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## **Part 1. General information about the State of Israel**

### **I. DEMOGRAPHIC, ECONOMIC, SOCIAL AND CULTURAL CHARACTERISTICS**

#### **A. Geography**

1. Israel is situated in the Middle East along the southeastern coastline of the Mediterranean. Israel forms part of a land bridge linking three continents; Asia, Africa, and Europe. In this land, the Jewish people cultivated their distinctive religion and culture some 5,000 years ago. Given the importance of the land to the Jewish religion, Even in times when it was under foreign domination, and later as a sovereign state, up until our current days the Jewish people preserved an unbroken physical connection to the Land throughout the centuries.
2. The total extent of Israel's territory within its boundaries and ceasefire lines is 27,800 sq. km. long and narrow in shape, it is some 450 km. in length and about 135 km. across at the widest point, and roughly 13 km. across at the narrowest point. Israel is bordered by Lebanon to the north, Syria to the northeast, Jordan, the Palestinian Authority and some disputed areas to the east, Egypt, the Gaza Strip and the Mediterranean Sea to the west.
3. Israel is divided into several geographical regions, including the highly populated Mediterranean coast and coastal plain, the Judean Hills surrounding Jerusalem to the east, and the mountainous regions of the Galilee and Golan in the north (albeit also including a precipitous drop-off to the Jordan Valley Rift and the Jordan river, along which are located the Sea of Galilee - The Kinneret lake). The Dead Sea is situated in the south of the country. The Negev desert area, which comprises the southern half of the country, is mostly arid.

#### **B. Demographics**

4. Israel is home to a diverse population from many ethnic, religious, cultural and social backgrounds. As a society that maintains ancient roots, it is continually evolving. As of 2007 the total population of Israel is numbered approximately 7,150,000, of which over 5.4 million are Jews (76% of the total population), and 1.4 million are Arabs (mostly Muslims, and some Christians, Druze and Circassians who comprise about 20% of the total population). There are 310,000 non-Jewish immigrants who comprise 4% of the total population. The following table shows the growth of the major population groups, (Jewish, Muslim, Christian and Druze), between the years 2003-2006:

**Table 1**  
**Population according to religion, (thousands), by year's end**

Year	Arab and others					Jews	Grand total
	Druze	Christians	Muslims	Un-classified	Total		
2003	110.8	142.4	1 072.5	281.3	1 607.0	5 165.4	6 772.4
2004	113.0	144.3	1 107.4	291.7	1 656.4	5 237.6	6 894.0
2005	115.2	146.4	1 140.6	299.9	1 702.1	5 313.8	7 015.9
2006	117.5	149.1	1 173.1	309.9	1 749.6	5 393.4	7 142.4

*Source: Central Bureau of Statistics, 2007.*

**Table 2**  
**The average population, by religion (thousands)**

Year	Arab and others					Jews	Grand total
	Druze	Christians	Muslims	Un-classified	Total		
2003	109.6	141.4	1 055.4	277.2	1 583.6	5 129.8	6 713.4
2004	111.9	143.4	1 090.0	286.5	1 631.8	5 201.5	6 833.3
2005	114.1	145.4	1 124.0	295.8	1 679.2	5 275.7	6 954.9
2006	116.4	147.8	1 156.9	304.9	1 726	5 353.6	7 079.0

*Source: Central Bureau of Statistics, 2007.*

5. In 2006, 91.8% of the population of Israel resided in urban areas and 8.2% in rural areas.

**Table 3**  
**Population density (per sq. km. of land)\*\* by district**

District and sub-district (S.D.)	31 Dec 2000	31 Dec 2004	31 Dec 2005	31 Dec 2006
Grand total	278.7	300.2	305.2	310.5
Northern District	241.9	260.9	265.0	269.0
Central District	1 142.4	1 247.0	1 275.0	1 306.6
Southern District	63.2	69.4	70.7	72.0
Haifa District	948.4	983.3	990.8	998.0
Jerusalem District	1 163.0	1 274.0	1 303.8	1 332.4
Tel Aviv District	6 747.2	6 840.9	6 918.5	6 997.2

*Source: Central Bureau of Statistics, Statistical Abstract of Israel, 2007.*

\*\* *Excluding Israelis in west bank and Gaza Areas.*

6. The total number of Jewish immigrants to Israel ("Olim"), since 1989, is 1,178,273, of which 964,580 are from the former Soviet Union, and 61,678 are from Ethiopia.

**Table 4**  
**Sources of population growth, 2001-2006 (thousands)**

Population group	Population at the beginning of period	Natural increase	Total migration balance	Population at the end of period	Total growth	% Annual growth
Total population	6 369.3	628.4	119.1	7 116.7	747.4	1.9
Jews	4 955.4	392.9	50.3	5 393.4	438.0	1.4
Muslims	970.0	195.9	5.9	1 173.1	203.2	3.2
Christians	135.1	9	6.6	149.1	14.1	1.7
Arab Christians*	111.4	7.4	-0.6	118.7	7.4	1.3
Non-Arab Christians*	23.7	0.4	5.9	27.7	3.9	3.2
Druze	103.8	13.5	0	117.5	13.8	2.1
Not classified by religion	201.5	16.7	57.4	280.9	79.4	5.7

*Source: Central Bureau of Statistics, Statistical Abstract of Israel, 2007.*

*\* Source: Central Bureau of Statistics, Statistical Abstract of Israel, 2006.*

7. To date there are approximately 3.485 million males, and 3.568 million females. In 2007, life expectancy for Israeli males was 78.5 years and 82.2 years for Israeli females. The total fertility rate was 2.88%, and 28.3% of the population was aged 15 or younger, while 9.8% of the population was aged 65 or older.

**Table 5**  
**Age composition by religion, and age (thousands, avg. 2005)**

Age	Jews	Muslims	Christians (total)	Druze	Not classified by religion
0-4	497.2	177.5	11.3	12.9	20.2
5-9	454.7	169.7	12.9	13.0	19.7
10-14	422.6	143.3	12.7	12.8	17.8
15-19	414.0	114.9	12.3	11.6	23.0
20-24	422.2	95.5	11.2	10.7	24.8
25-29	405.8	89.9	11.9	10.7	25.6
30-34	387.6	84.3	11.9	9.8	28.1
35-39	324.3	70.0	10.9	8.0	25.4
40-44	291.0	60.1	10.5	6.9	20.9
45-49	302.8	44.6	9.2	5.5	18.5
50-54	312.8	32.8	8.0	4.2	14.9
55-59	301.0	22.6	6.6	3.1	13.4
60-64	187.7	19.6	5.1	2.2	7.1
65-69	176.4	13.3	4.7	1.8	8.4
70-74	152.8	8.7	3.5	1.3	3.8
75-79	130.5	5.3	2.5	0.9	2.6
80-84	101.4	2.8	80+:   2.4	0.5	80+:   2.4
85-89	45.5	1.3		0.3	
90+	23.5	0.7		0.1	

*Source: Central Bureau of Statistics, Statistical Abstract of Israel, 2007.*



8. The crude birth rate in 2006 was 21.0 per thousand, and the infant mortality rate was 4.3 per thousand. Out of 2,007,300 households, 8.9% (180,300) are single-parent households, of which 146,900 are with children up to the age of 24. 89.9% (132,200) of single-parent households with children up to the age of 24 are headed by women. The average size of the Israeli family as of 2006 is 3.84 (excluding one-person households) persons (3.63 for Jewish families, 5.09 for Arab families and 2.77 for families of immigrants from the former Soviet Union).

9. As of 2006 Israel has a literacy rate of about 95.7% (Men - 97.1%, Women - 94.6%).

### **C. Culture and religion**

10. Israeli culture is a rich mix of western and modern, as well as Middle-Eastern, religious and orthodox. It is essentially comprised of the Jewish culture and tradition of Israel's inhabitants, and also influenced by other religions and minorities.

11. 38% of the world's Jewry resides in Israel, and it is home to the followers of many other religions, including Muslims, Christians, Druze, Baha'i, and more. As enshrined in Israel's Declaration of Independence (1948), Israel has guaranteed freedom of religion and conscience for all. Each religious community is free, by law and in practice, to exercise its faith and to observe its holidays and weekly day of rest. The main religious communities have their own religious courts that are recognized by law and maintain jurisdiction over religious affairs, including matters of personal status such as marriage and divorce. Each has its own unique place of worship, traditional rituals, and architectural features developed over the centuries.

### **D. Indicators on the political system**

12. For detailed information regarding the political system and the structure of the Israeli Government please see section II (F) on page 31.

**Table 6****Number of recognized political parties at the national level and distribution of legislative seats by party - 17th Knesset**

Party	Number of votes	Mandates (seats in the 17 <sup>th</sup> Knesset)
Brit Olam	2 011	-
Da-am - Workers Party	3 692	-
Gil	185 759	7
Green Leaf	43 353	-
Greens (Hayerukim)	47 595	-
Hadash	86 092	3
Herut	2 387	-
Hets	10 113	-
Ichud Leumi - Mafdal	224 083	9
Kadima	690 901	29
Israel Labor Party - with Meimad	472 366	19
Lechem	1 381	-
Leeder	580	-
Lev	1 765	-
Likud	281 996	12
Meretz	118 302	5
National Arab Party	738	-
National Democratic Assembly	72 066	3
National Jewish Front	24 824	-
New Zionism	1 278	-
One Future	14 005	-
Party for the Struggle with the Banks	2 163	-
Shas	299 054	12
Shinui	4 675	-
Strength to the Poor	1 214	-
Tafnit	18 753	-
Torah and Shabbat Judaism	147 091	6
Tzedek Lakol	3 819	
Tzomet	1 342	
United Arab List - Arab Renewal	94 786	4
Israel Beitenu	281 880	11
Total	3 140 064	120

*Source: Israeli Knesset, 2007.*

**Table 7**  
**General facts about the elections to the 17th Knesset**

Budget of the Central Elections Committee for the 2004 fiscal year	193 740 000 (NIS)
Number of eligible voters	5 014 622
Total Number of polling stations	8 280
Number of polling stations for people with limited mobility (out of the total number)	1 136
Number of polling stations in the hospitals	188
Number of polling stations at diplomatic representations abroad	92
Number of polling stations in prisons and detention centers	51

*Source: Israeli Knesset, 2007.*

**Table 8**  
**Number and percentage of women in the Israeli Knesset**

Knesset	Number of women (out of 120 Knesset members)	Women (in %)
First Knesset	11	9
Second Knesset	12	10
Third Knesset	12	10
Forth Knesset	9	7.5
Fifth Knesset	10	8
Sixth Knesset	9	7.5
Seventh Knesset	8	7
Eighth Knesset	10	8.3
Ninth Knesset	8	7
Tenth Knesset	8	7
Eleventh Knesset	10	8.3
Twelfth Knesset	7	6
Thirteenth Knesset	11	9
Fourteenth Knesset	9	7.5
Fifteenth Knesset	14	12
Sixteenth Knesset	17	14
Seventeenth Knesset	17	14

*Source: Israeli Knesset, Information and Research Center, 2007.*

### **E. Languages**

13. Hebrew and Arabic are the two official State languages. Israel's television and radio stations broadcast in Hebrew, Arabic and, to a lesser extent, English, Russian and Amharic. Hebrew, Arabic and English are also used side by side on intercity road signs.

14. The Israeli Government has recently decided to take on a project of translating the entire content of its ministries internet sites into Arabic. The main internet site and the individual ministries sites contain an extremely wide range of information from various services such as: driving licenses renewal and job vacancies to government contracts and tax payments as well as a guide to lodging complaints about violation of rights. Doing so the Government intends to enable the State's Arab citizens broad and easy access to government Internet services in their mother tongue.

15. In 2006, a tender for the establishment of an academy of the Arabic language was issued to the Knesset. In the first meeting held by the Knesset Education, Culture and Sports Committee on the matter, the committee acknowledged that in order to give proper expression to the Arabic language as a formal language of the State of Israel, an academy of the Arabic language was necessary. It was added that academic institutions in Israel would benefit from the establishment of such academic institute that would also improve Arabic education and the teaching of the Arabic language in Israel.

#### F. Social economic indicators

16. Israel's Gross Domestic Product (GDP) in 2006 was 619.66 billion New Israeli Shekels (NIS) in current prices (approximately \$185.9 billion). The GDP per capita was 87,849 NIS (approximately \$26,350). The external debt was \$34,245 million.

17. The dollar exchange rate at the close of 1990 was 2.048 NIS per \$1, and at the middle of 2006, 4.44 NIS per \$1. The annual average of the dollar exchange rate in 1990 was 2.016, in 1995, it stood at 3.011, in 2005 at 4.487 and in May 2008 it stood at 3.333 NIS per \$1. The rate of inflation for the year 2006 was around -0.1%, and the unemployment rate was around 8.4%. The rate of inflation for the year 2007 was 3.4%, and the unemployment rate was around 7.2%.

18. In 2006 the proportion of households below the national poverty line was 20.0%. The number of poor families in 2006 was 404,000, encompassing 1,650,000 persons of which 769,000 were children.

**Table 9**

#### **"Gini" coefficient for 2001-2005**

Year	2001	2002	2003	2004	2005
Household headed by an employee	0.384	0.395	0.375	0.380	0.386
Household headed by a non-working person	0.379	0.367	0.397	0.402	0.399

*Source: Central Bureau of Statistics, Statistical Abstract of Israel, 2007.*

**Table 10**

**Household consumption expenditures on food, housing, health and education for 2000-2005 (percentages)**

Year		2000	2001	2002	2003	2004	2005
Food	Total	17.0	16.9	16.6	16.8	16.3	16.3
	Excluding vegetables and fruit	13.6	13.4	13.2	13.4	13.1	13.2
	Vegetables and fruit	3.4	3.5	3.4	3.4	3.2	3.1
Housing	Total	22.0	22.6	24.0	22.8	22.3	21.9
	Government taxes	0.2	0.2	0.2	0.2	0.2	0.2
	Monthly rent	3.8	3.9	4.4	4.3	4.1	4.0
	Housing services consumption	17.4	17.9	18.9	17.7	17.4	17.1
	Other housing expenditures	0.5	0.5	0.5	0.5	0.6	0.5
Health	Total	4.6	4.9	4.8	4.8	5.0	5.1
	Health insurance	0.8	0.9	1.0	1.1	1.2	1.3
	Dental treatment	1.5	1.6	1.4	1.5	1.5	1.4
	Health services	0.7	0.8	0.7	0.6	0.7	0.7
	Other expenditures on health	1.6	1.6	1.7	1.6	1.6	1.7
Education culture and entertainment	Total	14.2	13.4	13.2	13.5	13.6	13.5
	Thereof: education services	4.6	4.7	4.6	4.7	4.9	5.0
Furniture and household equipment	Total	5.2	4.9	4.6	4.1	4.0	3.9
Clothing and footwear	Total	3.3	3.2	3.0	3.7	3.8	3.6
Transport and communications	Total	19.3	20.1	19.9	19.8	20.4	20.4
Miscellaneous	Total	4.9	4.7	4.6	4.5	4.7	4.9

*Source: Central Bureau of Statistics, Statistical Abstract of Israel, 2007.*

19. Israel's major import and export product is diamonds. It comprises 32.6% of the total export rate and 19.1% of the total import rate (2006). Israel exports most of its products to the USA, and imports most of its products from the European Union.

20. On May 2007, in a decision that was the fruit of a complicated and comprehensive working process over several years, The Organization for Economic Cooperation and Development (OECD) Ministerial Council approved a decision to open accession discussions with Israel. The membership process is expected to take one to one-and-a-half years - a period necessary to fully meet the organization's standards.

**Indicators regarding employment****Table 11****Population aged 15 and over by civilian labor force characteristics 2003-2006 (thousands)**

Year		2003	2004	2005	2006	
Total		4 791.7	4 876.0	4 963.4	5 053.1	
Not in the civilian labor force		2 181.7	2 197.5	2 223.3	2 243.4	
Civilian labor force - grand total		2 610.0	2 678.5	2 740.1	2 809.7	
Civilian labor force	Employed persons	Total	2 330.2	2 400.8	2 493.6	2 573.6
		Worked full-time	1 536.1	1 541.3	1 595.1	1 641.0
		Worked part-time	644.3	703.5	733.9	749.6
		Percentage of part-time workers of civilian labor force	24.7	26.3	26.8	26.7
		Temporary absent from work	149.8	156.1	164.6	182.9
	Unemployed	Total	279.8	277.7	246.4	236.1
		Worked in Israel during the last 12 months	125.3	114.3	106.9	100.3
		Did not work in Israel during the last 12 months	154.5	163.5	139.6	135.9
		Percentage of unemployed of civilian labor force	10.7	10.4	9.0	8.4
		Percentage of civilian labor force of the total population aged 15 and over	54.5	54.9	55.2	55.6

*Source: Central Bureau of Statistics, Statistical Abstract of Israel, 2007.*

**Table 12****2006 Population aged 15 and over by civilian labor force characteristics, and population group (thousands)**

Year - 2006		Jews	Arabs	
Total		4 104.0	841.2	
Not in the civilian labor force		1 701.8	507.8	
Civilian labor force - grand total		2 402.2	333.4	
Civilian labor force	Employed persons	Total	2 209.8	295.1
		Worked full-time	1 374.4	217.6
		Worked part-time	669.9	62.1
		Percentage of part-time workers of civilian labor force	27.9	18.6
		Temporary absent from work	165.5	15.5
	Unemployed	Total	192.4	38.3
		Worked in Israel during the last 12 months	89.5	7.4
		Did not work in Israel during the last 12 months	102.9	30.9
		Percentage of unemployed of civilian labor force	8.0	11.5
		Percentage of civilian labor force of the total population aged 15 and over	58.5	39.6

*Source: Central Bureau of Statistics, Statistical Abstract of Israel, 2007.*

**Table 13**  
**Employed persons by industry and gender, 2006**

Economic branch	Men		Women	
	% of Employed persons	% of Employees	% of Employed persons	% of Employees
Agriculture	2.8	1.9	0.6	0.4
Manufacturing	21.3	23.5	9.3	9.5
Electricity and water supply	1.1	1.3	0.3	0.3
Construction (building and civil engineering projects)	9.2	8.7	0.7	0.8
Wholesale and retail trade and repair	14.2	12.8	12.0	11.7
Accommodation services and restaurants	5.3	5.5	4.2	4.2
Transport, storage and communication	8.9	8.2	4.2	4.4
Banking, insurance and finance	2.6	2.6	4.4	4.7
Business activities	15.2	14.5	12.4	11.6
Public administration	4.7	5.6	4.4	4.8
Education	5.4	6.1	21.3	22.5
Health, welfare and social services	4.4	4.4	17.2	17.4
Community, social and personal services	4.6	4.2	5.5	4.3
Services for households by domestic personnel	0.3	0.4	3.5	3.5
Total	100	100	100	100

*Source: Central Bureau of Statistics, 2007.*

**Table 14****Employed persons by last occupation and gender, 2006**

Profession	Per cent of all employed men	Per cent of all employed women
Academic professionals	13.5	14.8
Associate professionals and technicians	12.1	20.1
Managers	8.2	3.8
Clerical workers	7.5	25.9
Agents, sales workers and service workers	16.9	24.0
Skilled agricultural workers	2.2	0.3
Industry, construction and other skilled workers	30.7	4.1
Unskilled workers	8.9	7.1
Total	100	100

*Source: Central Bureau of Statistics, 2007.*

**G. Science and technology**

21. Israel is at the forefront of high-tech, entrepreneurship, innovation, academic research and supportive government programs. Various governmental programs and schemes provide support to applied research conducted at universities and research institutes, to application of technology from those establishments in the industry; to research and development (R&D) projects in the industry, to “Technological Incubators”, etc. In the scientific arena, Israel encourages the establishment of centers of excellence in fields such as biotechnology, nanotechnology etc., while maintaining a level of quality across the broad spectrum of scientific fields. At 4.5% of GDP, Israel has the highest rate invested in R&D compared to other nations.

**H. Health care**

22. Israel enjoys a high standard of health services, top-quality medical resources, modern hospital facilities and an impressive ratio of physicians and specialists to population, as reflected in the country’s low infant mortality rate (4.3 per 1,000 live births) and long life expectancy (82.2 years for women, 78.5 for men). National health care services from infancy to old age are ensured by law and the national expenditure on health compares favorably with that of other developed countries.



**Table 15**  
**Termination of pregnancies in hospitals by law**

Year	Applications	Approvals	Actual terminations - total	By article of the law:				Ratio per 100 live births
				Woman's age	Out of wedlock pregnancy	Malformed fetus	Danger to woman's life	
2000	20 278	19 880	19 405	2 010	10 452	3 249	3 694	14.2
2001	21 505	21 198	20 332	2 211	10 942	3 210	3 987	14.9
2002	21 025	20 684	19 796	2 168	10 661	3 396	3 571	14.5
2003	21 226	20 841	20 075	2 119	10 773	3 476	3 707	13.9
2004	21 685	21 286	20 378	2 102	11 076	3 444	3 756	14.0
2005	20 987	20 533	19 982	2 001	10 914	3 340	3 673	13.8
2006	21 253	20 886	19 830	1 829	11 007	3 508	3 486	13.4

*Source: Central Bureau of Statistics, Statistical Abstract of Israel, 2007.*

**Table 16**  
**Mortality rates, by cause (total population)**

Cause of death	Number in mortality list 2 of ICD-10	2001-2004	2003	2001	1998-2000
Other diseases	47+72	59	62	56	62
Other ischemic heart diseases (other than acute myocardial infarction)	53(1)	51	52	55	69
Diabetes mellitus	46	39	42	39	38
Cerebrovascular diseases	55	40	37	44	41
Other heart diseases	54	36	34	38	39
Acute myocardial infarction	53(2)	27	28	29	31
Reminder of malignant neoplasms	44	22	25	21	25
Malignant neoplasms of trachea, bronchus and lung	32	21	21	21	20
Kidney diseases	65	23	20	23	16
Malignant neoplasms of colon, rectum and anus	28	19	19	21	20
Chronic lower respiratory infections	61	17	17	18	19

*Source: Central Bureau of Statistics, Statistical Abstract of Israel, 2007.*

*Rates per 100,000 residents.*

*By ICD-10 (International statistical classification of diseases and related health problems - 10th edition).*

**AIDS and HIV Statistics****Table 17****Newly reported cases of HIV and AIDS by gender (absolute numbers)**

Year	Grand total	AIDS			HIV			
		Females	Males	Total	Females	Males	Gender unknown	Total
Up to 2000	2 992	152	535	687	803	1 400	102	2 305
2001	359	16	19	35	149	186	6	341
2002	335	19	42	61	131	167	5	303
2003	303	17	44	61	124	151	1	276
2004	315	9	12	21	97	212	-	309
2005	350	13	28	41	118	207	1	326
2006	336	9	32	41	117	200	-	317

*Source: Central Bureau of Statistics, Statistical Abstract of Israel, 2007.*

**Table 18****Notified AIDS patients by gender and method of transmission, 1981-2006**

Transmission category	Cumulative number			Died or left Israel
	Male	Female	Total	
1. Homosexual relations	252	-	252	188
2. IDU - Injecting Drug User	130	29	159	89
3. Hemophilia	44	-	44	12
4. Other blood	10	7	17	39
5.1 OGE - originating from a country with a "generalized" HIV epidemic	262	174	436	218
5.2 Partners from categories 1-5.1	1	22	23	14
5.3 Sex with HIV not known as 5.1-5.2	8	14	22	13
5.4 Source undetermined	51	20	71	40
6. Mother-to-child	14	14	28	14
7. Other/undetermined	36	4	40	34
<b>Total</b>	<b>808</b>	<b>284</b>	<b>1 092</b>	<b>677</b>

*Source: Ministry of Health, Public Health Services, Department of Tuberculosis & AIDS, November 2007.*

## I. Education

23. Education in Israel is a fundamental value and is recognized as the key to the future. The educational system aims to prepare children to become responsible members of a democratic, pluralistic society in which people from different ethnic, religious, cultural and political backgrounds coexist. It is based on Jewish values, love of the land and the principles of liberty and tolerance. It seeks to impart a high level of knowledge, with an emphasis on scientific and technological skills essential for the country's continued development.

24. The Ministry of Education is involved in an ongoing process of bringing educational standards in line with modern pedagogic practices such as mandating gender equality, upgrading teacher status, broadening humanistic curricula and promoting scientific and technological studies. A key aspect of its policy is to provide equal opportunities in education for all children and to increase the number of pupils passing matriculation examinations.

25. As a result of the strive for academic excellence, in recent years, several Israeli researchers won the highly distinguished Nobel Prize: Prop. Avram Hershko and Prop. Aaron Ciechanover (chemistry - 2004), Prop. Daniel Kahneman (economics - 2002) and Prop. Robert J. Aumann (economics - 2006).

**Table 19**

### **Pupils in educational institutions**

Year		1999-2000	2004-2005	2005-2006	2006-2007
Grand total		1 911 427	2 084 525	2 093 329	2 129 216
Hebrew education	Grand total	1 573 930	1 648 289	1 641 538	1 662 300
	Kindergartens	394 384	313 801	315 000	315 000
	Primary education	558 640	574 468	584 441	597 802
	Post primary education	467 291	472 139	469 387	468 299
	Post secondary institutions	47 211	51 195	52 601	52 000
	Non universities for higher education**	53 089	77 738	82 023	91 342
	Universities	113 010	124 430	123 010	121 790
	Other institutions	40 305	34 518	15 076	16 067
Arab education	Grand total	337 497	436 236	451 791	466 916
	Kindergartens	55 480	89 400	92 000	93 000
	Primary education	181 640	212 638	221 133	230 646
	Post primary education	97 387	132 225	136 804	141 370
	Post secondary institutions	2 990	1 973	1 854	1 900

*Source: Central Bureau of Statistics, Statistical Abstract of Israel, 2007.*

\*\* Incl. students for first degree only in academic colleges and in educational colleges. Thereof 3,450 students in the Arab education sector studying towards a first degree in education (B.Ed.).

**Table 20****Average number of pupils per teacher by educational stage - Arab sector**

Year	Total	Primary schools	Intermediate schools	Secondary schools
2000	14.8	15.4	11.1	11.9
2001	14.8	15.3	11.8	11.5
2002	14.6	15.0	11.7	11.3
2003	14.3	14.5	12.2	11.4
2004	14.3	14.3	12.6	11.2
2005	14.0	13.6	12.3	11.8

Source: Central Bureau of Statistics, Statistical Abstract of Israel, 2006.

**Table 21****Pupils in grades 7-12 by grade and staying in school rates**

		Hebrew education			Arab education		
		2003/4-2004/5	2004/5-2005/6	2005/6-2006/7	2003/4-2004/5	2004/5-2005/6	2005/6-2006/7
Grand total		523 029	521 032	520 189	140 145	147 912	
Grade 7	Total	86 145	88 670	86 331	28 156	30 460	30 298
	Thereof: % dropped out of educational system	1.6	1.1	0.5	1.9	1.9	1.3
Grade 8	Total	84 888	84 562	87 745	27 477	28 314	30 518
	Thereof: % dropped out of educational system	3.3	2.6	2.2	4.2	3.5	3.9
Grade 9	Total	90 282	87 775	87 573	26 697	26 813	27 767
	Thereof: % dropped out of educational system	4.3	3.9	3.0	11.8	10.9	11.7
Grade 10	Total	88 565	89 494	87 359	21 393	24 237	24 381
	Thereof: % dropped out of educational system	4.7	4.0	3.4	8.0	6.9	6.6
Grade 11	Total	87 180	87 692	88 160	18 816	20 148	22 729
	Thereof: % dropped out of educational system	5.2	5.8	5.3	6.5	6.7	5.3
Grade 12	Total	85 969	82 839	83 021	17 606	17 940	19 274
	Thereof: % dropped out of educational system	1.7	1.8	1.7	1.2	1.9	1.9

Source: Central Bureau of Statistics, Statistical Abstract of Israel, 2007.

**J. Indicators on crime and the administration of justice**

**Table 22**

**Prison population with breakdown by offence (total numbers)**

Year	Total number of prisoners	Prisoners sentenced for murder	Prisoners sentenced for robbery	Prisoners sentenced for drug related offences	Prisoners sentenced for sex offences	Prisoners sentenced for family violence	Prisoners sentenced for property offences
2002	10 919	653	476	1 514	899	1 414	1 446
2003	12 228	665	506	1 423	915	1 575	1 379
2004	13 909	698	515	1 483	1 061	2 041	1 421
2005	16 064	716	525	1 543	1 142	2 061	1 425
2006	20 635	763	558	1 463	1 175	2 066	1 465
2007	21 325	774	581	1 454	1 170	2 067	1 492

*Source: Israel Prisons Service, April 2007.*

**Table 23**

**Number of reported cases of sexually motivated violence**

Year	2001	2002	2003	2004	2005	2006
Number of reported cases	3 756	3 710	3 541	3 943	3 745	3 609

*Source: Statistical Report on crime, Israeli Police, 2006.*

- *Relates to rape, unlawful intercourse and forced indecent acts.*

**Table 24**

**Comparison between male and female prison population**

Year	Number of male prisoners	Number of female prisoners
2002	10 728	191
2003	12 003	225
2004	13 467	442
2005	15 710	354
2006	20 286	349
2007	20 995	330

*Source: Israel Prisons Service, April 2007.*

**Table 25****Prison service personnel by district, 2007**

Unit/District	Southern District	Northern District	Central District	Commission
Number of personnel	1 773	1 785	2 333	992
Rates per 100,000 persons	24.8	25.08	32.8	13.95
Number of prison facilities in each district	7	8	12	-

*Source: Israel Prisons Service, April 2007.*

**Table 26****Israeli Police personnel**

Year	Absolute numbers	Rates (per 100,000 people)
2001	25 826	401
2002	27 395	415
2003	27 940	418
2004	31 155	458
2005	27 546	397

*Source: Central Bureau of Statistics, Statistical Abstract of Israel, 2007.*

*Rates per 100,000 people.*

**Table 27****Number of judges**

Year	Absolute numbers	Rates (per 100,000 people)
2001	463	7
2002	501	8
2003	517	8
2004	538	8
2005	544	8

*Source: Central Bureau of Statistics, Statistical Abstract of Israel, 2007.*

**Table 28**

**Court cases activity, (opened, closed and inventory cases), 2002-2005**

Year		District courts	Magistrate courts	Family courts	Transportation courts	Labor courts	Total	Supreme Court
2002	Opened	105 088	730 730	100 208	171 563	77 605	1 185 194	11 444
	Closed	106 477	711 453	102 596	174 990	81 232	1 176 748	12 075
	Inventory	52 880	439 185	59 168	33 846	61 924	647 003	6 111
2003	Opened	99 549	688 051	98 782	165 250	89 650	1 141 282	11 617
	Closed	99 844	678 265	103 770	168 524	90 174	1 140 577	11 247
	Inventory	52 585	448 971	54 180	30 572	61 400	647 708	6 482
2004	Opened	119 771	756 299	111 791	169 763	96 443	1 254 067	12 151
	Closed	110 801	799 512	108 333	166 171	92 410	1 277 227	11 991
	Inventory	61 555	405 758	57 638	34 164	65 433	624 548	6 550
2005	Opened	116 733	909 469	111 487	154 768	83 304	1 035 516	12 114
	Closed	113 753	953 470	108 816	152 569	91 622	1 078 768	11 900
	Inventory	64 351	455 644	58 800	28 584	57 882	526 360	6 743

*Source: State of Israel, The Judicial Authority Report for the Year 2005, 2006.*

**Table 29**

**Selective items of the judicial system budget for 2005**

Item	Budget (NIS)
Salaries	728 520 000
Information center	6 000 000
Translators	3 269 000
Public representatives and medical experts	7 973 000
Witness expenditures	885 000
Libraries and professional literature for judges	3 465 000
Computerizing of the court system	120 000 000
Building of new court houses	9 766 000
Professional training	1 820 000

*Source: State of Israel, The Judicial Authority Report for the Years 2005, 2006.*

**Table 30****Expenditure on public order**

Year	2000	2001	2002	2003	2004
Total expenditure of the Government, the national institutions and the local authorities	238 687	254 944	269 209	270 103	270 251
Excl. defense expenditure and public debt transactions	170 311	184 775	191 782	192 004	193 126
Thereof: expenditure on public order, police and judiciary	8 224	8 806	9 430	9 874	10 245
% of expenditure on public order of total expenditure	3.4	3.5	3.5	3.7	3.8
% of expenditure on public order of total expenditure, excl. defense expenditure and public debt transaction	4.8	4.8	4.9	5.1	5.3

*Source: Central Bureau of Statistics, Statistical Abstract of Israel, 2007.*

- *Numbers are in New Israeli Shekels (NIS), millions, at current prices.*

**Table 31****Persons applying for legal aid and the proportion receiving it**

Year	2002	2003	2004
Eligible applications	47 419	52 780	60 145
Eligible applications when the court fee was not paid		99	155
Ineligible applications	4 560	7 109	7 185
Other**	1 954**		2 340**
Total	53 934	59 988	69 825
Percentage of eligible applications	88%	88%	86%
Percentage of ineligible applications	12%	12%	10%

*Source: Public Defense Attorney's office Reports for the years 2002-2004.*

\*\* *Other - Applications that are still being reviewed and application that were closed for technical reasons. Closing an application for technical reasons is done in cases where the detainee is released prior to the examination of his application and in cases where the detainee hired a private defense attorney.*



## **II. CONSTITUTIONAL, POLITICAL AND LEGAL STRUCTURE**

### **A. Events leading to the establishment of the State of Israel**

26. While there has always been a Jewish presence in Israel, it was not until the 1800's that Jews began to strive to develop the land as a prelude to the creation of a Jewish State and the homeland of the Jewish people in 1948. Prior to this time, Jews principally lived in the major cities such as Jerusalem, Hebron, and Zefat. With the emergence of the Zionist movement in the second half on the 19th century, and the desire of the Jewish people to address their plight in the Diaspora, there was a conscious effort to re-develop the land and create a proper infrastructure for economic viability and future immigration.

27. The Jewish people's right to a national homeland was given international recognition as early as November 2, 1917, in what later became known as the "Balfour Declaration", when the British foreign minister, Lord Arthur James Balfour, delivered a letter communicating the first political recognition of Zionist aims and stating the commitment of Britain to the idea of establishing in Palestine a national home for the Jewish people. Britain was then given a League of Nations' mandate over Palestine as of July 24, 1922, with the goal of establishing a Jewish national home.

28. During the British Mandate, Britain published a series of 'White' Papers, which stated the official British policy concerning issues such as Jewish emigration into Palestine, purchase of land etc. In the 1937 "Royal Peel Commission" on the partition of the Land, the Eastern Bank of the Jordan River was excluded de facto from the original Balfour Declaration. Furthermore, the Jews' ability to purchase land was restricted, and Jewish immigration as a whole was conditioned upon the Arab population's consent. These policies, aimed to diminish the Jewish presence in Israel, emphasized the pressing need for a Jewish homeland.

29. The ensuing horrific events of the Holocaust further demonstrated the importance and need for the establishment of a national homeland for the Jewish people.

### **B. The Holocaust (Shoah)**

30. Following the rise of the Nazi political party in Germany on January 1933 and the establishment of a totalitarian regime headed by Adolph Hitler, the Nazis begun fulfilling their racist, anti-Semitic murderous plans. This included anti-Jewish legislation enacted at the Nazi Party Congress held at Nuremberg on September 1935, which resulted in the separation of the Jews from the rest of the population.

31. On September 1, 1939 Germany invaded Poland, thus signaling the beginning of World War II, and issued a series of decrees aimed at isolating and oppressing the Jewish population in Central Poland. Later these decrees went into force in the rest of Nazi-occupied Europe.

32. Throughout 1940-41, Germany occupied Denmark, Southern Norway, Holland, Belgium, France, Yugoslavia and Greece. At that time, Hitler's "Euthanasia Program" was schemed. This program outlined in detail the plan of the mass murder and total annihilation of the Jews.

33. The “Final Solution”, calling for the extermination of all Jews, was officially reached at the Wannsee Conference on 20 January 1942, but its execution began in 1941, through 1944, in death camps all over Europe, such as Chelmno, Belzec, Treblinka, Auschwitz-Birkenau, Sobibor and Majdanek. The Genocide continued up until the conclusion of the war.

34. An estimated six million Jews - men, women and children, were massacred, brutally and tortuously murdered, gassed and cremated, or buried alive by the Nazis and their collaborators during the Holocaust.

### **C. The aftermath of the Holocaust (Shoah)**

35. The British Mandate was terminated by UN General Assembly Resolution 181 of November 29, 1947 calling for the partition of the land into two states, Jewish and Arab. The resolution was approved by 33 votes in favor, 13 against, 10 abstentions and one absent member. After many deliberations, the Jewish community accepted the plan. The Arab community, however, rejected it.

36. Subsequent to the United Nations vote, local Arab militants, assisted by volunteers from neighboring Arab countries, launched violent deadly attacks against the Jewish community in an effort to prevent the establishment of the Jewish State. After a number of setbacks, the Jewish defense organizations forced back the attackers and took hold of most of the area allocated for the Jewish State. The United Nations attempted to declare a truce but failed to do so.

37. On May 14, 1948, the expiry date of the British Mandate, Israel issued its Declaration of Independence (detailed below), proclaiming an independent State.

38. The new State was recognized by the United States on the same night, and three days later by the USSR (among other states), thus legitimating its place in the international arena.

39. A unique feature of the Declaration of Independence was its reference to the establishment of a “Jewish and Democratic” State, implying not only a historical measure of rectifying history, but also a view forward towards the creation of a properly functioning state. The Declaration also enshrined the “Ingathering of the Exiles” as a guiding principle of the State.

40. The Declaration continues to be a major component of Israel’s national life to this present day, calling for peace, both with the local Arab community (“We appeal...to the Arab inhabitants of the State of Israel to preserve peace and participate in the up-building of the State on the basis of full and equal citizenship and due representation in all its provisional and permanent institutions.”), as well as with neighboring countries (“We extend our hand to all neighboring states and their peoples in an offer of peace and good neighborliness, and appeal to them to establish bonds of cooperation and mutual help with the sovereign Jewish people settled in its own land. The State of Israel is prepared to do its share in a common effort for the advancement of the entire Middle East”).

41. However, less than 24 hours after the State of Israel was proclaimed, the armies of Egypt, Transjordan, Syria, Lebanon and Iraq simultaneously invaded the country. This became to be known as the War of Independence. The war went on for over 15 months and claimed the lives of some 6,000 Israelis (nearly one percent of the Israel’s population in 1948). However, the

poorly equipped divisions of the soon-to-be-formed Israel Defense Force (hereinafter the “IDF”) prevailed over the invaders, and took over the Negev and Galilee, as well as parts of Jerusalem, which were under an Arab siege. Eventually, Armistice Agreements were negotiated under the auspices of the United Nations, between Israel and Egypt, Jordan, Syria and Lebanon (hereinafter “the 1949 armistice agreements”).

42. In accordance with the concept of congregating Jewish exiles, which lies in the State’s *raison d’etre* of serving as a Jewish homeland for the entire Jewish Diaspora, the country opened its gates for all Jews who were automatically entitled to citizenship. By the end of 1951, a total of 687,000 men, women and children had immigrated to Israel, consisting of Holocaust survivors and refugees from European and Arab countries.

#### **D. Recent history**

43. While Israel, from its earlier days, experienced an ongoing tension with its Arab neighbors, the situation continued to deteriorate in the following years. The years of state-building were overshadowed by serious security problems. The 1949 Armistice Agreements not only failed to pave the way to permanent ones, but were also constantly violated by Israel’s neighbors. Israel has continued to suffer systematic attacks against its civilian population from the Fedayeen terrorists groups, operating from bases within Egypt, Jordan and Lebanon. Between the years 1949 and 1956, approximately 1,300 Israelis were killed in those terrorist attacks.

44. Furthermore, in contradiction to United Nations Security Council resolution 95 of September 1951, Israeli and Israel-bound shipping was prevented from passing through the Suez Canal. Additionally, the blockade of the Straits of Tiran was tightened, the incursions of the terrorist squads from neighboring Arab countries into Israel occurred with increasing frequency, and the Sinai peninsula was taken up with Egyptian army units.

45. Upon the signing of a tripartite military alliance by Egypt, Syria and Jordan in October 1956, the imminent threat to Israel’s existence intensified. In the course of an eight-day campaign in self defense, the IDF captured the Gaza Strip and the entire Sinai Peninsula, halting 10 miles (16 km.) east of the Suez Canal. The operation was also coordinated with France and Britain, who on their part were interested in seizing control over the area, in light of their strong economic interest in the Canal, which was nationalized by Egypt’s President, Gamal Nasser, in July, 1956. A United Nations decision to station an Emergency Force (UNEF) along the Egypt-Israel border, coupled with Egyptian assurances of free navigation in the Gulf of Eilat, led Israel to agree to withdraw in stages over a four-month period (November 1956-March 1957) from the areas it had captured. Consequently, the Straits of Tiran were opened, enabling the development of trade with Asian and East African countries as well as oil imports from the Persian Gulf.

46. In May 1967, Egypt moved large numbers of troops into the Sinai desert. It ordered the UN peacekeeping forces (deployed since 1957) out of the area, reinforced the blockade of the Straits of Tiran, and entered into a military alliance with Syria and Jordan. Consequently, in June 1967, Israel found itself faced by hostile Arab armies, and was once again dragged into an inevitable war, neither of its own making nor of its own choosing.

47. At the end of the war, referred to as the Six-Day War, previous cease-fire lines were replaced by new ones, with the West Bank, the Gaza strip, the Sinai Peninsula and the Golan Heights under Israeli control. Furthermore, As a result of the war, Jerusalem, which had been divided under Israeli and Jordanian rule since 1949, was reunited, with the Eastern part of Jerusalem being subjected by an act of Parliament to Israeli jurisdiction and administration.

48. On October 6, 1973, which was Yom Kippur, the Jewish holiest day of the year, the relative calmness along the borders, which lasted for several years, was shattered when Egypt and Syria launched a coordinated surprise assault against Israel. During the following three weeks, the IDF turned the tide of battle and repulsed the attackers, crossing the Suez Canal into Egypt and advancing within 20 miles (32 km.) of the Syrian capital of Damascus. Following elaborated negotiations, Israel withdrew from parts of the territories captured during the war.

49. After the first visit to Israel by an Arab head of State in November 1977, and following negotiations between Egypt and Israel under American auspices, in September 1978 the parties reached the Camp David Accords between Egypt and Israel. These Accords strived for a comprehensive framework for peace in the Middle East, including a resolution of the Palestinian problem by gradually providing the Palestinians with full autonomy.

50. On March 26, 1979, Israel and Egypt signed a peace treaty, according to which Israel withdrew from the Sinai Peninsula, thereby creating mutually recognized international boundaries. Free passage through the Suez Canal, and the opening of the Straits of Tiran and the Gulf of Eilat to all nations was also agreed upon. The parties agreed to station United Nations forces and observers in the area to supervise the implementation of the agreement, which will also be supervised by a joint commission, later replaced with a liaison system and diplomatic relations. Another important principle agreed upon was the demilitarization of the Sinai Peninsula. The parties also agreed to adhere to the principles of the United Nations Charter and, inter alia, refrain from any use of force, and to assure the freedom of movement between them, as well as establish economic and cultural relations. Furthermore, the parties agreed to cooperate in promoting peace, stability and development in the region, and affirmed their commitment to respect and observe human rights.

51. Following repeated terrorist attacks by the Palestinian Liberation Organization (“PLO”), located in Lebanon, against towns and villages of northern Israel, causing many casualties and damage, Israel, in response, entered Lebanon in 1982. Operation “Peace for Galilee” resulted in removing the bulk of the PLO’s organizational and military infrastructure from the area. For the next 18 years, Israel maintained a small security zone in southern Lebanon adjacent to its northern border to safeguard its population against attacks. On May 24, 2000, Israel withdrew from Southern Lebanon, in accordance with UN Security Council Resolution 425.

52. On October 1991, the Madrid Peace Conference was the first meeting attended by Israeli, Syrian, Lebanese, Jordanian and Palestinian representatives in an open and public setting for the purpose of negotiating peace. These formal proceedings were followed by bilateral negotiations between the parties and multilateral negotiations on regional issues. In September 1993, Israel and the PLO signed the Declaration of Principles in Washington, DC.

53. In May 1994, Israel and the PLO signed The Gaza-Jericho Agreement and in August 1994 the parties signed the Agreement on Preparatory Transfer of Powers and Responsibilities, which dealt with the withdrawal from Gaza and Jericho and with the transfer of certain powers to the Palestinian Authority. In 1995 the parties signed the Israeli-Palestinian Interim Agreement on the West Bank and the Gaza Strip, which included a broadening of Palestinian autonomy by means of an elected self-government that was to address to the social and economic needs of the local Palestinian population, while Israel continued redeployment of the IDF in the West Bank, including Hebron. In 1998 and 1999 Israel and the PLO signed the Wye River Memorandum and the Sharm el-Sheikh Memorandum, concerning, inter alia, further redeployments and the release of prisoners.

54. In October 1994, Israel and Jordan concluded a long-awaited Peace Treaty, formally ending 46 years of conflict. The ceremony was held at the Arava valley, north of Eilat near the Israel-Jordan border.

55. In July 2000, the Camp David Summit convened, at the invitation of former U.S. President Bill Clinton to the Israeli Prime Minister at the time Ehud Barak, and the Palestinian Authority Chairman Yasser Arafat. The principles which guided Israel in the Summit were an aspiration towards reaching a final agreement on the solution of the Israeli-Palestinian conflict, keeping Jerusalem united under Israeli sovereignty, an amendment of the '67 borders, a creation of settlement blocks under Israeli sovereignty, and a solution to the problem of refugees outside Israeli sovereign territory. Unfortunately, the negotiations have so far failed.

56. In response, on September of 2000, the Palestinians initiated an outbreak of armed violence and hostilities, instigating heavy loss of life and suffering to both sides. It is a conflict in which the Palestinian modus operandi has invariably used automatic weapons, machine guns, hand grenades, assault rifles, pistols, explosives and suicide bombers against the Israeli civilian population, as weapons of war. Over 20,000 indiscriminant attacks against Israeli civilians and soldiers have resulted in more than 1,100 deaths and more than 8,000 injuries.

57. In April 2003, U.S. President, George W. Bush, introduced Israel and the Palestinians with a Performance-Based Roadmap (hereinafter "the Roadmap") to a Permanent Two-State Solution to the Israeli-Palestinian Conflict. The Road Map was officially accepted by the parties, and was followed in June of that year by the Aqaba Summit, hosted by Jordanian King Abdullah II and attended by President Bush, Prime Minister Sharon and Palestinian Prime Minister Abbas.

58. In October 2004 the Knesset approved the Government's disengagement plan of withdrawal from the Gaza Strip and four settlements in the northern West Bank. On September 12, 2005, the IDF left the Gaza Strip. And the military rule over Gaza was effectively terminated on completion of the disengagement. On that date, Israeli governing authorities ceased to operate with regard to the Gaza Strip and its inhabitants. According to the "effective control" criteria, Israel no longer holds Gaza under belligerent occupation.

59. On June 25, 2006, Palestinians terrorists attacked an Israeli army post on the Israeli side of the southern Gaza Strip border after having crossed through an underground tunnel near the Kerem Shalom border crossing. During the attack the terrorists killed two IDF soldiers, wounded four others and captured one Israeli soldier that was taken as Hostage into the Gaza Strip.

60. On July 12, 2006, Hezbollah terrorists began firing rockets at Israeli Northern border towns, targeting civilians. The rockets were a diversion for an attack on two armored Hummers patrolling the Israeli side of the border fence. Three soldiers were killed, two were wounded, and two were seized and taken as hostages into Lebanon. Five Additional soldiers were killed in a failed Israeli rescue attempt. Israel responded with massive air strikes and artillery fire on targets in Lebanon.

61. On August 11, 2006, the United Nations Security Council unanimously approved UN Resolution 1701 in an effort to end the hostilities. The resolution, which was approved by both Lebanese and Israeli Governments the following days, called for disarmament of Hezbollah, for withdrawal of Israel from Lebanon, and for the deployment of Lebanese soldiers and an enlarged United Nations Interim Force in Lebanon (UNIFIL) force in southern Lebanon. On August 17, 2006 the Lebanese army began deploying in southern Lebanon. And On October 1, 2006, most Israeli troops withdrew from Lebanon. Since the enactment of UNSCR 1701, both the Lebanese Government and UNIFIL have stated that they will not disarm Hezbollah.

### **E. Israel as a Jewish and democratic State**

62. Israel's status as a Jewish and Democratic State was first recognized in its Declaration of Independence, and was later reaffirmed in Israel's Basic Law: Human Dignity and Liberty, and Basic Law: Freedom of Occupation, as well as in many court rulings.

63. As a democratic state, Israel holds the protection of human rights in the highest regard. Israel also holds free elections, and operates under the principle of a majority rule, separation of powers, and an independent judiciary with an active, pluralistic and vibrant civil society.

64. As a Jewish State, Israel's *raison d'être* is to create a state to which every Jew has the right to immigrate to. This is expressed by the *Law of Return 5710-1950*, which provides that every Jew, (with some exceptions), and their Jewish or non-Jewish family, including children, grandchildren, spouse, and the child's and grandchild's spouse (with some exceptions), is entitled to immigrate to Israel and become an Israeli citizen.

65. Indeed, the Law of Return serves as the means for cementing the Jewish People's right to self-determination, as is recognized by the international community.

66. Israel acknowledges itself as a Jewish State and as such, Jewish history and culture are embedded within the State, such as Jewish holidays and traditions. Israel's basic values are also comprised of the Jewish heritage and values, and an inherent link can be found between the notion of Jewish values and the purpose of human rights laws that protect and preserve Israel's democratic nature. Jewish Law is also woven into Israel's legal system in cases of a legal lacuna, via the *Foundations of Legislation Law 5740-1980*, which sets "Israel's legacy" of "freedom, justice, equality and peace" as a guideline for judicial rulings.

67. Religious Courts of different faiths have an exclusive jurisdiction over all matters of marriage and divorce in Israel, for Jews, Muslims, Christians and Druze alike, except when the couple is not affiliated to any religion or belongs to other religions. Regarding these exceptions, in matters relating to divorce, the jurisdiction is granted either to the Family Matters Courts or to

the relevant Religious Courts, upon the decision of the President of the Supreme Court. In Matters concerning women's and children's alimony, property issues, child maintenance, guardianship, violence, and in the case of Muslims - also parental matters, Family Matters Courts and the relevant Religious Courts have parallel jurisdiction, with certain differences between the various religious communities.

68. As a Jewish and democratic State and due to its history Israel, is committed to upholding human rights, tolerance and address manifestation of racism, xenophobia and anti-Semitism. This is done, through awareness raising projects, educational programs and events regarding the importance of fighting and denouncing racism, xenophobia and anti-Semitism and other important activities. On April 12, 1951, the Knesset (Israel's parliament) proclaimed Holocaust and Ghetto Revolt Remembrance Day (Yom Hashoah U'Mered HaGetaot) to be the 27th of Nissan. The name later became known as Holocaust and Heroism Day (Yom Hashoah Ve Hagevurah). One of the abovementioned activities is the March of the Living - an international educational program that brings Jewish teens from all over the world to Poland on Yom Hashoah, Holocaust Memorial Day, to march from Auschwitz to Birkenau, the largest concentration camp complex built during World War II, in Poland. The goal of the March of the Living is for these young people to learn the lessons of the Holocaust and to lead the Jewish people into the future vowing never again.

## **F. Structure of Government**

69. Israel is a parliamentary democracy, based on the principle of separation of powers and inherent checks and balances, and is comprised of three branches - the legislative, executive and judicial. These are the Knesset (parliament), the Government, and the Judiciary. One main method of overseeing the Government's work by the Knesset is through the work of the State Comptroller. Israel also has a president, who is the official head of the State. All these functions will be detailed below.

### **1. The Knesset (Parliament)**

70. The Knesset is the Legislative Branch of the State. Its main functions are legislation of laws, overseeing the Government's work, appointing the President and the State Comptroller, and serving as a link between the public and the State Authorities.

71. According to Basic Law: The Knesset, voting for the Knesset is done by a secret ballot, and the elections are guaranteed to be general, country-wide, equal, and proportional. The current qualifying threshold a party running for parliament should pass is 2%.

72. Every Israeli citizen over the age of 18 (with few exceptions), who is present in the country on the day of elections, has the right to vote, and every Israeli citizen over the age of 21 has the right to establish a political party and run in the elections for the Knesset. Knesset seats are assigned in proportion to each party's percentage of the total national vote.

73. The Knesset is elected for a tenure of four years, but may dissolve itself or be dissolved by the Prime Minister with the President's approval. Until a new Knesset is formally established following elections, full authority remains with the previous Knesset.

74. The Knesset operates in plenary sessions with 15 standing committees. There are also a number of temporary committees addressing specific or topical matters. By way of plenary sessions, Knesset Members debate government policy and activity, as well as legislation submitted by the Government or by individual Knesset members.

75. According to Basic Law: The Government, the Government is the Executive Branch of the State, charged with administrating internal and foreign affairs, including security matters. It has extensive policy-making powers, the power to appoint state commissions of enquiry, and is authorized to take action on any issue which is not legally incumbent upon another authority.

76. Pursuant to the results of the elections, the task of forming the Government is assigned by the President to a Knesset Member who belongs to the party considered to have the best chances of forming a viable coalition government. The Knesset Member who forms the Government will be the Prime Minister. To this date, all governments have been a coalition of several parties.

## **2. The Government**

77. The Prime Minister forms the Government by appointing Ministers to head the various Ministries, responsible for specific areas. They may be removed from office by the Prime Minister.

78. The Government has a joint responsibility towards the Knesset, to ensure that all Government members stand united behind the Government's decisions and actions.

79. At present the following Ministries form the Israeli Government: the Prime Minister's Office, Ministry of Foreign Affairs, Ministry of Defense, Ministry of Justice, Ministry of Finance, Ministry of Health, Ministry of Social Affairs and Social Services, Ministry of Science, Ministry of the Interior, Ministry of Culture and Sport, Ministry of Education, Ministry of Industry, Trade and Labor, Ministry of Public security, Ministry of Tourism, Ministry of National Infrastructures, Ministry of Communications, Ministry of Environmental Protection, Ministry of Immigrant Absorption, Ministry of Constructions and Housing, Ministry of Transportation, Ministry of Agriculture and Rural Development, Ministry of Religious Services and the Ministry for the Development of the Negev and the Galilee.

## **3. The judiciary**

80. According to Basic Law: The Judiciary, the Judiciary in Israel is comprised of courts and tribunals, spread throughout Israel. The Israeli Judiciary adheres to basic principles of both substantive and personal independence, well enshrined in the Jewish tradition, where the system as a whole is independent from any other branches of government, and the judges themselves are independent as well, and are subject only to the law. Other principles the judiciary in Israel abides by are neutrality, fairness, impartiality, and objectivity. There is no trial by jury in Israel and court sessions are open to the public, with few necessary exceptions.

81. The independence of the judiciary manifests itself also in the judges selection process, carried out by the Judicial Selection Committee, composed of all three branches of government, as well as professionals from the Academia. The judges are appointed by the President, following a recommendation of the Committee, which is chaired by the Minister of Justice, and



includes another Cabinet minister, the President of the Supreme Court, two other justices of the Supreme Court, two Members of Knesset, and two representatives of the Israel Bar Association. Judges are granted tenure until a mandatory retirement age of 70.

82. The Supreme Court, situated in Jerusalem, has nationwide jurisdiction and operates in two capacities. First, it considers appeals of trial court judgments and appellate decisions of District Courts. Second, the Supreme Court sits as a court of first instance as the High Court of Justice, on which there is no appeal. It entertains issues such as constitutional and administrative law issues, as well as ultra vires claims against governmental bodies or agencies, which, for instance, exceed their legal authority or base their decision on arbitrary distinctions. In certain circumstances the High Court of Justice is also authorized to review the decisions of the National Labor Court.

83. Virtually any person or group who claims an interest may petition Israel's highest civil instance - the Supreme Court residing as the High Court of Justice, including the residents of the West Bank and the Gaza Strip.

84. Over the years, given its extensive effect on the image of Israeli society, the Supreme Court has gained considerable prominence and international recognition and respect. Its importance is especially visible in the protection of human rights issues, upholding the rule of law, and judicial scrutiny of all Government authorities.

85. Although legislation is primarily within the competence of the Knesset, the Supreme Court has the authority to determine the compatibility of a law with Basic Laws and even to nullify a law. However, this course of action is utilized with great caution.

86. Magistrate and District Courts exercise jurisdiction over criminal and civil cases, depending on the severity of the crime, or in civil cases - on the amount being claimed, and on the particular civil issue at hand. An Administrative Court and other specific courts and tribunals such as for juveniles, traffic, military, labor and landlord-tenant issues also operate within the judicial system.

87. Six District Courts maintain jurisdiction over criminal cases when the accused faces more than seven years imprisonment. In civil cases, jurisdiction extends to matters involving sums exceeding 2.5 million NIS, cases concerning corporations and partnerships, arbitration issues, prisoners' petitions, appeals on tax matters, government tenders, anti-trust issues, planning and building issues, and appeals from Magistrate Courts.

88. The Magistrate Courts have jurisdiction over criminal matters when the offence involves a potential sentence of less than seven years imprisonment. In civil matters, jurisdiction is exercised if the claim's worth is less than 2.5 million NIS, if it involves the use and possession of real estate, and in special Family Matters Courts and Small Claims Courts. Currently there are 30 Magistrate Courts, spreading throughout the country, from the town of Mas'ade in the north, to Eilat in the south.

#### **4. The Attorney General**

89. The Attorney General's four main functions are to serve as the Head of the Prosecution, to serve as a legal counsel to the Government, to advise the Government on legislation, and to represent the public interest in the legal sphere.

90. As head of the public prosecution, the Attorney General is in charge on matters regarding stay of proceedings and appeals regarding refusals to investigate or prosecute. The Attorney General must consult with the Minister of Justice or the Government on issues involving public security.

91. The Attorney General is elected by the Government after nominees for the position are recommended to it by a professional-public committee headed by a retired Supreme Court Judge and comprised of members of the Government, the Knesset, the Israeli Bar Association and from Academia, who examine and choose the potential qualified nominees.

92. Decisions of the Attorney General are subject to judicial review. The High Court of Justice, however, has followed a policy of restraint. Thus, cases overturning an Attorney General decision are a rarity.

#### **5. The Presidency**

93. According to Basic Law: The President of the State, the President is the official head of State, and his office symbolizes the unity of the State and Nation, transcending beyond party politics.

94. The Law defines presidential duties which are both of a substantial and ceremonial nature. These include such tasks as the pardoning of prisoners, commuting sentences upon the advice of the Minister of Justice, opening the first session of a new Knesset, directing a Knesset member to form a new government, confirming and endorsing the credentials of Israeli diplomats serving abroad, and receiving those of foreign diplomats in Israel, signing treaties and laws adopted by the Knesset, appointing judges, and appointing the Governor of the Bank of Israel and heads of Israel's diplomatic missions abroad. Additionally, the president's approval is required prior to dissolution of the Knesset by the Prime Minister.

95. The President, who may serve for a single term of seven years, is elected by a majority of the Knesset members. Candidates are nominated on the basis of their personal stature and lifelong contribution to the State.

#### **6. The State Comptroller**

96. According to Basic Law: State Comptroller, the State Comptroller carries out external audits and reports on the legality, regularity, economy, efficiency, effectiveness and integrity of the public administration in order to assure public accountability. The State Comptroller also fulfills the function of a Public Complaints Commissioner (Ombudsman), receiving complaints from the public against State and public bodies subject to the comptroller's audit.

97. The scope of a State audit in Israel is very extensive and includes the activities of all Government Ministries, State institutions, branches of the security system, local municipalities, Government Corporations, State enterprises, and other bodies or institutions subject to audit.

98. In addition, the State Comptroller may inspect the financial affairs of political parties represented in the Knesset, including election campaign accounts. In cases of financial irregularities the State Comptroller may also impose monetary sanctions.

99. The Knesset elects the State Comptroller in a secret ballot for a seven-year term. The Comptroller is accountable only to the Knesset, is not dependent upon the Government, and enjoys unrestricted access to the accounts, files and staff of all bodies subject to an audit. The Comptroller's activities are carried out in cooperation with the Knesset Committee for State Audit Affairs. The Comptroller's annual report is submitted to the Committee, and in cases where there may be cause for prosecution, the matter is also being referred to the Attorney General.

## **Part 2. General framework for the protection and promotion of human rights**

### **III. ACCEPTANCE OF INTERNATIONAL HUMAN RIGHTS NORMS**

#### **A. Integration of human rights instruments into the national legal system**

100. As part of its commitment to human rights values and the rule of law, Israel ratified in 1991, five core UN human rights treaties. This, coupled with its earlier ratification of CERD (International Convention on the Elimination of all Forms of Racial Discrimination, 1969), finalized a process of Israel becoming a party to the following principle United Nations Human Rights Treaties, and submitting periodic reports in accordance with its obligation under these Conventions:

- The International Convention on the Elimination of all Forms of Racial Discrimination, 1969
- The International Covenant on Civil and Political Rights, 1966
- The International Covenant on Economic, Social and Cultural Rights, 1966
- The International Convention on the Elimination of all Forms of Discrimination against Women, 1979
- The International Convention against Torture and other Cruel, Inhuman or degrading Treatment or punishment, 1984
- The International Convention on the Rights of the Child, 1989
- The Optional Protocol to the Convention on the Rights of the Child on the Involvement of Children in Armed conflict, 2000

101. In addition, Israel signed the optional protocol to the Convention on the Rights of the Child (CRC) on the Sale of Children, Child Prostitution and Child Pornography on November 14, 2001, as well as the International Convention on the Rights of Persons with Disabilities, 2007, and began the process of ratifying these mechanisms.

102. Israel has also ratified the following conventions:

- The International Labor Organization Convention No. 29 concerning Forced Labor, 1930
- The International Labor Organization Convention No. 87 concerning Freedom of Association and Protection of the Right to Organize, 1948
- The United Nations Convention on the Prevention and Punishment of the Crime of Genocide, 1948
- The International Labor Organization Convention No. 98 concerning the Right to Organize and Collective Bargaining, 1949
- The Geneva Convention for the Amelioration of the Condition of the Wounded and Sick in Armed Forces in the Field, 1949
- The Geneva Convention for the Amelioration of the Condition of Wounded, Sick and Shipwrecked Members of Armed Forces at Sea, 1949
- The Geneva Convention relative to the Treatment of Prisoners of War, 1949
- The Geneva Convention relative to the Protection of Civilian Persons in Time of War, 1949
- The United Nations Convention for the Suppression of the Traffic in Persons and of the Exploitation of the Prostitution of Others, 1950
- The United Nations Convention relating to the Status of Refugees, 1951
- The United Nations Convention relating to the Status of Stateless Persons, 1954
- International Labor Organization Convention No. 105 concerning Abolition of Forced Labor, 1957
- The United Nations Convention on the Nationality of Married Women, 1957
- International Labor Organization Convention No. 111 concerning Discrimination (Employment and Occupation), 1958
- United Nations Protocol relating to the Status of Refugees, 1967

**B. Reservations and declarations**

Convention	Date of signature	Date of ratification	Reservations/Declarations
The International Convention on the Elimination of All Forms of Racial Discrimination New York, 7 March 1966.	7 March 1966	3 January 1979	“The State of Israel does not consider itself bound by the provisions of article 22 of the said Convention.”
The International Covenant on Civil and Political Rights, 1966.	19 December 1966	3 October 1991	Reservation:  “With reference to Article 23 of the Covenant, and any other provision thereof to which the present reservation may be relevant, matters of personal status are governed in Israel by the religious law of the parties concerned.  “To the extent that such law is inconsistent with its obligations under the Covenant, Israel reserves the right to apply that law.”
The International Covenant on Economic, Social and Cultural Rights, 1966.	19 December 1966	3 October 1991	-
The International Convention on the Elimination of all Forms of Discrimination against Women, 1979.	17 July 1980	3 October 1991	Reservations:  “1. The State of Israel hereby expresses its reservation with regard to article 7 (b) of the Convention concerning the appointment of women to serve as judges of religious courts where this is prohibited by the laws of any of the religious communities in Israel. Otherwise, the said article is fully implemented in Israel, in view of the fact that women take a prominent part in all aspect of public life.  “2. The State of Israel hereby expresses its reservation with regard to article 16 of the Convention, to the extent that the laws on personal status which are binding on the various religious communities in Israel do not conform with the provisions of that article.”

Convention	Date of signature	Date of ratification	Reservations/Declarations
The International Convention on the Elimination of all Forms of Discrimination against Women, 1979. ( <i>cont'd</i> )	17 July 1980	3 October 1991	Declaration:  “3. In accordance with paragraph 2 of article 29 of the Convention, the State of Israel hereby declares that it does not consider itself bound by paragraph 1 of that article.”
The International Convention against Torture and other Cruel, Inhuman or degrading Treatment or punishment, 1984.	22 October 1986	3 October 1991	Reservations: “1. In accordance with article 28 of the Convention, the State of Israel hereby declares that it does not recognize the competence of the Committee provided for in article 20.  “2. In accordance with paragraph 2 of article 30, the State of Israel hereby declares that it does not consider itself bound by paragraph 1 of that article.”
The International Convention on the Rights of the Child, 1989.	3 July 1990	3 October 1991	-
The Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict, 2000.	14 November 2001	18 July 2005	Declarations:  “The Government of the State of Israel declares pursuant to article 3 (2) of the Optional Protocol on the Rights of the Child on the Involvement of Children in Armed Conflict that:  (a) The minimum age in which the State of Israel permits voluntary recruitment into its armed forces is 17 years of age, according to article 14 of the defense service law (consolidated version) 5746-1986;  (b) The Government of the State of Israel maintains the following safeguards in respect of voluntary recruitment into the armed forces so as to ensure that such recruitment is not forced or coerced:

Convention	Date of signature	Date of ratification	Reservations/Declarations
<p>The Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict, 2000.</p>	<p>14 November 2001</p>	<p>18 July 2005</p>	<ol style="list-style-type: none"> <li data-bbox="949 331 1455 694">1. In accordance with section 14 of the defense service law (consolidated version) 5746-1986, no person under 18 years of age may enlist in the Israeli armed forces without a written application submitted by the person and the written consent of the person's parents or legal guardian; however, should there be an appreciable difficulty in contacting one of the parents, the written consent of the other parent is sufficient;</li> <li data-bbox="949 734 1455 862">2. Clear and precise explanation of the nature of the duties involved in military service is provided to both the person and the person's parents or legal guardian;</li> <li data-bbox="949 902 1455 1064">3. Prior to acceptance of any person into the Israeli armed forces a reliable proof of age is obtained through the Ministry of the Interior's official national population registry.</li> <li data-bbox="949 1104 1455 1568">4. The IDF has several long-term programs in which participants may engage in academic or rabbinic studies or perform volunteer work, prior to the commencement of their actual military service. Enrollment in these programs is open to participants from the age of 17.5. For administrative purposes, these participants undergo a one-day administrative induction into the armed forces. Following their administrative induction, these participants are released from active service and enroll in their chosen program.</li> <li data-bbox="949 1608 1455 1702">5. Persons under 18 years of age, who enlist in one of the aforementioned ways, may in no case be posted to combat duty.”</li> </ol>

**C. Derogations, restrictions or limitations**

Convention	Date of signature	Date of ratification	Derogations, Restrictions or Limitations
The International Convention on the Elimination of All Forms of Racial Discrimination New York, 7 March 1966.	7 March 1966	3 January 1979	-
The International Covenant on Civil and Political Rights, 1966.	19 December 1966	3 October 1991	<p>“Since its establishment, the State of Israel has been the victim of continuous threats and attacks on its very existence as well as on the life and property of its citizens.</p> <p>“These have taken the form of threats of war, of actual armed attacks, and campaigns of terrorism resulting in the murder of and injury to human beings.</p> <p>“In view of the above, the State of Emergency which was proclaimed in May 1948 has remained in force ever since. This situation constitutes a public emergency within the meaning of article 4 (1) of the Covenant.</p> <p>“The Government of Israel has therefore found it necessary, in accordance with the said article 4, to take measures to the extent strictly required by the exigencies of the situation, for the defence of the State and for the protection of life and property, including the exercise of powers of arrest and detention.</p> <p>“In so far as any of these measures are inconsistent with article 9 of the Covenant, Israel thereby derogates from its obligations under that provision.”</p>
The International Covenant on Economic, Social and Cultural Rights, 1966.	19 December 1966	3 October 1991	-



Convention	Date of signature	Date of ratification	Derogations, Restrictions or Limitations
The International Convention on the Elimination of all Forms of Discrimination against Women, 1979.	17 July 1980	3 October 1991	-
The International Convention against Torture and other Cruel, Inhuman or degrading Treatment or punishment, 1984.	22 October 1986	3 October 1991	-
The International Convention on the Rights of the Child, 1989.	3 July 1990	3 October 1991	-
The Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict, 2000.	14 November 2001	18 July 2005	-

#### D. Incorporation of international treaties into its domestic law

103. According to Israel's legal system, the incorporation of international treaties into its domestic law is done, except in cases of customary international law, via specific legislation. Considering that many of the international treaties simply codify previously existing customary norms, their application is thus possible without their direct incorporation to the domestic law system. However, customary international law would apply only as long as it does not contradict a law of parliament (H.C.J. 785/87 Affo et. al. v. Commander of IDF Forces in the West Bank [1988] P.D. 42(2), 4).

104. In any event, as the Supreme Court has ruled, that both customary and treaty law affect Israeli law, since Israeli law operates under the presumption of compatibility between the domestic law and the international norms Israel has undertaken to uphold (*H.C.J. 2599/00 Yated - Non-Profit Organization for Parents of Children with Down Syndrome v. The Ministry of Education* [2002] P.D. 56(5), 834). Thus, human rights treaties constitute an important tool for the interpretation of national legislation, and serve to further enhance and entrench international human rights norms in the domestic sphere.

## **IV. LEGAL FRAMEWORK FOR THE PROTECTION OF HUMAN RIGHTS AT THE NATIONAL LEVEL**

### **A. Legal basis for the protection of human rights**

105. Protection of human rights plays an essential role in Israel, and has been an inseparable part of the State from its very inception, as is evidenced from the Declaration of Independence, Israel's basic laws, ordinary laws, and Supreme Court rulings.

#### **1. The Declaration of Independence**

106. As early as the Declaration of Independence, the State of Israel has declared it will be based on freedom, justice and peace, and has stated its commitment to the equal granting and upholding of various political and social freedoms and rights, such as the freedom of religion, conscience, language, education and culture to all its inhabitants, irrespective of religion, race or gender.

107. The Declaration of Independence is not an ordinary legal document, however it serves as "an act of state which holds a legal significance", (C.A. 6821/93 United Mizrahi Bank v. Migdal Cooperative Village [1995] P.D. 49(4) 221). The Declaration is not perceived as the State's constitution, but rather as a document that lays down Israel's character as a Jewish and democratic state. As such, it holds a significant value, serving as a central guidance point in the interpretation of the State's laws, where the assumption is that the underlying purpose of any legislation is not to be contradictory to the principles of the Declaration. The Declaration of Independence thus entrenches human rights principles within the State and provides a framework for recognizing and adhering to human rights norms.

108. Additionally, Basic Law: *Human Dignity and Liberty* provides that fundamental human rights shall be interpreted: "in the spirit of the principles in the Declaration of Independence". This has specifically been understood as incorporating an array of human rights into the legal framework of the State, such as the freedom of religion and conscience.

#### **2. Basic laws**

109. Israel has no formal constitution. However, it has enacted a number of Basic Laws. These Basic Laws, taken together, comprise a "constitution-in-the-making".

110. Israel's Basic Laws, as their name suggests, are set to be basic norms, similar to constitutional provisions, which allow therefore very little room for amendment or repeal, and are not always subject to limitations or derogations, thus serving a key role in the protection of human rights.

111. The Basic Laws are adopted by the Knesset in the same manner as other legislation. However, most Basic Laws include entrenched clauses whereby either a special majority is required to amend them, or changes may only be made if they are pursuant to the values of the State and are for a worthy purpose.

112. The following are the Basic Laws of the State of Israel:

- *Basic Law: The Knesset (5718-1958)*
- *Basic Law: Israel Lands (5720-1960)*
- *Basic Law: The President of the State (5724-1964)*
- *Basic Law: The State Economy (5735-1975)*
- *Basic Law: The Army (5736-1976)*
- *Basic Law: Jerusalem, the Capital of Israel (5740-1980)*
- *Basic Law: The Judiciary (5744-1984)*
- *Basic Law: State Comptroller (5748-1988)*
- *Basic Law: Human Dignity and Liberty (5752-1992)*
- *Basic Law: Freedom of Occupation (5752-1992)*
- *Basic Law: The Government (5752-1992)*

113. Two of the main Basic Laws, most significant to the protection of human rights, are Basic Law: Freedom of Occupation and Basic Law: Human Dignity and Liberty.

114. Basic Law: *Freedom of Occupation* ensures the right of every citizen and resident of the State of Israel to engage in any occupation, profession or trade. The basic requirement of residency in this regard, as interpreted by the National Labor Court, is one of a substantial link to the State, which practically manifests itself in Israel being one's domicile. The right enjoys a constitutional status, thus bestowing constitutional protection upon the freedom of occupation (H.C.J. 1715/97 *Chamber of Investments Brokers in Israel v. The Minister of Finance* [1997] P.D. 51(4), 367).

115. In Basic Law: Human Dignity and Liberty, Israel, as a Jewish and Democratic State, strives to protect every person's life, body and dignity, based on the recognition of all individuals as autonomous beings, rather than a means to an end, and regardless of their race, ethnicity, gender, or religion. It also recognizes every person's freedom of choice, the right to privacy, and the protection of property.

116. The Basic Law serve as a manifestation of the principle of democracy, not just as a procedural matter of majority rule, but also as a substantive matter of human rights protection.

117. Derogation from these Basic Laws may be permitted only by another act of law, befitting the values of the State of Israel as a Jewish and Democratic State, which is enacted for a proper purpose and to an extent no greater than is required.

### 3. Ordinary laws

118. A substantial source for the protection of human rights can be found in the State's ordinary laws, which encompass a wide range of rights, such as the right to life and the prohibition of slavery; the right to liberty and security (*Criminal Procedure Law [Consolidated Version]*, 1982-5742, the *Criminal Procedure (Arrest and Searches) Ordinance [New Version]*, 1969-5729, and the *Criminal Procedure (Powers of Enforcement - Arrest) Law*, 1996-1996); children's rights (*Guardianship and Legal Capacity Law*, 1962-5722 *The Family Matters Court Law*, 1995-5755, *Youth (Care and Supervision) Law*, 1960-5720, *Adoption of Children Law*, 1981-5741, *Criminal Procedures [Consolidated Version] Law*, 1982-5742, and the *Detection of the AIDS Virus in Minors Law*, 1996-5756 - all providing standing to minors).

119. The right to education (*Compulsory Education Law*, 1949-5709 and *Special Education Law*, 1988-5748), and the right to equality (*Equal Employment Opportunities Law*, 1988-5748, *Equality for Women Law*, 1951-5711, *Female and Male Workers Equal Pay Law*, 1996-5756, *Goods and Services Supervision Law*, 1957-5718, *Patient's Rights Law*, 1996-5756, *Council for Higher Education (Accreditation of Institutions) Rules*, 1964-5724, *Spouses (Property Relations) Law*, 1973-5733, *Family Violence Prevention Law*, 1991-5751, and *Women's Equal Rights Law*, 1951-5711 - all prohibiting discriminatory treatment). Other laws deal with elimination of discrimination in the private sphere, such as: *Prohibition of Discrimination in Products, Services and in Entry to Public Places Law*, 5761-2000. In December 2007, the *Prohibition of Slander Law* 1965-5726 was amended by the Israeli Knesset. According to the revised law making a mockery or humiliation of persons with disabilities, for their disability whether it is a psychological, mental (including cognitive) or physical, permanent or temporary, shall be considered unlawful.

120. Another substantial source for the protection of human rights is the Freedom of Information Act, 1998-5758. The Act imposes upon public authorities a duty to disclose information held by them (with some exceptions, for instance in cases of infringement of privacy or public security interests), upon request from any Israeli citizen or resident, as well as from any individual, regarding one's rights in Israel. A denial of the request can usually be appealed; usually to an Administrative Court.

121. On March 6, 2001, the Knesset enacted *The Crime Victims' Rights Law* 5761-2001, which was designed to prescribe the rights of victims of crime, and to protect their personal dignity, without prejudicing the rights of suspected, accused or sentenced persons under the provisions of any law. According to the Law, the fulfillment of rights owed to a victim of crime shall be performed with consideration for the victim and his/her needs, respect for his/her dignity, protection of his/her privacy, and within a reasonable time. Under this Law, the courts and authorities, each within their own capacities, are to take all necessary measures to safeguard the rights of the crime victim. According to the Law, a crime victim is entitled, among others, to the following rights: protection, right to receive information on criminal proceedings, right to receive information on imprisonment or other custody, right to presence at in-camera hearing and other related and important rights. In order to ensure the proper exercise of rights under the

provisions of the law, the State and District Attorneys' offices have established support departments whose functions include: ensuring the transfer of information from the State and District Attorneys' offices to crime victims, and from crime victims to the State and District Attorneys' Offices; directing and assisting the employees on the implementation of the provisions under the Law and other functions to that end.

122. In 2005, *the Equal Rights for People with Disabilities Law, 5758-1998* was amended and chapter E1 - Public place and public service was added. This chapter added many important issues to the main law, including: prohibition of discrimination in public service, in a public place and products, accessibility of public places, accessibility to public service, restrictions on the statutory duty of accessibility, accessibility to education and higher education institutions and education services. Insurance contracts, road accessibility, accessibility to emergency services, accessibility coordinators and authorized personal, authorities of the commissioner, penalties, legal prosecution and other issues.

123. Another important law in this aspect is the Investigation and Testimony Procedures Law (Suitability to Persons with Mental or Physical Disability), 5766-2005, according to which people with Mental disabilities will be investigated by trained professionals of the Ministry of Social Affairs and Social Services. Furthermore, a person with psychological or mental disabilities is entitled to a verity of procedures that are intended to facilitate his appearance in court, such as: giving testimony in the absence of the defendant, an expert witness who will elaborate to the court on the type of disability and its influence on the testimony, use of alternative communication such as photographs, computers etc. in exceptional cases the testimony will be given by the trained professional and not by the person with the disability.

124. Other laws integrate some of the human rights treaties into Israeli legislation. For instance, the stated objective of the Pupil Rights Law, 2000, is the spirit of human dignity and the principles of the International Convention of the Rights of the Child (CRC); the *Victims of Offences' Rights Law, 5761-2001*, refers directly to the CRC when addressing a victim who is a minor; and the *Law for the Authority for Advancing the Status of Women, 5758-1998*, states that one of its goals is to implement the International Convention on the Elimination of All Forms of Discrimination against Women (CEDAW).

#### **4. The Supreme Court rulings**

125. Human rights are given an additional valuable form, and are further entrenched into domestic law, by the Supreme Court, which decisions throughout the years have added substantial volume to the protection of human rights.

126. The Supreme Court has ruled that every statutory norm should be interpreted according to the Basic Laws (*C.A. 537/95 Ganimat v. The State of Israel [1995] P.D. 49(4), 589*).

127. Many rights recognized by the Court in the past, later became formal statutory norms, such as the freedom of occupation, which was recognized by the Court back in 1949, based on the natural right one has to engage in any work or profession which are not prohibited by law (*H.C.J. 1/49 Bejerano v. The Minister of Police [1949] P.D. 2(1), 80*). This norm was later officially enacted in Basic Law: Freedom of Occupation.

128. More recently, the Court has recognized the norm of journalistic privilege, despite an apparent lacuna in the law, deriving it from the freedom of speech, which was regarded by the Court as a basic freedom (*A.R. 298/86 Tzitrin v. The Disciplinary Tribunal of the Israeli Bar et. al.* [1987] P.D. 41(2), 337).

129. **Freedom of expression** - The Supreme Court has upheld the right (C.A. 214/89 Avneri v. Shapira [1989] P.D. 43(3), 840), restricting it only if there is a “near certainty” of endangerment to the public order and there are no other means to lessen the severity of a public peace violation (H.C.J. 73/53, Kol Ha’am Ltd. v. The Minister of the Interior [1953] P.D. 7(2), 871).

130. **Freedom of assembly** - The Supreme Court has upheld the right, but stated it should be balanced against other rights, such as the freedom of movement, and concerns for the public order. The Court has applied again the test of “near certainty”. (H.C.J. 153/83, Levi v. Israel Police Southern District Commander [1984] P.D. 38(2), 393).

131. **Freedom of association** - The Court stated that some limitations on the right might apply when a stronger interest of society as a whole exists (M.F.H. 16/61, The Companies Registrar v. Kardosh [1962] P.D. 15, 1209), such as the maintenance of public order, health or safety in general (H.C.J. 507/85, Tamimi v. The Minister of Defence [1986] P.D. 40(2), 505); freedom of religion or freedom of conscience (C.A. 450/70, Rogozinski v. The State of Israel [1971] P.D. 26(1), 129).

132. **Freedom of movement** - The Court held that some limitations might apply, when there is a clear, unequivocal evidence of a “genuine, serious concern” that national security or other crucial interest will be “substantially damaged” if the person’s right to travel is not restricted (*H.C.J. 111/53, Kaufman v. The Minister of the Interior* [1953] P.D. 7(1), 534; *H.C.J. 448/85, Dahar et. al. v. The Minister of the Interior*, [1986] P.D. 40(2), 701).

133. **Freedom of religion** - Freedom of religion is an important aspect of Israeli society, and also includes the freedom from religion, sometimes also referred to as the freedom of conscience, and the freedom to practice one’s religion, which are all basic principle of Israeli law. Freedom of religion was already mentioned in the Declaration of Independence, but with the enactment of *Basic Law: Human Dignity and Liberty* has further gained the status of a basic constitutional right. Even though the right itself is not stated specifically therein, the High Court of Justice stated that freedom of religion has a central place in the Basic Law (*H.C.J. 3261/93 Robert Steven v. The Minister of Justice* [1993] P.D. 47(2), 282). In the case of *H.C.J. 262/62 Perets v. Head of the Local Council and its members, and the residents of Kfar Shmariahu* ([1962] P.D. 16(3), 2101), the High Court of Justice ruled that on the basis of freedom of religion, the town’s local council cannot dictate a uniform version of prayer and therefore is not allowed to refuse the rental of a hall for prayer purposes. Sometimes, freedom of religion, as do other rights, might clash with other freedoms, as well as with security and public order issues.

134. In the case of *H.C.J. 292/83 Trustee’s of the Temple Mount v. Police Commander of the Jerusalem District* ([1984] P.D. 38(2), 449), while recognizing petitioners’ right to freedom of religion, the Court weighed and balanced it against other interests, thus limiting it due to a near certainty that the public order and safety will be disturbed in the area, and allowing Jewish prayers near the Temple Mount only under certain conditions, such as the exact place and time of the prayer, the number of worshippers, etc.

135. Another case that demonstrates a clash between the freedom of religion and another right is H.C.J. 5016/96 Horev et. al. v. *The Minister of Transportation* ([1996] P.D. 51(4), 1), debating whether a main street in Jerusalem, crossing an ultra-orthodox neighborhood, should be closed down on the Holy Shabbat, in which case the freedom of religion clashes with the freedom of movement, or more accurately, where a balance had to be struck between the freedom of movement and religious sensibilities. The basic difference between freedom of religion and religious sensibilities is that harm to the latter does not prevent one from practicing one's religion (H.C.J. 1514/01 *Yaakov Gur Aryeh v. The Second Broadcast Authority* [2001] P.D. 55(4), 267). Accordingly, the Court stated that religious sensibilities cannot be weighed in parallel with the freedom of religion, and ruled against the closure of the street, in favor of the freedom of movement.

136. **The right to property** - the right is protected, as mentioned above, in the *Basic Law: Human Dignity and Liberty*. Every person may be the owner of property, including intellectual property, and may use it in any legal manner. A person cannot be denied of the property arbitrarily, however, the right to property is not an absolute right, and thus may be balanced, for instance, with the public's interest. Private property may be expropriated for public purposes, when it is done according to law, and when the owner is compensated for the loss of property (C.F.H. 1333/02 *Local Committee of Planning and Building, Ra'anana v. Yehudit Horovitz et. al.* [2004 P.D. 58(6), 289).

137. **The right to equality** - is recognized as a "basic value" of the Israeli legal system. As such, the Court made sure that its interpretation of ordinary laws will be in accordance with the principle of equality (H.C.J. 2599/00 *Yated - Non-Profit Organization for Parents of Children with Down Syndrome v. The Ministry of Education* [2002] P.D. 56(5), 834).

138. The Court has used *Basic Law: Human Dignity and Liberty* in order to further incorporate the right to equality into its rulings. In a case of a homosexual flight attendant working for the (then) State's national airline El-Al, challenging the company's policy of only providing benefits for the partners of heterosexual employees, the Court ruled that this policy amounted to a violation of the principle of equality, as derived from the Law (H.C.J. 721/94 *El-Al Israel Airlines Ltd v. Jonathan Danielowitz* [1994] P.D. 48(5), 749). A year later, in a case of a female civil pilot challenging the IDF's policy of recruiting only male pilots, the Court ruled that certain instances of discrimination might constitute an infringement upon human dignity, and therefore should be prohibited by the Law (H.C.J. 4541/94 *Alice Miller v. The Minister of Defense* [1995] P.D. 49(4), 94). In H.C.J. 453/94, 454/94 *Israel Women's Network v. The Government of Israel* ([1994] P.D. 48(5), 501), the Court has applied a new legislation implementing a policy of affirmative action in the boards of directors of Government Corporations. The ruling strongly relied on the principle of equality as a constitutional principle, embodied in *Basic Law: Human Dignity and Liberty*.

139. Recognizing *Basic Law: Human Dignity* and *Basic Law: Freedom of Occupation* as having a constitutional status, the Court has invalidated laws which did not comply with the Basic Laws in several isolated cases. In H.C.J. 1715/97 *Chamber of Investments Brokers in Israel v. The Minister of Finance* ([1997] P.D. 51(4), 367), some provisions of a law applying a licensing system to practitioners who worked in the profession for several years, were found to be harmful to their freedom of occupation since they did not adhere to the requirement of proportionality, and were thus declared to be void. An opposite example can be found in H.C.J. 5026/04

*Design 22 v. The State of Israel* ([2005] *Takdin* 2005(2), 14), where the Court has ruled that a law prohibiting work on the Shabbat is not contradictory to the *Basic Law: Freedom of Occupation*, since the law befits the values of the State of Israel as a Jewish and Democratic State. In H.C.J. 6055/95 *Tzemach v. The Minister of Defence* ([1999] P.D. 53(5), 214), the Supreme Court has recognized the right to personal liberty (section 5 of *Basic Law: Human Dignity and Liberty*) as a constitutional right, ruling that a provision of the *Military Adjudication Law, 5715-1955*, governing the period of time in which a soldier may be detained by a military police officer before being arraigned before a military judge, does not meet the principle of proportionality, since it infringes upon the soldier's personal liberty beyond the extent necessary, and is thus void.

140. The Supreme Court further concluded that other, more specific human rights can be derived from the broad term of "human dignity", such as the freedom to choose one's attorney (H.C.J. 4330/93 *Ganam v. The Israeli Bar Association* [2005] P.D. 50(4), 221), and the freedom to choose one's name (H.C.J. 693/91 *Dr. Efrat v. The Ministry of The Interior, The Population Administration Office* [1993] P.D. 47(1), 749). Based on the Law and as part of the patient's rights, with the patient being an autonomous individual, the Court also recognized the patient's right to refuse medical treatment (C.A. 2781/93 *Daaka v. Carmel Hospital, Haifa* [1998] P.D. 53(4), 526). Furthermore, the Court interpreted the Law as protecting defendants' right to liberty when considering their detention during trial (Cr.A. 537/95 *Ganimat v. The State of Israel* [1995] P.D. 49(4), 589).

141. **Accessibility** - In the case of H.C.J. 7081/93, *Botzer v. Local Council Maccabim-Reut* ([1995] P.D. 50(1), 19), former Chief Justice Aharon Barak ruled as follows: 'The spirit of the law is to allow for the integration of disabled persons into society. Its goal is to enable the disabled person to fully participate in all aspects of life in the community [...] and to enjoy equal opportunity. Its purpose is to establish independence and protect the individual's personal dignity and freedom through the promise of equality and participation in all areas of life [...] The disabled person is entitled to the same rights as his/her non-disabled equal. A person is not to be pushed to the periphery of society. A person is a full member of the society in which he or she lives.'

142. **Prohibition on the use of torture** - in H.C.J. 5100/94, *Public Committee against Torture in Israel v. The State of Israel* ([1999] P.D. 53(3), 817), the High Court of Justice ruled that Israeli law does not empower the Israeli Security Agency (ISA) interrogators to use physical means in interrogation, and that the specific methods discussed in the petitions were illegal. However, the court also held that ISA agents who exceed their authority and use forbidden "physical pressure" may not be criminally responsible if it is subsequently found that the methods were used in a "ticking-bomb" case.

## 5. Economic and social rights

143. The right to work as a constitutional right - Decisions issued by Israel's Labor Courts have included general statements which would appear to accord to the "right to work" a basic value, deriving it either from the basic right to human dignity or from the right to freedom of



occupation (*Jerusalem D.L.C. 54/3-289 Dr. Orly Peret v. Amitzur Farkash*, [1996]; *District Labor Courts Reports*, vol. 5, p. 632); (N.L.C. 300337/98 *Tayizy Arian v. The Courts Administration*, [2000]; *National Labor Court Reports*, vol. 33 (1), p. 20). However, it is fair to assess that the constitutional status of the right to work is still an open issue.

144. In the case of O.D.R. 164/99 *Dan Prumer Checkpoint Software Technologies Inc. v. Redgard Inc.* N.L.C. ([1999] P.D. 99(2), 115). The National Labor Court considered a contract obligating an employee of a high technology firm to abstain, for 22 months after termination of the contract, from being employed in a competing firm. The employee was a specialist in software development in the field of computer security, who had acquired additional knowledge and expertise while at work during the period of the contract. The District Labor Court had issued a temporary injunction prohibiting the employee to begin employment by Checkpoint, a rival firm. The majority ruling at the National Labor Court annulled the injunction, determining that the freedom of occupation prevails upon contract commitment.

145. **Enforcement of the Minimum Wage Law** - *The Minimum Wage Law, 5747-1987* was amended and reinforced several times, the last amendment was done in 2006 in which the minimum wage was set to 3,585.18 NIS for the period of June 1st 2006 - March 31st 2007, and to 3,710.18 NIS, or 47.5% of the average wage of April 1st 2007 (the higher of the two) for the period of April 1st 2007 until May 31st 2007. In the explanatory notes it is stated that in the guidelines of the 31st Government it was determined that the Government would set a goal of raising the minimum wage, according to *the Minimum Wage Law 5747-1987* to 4,600 NIS, gradually.

146. **The right to an adequate standard of living** - The Israeli courts clearly accord great importance to the notion of a right to a “dignified existence”. For example, the National Labor Court’s wording of the purpose of unemployment benefits is “... to enable workers, expelled from the work force, dignified existence until they are accepted to their new job ...” (*N.L.C. 98/0-48, Yafit Gisin v. The National Insurance Institute*, [1998]).

147. The Law is enforced by the Enforcement Division of the Ministry of Industry, Trade and Labor. The Ministry’s inspectors regularly conduct on-site inspections at work places throughout the country. Employers who violate this law are fined or, in rare cases, prosecuted, and are required to pay workers the differences between the actual wages paid and the statutory wages, in accordance with the law. Enforcement covers all workers: adult Israelis, teenage workers, Palestinian workers, foreign workers and workers hired by manpower contractors.

148. The *Severance Pay Law (5723-1963)* grants a deceased employee’s right to severance pay to his or her survivor. In the case of N.L.C. 57/3-124, *Balk Chemicals Inc. v. Sarah Feler*, [1998] the court denied an employer the right to deduct from the severance pay a debt of the deceased employee, holding that “The purpose of this statute was to enable survivors an honorable existence ...”.

149. The interpretation given to *Basic Law: Human Dignity and Freedom (1992)* in a book written by Justice Aharon Barak, the former president of Israel’s Supreme Court, according to which the right to basic needs is part of the constitutional right to human dignity, entrenched in the basic law. This approach was adopted by Judge Elishevah Barak, former deputy president of the National Labor Court. According to Judge Elishevah Barak the right to work “derives from

the notion that human dignity presupposes a minimum of human existence ...” (*N.L.C. 54/2-289, Dr. Orly Peret v. Dr. Amitzur Farkash [1996]*). Judge E. Barak went on to explicitly state that this right is protected under *Basic Law: Human Dignity and Freedom (1992)*.

150. The *Enforcement of Judgments Law, 5727-1967* grants discretionary power to spread alimony payments whenever needed due to “special reasons”. In a judgment delivered on 19 March 2001 by Israel’s Supreme Court in the case of *H.C.J. 4905/98 Gamzo v. Ishayahu, (P.D. 55(3), 360)*, the Court ruled that these “special reasons” include protecting the “hard core” of the right to minimal standard of living, the right to adequate food and the right to proper health care of both the debtor and the holder of the right to alimony. The court added that the “hard core” of these rights is protected by the *Basic Law: Human Dignity and Liberty (1992)*.

151. The issue of standard of living was also addressed by Israel’s Supreme Court, sitting as the High Court of Justice, in a petition filed by the Commitment to Peace and Social Justice Association - (*H.C.J. 366/03, The Commitment to Peace and Social Justice Association v. The Minister of Finance, [2005] Takdin 2005(4), 2605*). The Court was asked to decide why the respondent should not set a standard for dignified human existence as required by *Basic Law: Human Dignity and Liberty*. In its ruling, the court emphasized that while *Basic Law: Human Dignity and Liberty* does entail an obligation of the state to ensure human dignity, it does not provide an absolute and total protection of social rights. In this regard however, the State is obligated to maintain a ‘safety net’ designed to ensure, that the condition of the underprivileged would not deteriorate to one of existential deprivation in the sense of shortage in food, places of residency, sanitation, health care services and such.

152. **The right to organize a trade union** - In the landmark decision, the National Labor Court in *N.L.C. 97/41-96 Tadiran Keshet Inc. et. al. v. The Histadrut [1998]*, regarding a collective labor agreement, where during the term of which, the Tadiran Company underwent a structural change, dividing into three companies. The question that arose was which new company should be the bargaining unit under the agreement. The workers wanted it to be a single one; Tadiran wanted to conduct three distinct bargaining units. A strike broke out on this issue, and the employer filed a motion for a temporary injunction ordering the workers back to work.

153. The National Labor Court denied the motion. Judge Stephen Adler, President of the National Labor Court sought a proper balance between the basic right of employees to organize and to choose their representative organization, and the employer’s basic right to property entrenched in *Basic Law: Human Dignity and Liberty*. The employer’s prerogative to manage his business was here countered by the workers’ basic rights. The Court held: “When balancing between the workers’ right to organize and the employer’s right to manage his business, a special weight should be given to the workers’ right, because their fate is embedded in the rights that are to be entrenched in the collective agreements applying to them. The employer’s right to be part of a change in the bargaining unit is a relative one and is subordinate to the condition that it is not intended to impair organizational rights of workers [...]. The employer and the labor union have therefore to agree on the structure of bargaining appropriate for them. In a democratic society there is great importance in granting dignity and liberty to each worker. An expression of this is the worker’s power to participate in the determination of the bargaining unit in which he belongs. This includes the power to influence changes in the bargaining unit, by way of negotiations between the labor organization which represents the workers and the employer who provides them with work”.

154. The Court decided that until an agreement was reached on the determination of the bargaining unit, the regular rules regarding industrial conflicts would apply, and the workers' right to strike was upheld.

155. In another, more recent case the National Labor Court concluded that a decision of the Minister of Transport to allow transport operatives other than those on strike to provide transportation in the midst of a cessation of services in the city of Beer-Sheva, caused severe, direct, and intentional damage to the workers' right of association and their right to strike (L.C 57/05 *The New Histadrut v. The Minister of Transport*, [2005] *Takdin* 2005(1), 115).

156. **Freedom of operation of trade unions** - In the case of *R.L.C 57/4-10 Haifa Chemicals Inc. v. David Raviv and the Histadrut* ([1997] *Takdin* 97(1), 18), a motion for an injunction was filed by the employer against actions taken by the workers' organization at the place of work during a strike. The strike broke out after the employer had announced its intention not to renew any collective agreement at the factory. Workers' actions during the strike included blocking the plant's gates and preventing movements of trucks and employees, as well as acts of sabotage within the factory. The employer demanded protection of his property rights through a motion for an injunction. The Regional Labor Court issued a detailed order, which still left room for organizational activities, in particular allowing the presence of 50 workers within the factory and the holding of demonstrations (but not blockage) within the factory near its gates only. The order was construed in order to enable all maintenance activity within the factory, as well as freedom of movement and action to the management members. The ruling was framed in the context of balancing conflicting rights. The Court was ready to recognize that the right to strike and the freedom of expression and the freedom of protest of workers could justify to some degree the disregard of the employer's basic property rights, but not to negate them totally.

157. This decision was appealed and the National Labor Court overruled it partly (*N.L.C. 57/4-43, Haifa Chemicals Inc. v. David Raviv and the Histadrut* [1997] *Takdin* 97(1), 760). The details of the order were changed, leaving more room for the employer to operate during the strike. For instance, the court permitted demonstrations near the gates, but only outside the factory and it allowed workers' presence within the factory, but only of members of the worker's organization. Moreover, the Court also saw the case as one involving a balance of conflicting rights. It, too, was ready not to decide the case strictly on the basis of an analysis of the employer's property rights, which were undoubtedly impaired by the worker's acts.

158. During 2007 in the case of *Tel Aviv Regional Labor Court O.D.R 6726/07 Alon-lee Green v. Excellence Coffee* ([2007] *Takdin* 2007(3), 1534), one of the workers of Coffee chain stores was fired for trying to establish a workers union. The worker was unlawfully fired, and the rest of the chain store employees embarked on a struggle against their employers. The struggle made headlines in the local media and received the support of the "Histadrut" (the General Federation of Labor). After a month and a half of public and judicial struggle, a district court judge determined that the employee was unlawfully fired due to his attempt to form a workers union. The management of the Coffee chain stores was reprimanded for its unlawful dismissal. The worker was reinstated to his former job.

159. The fight ended in 2008 with the signing of a collective agreement between the owners of the Coffee chain stores and the “Histadrut”. The agreement gave the workers rights they did not enjoy before, as well as additional benefits and also gave way to other workers in the waiters’ profession to unify and establish trade unions.

160. **The right to strike** - In the case of *N.L.C. 99/19 Mekorot Inc. v. The Histadrut* ([1999] *Takdin* 1999(3), 26) the right of Mekorot’s workers to strike was contested in this case by the public employer on the ground that such strike would impair its ability to provide vital services. Mekorot Inc. is a governmental corporation, responsible for the supply of water to most Israelis. The court granted only a limited injunction against the strikers. It held that the right to strike is a relative one, which must be balanced against conflicting rights. Therefore, the injunction was construed in a way that left room for a strike but not at the price of leaving the public with no water. The Court permitted the workers to work only during the limited time normally set during the Saturday day of rest and holidays. It also urged the parties to return to negotiations and instructed them to report to the court within four days.

161. Restrictions placed on the right to strike - In *N.L.C. 97/41-92 The Tel Aviv-Jaffa Workers’ Organization v. The Tel Aviv-Jaffa Municipality* ([1998] *L.P.D.* 31, 109) in the midst of collective negotiations, the municipality had tried to by-pass the workers’ union, by hiring a private contractor to provide services normally provided by the municipality’s employees. Although the strike in this case was conducted without respecting the normally required “cooling-off” period, the Court protected it. The Court considered this kind of privatization as a unilateral act by the employer, especially threatening both the individual workers and the workers’ organization at the place of work. The court therefore used its discretion to not grant the injunction which had been requested by the employer. It should be noted that one of the judges in the panel issued a dissenting opinion, not refuting the court’s power to use discretion, but arguing that the circumstances in the present case did not justify such an exceptional step.

## **6. The Ombudsman (Public Complaints Commissioner)**

162. As noted above, the State Comptroller also serves as an ombudsman who handles complaints submitted by persons (including Knesset members) against governmental bodies, claiming they have been personally wronged, denied an entitled benefit, or that an individual or body exceeded their legally designated authority. The Ombudsman is entitled to use any relevant means of inquiry, and has the capacity to order any person or body to assist in the inquiry.

## **7. The Commission for Equal Employment Opportunities**

163. As part of the Ministry of Industry, Trade and Labor, the newly-established Commission for Equal Employment Opportunities, is responsible for the protection of equal employment rights. The Commission is headed by a National Commissioner and divided into three district bureaus headed by district commissioners.

164. The Commission derives from a recent amendment to the *Equal Employment Opportunities Law* (5748-1988). Under the recent amendment, the Commission is charged, inter alia, with fostering public awareness through education, training and information; encouraging programs and activities; cooperation with relevant persons and bodies; conducting research and gathering information; intervention, with the Courts approval, in ongoing legal

proceedings; handling complaints regarding the violation of equal employment legislation; submission of requests for general orders; and instructing employers to take general measures regarding all or part of their workforce or employment applicants, designed to ensure compliance with duties imposed by employment equality legislation or to prevent violations of such duties.

165. On November 21, 2007 Adv. Ziona Kenig-Yair was appointed as Equal Employment Opportunities Commissioner. As Commissioner she is responsible for collecting information and hearing complaints from workers concerning instances of sexual harassment, and/or discrimination based on gender, sexual orientation, parenthood, religion and race. Where necessary, the Commissioner is also responsible for initiating legal action on behalf of any adversely affected workers. The commissioner has the authority to request that Courts issue special orders prohibiting sexual harassment in places of work. Violation of these orders will be considered a criminal offence. In addition, the commissioner is responsible for encouraging special programs relating to equality in employment as well as other educational and promotional activities in working places.

#### **8. The Commission for Equal Rights for People with Disabilities**

166. The Commission for Equal Rights of People with Disabilities was established according to the *Law for Equal Rights of People with Disabilities, 5758-1998*. The Commission operates within the Ministry of Justice as a national regulator and counselor for advancing and ensuring the equal rights of people with physical, sensory, mental, intellectual and cognitive disabilities. The Commission provides information, legal advice, guidance and references, publishes brochures and guidelines, and organizes seminars, lectures and training programs regarding human rights and accessibility. The Commission also represents people with disabilities in cases of discrimination, mainly in employment and accessibility issues, and has the authority to inspect the issue of accessibility, such as in new and existing buildings.

#### **9. The Authority for the advancement of the status of women**

167. The Authority focuses on promoting legislation and policies for the advancement of women, as well as raising general awareness on the matter. As an official part of the Prime Minister's Office it also coordinates between governmental and non-governmental bodies working towards the same goal.

#### **10. Ombudsman of the Ministry of Health**

168. The Ministry of Health Ombudsman serves all citizens, including children, who may file a complaint against any Health Maintenance Organization (HMO), including employees and affiliates.

#### **11. The National Council for the Child**

169. The Council is an independent non-profit organization, which, as part of its work for the advancement of child rights, has established a position of an Ombudsman for Children and Youth, who receives referrals concerning the infringement of children's rights. There is also a special ombudsman for Arab children and for the many immigrant children in Israel, from the former Soviet Union and Ethiopia.

## 12. Military Ombudsman

170. The IDF Ombudsman (Soldiers' Complaints Commissioner) is authorized to receive complaints from soldiers, concerning their conditions of service. The Ombudsman is accountable to the Minister of Defense and to the Knesset's Foreign Affairs and Security Committee.

## 13. The Department for the Investigation of Police Officers (DIPO)

171. The Department was established as part of the Ministry of Justice to investigate complaints concerning police personnel. The cases investigated generally involve acts of unlawful use of force and related offences. The Department may recommend the initiation of administrative and/or criminal proceedings against the suspected officers.

### B. Equality before the law

172. Equality before the law is a basic principle of Israel's legal system. The law applies not only to private people or legal entities but also to every public authority. The courts are open and accessible to every person who is interested in claiming his rights. Every person has the right to be represented in criminal procedures taking place against him.

173. **Abuse of process** - On May 15, 2007, the Knesset enacted the *Criminal Procedure Law (Amendment 51)*, 5767-2007, accepting the legal doctrine regarding "Abuse of Process" into Israeli criminal law. According to the doctrine which had been previously recognized by the Supreme Court in a number of cases, the court is permitted to strike off an indictment, or halt criminal procedures against a defendant where there is a deficiency in those procedures caused by some fault of the executive authority, and the use of the deficient procedure would damage the right to fair trial of the defendant.

174. According to the Supreme Court's decision in *Cr.A. 4855/02, The State of Israel v. Itamar Borovich et. al.* ([2005] P.D. 59(6), 776), the Court is to examine the severity of the deficiency, to determine whether the deficiency can be restored in other way, and to balance the damage caused to the defendant by the deficiency, against the damage caused to the public by the defendant's crime. The Amendment to the *Criminal Procedure Law* anchored the doctrine of "Abuse of Process" in the context of preliminary claims. Section 149 of the amended Law states that "Following the beginning of the trial, the defendant is allowed to claim abuse of process in preliminary claims, including the possibility to argue that...the submission of an indictment, or [conduction] of a criminal procedure, fundamentally contradicts the principles of justice and legal equity".

175. In 1995, the Public Defender's Office (PDO), was established in order to provide high quality professional legal representation to suspects, defendants, detainees and convicted persons. The right to be represented by the PDO is defined by law and depends, among other things, on the severity of the offence, the economic status of the person requesting the service and on other characteristics. In 2006, the PDO, marked the first decade since its establishment.

From 2003 up until 2006, the percentage of representation by public defenders in magistrate court cases, (including in youth magistrate courts), increased from approximately 35% to 54%. This increase is, on the one hand, the result of a gradual decrease in the number of indictments submitted to magistrate courts, and a gradual increase in criminal cases represented by the PDO on the other.

### **C. Raising human rights awareness among public officials and other professionals**

#### **1. Training in Israel's security forces**

##### **Israeli Police**

176. The Police Education and Information Section operates educational programs aimed towards incorporating various values into police officers' work, including tolerance within a multicultural society, elimination of prejudice and promotion of human rights, as well as awareness of issues relating to the human rights Covenants and their values.

177. The educational programs operate in the police units through special educational workshop days, as well as within the overall training framework that includes seminars, courses, etc. In the last few years, special emphasis is given to the training of commanders in all levels, since they are in the best position to influence the values of their subordinates.

178. The Police School for Investigation and Intelligence incorporates the main provisions of the Covenant regarding procedures, basic flaws, investigation ethics, and "right and wrong" behaviors, into the training of investigators and investigation officers.

179. Police representatives also attended various international seminars and conferences abroad on trafficking and other human rights issues, to better international and regional cooperation and address the problems. The Israeli Police representatives abroad regularly cooperate with their counterparts worldwide, and also through the Interpol.

##### **ISA - Israeli Security Agency**

180. The instruction of the ISA interrogators includes various contents, such as training regarding the Convention, its subject matter, and its broader implications. As well, such instruction brings interrogators up to date on the Supreme Court ruling in *H.C.J. 5100/94, Public Committee against Torture in Israel v. The State of Israel* ([1999] P.D. 53(4), 817). These contents are also an integral part of the ISA courses and seminars both at basic training and throughout the ISA.

181. These courses and seminars aim to instill principles and norms of human dignity and fundamental rights in employees, both at basic training and throughout the ISA. Particular emphasis is placed on adherence to the rule of law and to the ISA's commitment to the balance of interests required by law and by the practice of the courts.

### **IDF - Israel's Defense Force**

182. The School for Military Law holds a variety of training activities for IDF forces regarding human rights in general, and the prohibition on the use of torture and other cruel, inhuman or degrading treatment or punishment, in particular. These activities include lectures, learning aids and comprehensive written materials.

183. Hundreds of lectures are given to regular forces, as well as reserve forces prior to their reserve duty. Lectures are attended by combat forces, officers' course cadets, military police investigators, security analyzers and medical care personnel in detention facilities, as well as to commanders throughout the army.

184. These activities specifically lay emphasis on issues such as arrest and detention practices, detainee's rights, international humanitarian law and rules of conduct during an armed conflict.

185. Additionally, the School for Military Law issued an educational computer program, titled "Principles of Conduct during Armed Conflict", regarding the adequate treatment of prisoners and detainees, emphasizing the strong prohibition against inhuman or degrading treatment of prisoners and detainees. This program is a vital tool in IDF combatants and commanders' instruction.

### **IPS - Israeli Prisons Service**

186. The IPS officers and wardens undergo regular training and instructions through courses held at the "Nir" School for IPS officers and wardens, as well as in their respective units. Training regarding human rights Conventions is an integral part of the IPS overall training at the unit level, as well as in courses given to officers and wardens.

## **2. Training for government officials, including law enforcement officials, in the field of trafficking in persons**

### **All forms of trafficking**

187. On 13-14 December, 2006, the Ministry of Justice, together with TAIEX - the Technical Assistance and Information Exchange, an instrument of the Directorate-General Enlargement of the European Commission, held a two-day seminar on trafficking in human beings, attended by members of all the relevant Ministries, stakeholders and NGOs. The seminar was held in Tel Aviv, and included lectures from a dozen European participants, from a variety of states and functions, as well as NGOs. The seminar related to all forms of trafficking.

188. On June 27, 2006 a seminar was held for judges of the Administrative Tribunal for Detention Review, in the "Maagan" shelter, on issues relating to trafficking, identifying trafficking victims, with an emphasis on the traumatic process. Lectures were given by members of the police, the Ministry of Justice and NGOs. The seminar addressed trafficking for prostitution and labor.



189. The Ministry of Justice was a part of several education and training activities in 2007, which include:

(a) Symposium under the auspices of the United States embassy in Israel and the Israeli ministry of Justice regarding ways of combating women trafficking. The symposium was attended by delegates of relevant Government Ministries, NGOs, Rabbis, and private businessmen;

(b) The Ministry of Justice prepared and distributed to all Israeli Judges a document containing review of the new Anti-Trafficking Law, in order to raise their awareness to the subject;

(c) A seminar on prohibition of trafficking in human beings was held on October 2007. The seminar was attended by lawyers and officials of the Ministry of Justice;

(d) On January 31, 2007, a one-day seminar was held for the heads of the consular departments of eight countries of origin for trafficking in persons. The idea for the seminar originated with "woman to woman" NGO and was organized as part of the Israeli efforts to enhance the cooperation between countries of origin, transit and destination. The speakers - a member of the Knesset, representatives of the Government, the Police and other NGOs - shared with the participants the Israeli experience regarding the battle against trafficking in persons. The seminar was organized by the Ministry of Foreign Affairs in cooperation with the Ministry of Justice and the NGO "woman to woman";

(e) Delegates of the Ministry of Justice lecture regularly before different forums (inter alia: academic staff, IDF soldiers, students etc') in order to provide information on the subject of trafficking in persons.

190. The Ministry of Justice's Institute for Continuing Education of Prosecutors and Legal Advisors organizes seminars for prosecutors on an annual basis. On May 31, 2007, the Institute held a seminar on trafficking in persons that included lectures by NGOs, prosecutors and the National Coordinator, stressing the human rights of trafficking victims. The seminar related to both forms of trafficking.

191. A seminar for assistants to Judges was held on October 2007. The seminar included lectures regarding the new comprehensive Anti- Trafficking Law and additional information on all forms of trafficking.

192. On September 18, 2006 and October 23, 2006, the Ministry of the Interior held 2 one-day seminars on trafficking, geared to employees who potentially encounter victims of trafficking for prostitution, including passport control officers at borders, employees in the visa departments, and high-ranking officials from the Population Administration Office. The purpose of the seminars was to familiarize the participants with the principles of relevant laws and international documents and doctrines, and train relevant officials to identify victims and perpetrators, giving them tools to operate according to the specific procedures pertaining to them. The seminars included lectures from the director of the "Maagan" shelter, a trafficking victim, the National Coordinator, the Police, the Ministries of Justice and Social Affairs and the relevant NGOs.

193. The Police Education and Information Section operates professional one-week seminars for interrogators and interrogation officers regarding trafficking in persons. From 2004 until 2006, 134 interrogators and interrogation officers were trained and educated on this matter in 11 one-week courses. Additional seminars for hundreds of police personnel in the field of interrogations and Information were held on the subject of trafficking in persons.

194. The Immigration Administration routinely holds one-day seminars in the field of human rights to all of its officers, investigators, and its detention facilities personnel (who come in contact with victims of trafficking in persons).

195. The Immigration Administration continues to provide special training to its officers. The training includes seminars on the following topics, inter alia: the right to dignity and liberty, and xenophobia - its sources and the effect of prejudices.

196. Inspectors of the Enforcement Division within the Ministry of Industry Trade and Labor are given general investigative skills training as well as specific training concerning the labor laws they are to enforce. The Foreign Workers Department in the Ministry of Industry Trade and Labor holds regular training sessions and seminars for its inspectors on the relevant labor laws and work procedures.

197. On October 2006, the Legal Aid Department in the Ministry of Justice held a one-day seminar, attended by the Legal Aid lawyers, on the issue of trafficking for labor, with an emphasis on the new Anti-Trafficking Law. During the day, lectures were given by representatives of the Ministry of Justice and NGOs. They included material on how to identify trafficking victims.

198. On January 25, 2007, the Ministry of the Interior held a one-day seminar on trafficking for labor, geared to employees who potentially encounter victims of trafficking, including passport control officers at borders, employees in the visa departments, and high-ranking officials from the Population Administration Office. The seminars included lectures from the National Coordinator, the Police, the Ministries of Justice and Social Affairs and the relevant NGOs.

### **Sexual harassment**

199. On November 25, 2007, the Authority for Advancement of the Status of Women marked the international day for the fight against violence towards women by holding a lecture on sexual violence. The lecture was held in the main office of the Ministry of Justice and was attended by the Ministry's personal.

### **People with disabilities**

200. On October 2007, The Commission for Equal Rights for People with Disabilities in the Ministry of Justice held a one-day seminar, attended by the Legal Aid lawyers, on the issue of equal rights to people with disabilities, with emphasis on the elderly population, employment issues, integration in the community, integration in the education system and on other legal rights. During the day, lectures were given by representatives of the Ministry of Justice and NGOs.

201. On December 2007, Bar-Ilan University and The Commission for Equal Rights for People with Disabilities in the Ministry of Justice held a one-day seminar on the issue 'The Right to be Different - the Strength of Difference'. The highlight of the seminar was the ceremony of presenting the Equality Award for People with Disabilities for Breakthrough in the Field of Integration in Society. The seminar was attended by the Ministry of Justice staff, officials of other Ministries, lawyers, students and the general public. The seminar main issues were: moral and legal rights of a fetus with disabilities, the strength of difference and its contribution to social changes in Israel, Integration of pupils with disabilities in the education system, people with disabilities and the mass media and inter-personal communication languages. During the day, lectures were given by representatives of the Academia, the Ministry of Justice, and NGOs.

### **3. International conferences and contacts**

202. A conference was held in John Hopkins University's Protection Project between the 26th and the 28th of March, 2007, the National Coordinator on Trafficking in Persons gave a lecture before law enforcement agents, members of Academia, NGOs and others, and focused on the Israeli experience in combating trafficking. The Coordinator also held meetings with relevant representatives of the State Department and the Department of Health and Human Services, of Homeland Security, and also with 'Fairfund', a local NGO.

203. On the May 21st, 2007, the National Coordinator attended an OSCE Conference in Vienna on The Role of National Rapporteurs during which she met representatives from OSCE countries and exchanged information and views. She was able to learn from this conference and use the information obtained in trying to promote a yearly report to the Government on trafficking issues.

204. On July 16-19, 2007, a representative of the Tel Aviv District Attorney's Office attended a follow-up session of the UNODC conference of foreign judges and prosecutors, in an effort to fine tune the model guidelines for judges and prosecutors on how to handle trafficking cases.

205. From October 1st-4th, 2007, a representative of the Department of International Agreements and Litigation in the Ministry of Justice attended a four-day informal UNODC Expert Group Meeting to review and finalize a set of draft model laws against trafficking in persons, a legislative checklist and a compilation of definitions, in Vienna.

206. On February 13-15, 2008, the National Coordinator was invited to participate in the "Vienna Forum on Trafficking in Human Beings" and participate in an expert panel regarding "Legal Frameworks and Anti Trafficking Legislation".

## **V. INFORMATION, PUBLICATION AND PROMOTION OF HUMAN RIGHTS**

### **A. Promotion of human rights awareness through the mass media**

207. Israeli main national television channels often broadcast interviews, news articles and television programs related to human rights issues. Some articles contain information for the public and other brings to the screen personal human rights stories. All channels deal with all

human rights issues, among others: people with disabilities, children at risk, women status, the protection of women, trafficking in persons, foreign workers, minorities and more. These issues are also covered and dealt with regularly by local television channels. In Addition, both national and local television channels regularly advertise information regarding help centers relevant to human rights issues.

208. Israeli main radio stations also deals with human rights issues through interviews and articles related to the subject. Main radio stations regularly broadcast ads against trafficking in persons, and advertisement regarding other aspects of human rights. The radio stations also bring important information regarding help centers for human rights victims and other important information. These issues are also covered and dealt with by local radio stations.

209. Israeli main newspapers and main internet news sites regularly address human rights issues and publicize news stories and articles regarding the matter. Additional information regarding different help centers for victims of breaches of human rights of can be found on some of these sites.

210. The *Rules of media (Bezeq and broadcasting) (owner of broadcasting license), 5748 - 1987*, set a list of limitations over broadcasting, that form a code for broadcasting. Section 3 of these rules deals with the subject of protection of human dignity and determines that: while broadcasting, an owner of a broadcasting license shall obey every law, and without lessening the generalness of the above said, shall implement every means to insure that in the content of the broadcasts there will not be:

- (a) Humiliation of a person or a group of people for reason of nationality, origin and religion;
- (b) Humiliation of a person for acts, conduct or characteristics attributed to him;
- (c) Inciting for discrimination for reasons of race, origin, religion, nationality and gender.

211. Section 16 of the abovementioned rules determines a set of limitations on interviewing minors. Section 16.e. of the rules sets limitations on displaying violence, suffering, criminality and gender. Section 16(h) of the rules sets limitations on the time of broadcasting of shows containing hard elements of sexual violence and suffering. Sections 53(i) and 53(j) sets limitations on broadcasting commercials and sponsorship adds in proximity to shows designated for children.

212. The *Classification, Marking and Prohibition of Harmful Broadcasting Law, 5761-2001*, determines the statutory duty of marking and classifying of television broadcasts, furthermore, Section 4a "broadcasting of forbidden commercials and promotions" prohibits the broadcast of certain commercials and promotions: Section 4a(a): commercial or promotion that might encourage criminality or the use of dangerous drugs, will not be broadcast on television. Section 4a(b): commercial or promotion including visual, verbal or vocal expressions of violence, sex or cruelty will not be presented on television: (1) during, among or with frequency with broadcasts intended for children. (2) between 14:30 and 21:00 on weekdays, and between 06:00 and 21:00 on Saturdays (Shabbat) and holidays.

## **B. Promotion of human rights awareness through educational programs**

213. The Basic Laws, including the basic human rights protected therein, are an integral part of the Israeli educational system and also of curriculum of all schoolchildren, as well as a mandatory part of their final exams.

214. In law schools, constitutional law is also a mandatory course, and in most cases so is international law, which covers the subject of human rights law.

## **C. Promotion of human rights awareness through public exposure**

215. The human rights conventions are available in their original language, and are also translated into Hebrew. They are published in “Kitvey Amana”, a series containing all treaties signed and ratified by the State, which can be obtained from the Ministry of Foreign Affairs or at various public libraries.

216. Further public exposure to international human rights issues is provided through the publication of the Annual State Comptroller’s Report, which is reported and widely discussed by the media; and by domestic NGOs, such as the Association for Civil Rights in Israel, which often places inserts regarding human rights in newspapers and other publications.

217. Additional public exposure to international human rights issues is publicized in some of the Government Ministries official internet web sites. The Ministry of Industry, Trade and Labor website contains a large section with information for people with disabilities, which include information for applicants, employees, employers, information about training programs, social projects and other relevant information. The Ministry for Social Affairs and Social Services also includes in its website information about the rights of people with disabilities, children at risk, victims of violence and other relevant information.

218. The State has also created a series of awareness programs for human rights and the State’s international obligations, aimed at judges and members of the Government.

# **VI. REPORTING PROCESS AT THE NATIONAL LEVEL**

## **A. Preparation of treaty-specific periodic reports**

219. This document and other treaty specific periodic reports in the field of human rights are prepared by the Human Rights and Foreign Relations Department at the Ministry of Justice. During the preparation work the Department consults and is assisted by other ministries, such as the Ministry of Foreign Affairs, as well as the Ministry of Industry, Trade and Labor, the Ministry for Public Security and other departments, agencies and entities of the Government of Israel. Israeli nongovernmental organizations (“NGOs”) are also invited to comment prior to the compilation of a particular report.

220. Prior to submission of a report to monitoring bodies, reports are made available and examined by the government officials and national legislatures.

221. The reports are made available for the public and can be obtained on the Ministry of Justice website.

## **B. Other information regarding promotion of human rights awareness**

222. NGOs are an important factor with regard to raising awareness for human rights issues. In order to promote a variety of important social issues, such as equality for people with disabilities and fighting trafficking in persons an on-going dialog is taking place on a regular basis between the state and various NGOs. Several NGOs in Israel, formed educational programs aimed to educate people and communities in Israel. Hereinafter are some of the Organizations and the educational programs operated by them:

(a) “The Association for Civil Rights in Israel” holds education activities in the field of human rights for a varied audience such as: police personnel, Israeli prisons service and others;

(b) “The Public Committee against Torture in Israel” is an independent human rights organization, which monitors the implementation of High Court of Justice ruling regarding prohibition of the use of torture during interrogation in detention centers. The organization combats the use of torture in interrogation both in Israel and the Palestinian Authority through legal means, support of relevant legislation and through information campaigns aimed at raising public awareness to the subject. The organization also develops educational programs for the public;

(c) “The Hotline for Migrant Workers” operates assistant activities for foreign migrant workers and activities for elimination of trafficking in persons in Israel. The organization focuses its activity in raising the awareness of the public to the subject of trafficking in persons, and since 2001 gives seminars on the matter. The seminars are given to a varied public: high-school pupils, teaching staff, soldiers and others;

(d) “Woman to Woman - Haifa Feminist Center” gives lectures in the field of trafficking in women to a varied audience such as: police personnel, lawyers, local authorities’ officials, social workers in hospitals, students and others.

(e) “

(f) Awareness” Institute for the study of prostitution and trafficking in women gives lectures on range of issues in the field of trafficking in persons. The lectures are given before a varied audience such as teenagers, students, local authority workers, and others.

223. An additional measure adopted in order to prevent and reduce discrimination against minorities and people with disabilities, can be found in the Israeli Ministry of Justice announcement, for the second year, for the creation of a directory of candidates for internship positions that are intended for Arab population, new immigrants from Ethiopia and for people with severe disabilities, in order to achieve suitable representation. The announcement:

## **“Civil Service Commission**

### **Ministry of Justice**

Looking for an Internship in a Challenging and Interesting Place? The Ministry of Justice announces the creation of a directory of candidates for internship positions for September 2008 and March 2009. These positions are intended for certain population groups to achieve suitable representation, as described below.

The Ministry of Justice invites candidates who meet the requirements for internship as specified in the Israeli Bar Association Law, 5731 - 1971, and the criteria set forth in the Government's decision of March 12, 2006 with respect to suitable representation among interns in the Ministry of Justice, as described below, to submit their candidacy for inclusion in the directory.

The list of the divisions in the Ministry of Justice in which the internship may be done is specified on the Website of the Ministry of Justice, the address of which appears at the end of this notice.

On March 12, 2006, the Government of Israel made a decision, at the request of the Ministry of Justice, in the matter of suitable representation among interns in the Ministry of Justice. The Government decided, inter alia, as follows:

“A. In accordance with the provisions of section 15A(b)(2) of the Civil Service (Appointments) Law, 5719 - 1959, to designate, insofar as possible, some ten percent of the annual class of interns in the Ministry of Justice solely for the employment of candidates who qualify for a internship in the Ministry of Justice and fulfill one of these:

- (1) The candidate is a member of the Arab population, including Druze and Circassian;**
- (2) The candidate or one of his/her parents was born in Ethiopia;**
- (3) The candidate is a “person with a severe disability” within its meaning in section 35.252 of the Civil Service Regulations ...”**

In accordance with the aforesaid decision, it was decided to compile a directory of candidates that will effectuate the aforesaid Government decision with respect to “suitable representation” and will include candidates who meet the criteria set forth in the Government's decision and whose particulars and qualifications make them extremely suitable for internship. Selection will take place in two stages. The first stage is a selection process for inclusion in the directory. After that the various divisions in the Ministry will interview candidates for internship from among the candidates accepted for inclusion in the directory.

A directory of “suitable representation” candidates will be maintained alongside the general directory of candidates for internship positions in the Ministry of Justice, for which a separate selection process is held, open to all. A person who meets the criteria of the aforesaid Government decision may submit his/her candidacy for the general directory, like everyone else.

### **Procedure for submitting candidacy**

1. The candidate must complete the candidacy for tender form (Form 2115 - which may be downloaded from the Website of the Civil Service Commission, whose address appears below).
2. If the candidate has a preference for specific divisions, the candidate should mention the order of priority on his/her application.
3. The candidate must attach to the candidacy form his/her resume (which shall include explanations and reference to fulfillment of the criteria specified in the Government’s decision), a photocopy of his/her identity card, documents testifying to the candidate’s education, record of grades for the first two years of college or university, confirmation of present and previous employment, and recommendations.

### **Selection procedure**

- Candidates who meet the candidacy acceptance requirements will be invited, at the discretion of the Ministry of Justice, to appear before committees of examiners. These committees will examine the suitability of the candidates for internship based on their impression of the candidate, the candidate’s contribution to society and community, test results, and academic achievement. Candidates whom the committees find suitable for internship will be listed in the directory of “suitable representation” candidates for internship.
- Listing in the directory will enable the candidate in the tender to be a potential candidate for internship. Inclusion does not entail any obligation to accept the candidate for internship.
- The division heads may refer to lists in the directory for their purposes and the preferences of the candidates that were recorded at the time of registration, and invite them to appear before the ministerial selection committee, which will examine their suitability for internship.
- A candidate who is selected will be assigned to internship based on the Ministry’s needs and, to the extent possible, taking into account his/her place of residence.
- A candidate who is selected and commits to do his/hers internship in a certain division of the Ministry is not allowed to switch the commitment to another division.



Candidacy for internship **in the Ministry of Justice** are to be sent to:

**Human Services Department, Ministry of Justice, 29 Salah a-Din Street,  
Jerusalem, 91010, c/o Ms. Iris Bar.** The final date for submission of candidacy is  
5 Kislev 5768 (15 November 2007)

Website of the Civil Service Commission: [www.civil-service.gov.il](http://www.civil-service.gov.il)

Website of the Ministry of Justice: [www.justice.gov.il](http://www.justice.gov.il)

\* The Government's decision and the provision of the Civil Service Regulations appear on the Website of the Ministry of Justice".

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