



The State Department web site below is a permanent electro information released prior to January 20, 2001. Please see [y](#) material released since President George W. Bush took offic This site is not updated so external links may no longer func [us](#) with any questions about finding information.

NOTE: External links to other Internet sites should not be c endorsement of the views contained therein.



U.S. Department of State

Israel and the Occupied Territories Report on Human Rights Practices for 1997

Released by the Bureau of Democracy, Human Rights, and Labor, January 30, 1998.

ISRAEL AND THE OCCUPIED TERRITORIES *

Israel is a parliamentary democracy with a multiparty system and free elections. There is no constitution; a series of "basic laws" provide for fundamental rights. The legislature, or Knesset, has the power to dissolve the Government and limit the authority of the executive branch. Likud Party leader Benjamin Netanyahu is Prime Minister and heads a center-right coalition government. The judiciary is legally independent but, in practice, it usually acquiesces with the Government's position in security cases.

Since its founding in 1948, Israel has been in a state of war with most of its Arab neighbors. It concluded a peace treaty with Egypt in 1979 and with Jordan in 1994. As a result of the 1967 War, occupied the West Bank, the Gaza Strip, East Jerusalem, and the Golan Heights. The international community does not recognize Israel's sovereignty over any part of the occupied territories. Throughout its existence, Israel has experienced numerous terrorist attacks.

An historic process of reconciliation between Israel and its neighbors began with the Madrid Conference in 1991 and continued with the September 1993 signing of the Israeli-Palestinian Declaration of Principles (DOP). In September 1995, Israel and the Palestine Liberation Organization (PLO) signed the Interim Agreement on the West Bank and the Gaza Strip, which provided for the election and establishment of a Palestinian self-governing authority, transfer of civil authority, Israeli redeployment from major Palestinian population centers in the West Bank, security arrangements, and cooperation in a variety of areas. In January Israel and the PLO concluded the Hebron Agreement, which established security arrangements for the withdrawal of Israeli forces from the Palestinian-populated areas of Hebron, and set out a road map for mutual implementation of other Interim Agreement commitments.

However, in March Israel began construction in the Har Homa/Jebel Abu Ghanaim neighborhood of east Jerusalem and on March 7 announced a minimal first-phase further redeployment of its forces from the occupied territories. At the same time the Palestinian Authority (PA) slackened security cooperation. A suicide bombing in Tel Aviv on March 21 was followed by two more in Jerusalem on July 30 and September 4; 24 persons were killed and hundreds were injured. As a result of these developments, negotiations on Interim Agreement implementation issues were broken off between March and October, and the two parties had not agreed to resume final status talks at year's end.

* The human rights situation in the occupied territories is discussed in the annex appended to this report. [Editor's note: see "Occupied Territories."]

Internal security is the responsibility of the General Security Service (GSS)--(Shin Bet, or Shabak), which is under the authority of the Prime Minister's office. The police are under the authority of the Minister of Internal Security. The Israel Defense Forces (IDF) are under the authority of a civilian Minister of Defense. The IDF includes a significant portion of the adult population on active duty or reserve status and plays a role in maintaining internal security. The Foreign Affairs and Defense Committee in the Knesset reviews the activities of the IDF and the GSS. Members of the security forces committed human rights abuses.

Israel has an advanced industrial economy, and citizens enjoy a high standard of living, with a per capita income of \$17,000. Unemployment among citizens rose to 7.6 percent by mid-1997 but was substantially higher in the country's peripheral regions and among lower-skilled workers. Along with rapid economic growth in recent years, there has been a tendency toward increasing income inequality. The longstanding gap in levels of income between Jewish and non-Jewish citizens continues. Regional income disparities appear to be growing, with unemployment in some areas reaching more than double the national average. Israel's heavy reliance on foreign workers, principally from Asia and Eastern Europe, represents a growing economic and social issue. Such workers are generally employed in agriculture and the construction industry and constitute about 10 percent of the labor force. Since the implementation of an economic stabilization plan in 1985, Israel has moved gradually to reduce state intervention in the economy. The Netanyahu Government is committed to market-oriented structural reforms, especially deregulation and rapid privatization of the economy. In 1997 the Government successfully privatized Israel's largest bank and continued the process of privatizing and deregulating the telecommunications sector. Despite the Government's continued dominant role in the economy, individuals generally are free to invest in private interests and own property. The Government owns 78 percent of the country's land area, and as a matter of policy it does not sell land. The Government, its entities, and the Jewish National Fund, (an organization established in 1897 for the purchase and management of land for the Jewish people) own 93 percent of the country's land area. As a matter of policy, the Government and its entities do not sell land. The Jewish National Fund has a statute prohibiting sale or lease of land to non-Jews (although exceptions are sometimes made), foreigners are allowed freely to purchase or lease land in the remaining 7 percent of Israel.

The Government generally respects the human rights of its citizens, who enjoy a wide range of civil and other rights. Israel's main human rights problems have arisen from its policies and practices in the occupied territories and from its fight against terrorism. The redeployment of the IDF from most major Palestinian population areas in the West Bank in December 1995, and its previous withdrawal from Gaza and Jericho, have significantly reduced the scope of these problems.

Nonetheless, there continued to be problems in some areas. Security forces abused Palestinians suspected of security offenses. During the year, the High Court of Justice heard 46 abuse-related cases (almost all asking for an injunction to halt the torture of a specific individual). In no case did the High

Court issue an injunction prohibiting the use of "moderate physical pressure." The Government continues to detain without charge numerous Palestinians. Detention and prison conditions, particularly for Palestinian security detainees held in Israel, in some cases do not meet minimum international standards. However, new legislation took effect in May that set tighter limits on the length and grounds for pretrial detention. During the year, discussion continued on proposed legislation to define the basis for and limits of GSS activities after a 1996 version was widely criticized by human rights groups and legal experts because it authorized the Government to use force during interrogation and to issue secret guidelines defining the methods of interrogation. The revised legislation, which had not been formally submitted to the Knesset by year's end, omits this clause. Although there continues to be no explicit legal basis for the use of "special measures," i.e., force during interrogation, the Government justifies such practices as necessary in "special circumstances" when thought necessary to save lives in the fight against terrorism.

The Government responded to terrorist and security incidents by periodically tightening existing restrictions on movement across borders with the West Bank and Gaza and between Palestinian Authority-controlled areas inside the West Bank, detaining hundreds of Palestinians without charge and demolishing the homes of some suspected terrorists and their families in the occupied territories.

The Government took steps to address discrimination and violence against women, although the Attorney General's decision not to file charges against a Knesset member accused of abusing his wife was widely criticized in the media by women's groups and human rights advocates. Despite government pledges to eliminate the wide social and economic gap between Israel's Arab and Jewish citizens, there was little progress in this direction. Israel's Arab minority continues to suffer from institutionalized discrimination and does not share fully in the rights granted to, and the obligations imposed on, Jewish citizens.

RESPECT FOR HUMAN RIGHTS

Section 1 Respect for the Integrity of the Person, Including

Freedom from:

a. Political and Other Extrajudicial Killing

There were no reports of political killings by government forces. In September Israeli agents in Amman, Jordan failed in an attempt to kill the political director of the extremist group Hamas. One Palestinian was beaten to death while in government custody.

Extremist Palestinian groups carried out three suicide bombings in Tel Aviv and Jerusalem as part of a concerted effort to derail the Israeli-Palestinian peace process. These included a March 21 attack in a Tel Aviv cafe that killed 3 persons and wounded 48, a July 30 attack in a crowded Jerusalem market that killed 16 persons and wounded 178, and a September 4 attack in a Jerusalem pedestrian mall that killed 5 persons and wounded 181.

b. Disappearance

There were no reports of politically motivated disappearances.

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

Although laws and administrative regulations prohibit the physical abuse of detainees, they are frequently not enforced in security cases. The GSS was responsible for the widespread abuse of Palestinians suspected of security offenses. The head of the GSS is empowered by government regulation to authorize security officers to use "moderate physical and psychological pressure" (which includes violent shaking) while interrogating detainees. These practices often led to excesses (for further information see Section 1.c. in the annex).

Despite repeated challenges, the High Court of Justice has avoided ruling on the legality of the practices of "shaking" and other forms of coercion. The Government claims that these practices are justified as "special measures" to be used in "special circumstances" in the fight against terrorism. During the year, the High Court of Justice heard 46 abuse-related cases (almost all asking for an injunction to halt the torture of a specific individual). In addition, the High Court dropped numerous cases before beginning formal hearings when the GSS announced that it no longer needed to use "special measures." Human rights groups believe that the great majority of cases alleged to involve torture do not reach the court. In some cases, the High Court of Justice issued injunctions prohibiting the use of certain forms for physical pressure after hearing evidence presented in secret by the GSS and not made available to defense attorneys; however, according to Israeli human rights advocates and legal experts, it routinely lifted them at the request of the GSS. In no case did the High Court overrule a GSS decision to use "moderate physical pressure." According to GSS records released to his attorney, Ahma Abu Hamed, who was arrested on April 14, was hooded and shackled to a low chair in a painfully contorted position for almost 13 hours over a period of 31 days, including 4 hours over 12 days after he confessed to membership in, and acting on behalf of, an illegal organization. According to the same GSS records, Abu Hamed was subjected to "shaking" six separate times, including twice after his confession. In addition, Abu Hamed was deprived of sleep for extended periods of time. His attorney appealed to the High Court on June 1 for an injunction to halt these methods of interrogation. On June 2, the Court declined to hear the case after the GSS announced that it was no longer using force in the interrogation.

Asam Halman was detained without charge on July 25, and his attorney

was denied permission to meet with him until July 28. Halman alleged that during his interrogation he was hooded, shackled to a low chair in a painfully contorted position, and forced to listen to loud music for extended periods of time. He also alleged that he was allowed to sleep for less than 5 hours over a 4 day period, and that his handcuffs were overly tightened, causing great pain and an infected wound. On July 30, Halman's attorney asked the High Court of Justice for an injunction to prevent the GSS from using torture. On the same day, the attorney was informed that the GSS would stop using force in the interrogation. Halman was subsequently released without charge on August 21.

Conditions vary in incarceration facilities in Israel and the occupied territories, which are administered by the Israeli Prison Service (IPS), the Israel Defense Forces (IDF), or the national police. IPS prisons, which generally house Israeli citizens convicted of common crimes, usually meet minimum international standards. Generally, IPS inmates are not subject to physical abuse by guards, food is adequate, and prisoners receive basic necessities. Inmates receive mail, have television sets in their cells, and receive regular visits. Prisoners receive wages for prison work and benefits for good behavior. Many IPS prisons have drug treatment, educational, and recreational programs. The IPS has established an investigatory committee to look into charges of violence by guards against inmates.

Since the closure in 1995 of the main IDF detention camps in the occupied territories, all security detainees (i.e., those detained and held without charge by security forces) from the occupied territories who are held for more than a few days are transferred to facilities within Israel. Security detainees in 1997 were usually held in IDF camps in Israel, but also in IPS facilities and in special sections of police detention facilities. Prisoners incarcerated for security reasons are subject to a different regimen, even in

IPS facilities. They are often denied certain privileges given to prisoners convicted on criminal charges. Security detainees include some minors. Detention camps administered by the IDF are limited to male Palestinian detainees and are guarded by armed soldiers. The total number of Palestinian prisoners and administrative detainees held by Israel, approximately 3,800 at the beginning of the year, fell to 3,565 year's end. The number of administrative detainees (held with neither charge nor trial) varied between 293 and 573 during the year, and stood at 382 at year's end. Some of these detainees have been held for periods exceeding 2 years.

Conditions in IDF detention camps have been criticized repeatedly over the years. Conditions at the Russian Compound in Jerusalem (which houses a combination of security and common-law prisoners and detainees) were criticized as "not fit to serve as lock-up" by the High Court of Justice President Aharon Barak after an August visit to the facility. Conditions in other IDF facilities improved in some respects, with inmates given more time for exercise outside their cells. Nevertheless, recreational facilities remain minimal, and there are strict limitations on family visits to detainees. Visits were prevented for long periods during closures of the borders with Gaza and the West Bank.

Conditions at some national police detention facilities can fall below minimum international standards. Such facilities are intended to hold criminal detainees prior to trial but often become de facto prisons. Those held include some security detainees and some persons who have been convicted and sentenced. Inmates in the national police detention facilities are often not accorded the same rights as prisoners in the IPS. Moreover, conditions are worse in the separate facilities for security detainees maintained both in police facilities and in IPS prisons.

In 1996 the Government began a reform program for the country's detention facilities. Thus far, improvements in prison conditions have been limited in scope, and dilapidation and overcrowding (the latter aggravated by the closure of IDF detention facilities in the occupied territories in 1995) are still problems. New legislation that took effect during the year provided for: The right to live in conditions that would not harm the health or dignity of the detainee; access to adequate health care; the right to a bed for each detainee; and access to exercise and fresh air on a daily basis. While the legislation is a positive step, authorities expect implementation to require time and additional resources; there was little immediate improvement in 1997.

Children's rights groups have expressed particular concern over the separate sections of holding facilities set aside for the detention of children. Overcrowding, poor physical conditions, lack of social workers, and denial of visits by parents are among the key problems. In addition to some Israeli minors held in criminal cases, there are juveniles among Palestinian detainees. Children's rights activists have recommended the construction of a separate detention facility for children.

All incarceration facilities are monitored by various branches of the Government, by members of the Knesset, and by the International Committee of the Red Cross (ICRC) and other human rights groups. While monitoring is judged to be effective overall, in some instances human rights groups and diplomatic officials were denied timely access to specific detainees, usually Palestinians held without charge or trial for alleged security offenses (see Section 1.d. of the annex).

d. Arbitrary Arrest, Detention, or Exile

The law prohibits arbitrary arrest of citizens, and the Government generally observes this prohibition. Defendants are considered innocent until proven guilty and have the right to writs of habeas corpus and other procedural safeguards. However, a 1979 law permits detention without charge or trial, which is used in security cases. The Minister of Defense may issue a detention order for a maximum of 1 year.

Within 24 hours of issuance, detainees must appear before a district judge who may confirm, shorten, or overturn the order. If the order is confirmed, an automatic review takes place after 3 months. Detention orders were confirmed in all cases during the year. Detainees have the right to be represented by counsel and to appeal detention orders to the High Court of Justice; however, the security forces may delay notification of counsel with the consent of a judge. According to human rights groups and legal experts, there were cases in which a judge denied the Government the right to delay notification of counsel. At detention hearings, the security forces may withhold evidence from defense lawyers on security grounds. The Government may also seek to renew administrative detention orders. However, the security services must "show cause" for continued detention, and, in some instances, individuals were released because the standard could not be met.

In felony cases, a district court judge may postpone for 48 hours the notification of arrest to the detainee's attorney. The postponement may be extended to 7 days by the Minister of Defense on national security grounds or by the police inspector general to conduct an investigation. Moreover, a judge may postpone notification for up to 15 days in national security cases.

New legislation took effect in 1997, defining more narrowly the grounds for pretrial detention and reducing to 24 hours the length of time a person may be held without charge. Children's rights activists have recommended separate legislation to define when and how a child may be arrested and how long children may be detained.

Most of the protections afforded by law are not extended to Palestinian detainees, who fall under the jurisdiction of military law even if they are detained in Israel. With IDF redeployment on the West Bank, detention centers there were closed in 1995. As a result, all Palestinian detainees held for longer than 1 or 2 days are incarcerated in Israel (see Section 1.d. Of the annex).

The Government detains 80 non-Palestinian Arabs. This total is a mixture of common prisoners, administrative detainees, and security detainees. The Government continues to deny ICRC access to two Lebanese citizens, Sheikh Mustafa Dirani (held without charge since 1994) and Sheikh Obeid (held without charge since 1989). These two cases appear linked to government efforts to obtain information on Israeli military personnel believed to be prisoners of war or missing in Lebanon. In addition, the Government detains 19 other Lebanese citizens without charge, including 11 who have completed prison sentences of up to 10 years but are still being held without charge.

The law prohibits forced exile of citizens, and there is no indication that the Government engaged in such practices.

e. Denial of Fair Public Trial

The law provides for an independent judiciary, and the Government respects this provision in practice. In practice, however, the judiciary usually acquiesces to the Government's position in security cases. The judiciary provides citizens with a fair and efficient judicial process.

The judicial system is composed of civil, military, religious, labor relations, and administrative courts, with the High Court of Justice (Supreme Court) at the apex. The High Court of Justice is an appellate court. Each of the cited courts, including the High Court of Justice, have appellate courts or jurisdictions.

The law provides for the right to a hearing with representation by counsel, and authorities observe this right in practice. A planned regional and national system of public defenders operated by the Ministry of

Justice was inaugurated in 1996 with the opening of a Tel Aviv office, although that office has suffered serious budget shortages.

All nonsecurity trials are public except those in which the interests of the parties are deemed best served by privacy. Cases involving national security may be tried in either military or civil courts and may be partly or wholly closed to the public. The Attorney General determines the venue in such cases. The prosecution must justify closing the proceedings to the public. Adult defendants have the right to be represented by counsel even in closed proceedings but may be denied access to some evidence on security grounds. Convictions may not be based on any evidence denied to the defense. Nevertheless, in the 1995 case of Mohammed Salah, he was denied access to some evidence, but it is not clear that he was convicted on the basis of that evidence.

The legal system often hands out far stiffer punishments to non-Jewish persons than to Jewish citizens. For example, human rights advocates claim that Palestinians and Arab Israelis convicted of murder usually receive life sentences, while Jewish Israelis often receive significantly shorter sentences. To the extent that Palestinians are tried in Israeli courts, they receive harsher punishments than Jewish Israelis. Noam Freidman, a Jewish extremist who lightly wounded six Palestinians after opening fire in a crowded Hebron market on January 1, had charges against him dropped after a military court ruled that he was not mentally fit to stand trial. This ruling was reached despite a decision by a psychiatric board that he was mentally competent to stand trial. On February 11, Israel released 30 Palestinian women prisoners, 5 of whom were serving sentences for murder or for being an accomplice to murder, as part of the accord on Hebron redeployment. On October 1, Sheikh Ahmed Yassin, founder of the HAMAS movement, was released by Israel from a maximum security prison and flown to Jordan.

There were no reports of political prisoners.

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

Although privacy of the individual and the home are generally protected by law, authorities sometimes interfere with mail and monitor telephone conversations. In criminal cases, the law permits wiretapping under court order; in security cases, the order must be issued by the Ministry of Defense. Under emergency regulations, authorities may open and destroy mail on security grounds (see Section 1.f. of the Annex).

g. Use of Excessive Force and Violations of Humanitarian Law in Internal Conflicts

Israeli forces and the Israeli-sponsored South Lebanese Army (SLA) and Hizballah (and to a lesser extent the Lebanese army) engaged in a recurring cycle of violence in southern Lebanon. Hizballah attacked SLA forces and Israeli troops deployed on Lebanese soil. Hizballah (and possibly armed Palestinian groups) also launched rocket attacks against northern Israel. Israeli forces conducted repeated air strikes and artillery barrages on Hizballah, Lebanese army, and Palestinian positions inside Lebanon.

An undetermined number of Lebanese civilians were killed in south Lebanon; however, the total was lower than in 1996, primarily due to the April 26, 1996 understanding between Israel and Lebanon, which commit the two sides to end the targeting of civilians or the launching of attacks from civilian-populated areas.

Politically motivated killings continued as Palestinian extremists sought to disrupt the Israel-Palestinian peace process. On March 21 a suicide bomber killed 3 Israelis and wounded 48 in an attack on a Tel

Aviv cafe. On July 30, two suicide bombers killed 16 persons and wounded 178 in an attack on a Jerusalem market. On September 4, 3 suicide bombers killed 5 persons and wounded 181 in an attack on a Jerusalem pedestrian shopping mall (see Section 1.g. of the Annex).))

Section 2 Respect for Civil Liberties, Including:

a. Freedom of Speech and Press

The law provides for freedom of the press, and the Government generally respects this right in practice. The law authorizes the Government to censor any material reported from Israel or the occupied territories regarded as sensitive on national security grounds. A new censorship agreement signed in 1996 between the Government and media representatives continues the trend to broaden liberalization of Israel's censorship regime. The agreement provides that military censorship is to be applied only in cases involving national security issues that have a near certainty of harming Israel's defense interests, and it now applies to all media organizations in Israel, including local and Arabic-language newspapers. All media organizations can appeal the censor's decision to the High Court of Justice. Moreover, a new clause abolishes the right of the censor to shut down a newspaper for a censorship violation and eliminates the ability of the office of the censor to appeal a decision against it. News printed or broadcast abroad may be reported without censorship, which permits the Israeli media to run censored stories by attributing them to foreign sources.

Emergency regulations prohibit anyone from expressing support for illegal organizations. On occasion in the past, the Government has prosecuted persons for speaking or writing on behalf of terrorist groups. No such cases were filed in 1997.

Individuals, organizations, the press, and the electronic media freely debate public issues and criticize government officials and policies. In October the High Court of Justice upheld the conviction for sedition of two members of the extremist Jewish Zo Artsenu movement. For the most part, however, the Attorney General, while condemning hate speech, has concluded that such speech cannot be prosecuted.

All newspapers are privately owned and managed. Newspaper licenses are valid only for Israel; separate licenses are required to distribute publications in areas in the occupied territories still under Israel's authority.

Directed by a government appointee, the quasi-independent Israel Broadcast Authority (IBA) controls television Channel 1 and Kol Israel radio, both major sources of news and information. Six cable companies operate under franchises granted by government councils. Privately-owned Channel 2 Television, the first commercial television channel, is operated by three franchise companies. There are 13 private radio outlets. The Second Television and Radio Authority, a public body, supervises both Channel 2 and the regional radio stations.

The Government respects academic freedom.

b. Freedom of Peaceful Assembly and Association

The law provides for the right of assembly, and the Government generally respects this provision in practice.

The law provides for the right of association, and the Government generally respects this provision in practice. After the Hebron massacre in 1994, the Cabinet invoked the 1948 Ordinance for the Prevention

of Terror to ban the ultranationalist Kach and Kahane Chai organizations, a ban that remains in effect. The decision stipulates imprisonment for anyone belonging to, or expressing support for, either organization.

c. Freedom of Religion

The law provides for freedom of religion, and the Government generally respects this right. Approximately 81 percent of citizens are Jewish. Muslims, Christians, Druze, and members of other religions make up the remaining 19 percent. Each recognized religious community has legal authority over its members in matters of marriage and divorce. Secular courts have primacy over questions of inheritance, but parties, by mutual agreement, may bring cases to religious courts. Jewish and Druze families may ask for some family status matters, such as alimony and child custody in divorces, to be adjudicated in civil courts as an alternative to religious courts. Christians may only ask that child custody and child support be adjudicated in civil courts, while Muslims have no recourse to civil courts. Legislation passed in 1996 allows the rabbinical courts to sanction either party who is not willing to grant a divorce.

Many citizens object to the Orthodox Jewish religious authorities' exclusive control over marriage, divorce, and burial, whether Jews are Orthodox or not. These authorities do not recognize marriages or conversions to Judaism performed in Israel by Conservative or Reform rabbis. These issues have been a source of sharp division within society, particularly in recent years, as thousands of Jewish immigrants from the former Soviet Union have brought with them family members not recognized as Jewish by Orthodox authorities.

A large number of Jews who wish to be married in secular or non-Orthodox religious ceremonies do so abroad. The Ministry of Interior recognizes such marriages.

The Government provides greater financial support to institutions in the Jewish sector to those in the non-Jewish sector, i.e., Muslim, Christian, and Druze. For example, only 2 percent of the Ministry of Religious Affairs budget goes to the non-Jewish sector, despite the fact that Muslims, Christians, and Druze constitute 19 percent of the population. The High Court of Justice heard a case in February alleging that this constitutes discrimination. The Court refused to rule on the case in 1997 and suggested that the petitioners refile the case after the passage of the 1998 budget, which the petitioners have done.

Missionaries are allowed to proselytize, although Mormons are specifically prohibited from doing so by mutual agreement between the Church of Jesus Christ of the Latter-Day Saints and the Government. A 1977 anti-proselytizing law prohibits anyone from offering or receiving material benefits as an inducement to conversion, but the law has not been applied for several years. A bill that would impose even more stringent restrictions on proselytizing, including banning the distribution of written materials encouraging conversions, was presented to the Knesset in 1997 but was not expected to be approved.

Jehovah's Witnesses have suffered both threats and attacks, apparently by ultra-Orthodox groups. Jehovah's Witnesses complain that despite police investigations, no perpetrators have been prosecuted. A March 8 attack on a Jehovah's Witnesses meeting house in Lod caused extensive property damage.

The Government has recognized only Jewish holy places under the 1967 Protection of Holy Sites law, therefore denying government funding for the preservation and protection of Christian, Druze, Muslim, Baha'i, and other religious sites. A January challenge to this practice led the Ministry of Religious Affairs to agree to consider funding requests for non-Jewish sites.

A 1995 High Court of Justice ruling allows small numbers of Jews under police escort to pray on the Temple Mount, which is the site of two Muslim holy places and also the location of the First and Second Jewish Temples.

d. Freedom of Movement Within the Country, Foreign Travel, Emigration, and Repatriation

The law provides for these rights, and the Government respects them in practice for citizens, except with regard to military or security zones or in instances where citizens may be confined by administrative order to their neighborhoods or villages. In 1996 rabbinical courts asserting jurisdiction over divorce cases refused at least two visiting U.S. citizens permission to depart the country until their cases were tried. While both men managed to depart Israel, their cases remain open (see Section 5). The Government continued to restrict the movements of two Jewish settlers living in the occupied territories who belonged to extremist Kach or Kahane Chai groups, through the use of administrative orders issued by the IDF central command (see Section 2.d. of the Annex). The Government prevented an

additional three members of a Jewish ultranationalist organization from entering the occupied territories.

Citizens are free to travel abroad and to emigrate, provided they have no outstanding military obligations and are not restricted by administrative order. In 1997 the Government again permitted Muslim citizens over 30 years of age to perform the religious pilgrimage to Mecca, but it denied permission to Muslim citizens under 30 years of years of age on security grounds. The Government asserts that travel to Saudi Arabia, which is still in a state of war with Israel, is a privilege and not a right.

The Government welcomes Jewish immigrants, their families, and Jewish refugees, on whom it confers automatic citizenship and residence rights under the Law of Return. This law does not apply to non-Jews or to persons of Jewish descent who have converted to another faith. Other than the Law of Return, which applies only to Jews, and the family reunification statutes, which mainly apply to Arabs who fled Israel in 1948-49, Israel has no immigration law that provides for immigration to Israel, or for political asylum. The law does allow individuals to live in Israel as permanent residents.

The issue of first asylum did not arise in 1997. The Government cooperates with the office of the United Nations High Commissioner for Refugees and other humanitarian organizations in assistin