers.

Some workers, particularly foreign workers, experienced conditions of forced labor, including the unlawful withholding of passports, restrictions on freedom of movement, limited ability to change or otherwise choose employers, nonpayment of wages, exceedingly long working hours, threats, sexual assault, and physical intimidation. For example, the Turkish construction company Yilmazlar, which employed approximately 1,200 workers, took extensive measures to deter employees from escaping, including requiring a bond of up to \$40,000 before starting work, paying salaries three months in arrears, and employing thugs to chase and beat those who escape, according to NGOs. In April, five employees sued Yilmazlar, alleging they endured forced labor. The company denied all allegations. The case was continuing as of December 3. In addition,

an estimated 400 Chinese workers who arrived under agreements with five private Chinese employer associations incurred large debts to pay brokerage fees of up to \$30,000 before arriving to Israel. These debts prevented employees from leaving their employer or reporting abuses, according to NGOs.

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 or withholding of wages. According to government and NGO data, as of October, foreign workers included approximately 113,000 documented foreign workers in the caregiving, agriculture, and construction sectors, including a few thousand in the “skilled worker” category and 39,000 who arrived under bilateral work agreements; 100,000 documented Palestinian workers; 40,000 undocumented Palestinian workers; 100,000 undocumented workers, mostly from countries of the former Soviet Union, who remained in the country after overstaying a visa-free entry or a work visa; and 30,000 irregular African migrants working semilegally in low-skilled jobs. Undocumented workers were not eligible for benefits such as paid leave or recourse in the event of workplace injury.

Palestinian laborers continued to suffer from abuses and labor rights violations, especially in construction, partly as a result of lack of adequate government oversight and monitoring. For example, despite a 2016 government resolution to issue permits directly to Palestinian construction workers rather than Israeli employers, PIBA continued to issue work permits to employers. The work permits linked the employee to a specific employer, creating a dependence which some employers and employment agencies exploited to charge employees monthly commissions and fees; half of Palestinian workers in Israel paid monthly brokerage fees of 1,000 to 3,000 shekels (\$270 to \$810), according to Kav LaOved. In many cases the employer of record hired out employees to other workplaces. More than half of the documented Palestinian workers did not receive written contracts or pay slips, according to the International Labor Organization (ILO).

Gray-market networks of manpower agencies exploited visa-waiver agreements with countries in Eastern Europe and the former Soviet Union to recruit laborers to Israel to work illegally, particularly in construction, caregiving, and prostitution, according to NGOs and government authorities. For example, some Israeli companies spread misinformation in Ukraine and Georgia about the possibility of working legally in Israel, then charged large sums of money as agents’ fees, and sometimes sold fake documentation, according to Hotline for Refugees and Migrants. In one case from 2017, an Ukrainian man was recruited by an Ukrainian manpower company and promised work in Israel. He stated that he paid \$800 for the service and received guidance on how to pass border control at the Israeli airport, after which two Ukrainian-Israelis provided him with forged documents and took him to a factory where he worked with 15 other Ukrainians between 12 to 15 hours a day. The employer threatened the workers and forbade them from leaving the premises except to return to their apartments.

See also the Department of State’s *Trafficking in Persons Report* at www.state.gov/j/tip/rls/tiprpt/ (<http://www.state.gov/j/tip/rls/tiprpt/>).

c. Prohibition of Child Labor and Minimum Age for Employment

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

The government generally enforced these laws and conducted year-round inspections to identify cases of underage employment, with special emphasis on summer and school vacation periods. During the year authorities imposed a number of sanctions against employers for child labor infractions, including administrative warnings and fines. Minors worked mainly in the food-catering, entertainment, and hospitality sectors. In 2017 there were more than 1,200 cases on violation of rights of children and teenagers at the workplace, mainly regarding pay, firing, and social rights, and authorities filed three indictments against employers for the violating the rights of children in employment, according to the annual report of the National Council for the Child.

d. Discrimination with Respect to Employment and Occupation

The law prohibits discrimination in respect of employment and occupation. The Equal Employment Opportunities Law prohibits an employer from discriminating against employees, contractors, or persons seeking employment. The Equal Pay Law provides for equal pay for equal work of male and female employees. The Equal Rights for Persons with Disabilities Law prohibits discrimination against persons with disabilities (see section 6). The law does not explicitly prohibit discrimination on the basis of language, citizenship, HIV/AIDS status, or other communicable diseases.

The government effectively enforced applicable law, and penalties were sufficient to deter violations. The law charges the Commission for Equal Employment Opportunities with the implementation and civil enforcement of the Equal Employment Opportunities Law. The 26-member commission includes one member each from organizations that promote employment rights for Muslims, Christians, Druze, Circassians, Haredim, immigrants, elderly persons, women, and army veterans. Additionally, the commission must have adequate representation of citizens of Ethiopian descent and persons with disabilities. According to the commission's annual report, in 2017 it received 766 complaints, an increase of 8 percent from 2016, including cases relating to discrimination against women and Muslims. Civil society organizations reported discrimination in the employment or pay of women, Ethiopian-Israelis, and Arab citizens. In one case the Commission for Equal Employment Opportunities joined a Muslim dentist in an antidiscrimination lawsuit against the New Shen Clinic in Netanya, which asked her to remove her hijab (Muslim religious women's head covering) at work. The case was continuing as of December.

On June 17, the Knesset passed an amendment to the Hours of Work and Rest Law, allowing workers to refuse to work on a day of rest, based on their religion, even if they are not religiously observant. The law was scheduled to come into effect on January 1, 2019.

e. Acceptable Conditions of Work

The number of labor inspectors was insufficient to enforce the law, particularly in the construction and agriculture industries, and crane and scaffolding regulations were inadequate to protect workers from falls. Employers were responsible for identifying unsafe situations. No law protects the employment of workers who report on situations that endanger health or safety or remove themselves from such situations. During the year 38 workers, including more than 20 Palestinians, died in accidents in the Israeli construction industry, according to the ILO and the labor rights NGO Kav LaOved. Another 169 persons were injured in construction accidents, according to media reports. On November 6, following threats of a general strike, the government signed an agreement with the Histadrut aimed at increasing safety standards for construction workers. The agreement included an increase of on-site inspections, safety training for workers, improvement of safety standards, and sanctions on contractors violating workers' safety.

The Labor Inspection Service, along with union representatives, enforced labor, health, and safety standards in the workplace. Following the 2014 “Adam Commission,” which concluded that occupational safety legislation was outdated, the government amended the law in 2017 to expand the power of labor supervisors to impose financial sanctions for safety flaws. On November 27, the Knesset passed an amendment appointing a safety officer for construction sites, and on December 31 it passed an amendment authorizing human resource companies to employ crane operators only after receiving a government-issued permit tied to construction safety and labor rights.

Two NGOs petitioned the Supreme Court to demand establishment of a police unit to investigate construction accidents with investigators from the Ministry of Labor, Social Affairs, and Social Services; opening of a police investigation into each construction accident resulting in a death or a moderate to severe injury; and an increase in the number of inspectors and investigators. The case was continuing as of the end of the year. On December 31, the government established a new police unit, PELES (an acronym of “Working Without Risk” in Hebrew), to investigate workplace accidents, mainly at construction sites, that resulted in death or severe injuries.

The national minimum wage, which is set annually, was above the poverty income level for individuals, but below the poverty level for couples and families. Authorities investigated 1,418 employers, imposed 103 administrative sanctions totaling nine million shekels (\$2.5 million), and filed two indictments for violations of the Minimum Wage Law during the year.

The law allows a maximum 43-hour workweek at regular pay and provides for paid annual holidays. Premium pay for overtime is set at 125 percent for the first two hours and 150 percent for any hour thereafter up to a limit of 15 hours of overtime per week.

The law applies to the informal economy, but there was little information about protection and enforcement standards in this sector, which included an estimated 7 percent of the economy in 2017, according to the ITUC.

According to some NGOs, the country failed to enforce its labor laws fully with respect to minimum working conditions for foreign workers, including asylum seekers, and existing penalties were not sufficient to deter violations. There were documented cases of foreign laborers living in harsh conditions and subjected to debt bondage (see section 7.b.), but authorities prosecuted few employers. The government rejected the allegations in a November 23 BBC report on Thai agricultural workers that described squalid living conditions, lack of appropriate protective equipment while spraying pesticides, and 172 deaths since 2012 in which authorities recorded the cause as “undetermined.”

The provisions of the labor law extended to most Palestinians employed by Israeli businesses in the West Bank. On September 17, the Supreme Court rejected a challenge by civil society groups against a regulation under which noncitizen workers employed by Israeli companies, whether in the West Bank or Israel, must make a monetary deposit to file a labor-rights claim against their employer in an Israeli court. According to Kav LaOved, courts dismissed 28 petitions from workers who did not pay the deposit, as of November. In response to a Supreme Court petition from Kav LaOved, the government confirmed in July that it had not disbursed any sick leave payments to Palestinian workers since January 1, despite depositing 2.5 percent of Palestinian workers’ salaries in a sick leave fund. The case was continuing as of the end of the year.

The country had bilateral work agreements (BWAs) with Bulgaria, Moldova, Romania, Ukraine, and China for employment of migrant workers in the construction sector, and with Thailand and Sri Lanka in the agricultural sector. The entire recruitment process of foreign workers in these industries was coordinated solely through government offices, which resulted in a steep decline in recruitment fees paid by those workers. On September 3, the government signed an agreement with the government of the Philippines for employment of workers in the caregiving sector, which officials expect to begin implementation in 2019.

BWAs provide for migrant workers to have information on their labor rights as well as a translated copy of their labor contract before they arrive in the country. The government continued to help fund a hotline for migrant workers to report violations. Government enforcement bodies claimed they investigated all of these complaints. On December 17, noting the government’s progress in moving toward BWAs, the Supreme Court dismissed a 2006 case by human rights NGOs advocating for foreign workers to arrive only through such agreements. The court affirmed that the NGOs’ demands were legitimate, however, noting the government should combat labor trafficking by signing more BWAs and by prohibiting foreign workers who do not arrive through a BWA.

Some employers in the agricultural sector circumvented the bilateral agreement with Thailand by recruiting students from poor countries to take part in agricultural study programs on student visas and then forcing them to work in the agriculture industry once they arrived in the country. According to Kav LaOved, the number of these student workers was approximately 4,000. A government resolution on January 11 began including students in the government’s agricultural worker quotas for the first time. The absence of full-scale bilateral labor agreements in the caregiving field led to continuing widespread abuses against foreign caregivers, including excessive recruitment fees and false descriptions of the terms of employment contracts. Live-in arrangements and lack of legal protections and inspections led to many cases of exploitative working conditions for female migrant workers. Local NGOs filed hundreds of complaints on behalf of foreign caregivers, including allegations of underpayment of wages, physical violence, sexual harassment, and unsuitable employment conditions. For example, a woman who was sexually assaulted by three different employers suffered with the last employer for eight months because she knew regulations would not allow her to switch employers again, according to an NGO. The new agreement with the Philippines will not apply to thousands of foreign caregivers already working in the country, except they will have access to a complaint hotline.

ecoi.net summary:

Annual report on human rights in 2018


Country:

Israel

Source:

USDOS – US Department of State [\(/en/source/11558.html\)](/en/source/11558.html)

Original link:

<https://www.state.gov/j/drl/rls/hrrpt/2018/nea/289209.htm> (<https://www.state.gov/j/drl/rls/hrrpt/2018/nea/289209.htm>)

Document type:

Periodical Report

Language:

English

Published:

13 March 2019

Document ID:

2004252

Austrian Red Cross

Austrian Centre for Country of Origin and Asylum Research
and Documentation (ACCORD)

Wiedner Hauptstraße 32, 1041 Wien

T (Telefon) +43 1 589 00 583

F (Fax) +43 1 589 00 589

info@ecoi.net

ecoi.net is run by the Austrian Red Cross (department ACCORD) in cooperation with Informationsverbund Asyl & Migration. ecoi.net is funded by the Asylum, Migration and Integration Fund, the Austrian Ministry of the Interior and Caritas Austria. ecoi.net is supported by ECRE & UNHCR.

