

ISRAEL AND THE OCCUPIED TERRITORIES

2012 INTERNATIONAL RELIGIOUS FREEDOM REPORT

Executive Summary

A report on the Occupied Territories (including areas subject to the jurisdiction of the Palestinian Authority) is appended at the end of this report.

The country's laws and policies provide for religious freedom and the government generally respected religious freedom in practice. The trend in the government's respect for religious freedom did not change significantly during the year. The Basic Law on Human Dignity and Liberty protects religious freedom through reference to the Declaration of the Establishment of the State of Israel. The declaration describes the country as a Jewish state with full social and political equality, regardless of religious affiliation, and provides for freedom of religion. However, governmental and legal discrimination against non-Jews and non-Orthodox streams of Judaism continued.

There were reports of societal abuses and discrimination based on religious affiliation, belief, or practice. Prominent societal leaders, however, took positive steps to promote religious freedom. Some individuals and groups were responsible for discriminatory practices against Muslims, Christians, and non-Orthodox Jews. Relations among religious and ethnic groups--between Jews and non-Jews, Muslims and Christians, Arabs and non-Arabs, secular and religious Jews, and among the different streams of Judaism--were strained.

The U.S. government engaged in detailed discussions on religious freedom issues with the government and religious and civil society organizations. Embassy officials raised such issues as expanding the list of officially recognized religious groups, investigating religiously motivated acts of violence against minority religious groups, and the importance of a public response to vandalism of religious places.

Section I. Religious Demography

According to the 2011 report of the Central Bureau of Statistics (CBS), the population is 7.9 million (including settlers living in the Occupied Territories), of which approximately 76 percent are Jews, 19 percent are Muslims, 2 percent are Christians, and 1.6 percent are Druze. The remaining 1.4 percent consists of relatively small communities of Bahais, Samaritans, Karaites, Jehovah's Witnesses, and those classified as "other"--mostly persons who identify themselves

ISRAEL AND THE OCCUPIED TERRITORIES

as Jewish but do not satisfy the Orthodox Jewish definition of “Jewish” the government uses for civil procedures. The majority of non-Jewish citizens are of Arab origin.

According to the CBS report, 9 percent of the Jewish population identifies as Haredi (also known as “ultra-Orthodox”), 10 percent identifies as Orthodox, 15 percent describe themselves as “traditional, religious,” 23 percent call themselves “traditional, not so religious,” and 43 percent describe themselves as “nonreligious/secular” Jews, most of whom observe some Jewish traditions. Although not differentiated in official statistics, a 2012 Guttman Institute poll shows that approximately 500,000 traditional and secular Jews associate themselves with the beliefs of the Conservative or Reform streams of Judaism. There is also a community of approximately 20,000 Messianic Jews.

Religious communities often are concentrated in geographical areas according to religious beliefs. The country continues to undergo demographic changes due to the higher birth rate of the Haredi and Muslim communities.

There are approximately 95,000 foreigners permitted to work in the country and an additional 120,000 illegal foreign workers. Foreign workers were members of many different religious groups, including: Protestant, Roman Catholic, Orthodox Christian, Buddhist, Hindu, and Muslim.

Section II. Status of Government Respect for Religious Freedom

Legal/Policy Framework

Although there is no constitution, laws and policies provide for religious freedom, and the government generally respected this right in practice. The Supreme Court has repeatedly held that the Basic Law on Human Dignity and Liberty protects freedom to practice religious beliefs, and its rulings incorporate the religious freedom provisions of international human rights agreements into the country’s body of law. The Basic Law describes the country as a “Jewish and democratic state” and references the Declaration of the Establishment of the State of Israel, which promises freedom of religion and conscience and full social and political equality, regardless of religious affiliation. Government policy continues to support the generally free practice of religion, although governmental and legal discrimination against non-Jews and non-Orthodox streams of Judaism continues.

ISRAEL AND THE OCCUPIED TERRITORIES

Under laws inherited from the Ottoman and British Mandate periods, the legal system gives jurisdiction over personal status issues to each religious community. Under this system, each officially recognized religious community operates religious courts and has legal authority over its members in matters of marriage, divorce, and burial. Jewish, Druze, and Christian families may ask for some personal status cases, including alimony and child custody, to be adjudicated in civil courts. Jewish women often prefer the civil courts because they are considered to be more fair to women. However, in cases of divorce, Jewish women are subject to the exclusive jurisdiction of the rabbinical courts if their spouses file the case there first. Since 2001 Muslim women also may file cases related to custody, alimony, or property division associated with divorce in civil courts. In practice, however, societal pressures frequently prevent Muslim women from using this option. Paternity cases among Muslim citizens are the exclusive jurisdiction of Islamic law courts. Some couples who marry in the country, including Catholics, cannot get a divorce unless they change their religious affiliation to a different religious authority that authorizes divorces.

Members of unrecognized religious groups may practice their beliefs. There is no civil right to marry or divorce in the country for members of unrecognized religious communities, but an authority within one of the recognized religious communities can handle their personal status issues, including marriage, if the authority agrees.

Secular courts have primary jurisdiction over questions of inheritance, but parties may file such cases in religious courts by mutual agreement. Decisions by these bodies are subject to Supreme Court review. The rabbinical courts, when exercising their power in civil matters, apply religious law, which varies from civil law, including in matters relating to the property rights of widows and daughters.

The government implements some policies based on Orthodox Jewish interpretations of religious law. This system limits the personal freedom of individuals who otherwise would not subject themselves to the authority of a religious community. For example, the only in-country Jewish marriages the government recognizes are those the Orthodox Chief Rabbinate performs, which excludes citizens without maternal Jewish lineage since such persons are not considered Jewish according to Halacha (Jewish law). Since the state does not permit civil marriages, interfaith marriages, or marriages performed by non-Orthodox rabbis or unrecognized religious authorities, many marriages must take place outside the country in order to be legally recognized. This provision restricts

ISRAEL AND THE OCCUPIED TERRITORIES

the ability of individuals to choose their own religious authorities and prevents several hundred thousand Israeli citizens from marrying within the country. A 2010 law allows for civil registration of married couples only if both partners are recognized as being of “no religion,” which applies to a few dozen marriages each year.

To marry in government-recognized ceremonies, Jews must undergo marriage counseling from Orthodox religious authorities. As part of this counseling, all Jews--including the majority who do not define themselves as Orthodox or religious and those who practice Reform or Conservative Judaism--are taught to respect traditional Orthodox family roles.

The Chief Rabbinate determines who is buried in Jewish state cemeteries, limiting this right to individuals considered Jewish by Orthodox standards.

The Chief Rabbinate determines the legal validity of conversions to Judaism within the country under Orthodox rabbinic law. The Chief Rabbinate does not recognize non-Orthodox converts to Judaism as Jews and, as such, Reform and Conservative converts cannot marry or divorce in the country or be buried in Jewish cemeteries; people who converted to Reform or Conservative Judaism abroad do not have any such restrictions in the country.

The government provides funding for Orthodox conversion programs but does not support non-Orthodox programs. The government has not implemented the May 2009 High Court of Justice ruling requiring it to cease discriminating against non-Orthodox conversions. The Israeli Defense Forces (IDF) sponsors Orthodox Jewish conversion courses for Jewish soldiers who are not recognized as Jewish by the Orthodox rabbinical authorities.

Relatives of Jewish converts cannot receive residency rights, except for the children of female converts born after the mother’s conversion is complete.

In response to a 2005 petition by the Reform and Conservative movements, the State Prosecutor’s Office announced on May 30 that the state will recognize Conservative and Reform rabbis in rural communities and provide them with the same funding as Orthodox rabbis. However, the Ministry of Religious Services refuses to pay the salaries of the non-Orthodox rabbis. The Ministry of Culture and Sport is looking for a way to do so instead. The Chief Rabbinate opposes granting state recognition to non-Orthodox rabbis.

ISRAEL AND THE OCCUPIED TERRITORIES

The law recognizes the following religious communities: Eastern Orthodox, Latin (Roman Catholic), Gregorian-Armenian, Armenian-Catholic, Syrian Catholic, Chaldean (Chaldean Uniate Catholic), Greek Catholic Melkite, Maronite, Syrian Orthodox, Druze, Evangelical Episcopal, and Bahai. Other religious communities, including major Protestant Christian denominations, have a presence in the country, but are not recognized by the government as “religious communities.” The fact that the Muslim population is not defined as a religious community is a vestige of the Ottoman period when Islam was the dominant religion, but does not prevent Muslims from practicing their religion. Four religious communities have applied for official recognition but their applications have been pending for years: Ethiopian Orthodox, Coptic Orthodox, Evangelical Lutheran Church, and the Evangelical Alliance of Israel.

The Law of Return provides the right for any Jew, or any child or grandchild of a Jew, to immigrate to Israel from a foreign country with his or her spouse and children. Prospective immigrants routinely face questioning about their religious beliefs to determine their qualifications for citizenship. While Jews who are atheists or who state their adherence to other religions are conferred immigration benefits, Messianic Jews are routinely excluded, despite the Supreme Court repeatedly upholding the right of Israeli Jews who believe Jesus is the Messiah to retain citizenship. Descendants of Jews qualify for immigration under the Law of Return regardless of their religious beliefs. Following a 2011 government decision, the Ministry of Interior (MOI) now relies on the Jewish Agency’s guidance on who qualifies to immigrate as a Jew, rather than on the Chief Rabbinate. Non-Orthodox converts to Judaism are entitled to the civil right of return, citizenship, and registration as Jews in the civil population registry.

The 1967 Protection of Holy Sites Law protects the holy sites of all religious groups. All holy sites also enjoy protection under the penal law, which makes it a criminal offense to damage any holy site. Historic sites also are protected by the antiquities law. The government provides some resources for the upkeep of holy places of Muslims and all recognized religious communities, but provides significantly greater levels of government resources to Jewish holy places. The government also funds construction of Jewish synagogues and cemeteries.

A government policy since 1967, repeatedly upheld by the Supreme Court and routinely enforced by the police, who cite security concerns, denies non-Muslim worship and prayer at the Temple Mount/Haram al-Sharif. While the government

ISRAEL AND THE OCCUPIED TERRITORIES

ensures limited access to the Temple Mount/Haram al-Sharif to everyone regardless of religious belief, only Muslims are allowed to pray at the site, although their access is occasionally restricted due to security concerns. The Israel National Police regulates traffic in and out of the compound and removes non-Muslim visitors if they appear to be praying.

The Jordanian-controlled Jerusalem Islamic Waqf that manages the site generally restricts non-Muslims from entering the Dome of the Rock shrine and Al-Aqsa Mosque, a practice it started in the year 2000. The Waqf does not allow non-Muslim religious symbols to be worn on the Temple Mount/Haram al-Sharif.

The Rabbi of the Western Wall, appointed by the prime minister and chief rabbis, sets the guidelines for religious observance at the Western Wall, including the strict separation of women and men. Government authorities prohibit mixed-gender prayer services at the Western Wall in deference to the belief of Orthodox Jews that such services violate Jewish religious law. According to a policy the Supreme Court repeatedly upheld, women are not allowed to pray at the Western Wall while wearing certain prayer shawls and are not permitted to read aloud from Torah scrolls because this form of prayer by women violates most Orthodox interpretations of Jewish law. Doing so is punishable under Israeli law by up to 12 months in prison or a fine of 500 NIS (\$135). The court allows women and egalitarian prayer groups to hold worship services, read the Torah, and wear prayer shawls at an area south of the Mughrabi Gate adjacent to the Western Wall that the Antiquities Authority administers.

The High Court ruled in 2010 that the segregation of men and women on some public streets and sidewalks in the ultra-Orthodox Jewish neighborhood of Mea She'arim in Jerusalem is illegal. The High Court upheld its decision this year, as local authorities attempted to give permission to erect barriers for such segregation. Similarly, a January 2011 Supreme Court ruling found that gender segregation on public buses could not be imposed or ordered but could occur only on a voluntary basis.

The government provides resources to both religious and nonreligious schools. By law the government subsidizes 55 to 75 percent of the expenses Haredi religious schools incur if they teach an equivalent percentage of the national curriculum, which includes nonreligious subjects. However, another law exempts these schools from that requirement.

ISRAEL AND THE OCCUPIED TERRITORIES

Government resources available for religious or heritage studies to Arab and non-Orthodox Jewish public schools are significantly less than those available to Orthodox Jewish public schools. Public and private Arab schools offer studies in both Islam and Christianity, but state funding for such studies is proportionately less than the funding for religious education courses in Jewish schools.

Public Hebrew-language secular schools teach Jewish history and religious texts. These classes primarily cover Jewish heritage and culture rather than religious belief. Public Arabic-speaking schools with Arab student bodies teach mandatory classes on the Quran and the Bible to both Muslim and Christian Arab students. A few independent mixed Jewish-Arab schools also exist and offer religion classes.

The government employs civilian non-Jewish clergy as chaplains at military burials when a non-Jewish soldier dies in service. The MOI provides imams to conduct funerals according to Muslim customs. All Jewish chaplains in the IDF are Orthodox.

Military service is compulsory for Jews, Druze, and the 5,000-member Circassian community (Muslims from the northwestern Caucasus region who migrated in the late 19th century). Arab citizens are exempt from compulsory service. Although the majority of Arab citizens choose not to serve in the military, some Christian and Muslim citizens, including many Bedouins, voluntarily enlist. Government policy, formalized and conditioned by the 2002 Tal Law, allows Haredi Jews to refuse to serve for religious reasons. On February 21, the High Court ruled the Tal Law unconstitutional. However, since no alternative legislation has been passed, the policy remains *de facto* in effect. To receive similar national benefits accorded military veterans, Arabs and Haredi Jews can perform national service for one or two years, including for nongovernmental organizations (NGOs) and institutions focused on improving their own local communities as volunteers in the health, education, and welfare sectors.

All recognized religious communities are exempt from taxation for places of worship, according to the annually drafted Arrangements Law. In August, following a petition from the Jerusalem Institute of Justice (JIJ), the Knesset amended the municipal and property tax law to grant a 100 percent exemption to all religious institutions that do not use their space for commercial purposes, just as it had done solely for synagogues in 2010.

ISRAEL AND THE OCCUPIED TERRITORIES

The MOI has jurisdiction over religious matters concerning non-Jewish groups, while the Ministry of Tourism is responsible for the protection and upkeep of non-Jewish holy sites. The Ministry of Religious Affairs has jurisdiction over the country's 133 Jewish religious councils, which oversee the provision of religious services for Jewish communities. The MOI's Department of Non-Jewish Affairs oversees one non-Jewish religious council for the Druze. Legislation establishing religious councils does not include non-Jewish religious communities other than the Druze. The government finances approximately 40 percent of the religious councils' budgets, and local municipalities fund the remainder.

Proselytizing is legal for all religious groups. A 1977 law prohibits offering a material benefit as an inducement to conversion. It is also illegal to convert a person under 18 years of age unless one parent is an adherent of the religious group seeking to convert the minor. Despite the legality of proselytism, the government generally discourages proselytizing and encourages the popular perception that it is illegal. The MOI occasionally cites proselytism as a reason to deny student, work, and religious visa extensions, as well as to deny permanent residency petitions.

While members of recognized religious communities only require approval for visas from the Ministry of Foreign Affairs (MFA), visas for members of unrecognized religious communities also require MOI approval for stays longer than five years, restricting the ability of some religious communities to provide consistent leadership within the country.

The government is a member of the Task Force for International Cooperation on Holocaust Education, Remembrance, and Research.

The government observes the following religious holidays as national holidays: Rosh Hashanah, Yom Kippur, Sukkot, Simhat Torah, Passover, and Shavuot. Jewish holidays and the Sabbath are official days of rest, and non-Jews have the right to observe their own Sabbath and holidays as days of rest from work. Arab municipalities often recognize Christian and Muslim holidays. The law prohibits employers from refusing to hire or from firing employees who observe a different day of rest for religious observance, and employers cannot make working on a rest day a condition of employment. The Ministry of Labor and Social Services issues permits for exceptions enabling essential workers to work on their days of rest. The law gives municipalities the authority to order the opening or closing of businesses on the Jewish Sabbath.

ISRAEL AND THE OCCUPIED TERRITORIES

Government Practices

There were reports of abuses of religious freedom, including arrests and detentions, and the government imposed numerous restrictions that affected minority groups.

Among the restrictions were prohibitions on prayer or types of prayer at certain holy sites. On August 19, police detained four members of the Women of the Wall, a group that organized monthly women's services at the holy site, for wearing prayer shawls traditionally reserved for men at the Western Wall. On October 16, the police arrested the group's chairwoman, Anat Hoffman, for the same act and released her the next day. In December the prime minister asked Natan Sharansky, Chairman of the Jewish Agency, to study the issue of women's prayer at the Western Wall and suggest ways to accommodate all Jews.

Legal and policy restrictions on religious freedom continued. Government policy supported the generally free practice of religion, although some forms of governmental and legal discrimination against non-Jews and non-Orthodox streams of Judaism continued. The majority of Jewish citizens objected to exclusive Orthodox control over fundamental aspects of their personal lives.

Temporary partitions were installed on occasion during the year to extend gender segregation into the Western Wall plaza. Official "modesty patrols" occasionally attempt to enforce gender separation and sometimes guarded a path opposite the Western Wall designated for "men only" that was installed in 2009. The sign was removed at the end of the year.

Despite a High Court ruling in 2010 that the segregation of men and women on some public streets and sidewalks in Mea She'arim was illegal, local authorities gave permission to erect a segregating barrier again during the year. However, the High Court upheld its previous decision, stating that 2011 was the last year such a barrier would be allowed. A large sign pointing to a women-only sidewalk was still posted in October. A Jerusalem city council member overseeing the removal of such illegal signs told the press that it had been overlooked and affirmed that there was no gender segregation in practice. The High Court ruling ended a tradition of gender segregation during Sukkot.

Despite a 2007 MOI decision that ended the indication of religious affiliation on official identity cards, complaints continued that the majority of identity cards still in circulation identified non-Jews.

ISRAEL AND THE OCCUPIED TERRITORIES

On October 3, a Jerusalem magistrates' court judge noted that "the explanation that Muslims do not approve of Jews' praying on the Temple Mount cannot, in and of itself, prevent Jews from fulfilling their religious obligations and praying on the Temple Mount." However, the judge noted he was not providing an instruction to the police. While arrests are subject to judicial oversight, the government, not the courts, has the authority to decide matters relating to religious rights in holy places, and the Supreme Court has upheld that governmental authority.

Israeli police controlled access to and the security of the Temple Mount/Haram al-Sharif compound with police stationed both inside the compound and outside each entrance to the site. Entrance to the Temple Mount was legally permitted regardless of one's religious beliefs, although access was often restricted. Police cited security concerns when restricting young Muslim men from entering the site. Police often removed from the site Jewish individuals who appeared to be praying, in accordance with a government policy dating back to 1967. Some Jewish groups were prevented from entering the Temple Mount without a police escort due to security concerns, and there were reports that the police escorts at times did not detain these groups when they prayed. The Jerusalem Islamic Waqf, part of the Jordanian Ministry of Waqf, exercised administrative control over the site and prohibited from the site non-Muslim symbols, the Bible and other religious literature, and clothing deemed immodest by Muslim standards, as well as non-Muslim entrance into the Dome of the Rock, Al-Aqsa Mosque, Al-Marwani Mosque, and the Islamic Museum.

Some Muslims stated there was insufficient state funding for Muslim affairs, including for building and restoring mosques and cemeteries, although the state did provide municipalities with religious development budgets and religious institutions with operational support funds. Many mosques lacked an appointed imam, a responsibility of the MOI's Muslim Affairs Department. The government allowed nonstate employees to be imams in mosques if the community preferred.

According to government figures, the year's budget for religious services for the Jewish population was approximately NIS 415 million (\$112 million). Religious minorities, which constituted slightly more than 20 percent of the population, received approximately NIS 80 million (\$21.6 million), or 16 percent of total funding. The budgets for religious institutions for the Jewish population and religious minorities were not made public.

ISRAEL AND THE OCCUPIED TERRITORIES

According to representatives of some Christian institutions, visa issuance rates for some religious workers remained low. The MOI only granted multiple-entry visas to a limited list of clergy and religious workers traveling to and between their parishes in the country and in the Occupied Territories. Other clergy who wished to return to or visit their parishes and congregations were required to apply for a new single-entry visa at Israeli consulates abroad--a process that at times took months.

According to the government, travel to hostile countries, including travel to Saudi Arabia for the Hajj, was subject to restrictions.

Palestinian religious groups faced some restrictions, such as closures for security reasons and long waits at border crossings, which often impeded travel into the country for religious purposes.

As in previous years, the Religious Affairs Ministry failed to fully implement the 1996 Alternative Burial Law, which established the right of any individual to be buried in a civil ceremony.

MOI officials continued to revoke citizenship or deny services (such as child registration, social benefits, identity cards, and passports) to some citizens based on their religious beliefs, according to the JIJ. This included cases of individuals who immigrated under the Law of Return as Jews but were discovered to hold Messianic or Christian beliefs. According to the JIJ, on July 4 the MOI granted residency to a Holocaust survivor whom it previously had refused in May 2011 due to her profession of Messianic Jewish beliefs.

In July Knesset member Michael Ben-Ari tore the New Testament out of a Hebrew language Bible the Bible Society sent to all members of Knesset. A legislative aide photographed him and sent the pictures to a newspaper. A spokesman for Prime Minister Netanyahu criticized the incident and the Council of Religious Institutions of the Holy Land (CRIHL) called on the government to censure and take appropriate action against Ben-Ari. The CRIHL is an umbrella body of Jewish, Christian, and Muslim religious institutions that includes the Chief Rabbinate of Israel, the PA Ministry of Islamic Waqf, the PA Islamic Sharia courts, and the leaders of the major Christian denominations in Jerusalem. The government took no further action.

ISRAEL AND THE OCCUPIED TERRITORIES

The government operated a special department in the state attorney's office for prosecution of incitement-related crimes.

Abuses by Rebel or Foreign Forces or Terrorist Organizations

During the year terrorist organizations, including Hamas, Palestinian Islamic Jihad, and members of global Jihadist organizations, carried out increased attacks against citizens of the country, mostly in the form of indiscriminate missile, rocket, and mortar attacks from the Gaza Strip, particularly immediately prior to and during the November 14-21 conflict, when over 1,500 rockets were fired at Israel from the Gaza Strip. Terrorists' statements often contained anti-Semitic rhetoric and appeals to Islamic religious beliefs in conjunction with the attacks, including in Hamas' founding charter where it states that "the Day of Judgment will not come about until Muslims fight the Jews."

Improvements and Positive Developments in Respect for Religious Freedom

There were no violent attacks against Messianic Jews and notably fewer physical assaults against Jehovah's Witnesses during the year. The police investigated all known instances of religiously motivated attacks and made arrests when possible, including in August when the police arrested seven suspects for assault, harassment, and arson in connection with Haredi protests against the opening of an Orthodox all-girls school in Beit Shemesh.

The state formally recognized non-Orthodox rabbis for the first time on May 30 and agreed to fund Reform and Conservative rabbis appointed by rural communities.

The MOI did not arrest, detain, require bail for entry or a written pledge to abstain from missionary activity, or refuse entry to anyone due to their religious beliefs. There was no indication that the MOI collected data on alleged missionaries from antimissionary groups and used it to deny entry to the country to foreign individuals. There was no official statement that the policy had changed, but no incidents were reported since the July 2011 action of a Jerusalem district court judge who reprimanded the MOI for the illegal procedure.

On August 2, the Knesset amended legislation from 2010 to apply tax exemptions to all places of religious instruction equally.

ISRAEL AND THE OCCUPIED TERRITORIES

Section III. Status of Societal Respect for Religious Freedom

There were reports of societal abuses and discrimination based on religious affiliation, belief, or practice. Relations between religious and ethnic groups, including between Muslims and Christians, Arabs and non-Arabs, and secular and religious Jews continued to be tense. Muslim individuals violently attacked Haredi individuals, including multiple stabbing incidents in Jerusalem. One stabbing occurred as a Haredi man was returning from a visit to the tomb of Shimon HaTzaddik on April 19. About two dozen Jewish youths beat up several Muslim Arabs in Jerusalem on August 17, leaving one unconscious. Senior government officials quickly criticized the violence, and police arrested eight suspects by August 21, almost all minors.

There were at least five incidents of vandalism of churches and monasteries in Jerusalem and Latroun during the year. Spray-painted graffiti of religious denigration marked them as “price tag” attacks conducted in retaliation for government actions to restrict settlement activity in the West Bank and designed to exact a “price” for actions settlers considered contrary to their interests. Officials quickly and publicly criticized the attacks and police opened investigations and made several arrests. There were no prosecutions as of the end of the year.

There were numerous reports of anti-Semitic acts perpetrated by members of minority religious groups. On October 5, following Friday prayers on the Temple Mount/Haram al-Sharif, Muslim worshipers threw stones in the direction of the Western Wall plaza and at soldiers and police officers guarding the compound.

Societal attitudes toward missionary activities and conversion were generally negative. Most Jews opposed missionary activity directed at Jews, and some were hostile to Jewish converts to Christianity. Messianic Jews and Jehovah’s Witnesses were harassed regularly by Yad L’Achim and Lev L’Achim, Jewish religious organizations opposed to missionary activity. During the year, Jehovah’s Witnesses reported assaults, threats of violence, and other crimes to the police. On July 22, a Beersheva resident assaulted a 62-year-old woman, breaking her nose by butting his head against hers when she and another woman shared their faith with him outside his front door. The police arrested the perpetrator at his house on August 28, the same day the victim identified him to the police.

There continued to be tension between the Haredi community and the majority of Israelis, including concerns related to housing, service in the IDF, participation in

ISRAEL AND THE OCCUPIED TERRITORIES

the workforce, and the increasing burden of transfer payments made to Haredi families, many of whom received government subsidies for families with five or more children. Polling by the NGO Hiddush indicated that tension between Haredi and secular Israelis was the most acute conflict within Israeli society, more important than the left-right divide, the economic divide, and the Ashkenazi and Sephardic divide.

Expressions of animosity between secular and religious Jews continued during the year. Some members of Haredi Jewish groups acted in a discriminatory and intolerant manner toward other Jews. As in past years, there were instances of Haredim throwing rocks at passing motorists driving on the Sabbath in predominantly Haredi neighborhoods, and harassing or assaulting women whose appearance they considered immodest. There continued to be numerous reports of Haredi men spitting at non-Haredi Jews and persons of different faiths, including in Jerusalem's Mea Shearim neighborhood. On August 1, police indicted a Haredi man for sexual harassment and assault when he spit on a woman he accused of being immodestly dressed. The man resisted arrest by assaulting the officers. As this was occurring, a Haredi crowd attacked the police car with stones and iron rods protesting his arrest.

Several public transportation companies, including Egged, operated gender-segregated buses along inter- and intra-city routes frequented by Haredi Jews. Women who refused to sit at the back of such buses risked harassment and physical assault from male passengers. Despite a ruling by the Supreme Court in January 2011 that gender segregation on public buses could occur only on a voluntary basis, segregated buses continued to operate in some ultra-Orthodox communities, and Orthodox women in particular continued to receive some criticism if they chose to sit at the front of buses.

Interfaith dialogue often was linked to ongoing peace efforts between Israelis and Palestinians and between the country and its Arab neighbors. A number of NGOs sought to build understanding and create dialogue among religious groups and between religious and secular Jewish communities. These organizations included the Gesher Foundation; Meitarim, which operated a pluralistic, Jewish-oriented school system; and the Interreligious Coordinating Council, which promoted interfaith dialogue among Jewish, Muslim, and Christian institutions.

The Israel Council of Religious Leaders, established in 2008, is the representative body of religious leaders whose status and communities the government formally

ISRAEL AND THE OCCUPIED TERRITORIES

recognized. The council held its annual meeting to further interfaith understanding and promote religious freedom, and its standing committees met quarterly.

Section IV. U.S. Government Policy

Embassy officials engaged in detailed discussions on religious freedom with the government, as well as with religious and civil society organizations. The ambassador hosted and attended many events with Jewish, Muslim, Christian, Druze, and Bahai religious leaders, including on many of their holidays. The U.S. embassy consistently raised concerns about religious freedom with the MFA, the MOJ, the police, the Chief Rabbinate, and other government agencies. Issues included expanding the list of officially recognized religious groups; investigating religiously motivated acts of violence against minority religious groups, including Messianic Jews and Jehovah's Witnesses; investigating vandalism of mosques and churches; upholding women's rights against religious or social coercion in public spaces and on buses; and ensuring that the practice of preventing entry into the country based on the MOI's lists of suspected "missionaries" was indeed ended.

Embassy officials maintained a dialogue with NGOs that focused on human and civil rights, including religious freedom, and promoted interfaith initiatives. Embassy representatives also attended and spoke at meetings of such organizations and encouraged religious leaders to advance regional peace and calm local tensions. The embassy offered programs that exposed Israelis to U.S. models of religious diversity and civil society.

ISRAEL AND THE OCCUPIED TERRITORIES

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

Executive Summary

Religious freedom in the Occupied Territories falls under the jurisdiction of the Palestinian Authority (PA), Israel, or Hamas (which maintains de facto control in the Gaza Strip). The laws and policies of the PA and Israel protect religious freedom, and in practice the two governments generally respected these rights. The trend in the governments' respect for religious freedom did not change significantly during the year. The de facto Hamas authorities in Gaza continued to restrict religious freedom in both law and practice, and the negative trend for respect of this right was reflected in such abuses as arresting or detaining Muslims in Gaza who did not abide by Hamas' strict interpretation of Islam and broadcasting a program calling for Jews to be killed.

The PA does not have a constitution, but the Palestinian Basic Law generally functions as a temporary constitution. The basic law provides for freedom of belief, worship, and the performance of religious rites unless such practices violate public order or morality. PA policy generally protected the free practice of religion, although problems persisted. The Basic Law states that Islam is the official religion and the principles of Sharia (Islamic law) shall be the main source of legislation. It also proscribes discrimination based on religion, stipulates that all citizens are equal before the law, and holds that basic human rights are liberties that shall be protected.

Israel exercises varying degrees of legal, military, and economic control in the Occupied Territories. Israel's Basic Law on Human Dignity and Liberty provides for the protection of religious freedom. The Israeli government respected the right to freedom of religion within the Occupied Territories during the year, although the government's closure policies and the separation barrier restricted the ability of Palestinian Muslims and Christians to reach some places of worship. Israeli security authorities at times restricted Muslim and Christian worship within Jerusalem. Israeli policies also limited the ability of Israeli Jews to reach places of worship in areas under Palestinian control.

Since the 2007 Hamas coup in the Gaza Strip, Hamas, a U.S.-designated foreign terrorist organization, has exercised de facto authority over the territory and has

ISRAEL AND THE OCCUPIED TERRITORIES

enforced conservative Islamic law, harassed non-Muslims, and imposed religious restrictions on women.

There were reports of societal abuses and discrimination based on religious affiliation, belief, or practice. Christians and Muslims generally enjoyed good relations during the year in the Occupied Territories. However, tensions remained high among Jewish communities, and between Jews and non-Jews; continuing violence heightened those tensions.

U.S. consulate general officials in Jerusalem monitored the status of religious freedom and raised instances of abuses and discriminatory practices with relevant government officials at all levels, as well as with religious and human rights groups. The consul general actively supported the Council of Religious Leaders in the Holy Lands' (CRIHL) efforts to denounce acts of violence, religious intolerance, and vandalism of holy sites.

Section I. Religious Demography

According to 2011 World Bank statistics, approximately 4 million Palestinians live in the Occupied Territories. Roughly 98 percent of Palestinian residents are Sunni Muslims. According to the 2010 Statistical Yearbook of the Jerusalem Institute for Israel Studies, 491,800 Jews live in Jerusalem, amounting to roughly 62 percent of the city's population. The Israeli Ministry of Interior reports that 350,150 Jews reside in the West Bank. Although there is no official count, there are about 52,000 Christians in the West Bank, Gaza, and East Jerusalem, according to a 2008 survey conducted by the Lutheran ecumenical institution, Diyar Consortium. A majority of Christians are Greek Orthodox; the remainder consists of Roman Catholics, Greek Catholics, Syrian Orthodox, Episcopalians, Lutherans, Armenian Orthodox, Copts, Maronites, Ethiopian Orthodox, and member of several other Protestant denominations. Christians are concentrated primarily in Jerusalem, Bethlehem, Ramallah, and Nablus, but smaller communities exist elsewhere. Approximately 400 Samaritans reside in the West Bank, as well as a small number of evangelical Christians and Jehovah's Witnesses.

According to local Christian leaders, Palestinian Christian emigration has accelerated since 2001. Lower birth rates among Palestinian Christians also contribute to their shrinking numbers.

Section II. Status of Government Respect for Religious Freedom

ISRAEL AND THE OCCUPIED TERRITORIES

Legal/Policy Framework

The laws and policies of the PA protect religious freedom. The PA does not have a constitution but has stated that the Palestinian Basic Law functions as its temporary constitution. The Basic Law states that Islam is the official religion and the principles of Sharia (Islamic law) shall be the main source of legislation. It provides for freedom of belief, worship, and the performance of religious rites unless they violate public order or morality. The Basic Law also proscribes discrimination based on religion, stipulates that all citizens are equal before the law, and holds that basic human rights and liberties shall be protected. A 1995 PA presidential decree stipulates that all laws in effect before the advent of the PA continue in force until the PA enacts new laws or amends the old ones.

Islamic institutions and places of worship receive preferential financial support from the government by law. The PA Ministry of Awqaf (religious endowments) and Religious Affairs pays for the construction and maintenance of mosques and the salaries of most Palestinian imams in the West Bank. It provides imams with themes they are required to use in Friday sermons, and prohibits them from broadcasting Quran recitations from minarets prior to the call to prayer.

The ministry also provides limited financial support to some Christian clergy and Christian charitable organizations. The PA does not provide financial support to Jewish institutions in the West Bank; the Israeli government controls most Jewish holy sites in the West Bank.

Islamic or Christian religious courts must handle all legal matters relating to personal status, including inheritance, marriage, dowry, divorce, and child support. For Muslim Palestinians, personal status law is derived from Sharia, while various ecclesiastical courts rule on personal status matters for Christians. All legally recognized religious groups are empowered to adjudicate personal status matters, and most do so in practice. The PA does not have a civil marriage law. Legally, members of one religious group may agree to submit a personal status dispute to a different denomination for adjudication. Churches the PA does not recognize must obtain special permission to perform marriages or adjudicate personal status matters; many unrecognized churches advise their members to marry or divorce abroad.

ISRAEL AND THE OCCUPIED TERRITORIES

The PA requires Palestinians to declare their religious affiliation on identification papers.

PA President Mahmoud Abbas has informal advisers on Christian affairs. Six seats in the 132-member Palestinian Legislative Council are reserved for Christians; there are no seats reserved for members of any other religion.

Churches in the West Bank and Gaza are in three categories: churches the PA recognizes in accordance with status quo agreements reached under Ottoman rule in the late 19th century and Protestant churches with established episcopates; churches that it does not recognize but which exist and operate, such as some Protestant churches, including evangelical ones, that were established between the late 19th century and 1967; and a small number of churches that have become active within the last decade and whose legal status is less certain. There is no specific process by which religious organizations gain official recognition; rather, each religious group seeks bilateral agreements with the PA individually.

The PA respects the 19th century status quo agreements reached with Ottoman authorities. These agreements specifically established the presence and rights of the Greek Orthodox, Roman Catholic, Armenian Orthodox, Assyrian, Coptic, Ethiopian Orthodox, Greek Catholic, and Syrian Orthodox churches. The Episcopal and Evangelical Lutheran churches were added later to this list. These religious groups are permitted to have ecclesiastical courts whose rulings are considered legally binding on personal status and some property matters for members of their religious communities. Civil courts do not adjudicate such matters.

Churches in the second category, which includes the Assemblies of God, Nazarene Church, and some Baptist churches, have unwritten understandings with the PA based on the principles of the status quo agreements, although they are not officially recognized. They generally are permitted to operate freely and some are able to perform certain personal status legal functions, such as issuing marriage certificates.

The third category consists of a small number of groups that normally proselytize, including Jehovah's Witnesses and some evangelical Christian groups. These churches also generally operate unhindered by the PA, although they must agree not to engage in proselytizing.

ISRAEL AND THE OCCUPIED TERRITORIES

Religious education is compulsory for students in grades one through six in schools the PA operates. There are separate courses for Muslims and Christians.

The site Muslims refer to as the Haram al-Sharif (Noble Sanctuary) contains the Dome of the Rock and the al-Aqsa Mosque. Jews refer to the same place as the Temple Mount and recognize it as the foundation of the first and second Jewish temples. The location has been under Israeli control since 1967 when Israel captured the eastern sector of the city (the Israeli government formally annexed East Jerusalem in 1980, and Israel applies its laws in East Jerusalem). However, the Jerusalem Islamic Waqf, a Jordanian-funded and administered Islamic trust and charitable organization, administers the Haram al-Sharif/Temple Mount.

Since 1967, the Government of Israel as a matter of stated policy generally prohibits non-Muslim worship at the Haram al-Sharif/Temple Mount, and many Jewish leaders promote the view that Jewish law prohibits Jews from entering the compound due to the risk of accidentally defiling the (unknown) location of the Temple's Holy of Holies. They instead direct worshippers to the Western Wall. The Israeli High Court ruled in 1997 that "Jews, even though their right to the Temple Mount exists and stands historically, are not permitted to currently actualize their right to perform public prayer on the Temple Mount." However, in a number of instances, Israeli police reportedly facilitated the entrance of Jewish groups that attempted to perform religious acts at the site.

The Rabbi of the Western Wall, an Israeli government appointee, sets the guidelines for religious observance at the Western Wall, such as the strict separation of women and men on the plaza. Women are not allowed to conduct prayers at the Western Wall while wearing prayer shawls and are not permitted to read from Torah scrolls. Doing so is punishable under Israeli law by up to 12 months in prison or a fine of 500 NIS (\$135).

Under Oslo-era agreements, both Israel and the PA share responsibility for the Ibrahimi Mosque/Tomb of the Patriarchs in Hebron, although disagreements over division of responsibilities are significant.

Israel exercises varying degrees of legal, military, and economic control in the Occupied Territories. Israel's Basic Law on Human Dignity and Liberty provides for the protection of religious freedom. However, its closure and curfew policies and its separation barrier restrict that freedom. Israeli security authorities at times restrict Muslim and Christian worship within Jerusalem. Israeli policies also limit

ISRAEL AND THE OCCUPIED TERRITORIES

the ability of Israeli Jews to reach places of worship in areas under Palestinian control.

Since the 2007 Hamas coup in the Gaza Strip, Hamas has exercised de facto authority over the territory. It enforces conservative Islamic law, harasses non-Muslims, and imposes religious restrictions on women.

The PA observes the following religious holidays as national holidays: the Birth of the Prophet Muhammad, Eid al-Fitr, Eid al-Adha, Zikra al-Hijra al-Nabawiya, and Christmas (both Western and Orthodox). The PA maintains a Friday-Saturday weekend, but Christians are allowed to take Sunday off instead of Saturday. Christians take Easter as a paid religious holiday.

Government Practices

There were reports of abuses of religious freedom, including detentions.

The Public Committee Against Torture submitted affidavits in March to the Israeli attorney general on behalf of nine Palestinian women that alleged Israeli intelligence officials used religion as one of the means to threaten and embarrass women it questioned. Israeli intelligence officials publicly stated that these claims were untrue.

Israeli police in August detained four members of the Women of the Wall, a group that organizes monthly women's services at the holy site, for wearing prayer shawls at the Western Wall. The group's chairperson, Anat Hoffman, was again arrested in October on the same charges, but was released the next day. Israeli authorities refuted her claim that she was mistreated while in detention.

The Government of Israel continued to apply travel restrictions during the year that impeded access to particular places of worship in the West Bank and Jerusalem for Muslims and Christians. The Israeli government's strict closures and curfews hindered residents from practicing their religion at key holy sites, such as the Church of the Holy Sepulchre and al-Aqsa Mosque in Jerusalem and the Church of the Nativity in Bethlehem.

The process by which the Israeli government granted Palestinians access to various sectors of the Occupied Territories at times involved de facto discrimination based on religion. The Israeli government made some accommodations for Palestinian

ISRAEL AND THE OCCUPIED TERRITORIES

Christians in the West Bank to access Jerusalem for religious purposes, granting 20,000 permits without age restrictions for West Bank Christian Palestinians to visit Israel during Christmas. Israeli authorities issued 500 permits to members of Gaza's Christian community under the age of 16 and over the age of 35 to enter Israel, Jerusalem, and the West Bank for religious reasons and family visits during Christmas. However, it did not issue permits to all members of a family, which may have reduced the overall number of permits used, as some families opted not to be separated during the holidays. It issued no permits for Gazans between 16 and 35 years of age.

Israel made few accommodations for Palestinian Muslims to enter Jerusalem for religious purposes. The Israeli human rights organization Gisha filed an appeal in February 2011 on behalf of four Gazan Muslims above the age of 40 who were denied permits to enter Jerusalem to pray at the Haram al-Sharif/Temple Mount during the Prophet Mohammed's birthday in 2011. Gisha argued that Israel categorically rejected requests from Gazan Muslims and was obligated to set reasonable criteria that allow Muslims from Gaza to travel in areas under Israeli control for purposes of prayer. An Israeli court in August rejected Gisha's argument and accepted the premise that the state's obligation to Gazans is limited to permitting travel in "exceptional humanitarian cases." The court imposed court costs on Gisha and the plaintiffs of 25,000 NIS (\$6,250).

The Israeli government kept in place an amended visa issuance process for foreigners working in Jerusalem and the West Bank, which also significantly impeded the work of Christian institutions. Christian advocates claimed that the difficulty of obtaining permits gradually worsened in the past decade. Israeli authorities continued to limit visas for Arab Christian clergy serving in the West Bank or Jerusalem to single-entry visas, complicating their travel, particularly to areas under their pastoral authority outside the West Bank or Jerusalem. This disrupted their work and caused financial difficulties for their sponsoring religious organizations. Clergy, nuns, and other religious workers from Arab countries faced long delays, and sometimes authorities denied their applications. The Israeli government indicated that delays or denials were due to security processing for visas and extensions.

Israel generally prohibited Arab Christian clergy from entering Gaza, including bishops and other senior clergy seeking to visit congregations or ministries under their pastoral authority.

ISRAEL AND THE OCCUPIED TERRITORIES

During the month of Ramadan, Israeli authorities eased restrictions for Palestinian West Bank residents who did not hold permits to enter Jerusalem to worship at Haram al-Sharif/Temple Mount to include men and women over the age of 40 and children under 12. The requirement for males and females between the ages of 13 and 40 to obtain permits remained in place. Israeli authorities also temporarily permitted Palestinians to use three additional checkpoints (Gilo, Shu'fat Camp, and Az Zeitoun) along the separation barrier, instead of just the Qalandiya crossing. The Israel government continued to ban access for Gaza residents to East Jerusalem.

The Israeli government started building a separation barrier in 2002 due to security concerns. This barrier, like restrictions on permits, limited access to holy sites and seriously impeded the work of religious organizations that provide education, health care, and other humanitarian relief and social services to Palestinians, particularly in and around East Jerusalem.

The separation barrier significantly impeded Bethlehem-area Christians, including clergy, from reaching the Church of the Holy Sepulchre in Jerusalem and made visits to Christian sites in Bethany and Bethlehem difficult for Palestinian Christians who live on the Jerusalem side of the barrier. Foreign pilgrims and religious aid workers occasionally experienced difficulty obtaining access to Christian holy sites in the West Bank because of the barrier and Israeli restrictions on movement in the West Bank.

The barrier and checkpoints also impeded the movement of clergy between Jerusalem and West Bank churches and monasteries, as well as the movement of congregants between their homes and places of worship. Construction of the separation barrier continued south of Jerusalem near the Cremisan convent of Salesian nuns and their school of approximately 170 students. The barrier, if completed, will separate the convent and school from the Palestinian communities they serve, and cut off area residents from their lands. The Salesian nuns were joined by the neighboring Franciscan friars in their suit to prevent the construction. Israeli court hearings were slated for early 2013.

The PA and Israeli Defense Force (IDF) jointly provided Jews access for approved visits to holy sites in the West Bank in areas under PA security control (Area A), particularly to Joseph's Tomb in Nablus. Jewish groups visited the site during hours of darkness and with a significant PA and IDF security escort. Some Jews complained that securing an IDF escort required extensive coordination. On May

ISRAEL AND THE OCCUPIED TERRITORIES

19, Palestinians reportedly threw Molotov cocktails at Israeli troops guarding 1,500 Jewish worshipers at Joseph's Tomb. There were no reports of damages or injuries.

Since early 2001, following the outbreak of the Second Intifada, the Israeli government has prohibited Israeli citizens in unofficial capacities from traveling to the parts of the West Bank under the civil and security control of the PA. This restriction has prevented Jewish Israelis from routinely visiting several Jewish holy sites, although the IDF occasionally provided security escorts for groups to visit selected Jewish holy sites. Beginning in 2009, the Israeli Ministry of Defense gradually lifted restrictions on Arab Israelis visiting Area A cities in the West Bank.

Again during the year, Israeli authorities severely limited the access of Palestinians to Rachel's Tomb, a Bethlehem shrine holy to Jews, Christians, and Muslims under Israeli jurisdiction in Area C, but allowed relatively unimpeded access to Jewish visitors.

Again during the year, the IDF limited access to the Ibrahimi Mosque/Tomb of the Patriarchs in Hebron, a holy site revered by Jews, Christians, and Muslims as the tomb of Abraham. The IDF restricted Muslim access for 10 nonconsecutive days, including Passover and Yom Kippur; Jews were restricted access for 10 nonconsecutive days corresponding with Muslim holidays. Muslims could enter only through one entry point and had to submit to intensive IDF security screening. Jews had access to several entry points and were not required to submit to security screening. Both Muslims and Jews were able to pray at the site simultaneously. In only one place, through the tomb of Abraham, was each able to see the other through Plexiglas.

The Haram al-Sharif/Temple Mount has been under Israeli control since 1967 but the Jerusalem Islamic Waqf maintained administrative custody of the holy places. The Israeli National Police (INP) was responsible for security of the compound, with police stationed outside each entrance to the site. The INP conducted routine patrols on the outdoor plaza, regulated traffic in and out of the compound, screened non-Muslims for religious paraphernalia, and generally prohibited them from praying publically in the compound. Israeli police had exclusive control of the Mughrabi Gate entrance--the only entrance through which non-Muslims could enter the compound--and in general allowed visitors through the gate during set visiting hours. Waqf employees were stationed inside each gate and on the plaza.

ISRAEL AND THE OCCUPIED TERRITORIES

They could object to the presence of particular persons, such as individuals dressed immodestly or causing disturbances, but they lacked effective authority to remove persons from the site.

The Government of Israel restricted access to the Haram al-Sharif/Temple Mount by Muslims from Jerusalem and the West Bank. The Israeli government provided Muslims from Gaza no opportunity to access the site. Israel's permitting regime also generally restricted most West Bank Muslims from accessing the Haram al-Sharif/Temple Mount, although some with permits to enter Jerusalem generally were able to visit the site. Israeli security authorities in Jerusalem frequently restricted residents in East Jerusalem from entering the Haram al-Sharif/Temple Mount compound for Friday prayers. Citing security concerns, authorities also frequently barred entry of male residents under the age of 50, and sometimes barred women under the age of 45. Infrequently authorities would close the Haram al-Sharif/Temple Mount entirely, often after skirmishes at the compound between Arabs and Israeli police.

Israeli authorities in some instances barred specific individuals from the compound, most frequently Jerusalem Islamic Waqf employees. Waqf officials complained that Israeli police violated agreements regarding control of access to the Haram al-Sharif/Temple Mount site. Israeli reinforcement of the ramp leading to the Mughrabi Gate of the Haram al-Sharif/Temple Mount, as well as excavations in the immediate vicinity, continued during the year without consultation with the Islamic Waqf.

Although most Orthodox rabbis continued to discourage Jewish visits to the Haram al-Sharif/Temple Mount compound, a small but growing number of rabbis in recent years have softened their view against Jews entering the compound. During the year Jewish groups visited the compound, escorted by Israeli police, and performed religious acts such as prayers and prostration. Waqf officials criticized the visits, and in some instances the visits sparked violence between Palestinian worshippers and Israeli police. According to Jewish worship groups, as of October, Jewish visits to the site surpassed 12,000, up 30 percent from 2011. On October 6, IDF soldiers dispersed Muslim worshippers who clashed with a group of Jewish visitors. PA President Abbas called the IDF response and treatment of Palestinian worshippers "an assault on the site." In October a Jerusalem Magistrate's Court judge noted that police should allow Jews to pray at the compound. Some fringe Israeli groups supported this view and called on the Israeli government to implement a time-sharing plan at Haram al-Sharif/Temple

ISRAEL AND THE OCCUPIED TERRITORIES

Mount that would set aside certain hours for Jewish worship, similar to one used at the Ibrahimi Mosque/Tomb of the Patriarchs in Hebron. Palestinians objected to any change at the site.

Again during the year, Arab Christian leaders said that Israeli security authorities obstructed access to the Church of the Holy Sepulchre in Jerusalem for Palestinian Christian residents of the West Bank, including clergy, which significantly reduced their ability to enter Jerusalem. Some Christian leaders said that Israeli authorities gave preferential treatment to Jews celebrating Passover and to international visitors making pilgrimages when the authorities enacted restrictions that impeded the activities of local Christians celebrating Easter.

The Israeli authorities imposed a full closure on the West Bank September 16-18 during the Jewish New Year holiday. During the closure, authorities prohibited West Bank residents who held Israeli-issued access permits from entering Jerusalem or Israel, except those working for international organizations or in a humanitarian capacity. On September 17, Israeli forces closed all northern entrances to the Silwan area of East Jerusalem to facilitate access of Israeli settlers to the area.

The PA began refusing church-issued documents from the First Baptist Church of Bethlehem in 2011. The First Baptist Church told a journalist in March that PA officials informed the church that it lacked the authority to function as a religious institution in the West Bank. A small number of proselytizing groups, including Jehovah's Witnesses and some evangelical Christians, continued to meet official resistance in their efforts to obtain recognition in areas Israel and the PA administered.

The PA has implemented a policy of unifying the message in weekly sermons in the West Bank in an effort to control incitement from the pulpit. Before the ban on incitement, imams sometimes delivered intolerant and anti-Semitic sermons. The PA also prohibited the broadcast of Quran recitations from minarets in the West Bank prior to the call to prayer. The PA oversaw approximately 1,800 mosques in the West Bank and paid imams' salaries.

As in past years, some observers of archaeological practices in Jerusalem alleged that the Israel Antiquities Authority (IAA), a government entity, exploited archaeological finds that bolstered Jewish claims to the city while overlooking other historically significant archaeological finds.

ISRAEL AND THE OCCUPIED TERRITORIES

Likewise, the Western Wall Heritage Foundation continued to promote ongoing archaeological excavations north of the Western Wall plaza.

Construction for the Simon Wiesenthal Center's Museum of Tolerance in West Jerusalem continued during the year on the grounds of the Mamilla cemetery, a 1,000-year-old Muslim cemetery containing the gravesites of several prominent Palestinian families and, according to Islamic tradition, Prophet Muhammad's companions and tens of thousands of Salah ad-Din's warriors. Supporters of the center cited an 1894 ruling by the Islamic Law court, stating that the cemetery was no longer sacred because it was abandoned and claiming that it served as a municipal parking lot for almost 50 years without a single complaint. In late March the U.S.-based human rights NGO Center for Constitutional Rights (CCR) released a video it claimed confirms that excavations of "archaeological artifacts and human remains" continued in secret in the cemetery, despite claims by the Wiesenthal Center that such digs would end at the site. Historian and Columbia University professor Rashid Khalidi, whose ancestors are buried at the Mamilla Cemetery, publicly refuted the Wiesenthal Center's assertions and claimed that Israeli authorities "systematically disrespected" Muslim and Christian sites of cultural, religious, and historical significance.

PA President Mahmoud Abbas, Israeli Prime Minister Benjamin Netanyahu, the CRIHL, and foreign governments continued to denounce so-called "price tag" attacks. "Price tag" attacks refer to illegal actions (ranging from vandalism of houses of worship and arson to physical assault) that Israeli settlers carried out to exact a "price" for Israeli government actions they viewed as contrary to their interests. Although Israeli authorities made arrests in a few of the "price tag" incidents, there were no prosecutions by the end of the year. As an example, on September 4, suspected "price tag" vandals spray-painted "Jesus is a monkey" and set fire to the doors of Latrun monastery in the West Bank. Israeli officials pledged to punish the culprits, but there were no arrests by year's end.

Both Muslim and Christian Palestinians accused Israeli officials of attempting to foster animosity among Palestinians by exaggerating reports of Muslim-Christian tensions. Palestinian Muslim and Christian opinion makers and businesspeople denied an Israeli ambassador's claims in a March 9 *Wall Street Journal* opinion piece and April 22 *60 Minutes* episode that Muslim persecution of Christians has spurred Christian migration from Jerusalem and the West Bank. Palestinians

ISRAEL AND THE OCCUPIED TERRITORIES

countered that Israel's policies were chiefly responsible for Christian flight and not interreligious tensions between the two communities.

In explaining increased emigration, church leaders cited the limited ability of Christian communities in the Jerusalem area to expand due to building restrictions, difficulties in obtaining Israeli visas and residency permits for Christian clergy, Israeli government family reunification restrictions, and taxation problems.

On December 4, the IDF demolished a mosque in the village of al-Mufarqarah in the South Hebron Hills in the West Bank. The mosque was first demolished in November 2011 and was in the process of being rebuilt.

The Chief Rabbinate of Israel, the heads of churches in Jerusalem, the PA Ministry of Islamic Waqf, and the PA Islamic Sharia courts continued dialogue through the CRIHL. (The CRIHL is an umbrella body of Jewish, Christian, and Muslim religious institutions that includes the Chief Rabbinate of Israel, the PA Ministry of Islamic Waqf, the PA Islamic Sharia courts, and the leaders of the major Christian denominations in Jerusalem.)

The Israeli High Court ruled in 2010 that the segregation of men and women on some public streets and sidewalks in the ultra-Orthodox Jewish neighborhood of Mea She'arim in Jerusalem was illegal. A large sign pointing to a women-only sidewalk was still posted in October in Mea She'arim despite the ruling, according to a press report. A Jerusalem city council member charged with removing illegal signs told the press that the sign was mistakenly not removed and that "there is no [legal] segregation whatsoever." The ruling ended a tradition of gender segregation during the Jewish festival of Sukkot. Local authorities gave permission to erect a barrier again this year and the High Court upheld its previous decision, stating that 2011 was the last year such a barrier would be allowed.

The Western Wall, the place of worship nearest the holiest site in Judaism, was open to visitors from all religions during the year, and Muslims and Christians were permitted to make individual prayers at the site. However, the Israeli government exercised its prohibition of mixed gender prayer services at religious sites. Men and women at the Western Wall had to use separate areas to visit and pray, and the women's section is less than half the size of the men's section. The gender restrictions were also enforced on non-Jews visiting the site.

ISRAEL AND THE OCCUPIED TERRITORIES

On September 20, commemorating the 43rd anniversary of an attempt by an Australian national to set fire to al-Aqsa mosque, PA President Abbas issued a statement that Jerusalem “will forever be Arabic, Islamic, and Christian” and called the attack the first in a series aimed at demolishing al-Aqsa and building “the alleged Temple in order to uproot its citizens, Judaize it and eternalize its occupation.” Western Wall Rabbi Shmuel Rabinowitz, an Israeli government-appointed who administers the Western Wall complex, condemned the statement for denying Jewish ties to Jerusalem and claimed that Palestinians sought to “appropriate for themselves and their faith the holy city of King David.”

At a nationally televised West Bank rally held on January 9 to mark the 47th anniversary of the founding of the Fatah party, Grand Mufti of Jerusalem Mohammed Hussein--a PA-appointed--quoted a hadith (text traditionally attributed to the prophet Mohammad) reading “The hour of judgment will not come until you fight the Jews...The Jews will hide behind stones and behind the tree. The stone and tree will cry, ‘Oh Muslim, Oh Servant of God, this is the Jew behind me, come and kill him.’” A video of the sermon posted on YouTube (since removed) shows Hussein being introduced by an unidentified man saying “Our war with the descendants of the apes and pigs is a war of religion and faith.”

Official PA media generally sought to control and eliminate statements and material that it thought could incite violence, including criticism about the policies and actions of the Government of Israel and Israeli citizens. However, there were several instances in which official media carried explicitly intolerant material. The official PA daily *Al-Hayat Al-Jadida* on November 19 published a piece perpetuating blood libel that said “the oppressive invaders” [a reference to Israel] are “hungry for human blood and liver.” On January 6, PA TV aired a sermon in Al-Bireh, the West Bank, in which the preacher propagated conspiracy theories of Jewish world domination. He stated, “Oh servants of Allah, every evil and catastrophe on the land of Palestine--moreover, in the whole world--is caused by the Jews...This is the history of the Jews. Many a covenant have they violated. Many a prophet they have slayed.”

Abuses by Rebel or Foreign Forces or Terrorist Organizations

Hamas maintained control of Gaza throughout the year, used it as a base for attacks against Israel, and sometimes exploited its security apparatus to arrest or detain Muslims in Gaza who did not abide by Hamas’ strict interpretation of Islam.

ISRAEL AND THE OCCUPIED TERRITORIES

During the year terrorist organizations, including Hamas and Palestinian Islamic Jihad, launched indiscriminate rocket and mortar attacks from the Gaza Strip against Israeli citizens. Terrorists often issued statements that contained anti-Semitic rhetoric in conjunction with the attacks. During Israel's eight-day military operation against Hamas in the Gaza Strip in mid-November, Hamas' Al-Aqsa television station broadcast a program that called for killing Jews, which Hamas members defined as a religious Islamic act, and a music video had the words "Killing Jews is worship that draws us close to Allah" on the screen. Additionally, Hamas spokesman Fawzi Barhoum criticized PA President's Adviser for Christian Affairs Ziad Bandak's July visit to the Nazi death camps of Auschwitz and Birkenau as "useless to the Palestinian cause and only benefits the Israeli occupation by propagating the lie of the Holocaust."

In January Hamas authorities reportedly raided a Shia religious gathering during the holiday of Arbaeen in the Gazan neighborhood of Sheikh Zayyad. Reports differed on whether excessive force was used, although some claim at least 14 persons were arrested and some hospitalized. Hamas Ministry of Interior public statements claimed that the raid was a response to an illegal group with "corrupt views" that sought to commit unspecified crimes. It further stated that Gaza was a "Sunni country where Shiism does not exist."

Hamas enforced a conservative interpretation of Islam on Gaza's Muslim population. For example, Hamas operated a women's prison during the year to house women convicted of "ethical crimes" such as "illegitimate pregnancy." During the year Hamas' "morality police" punished women for infractions such as dressing "inappropriately," (i.e., Western-style or close-fitting clothing, such as jeans or T-shirts or not wearing a head covering).

Hamas largely tolerated the small Christian presence in Gaza and did not force Christians to abide by Islamic law. However, Hamas' religious ideology negatively affected Christians, according to church leaders. For example, local religious leaders received warnings ahead of Christian holidays against any public display of Christianity. Christians raised concerns that Hamas failed to defend their rights as a religious minority. Local officials sometimes advised converts to leave their communities to prevent harassment against them. Hamas officials on July 19 publicly denied allegations from the Greek Orthodox Church in Gaza that Hamas-affiliated officials coerced Ramez Ayman and Hiba Abu Dawoud and her three children to convert to Islam. Hundreds of Christians staged a protest at Gaza's main church in late July.

ISRAEL AND THE OCCUPIED TERRITORIES

Due to Hamas' continued control of Gaza, the PA was unable to investigate and prosecute Gaza-based cases of religious discrimination.

Improvements and Positive Developments in Respect for Religious Freedom

PA-Israeli security cooperation at Joseph's Tomb improved during the year following an agreement reached in 2011 between the PA, the IDF, and the Ministry of Defense's civil administration to station 10 permanent PA police officers at the tomb. On February 9, PA forces accompanied 15 rabbis from the West Bank's Huwwara checkpoint to the tomb in the first such security coordination with Israeli forces. The PA coordinated all visits with Israel.

Israel issued slightly more than 100,000 permits to allow Palestinian West Bank residents to enter Jerusalem during the month of Ramadan, representing a seven-fold increase from the 16,700 permits it granted in 2011. It expanded the categories of people exempted from the permit requirement for men and women above age 40 and allowed persons between the ages of 35 and 40 to receive permits.

Section III. Status of Societal Respect for Religious Freedom

There were reports of societal abuses and discrimination based on religious affiliation, belief, or practice, including an increase in vandalism against Christian sites. Because ethnicity and religion are often inextricably linked, it was difficult to categorize many incidents specifically as ethnic or religious intolerance. Palestinian Christians and Muslims generally shared good relations, identifying more closely on ethnic and political similarities than religion. However, tensions were substantial between Jews and Palestinian Christians and Muslims, largely as a result of the Israeli-Palestinian conflict and Israel's control of access to sites holy to Christians and Muslims. Relations among Jews living in Jerusalem and the West Bank were strained because of different interpretations of Judaism, and some non-Orthodox Jews and Christians experienced discrimination and harassment by some Haredi (ultra-Orthodox) Jews. Christians also faced discrimination and threats from Muslim extremist vigilante groups in Gaza, and Hamas did not sufficiently investigate or prosecute religiously driven crimes committed by such groups.

ISRAEL AND THE OCCUPIED TERRITORIES

Israeli settlers in the West Bank continued to justify violence against Palestinian persons and property as necessary for the defense of Judaism. Some Jewish groups continued to call for the destruction of the Islamic Dome of the Rock and al-Aqsa Mosque to enable the building of a third Jewish temple.

Some settlers continued to carry out “price tag” attacks against Palestinians in response to Israeli government actions that were contrary to settlers’ interests. These included acts of vandalism, arson, and anti-Muslim graffiti on mosques located primarily in the West Bank, as well as anti-Christian graffiti on churches in Jerusalem. There were at least four undisputed attacks on West Bank mosques and five against churches in and around Jerusalem, with one church suffering two separate attacks. On June 19, suspected “price tag” vandals struck the main mosque in the Palestinian village of Jabaa, southeast of Ramallah, for the second time in a year. Vandals set fire to the mosque and spray-painted “Ulpana war” (referring to Israeli settlements slated for evacuation), “The war has started,” and “Pay the price” in Hebrew. The Israeli prime minister condemned the attack as “an act of intolerant and irresponsible hooligans” and said that Israel would “act swiftly to bring them to justice.” On the evening of November 19, a group of Israeli settlers burned the entrance to a mosque in the village of Urif in Nablus. Israeli police clashed with villagers when they arrived the next day to investigate. There were no prosecutions in either case.

Some settlers also targeted Christians in “price tag” attacks. On February 20, settlers were suspected of writing “Death to Christianity,” “price tag,” and other insults on the walls of the Narkis Street Baptist Congregation in West Jerusalem. Local press noted that members of the church included Messianic Jews.

On October 2, suspected “price tag” vandals spray-painted “Jesus is a bastard” and “price tag” in Hebrew on the Monastery of St. Francis, located just outside of the Old City’s Zion Gate. Israeli President Shimon Peres denounced the act as “contrary to the Jewish religion,” and the Israeli police announced the creation of a special investigative unit to deal with this and other anti-Christian vandalism, which occurred with greater regularity during the year.

Throughout the year, the CRIHL strongly criticized acts of religious intolerance. It also spoke out against the May 22 desecration of the synagogue and Torah scrolls in Tel Tzion that vandals from the Palestinian village of nearby al-Birah allegedly perpetrated. It denounced the May 25 attack on the ancient synagogue in Na’aran,

ISRAEL AND THE OCCUPIED TERRITORIES

near Jericho, in which vandals painted swastikas and pro-PA slogans on the gate of the building and on an ancient mural, according to local press.

Israeli police arrested three Palestinian youths on December 13 for allegedly assaulting an ultra-Orthodox man near the Old City. The suspects reportedly confessed that they sought revenge against Jews for attacks on Palestinians.

As in past years, Orthodox Jews continued to harass Messianic Jews. The ultra-Orthodox anti-missionary organization Yad L'Achim continued to target Messianic Jews in settlements--whom it identified, often incorrectly, as "missionaries"--with the distribution of posters that threatened missionaries. The organization also called on the postal authority to prevent the distribution of missionary material through the mail. Some Haredim at the Western Wall harassed visitors and Jewish worshippers who did not conform to Jewish Orthodox traditions. Members of the Jewish Conservative and Reform movements publicly criticized gender segregation and rules governing how women pray at the Western Wall.

In June unidentified vandals spray-painted insults such as "Israel is the secular Auschwitz of the Sephardic Jewry" and "Hitler, thanks for the Holocaust" in Hebrew on the walls of the entrance to Jerusalem's Yad Vashem Holocaust Museum, praising Nazis and denigrating Sephardic Jews and Zionists. Israeli police opened an investigation, and according to Israeli press, the main suspects probably came from the small but active fringe group of extremist ultra-Orthodox Jews who espouse anti-Sephardic sentiments and deny the Holocaust.

Some ultra-Orthodox youths in religious studies programs insulted and almost daily spat on Christian clergy, nuns, and seminarians in Jerusalem's Old City.

In Jerusalem, some ultra-Orthodox Jews denigrated Jerusalem residents who did not adhere to their strict interpretation of Orthodox Jewish law. Haredim protested municipal and commercial properties in Jerusalem that did not observe the Jewish Sabbath. Since May, weekly demonstrations organized by Haredi residents of Mea She'arim protested the operation of a municipal parking lot near the Old City's Jaffa Gate on Shabbat. On June 16, the demonstrations turned violent when hundreds of protesters threw stones and spat on passing vehicles and chanted insults at passersby and Israeli police.

ISRAEL AND THE OCCUPIED TERRITORIES

The desecration of the Mount of Olives cemetery in Jerusalem continued and in April, Israeli police opened a station there in an effort to stem crime. Jewish tombstones in the Mount of Olives cemetery were vandalized during the year, trash commonly littered the cemetery, and Palestinian youths reportedly threw stones and Molotov cocktails at Jewish visitors. Three Palestinian youths in September were found attempting to burn the Book of Psalms, a Jewish holy book, at the cemetery. Police told reporters they planned to expedite prosecution of the case. In July Palestinians whose car struck a vehicle with Jewish passengers near the cemetery reportedly got out of their car and began to attack the Jewish driver and his daughter.

There were occasional reports of societal abuses or discrimination involving Christians and Muslims, and societal attitudes continued to be a barrier to conversions. Although only nine Gaza Christians were known to have converted to Islam in recent years, according to international press reports, the issue continued to generate tension. In July dozens of Christians in Gaza protested the alleged kidnapping and forced conversion to Islam of five co-religionists, including a mother and her three children. The archbishop of the Greek Orthodox church in Gaza publicly reiterated that claim and accused “a dangerous organization” of converting Christians, “threatening the existence of Christianity in the Gaza Strip.” Gazan authorities refuted the claim and publicly stated that the individuals contacted the police for protection from their relatives. In August the two adult converts appeared in a state-sponsored television recording claiming they willingly decided to convert. Representatives of the Palestinian Center for Human Rights reportedly met with the two adults and concluded that the conversion was not forced.

On August 20, a street fight broke out between an estimated 100 Palestinian Muslims and 15 residents of the Mount of Olives’ Bethphage Christian housing project in East Jerusalem, according to the press. The fight began after a young Muslim man insulted a female Christian resident. The woman’s husband allegedly attacked the other man, who left the area and then later returned with more than 100 young Muslim men. The brawl reportedly went on for about 90 minutes, injuring a number of people and resulting in significant damage to property belonging to residents of the housing project.

Mainstream independent Palestinian news outlets, including *Al Quds*, *Al Ayyam*, and *Ma’an*, attempted to avoid publishing material that incited hatred and limited their criticism to governmental policies and actions of individuals and not of ethnic

ISRAEL AND THE OCCUPIED TERRITORIES

or religious groups. However, they sometimes carried anti-Semitic opinion pieces. Such articles included descriptions of Jews as “Allah’s enemy” and “murderers of all prophets” as well as political rhetoric longing for a world without Israel that crossed the line into anti-Semitism. Media outlets carried cartoons demonizing Israel and broadcasted anti-Semitic rhetoric, including by academics and clerics, accusing Jews of trying to take over the world and exploit the Holocaust to their advantage.

Other nonofficial PA and nonmainstream Palestinian media outlets, particularly those controlled by Hamas, continued to use inflammatory language during the year. Hamas television broadcast content that sometimes praised holy war as a means to expel the Jewish presence in the region. In addition some children’s programs glorified “martyrdom.”

Interfaith dating remained a sensitive issue. Most Christian and Muslim families in the Occupied Territories pressured their children, especially their daughters, to marry within their respective religious groups. Couples who challenged this societal norm, particularly Palestinian Christians or Muslims who married Jews, encountered considerable societal and family opposition. Families sometimes disowned Muslim and Christian women who married outside their faith. Nongovernmental organizations reported that it was more difficult for Christian Palestinians to get a divorce because of restrictions by some churches.

Established Christian groups generally did not welcome less established churches. A small number of proselytizing groups, including Jehovah’s Witnesses and some evangelical Christians, encountered opposition to their efforts to obtain official recognition from the PA, both from Muslims who opposed their proselytizing and from Christians who feared the new arrivals might disrupt existing conditions.

Section IV. U.S. Government Policy

Officials from the U.S. consulate general in Jerusalem regularly met with religious representatives to monitor their concerns and ensure their views and experiences were discussed with local authorities. The consulate general maintained a high level of contact with representatives of the Jerusalem Islamic Waqf. U.S. government officials had frequent contact with Muslim leaders in Jerusalem and throughout the West Bank. The consulate general also maintained regular contact with leaders of the Christian and Jewish communities in Jerusalem, the West Bank, and where possible, the Gaza Strip. During the year the consul general hosted a

ISRAEL AND THE OCCUPIED TERRITORIES

meeting with members of the CRIHL, and met with the Greek Orthodox, Latin (Roman Catholic), and Armenian Orthodox Patriarchates, and with leaders of the Anglican and Lutheran churches. Consulate general officers similarly met with a wide array of religious leaders and communities, including leaders of the Syrian Orthodox community and Christian evangelical groups. The consul general and consulate general officers also met with Reform, Conservative, Orthodox, and Haredi rabbis, and with representatives of various Jewish institutions. Consulate general officers visited religious sites in Jerusalem and the West Bank important to all three faith communities.

During the year the consulate general investigated a range of charges, including allegations of damage to places of worship, incitement, and allegations concerning access to holy sites. Consulate general officers met with representatives of the Bethlehem and Ramallah-area Christian communities.