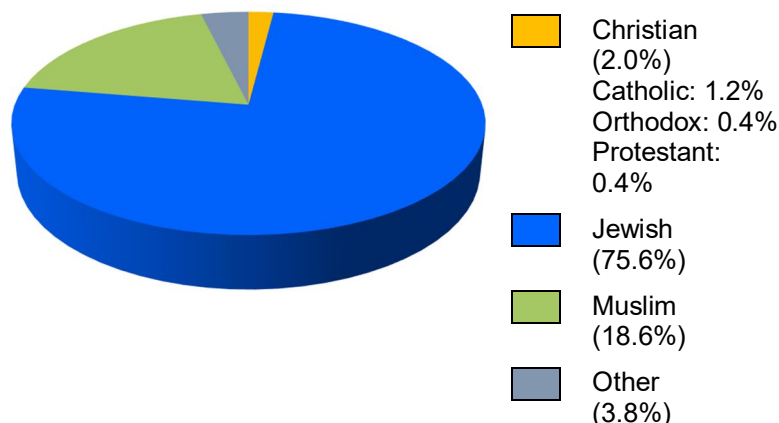
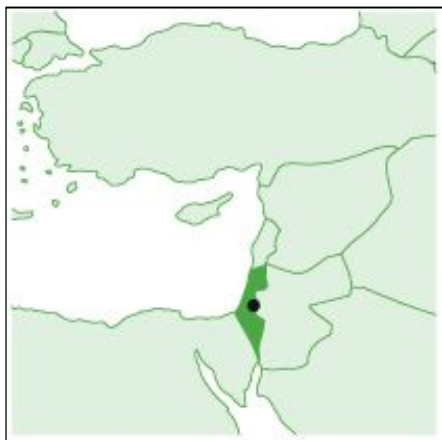


ISRAEL



Area: 22,100 km ²	Population: 8.0 million	Political system: Democracy	Major Language(s): Hebrew, Arabic
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Legal framework on freedom of religion and actual application

Established in 1948, Israel defines itself as a Jewish and democratic state.¹ Jews around the world who meet certain criteria are entitled to become citizens of the state. In 1967 Israel conquered East Jerusalem, the West Bank, Gaza and the Golan Heights. To the present day these territories are disputed and the UN General Assembly, the UN Security Council and the International Court of Justice consider them to be under occupation, and parts thereof settled illegally.² In April 2016 Israel's Prime Minister Benjamin Netanyahu said that the country would never return the Golan Heights to Syria.³ Negotiations for a two-state solution regarding the Palestinian Territories have not been successful. The last round of bilateral US-sponsored negotiations between Israelis and Palestinians collapsed in April 2014. Since then there have been several outbreaks of violence. The most bloody was the Gaza War in summer 2014. More than 2,000 Palestinians – including at least 296 children⁴– died after Israel responded with air strikes and a partial ground offensive to rockets being indiscriminately fired by militants from Gaza into Israel. 70 Israelis, including 64 soldiers, died.⁵

In autumn 2014 and autumn 2015 violence spread in Israel and the Palestinian Territories. Most of these were attacks by young Palestinians on Jewish Israelis. The so-called Intifada of Knives that started in October 2015 has, so far, cost the lives of more than 200 Palestinians and more than 30 Israelis. The prospects for a negotiated settlement to the conflict and peace seem bleak.

The biggest non-Jewish group in the country is Sunni Palestinians. The majority of Israeli Christians are Palestinian Arabs who hold Israeli citizenship. The majority belongs to the Melkite Greek Catholic and Roman Catholic Churches followed by the Greek Orthodox Church. There are also other minorities including the c.102,000-strong Druze community. In 1957, the Druze were designated as a distinct ethnic community by the government at the request of their religious leaders.

Israel has no formal constitution, so it is necessary to refer to the 1948 declaration of independence for the provisions relating to religious freedom. According to the text of that declaration, "the State of Israel will ensure complete equality of social and political rights to all its inhabitants irrespective of religion, race or sex; it will guarantee freedom of religion, conscience, language, education and culture; it will safeguard the Holy Places of all religions; and it will be faithful to the principles of the Charter of the United Nations."⁶ The Israeli Supreme Court ruled that the Basic Law on Human Dignity and Liberty is the basis of fundamental freedoms such as religion.⁷

Judaism is not the official state religion in Israel. The state institutions are secular and function according to the model of western democracies. Nonetheless, the provisions specific to Judaism predominate in social practice, such as the observance of the Sabbath, kosher food, etc. This can create tensions between observant Jews and non-religious Jews. Non-Jewish citizens have in theory the same civil rights and obligations as Jewish citizens; and in practice they may take part in elections, belong to political parties and be elected to Parliament. Nonetheless, their role is insignificant in political life and, with certain exceptions – notably the Druze – they are not called up for military service. However, Prime Minister Benjamin Netanyahu favours the admission of Arab Christians into the Israeli army.⁸

Conversions from one religion to another are legal but can face considerable social pressure.

Proselytising is legal for all religious groups. The law prohibits offering a material benefit as an inducement to conversion. It is also illegal to convert a person under 18 unless one parent is an adherent of the religious group seeking to convert the minor.⁹

Personal status affairs are ruled by the recognised religious communities to which a citizen belongs. There is no civil marriage but such marriages performed abroad are recognised. Under the terms of Jewish religious law, inter-religious marriages, for example between Jews and non-Jews, are not possible. While Muslim men can marry Jewish or Christian women, Muslim women cannot.

The Chief Rabbinate does not recognise 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.¹⁰

The Holy See is currently negotiating an accord with Israel about the fiscal and legal status of Catholic institutions in Israel. An agreement has been expected for years but has not yet been finalised.¹¹

Incidents

At the invitation of Pope Francis, in June 2014 Israeli President Shimon Peres prayed for peace in the Vatican gardens together with his Palestinian counterpart, Mahmoud Abbas.¹²

In September 2014 the decision of the Israeli Ministry of the Interior, that Christian Palestinian Arab citizens in Israel can now change their registration with the Ministry from Arabs to “Arameans”, was denounced as “an attempt to separate the Christian Palestinians from other Palestinians” by the Catholic Bishops of the Holy Land. In a communiqué, the Justice and Peace Commission of the Assembly of the Catholic Ordinaries denounced what they saw as the ideological motivations of the measures. As reported by the Israeli press, on 16th September, the Israeli Minister of the Interior signed a measure to recognise the identity of “Aramean” as a distinct national identity. The decision was made to allow 200 Christian families to identify themselves as belonging to the ancient nationality in their identity documents.¹³

In November 2014 tensions between Palestinians and Israelis reached a peak in Jerusalem as authorities closed access to the Temple Mount – a rare move that had not happened in a decade. Israeli police said they had closed the Temple Mount “to prevent disturbances” following the attempted assassination of controversial activist and Knesset member Rabbi Yehuda Glick. Rabbi Glick is an advocate of Jewish access to Jerusalem’s fiercely contested holy sites. He was reported to be in a serious condition in hospital. The Prime Minister’s spokesman, Ofir Gendelman, declared that the closure was “temporary and meant to prevent riots and escalation as well as to restore calm and status quo to the Holy Places.” Israeli police shot and killed the suspect in Glick’s shooting. An Israeli counter-terror unit surrounded the house of Muataz Hijazi – a former Palestinian prisoner and member of Islamic Jihad. Police spokesman Mickey Rosenfeld said on Twitter that Hijazi opened fire on police, who shot in retaliation, killing him. This is disputed by Hijazi’s aunt who claims police beat him before killing him.¹⁴

In November 2014 five Israelis were killed and several injured when two Palestinians, armed with a pistol and meat cleavers, attacked Bnei Torah Kehilat Yaakov synagogue in West Jerusalem. The synagogue is located on Harav Shimon Agassi Street, which is home to the Har Nof neighbourhood's largely Orthodox Jewish community. The two Palestinians who carried out the attack were shot dead by police.¹⁵

In February 2015 an arson attack damaged a Greek Orthodox seminary near Jerusalem's Old City. Anti-Christian graffiti in Hebrew at the scene suggested the incident was a hate crime. It included the slogan "Zion will be redeemed" and an insult against Jesus and his mother Mary.¹⁶

In April 2015 tombs and gravestones were damaged, several crosses broken in the cemetery in Kafr Bir'im, the site of a Maronite village in northern Israel, not far from the Lebanese border. "The cemetery's caretaker called us right away. The attack surprised us, even if it is not the first," said Monsignor Salim Soussan, the Maronite Vicar General of the Archeparchy of Haifa and the Holy Land. He added: "This is the seventh time that the cemetery has been targeted, the sixth in the past ten years, and the police have never been able to find those responsible." The village of Kafr Bir'im was razed by the Israeli army in 1953, only leaving the church and its precincts standing.¹⁷

In April 2015 25-year-old Jewish man Shalom Sherki was killed when a car deliberately rammed the bus stop he was waiting at in Jerusalem's French Hill district. The attack, which occurred on Holocaust Remembrance Day, also saw a young woman, Shira Klein, hospitalised in a critical condition. Mr Sherki reportedly saved her life by pushing her out of the way. Police named 37-year-old Khaled Koutineh from Anata in the West Bank as the suspect in the attack.¹⁸

In June 2015 an arson attack was carried out on the Roman Catholic Church of the Multiplication of the Loaves and Fish in Tabgha. Speaking to Aid to the Church in Need, Auxiliary Bishop William Shomali of the Latin Patriarch of Jerusalem expressed his dismay. Noting a series of similar incidents in recent years, Bishop Shomali commented: "There is a real escalation in anti-Christian violence: from a small fire which leaves little damage, to a bigger fire, and finally to an arson attack which is intended to produce major damage and even killing. We are allowed to ask: what will come next?" Extensive damage was caused to the entrance to the church and the monastery itself. Parts of the complex were completely burnt out. Extremist Jews were suspected of carrying out the attack after graffiti from a prayer in Hebrew denouncing "false idols" was found at the site. A monk and a member of staff were taken to hospital, where they were treated for smoke inhalation, from which they later recovered. The crime was condemned by Israel's political leaders,¹⁹ and in September 2015 Israel's Attorney General announced that the State of Israel would offer compensation. The announcement followed the Israeli tax authority rejecting the Church's claim for the damage of the arsonist attack, stating the terrorist nature of the fire was not demonstrable. Regulations only provide compensation only for acts of violence caused by the Arab-Israeli conflict.²⁰ The priory sustained damages totalling more than US\$1.7 million (€1.6 million).

In July 2015, following the distribution of anti-Christian leaflets in Jerusalem, Auxiliary Bishop William Shomali called for people to be vigilant. "In some ways we must take these threats seriously. It would be enough that three young fundamentalists, armed with knives, attack a Christian home to cause panic in the Christian community," Bishop Shomali told Aid to the Church in Need. The leaflets distributed by a group calling itself "Islamic State in Palestine" called on Christians to leave the city by 18th July, the end of the Islamic fasting month of Ramadan. They were threatened with death if they do not comply. The Arabic leaflets carried the black flag of the terrorist group Daesh (ISIS).²¹

In September 2015 the Office of Christian schools in the Holy Land and the Israeli Ministry of Education finally reached an agreement. After three weeks of strikes, the 47 Christian schools operating in the State of Israel re-opened their doors to 33,000 students and the new school year finally commenced. Students, parents and teachers, had been demonstrating against the massive cut in state contributions over the last two years. State subsidies, which until a few years ago covered 65 percent of the fees, now do not even cover 30 percent of the expenses.²²

In September 2015 Israeli police raided the plaza outside Jerusalem's al-Aqsa mosque in what they described as a bid to head off attempts to disrupt the eve of Rosh Hashanah (Jewish New Year). Police used tear gas and threw stun grenades toward Palestinian youths, who barricaded themselves inside the mosque and hurled rocks and flares, according to a witness interviewed by Reuters. No serious injuries were reported and the compound was opened to visitors after the violence subsided. Palestinian President Mahmoud Abbas "strongly condemned the aggression of the Israeli storming of al-Aqsa this morning with troops and occupation police". Al Aqsa official Radwan Amr said 32 of the mosque's windows were completely or partially destroyed, a door was shattered and the carpet burned in 12 places.²³

Following these events, Muslim men's entry to Jerusalem's Temple Mount complex was further restricted. After a temporary closure, the site was reopened, but only to men over the age of 50, although women of all ages were admitted. This was done in order to prevent demonstrations by young Muslim men. The high age limit for men was regarded as unusual. "The police have been making intensive efforts over the period of the High Holidays to enable worshippers of all religions to express their faith and celebrate their festivals in peace and security," police said in a statement. Violence occurred almost daily on the Temple Mount throughout autumn 2015, with *Haaretz* reporting that Muslims claim Israel is attempting to alter the status quo at the sites holy.²⁴ In October Israeli Prime Minister Netanyahu rejected these claims, saying authorities were trying to "uphold the status quo".²⁵

In December 2015, Israeli Prime Minister Benjamin Netanyahu said that the Middle East's Christians are persecuted and killed "by radical Islam" and that the only state in the region that protects Christians "is the State of Israel". Netanyahu's remarks on the situation of the Middle East's Christians are contained in a video message that he addressed to members of the Israeli Christians Recruitment Forum, which supports the enrolment of Christian soldiers in the Israeli army.²⁶

In December 2015 Genadi Kaufman, a Jewish maintenance worker at the Tomb of the Patriarchs in Hebron, was stabbed to death. The Tomb, believed to be the final resting place of the biblical patriarch Abraham and his kin, is revered by both Jews and Muslims. The site was a local focus for the tensions that rose in Israel throughout the last part of 2015.²⁷

Also in the same month, Israeli authorities issued 600 permits to Christians living in Gaza Strip to allow them to visit the Holy Places during the Christmas season. According to Palestinian sources, Israeli authorities refused to issue them to Christians between 12 to 30 years of age, meaning a number of families could not visit together.²⁸

In December 2015 the Assembly of Catholic Ordinary Bishops of the Holy Land condemned anti-Christian statements made by Rabbi Benzi Gopstein and filed a complaint against him. On the ultra-Orthodox Kooker website, Gopstein published a proposal to ban Christian holidays and wrote: "Let us remove the vampires before they once again drink our blood". He also accused the Christians of wanting to proselytise in the Jewish state.²⁹ In August, Rabbi Gopstein said that churches in Israel should be destroyed as they are places of idolatry.³⁰

In January 2016 the cemetery of the Salesian monastery of Beit Gemal, in Beit Shemesh, was desecrated and the wooden and concrete crosses placed on numerous tombs were destroyed.³¹

In January 2016 the Abbey of the Dormition in Jerusalem was again targeted by vandals. The walls and doors of the Benedictine monastery on the outer edges of the Old City of Jerusalem were defaced. Buildings belonging to the Greek Orthodox and Armenian Apostolic Churches were also targeted. The graffiti, which was written in Hebrew in several different hands, read: "Christians go to hell", "Death to heathen Christians, the heretical enemies of Israel", "Revenge for Israelis" and "Erased be His name". A sword dripping with blood was also drawn next to a Star of David.³² Shortly after, the Israeli police announced that it had stopped two suspects: two Jews aged 15 and 16. Israeli Prime Minister Benjamin Netanyahu publicly condemned the act of vandalism,

reiterating that “Israel is a country where Christians and other religions enjoy freedom of worship.”³³

In January 2016 the Israeli High Court dismissed the latest petitions in the Cremisan case, which had been submitted by the Salesian Sisters Convent, Beit Jala Municipality, and Christian landowners. A petition to make the Israeli army disclose the exact course of the West Bank Barrier in the Cremisan Valley, before construction commenced, was dismissed by Israel’s Supreme Court. “This dismissal has weakened their trust in the justice and will motivate some people to sell and leave,” Auxiliary Bishop William Shomali told Aid to the Church in Need. “People feel very frustrated and depressed. As for the promise to allow owners to have full access to their land, it is not enough. It means the owners can use their land to plant grapes and olives but not to construct a home. The access itself may be denied in the future, since the land behind the wall will be part of Jerusalem. Going there needs a permit and permits can be denied,” the Bishop said.

The Court stated that although it approves the construction of the Barrier, based on security needs, the landowners have the right to object to any route that does not maintain their right to access their lands. Moreover, the Salesian Sisters were granted the right to object to the final route which could divide their convent and school. The Court granted both parties the right to object to the presented route or any future one, regardless of the current construction of the wall in Bir Onah – Beit Jala.³⁴

The legal dispute between the Christian landowners in the Cremisan Valley and the Israeli army has been going on since 2006. The proceedings are being followed closely by the media and also by diplomats stationed in Israel. Pope Francis has also intervened. But minor successes over the past year have ultimately given way to disillusionment. With the decision of Israel’s Supreme Court, 58 Christian families look set to lose their land because of the security wall or at least only have limited access to it.³⁵ Since August 2015, the Israeli army has been building the extension of the West Bank Barrier in the area, specifically in the privately owned lands of Beir Onah- Beit Jala.³⁶ Construction work intensified at the beginning of April 2016. Cranes are now embedding eight-metre high sections of concrete on land that used to be commercial olive orchards. A statement from the Latin Patriarchate of Jerusalem read: “The construction of a separation wall and the unjust confiscation of land belonging to Christian families in Beit Jala is a violent offense against the peace process”.³⁷

In January 2016, in what was hailed as a historic landmark for non-Orthodox Jewish movements in Israel, the cabinet voted to extend the prayer space at the Western Wall which does not segregate men and women, and to enshrine the arrangement in law. Leaders of the Reform and Conservative movements in Israel and North America welcomed the agreement as a breakthrough in their struggle for recognition in the Jewish state. The deeply Orthodox Haredi leadership, along with parts of the conservative national-religious leadership, strongly denounced the agreement and voted against it in the cabinet, but did not actively oppose the arrangement or threaten to bring down the government.³⁸

In March 2016 the High Court of Justice ruled that Reform and Conservative Jews cannot be denied entry to state-run mikvehs (ritual baths) as part of their conversion process. The ruling came in response to an appeal by the Israel Religious Action Center, the advocacy arm of the Israel Movement for Progressive Judaism, which represented both non-Orthodox groups. Mikvehs in Israel operate under the auspices of the Orthodox-run religious councils, and Reform and Conservative converts are often prevented from using them when questions about their affiliation arise. All the Jewish movements require immersion in a mikveh as a final step in the conversion process. The Reform and Conservative movements convert several hundred non-Jews in Israel each year. These converts are identified as Jewish in the Population Registry, but since they are not recognised by the Orthodox-run Chief Rabbinate, they are not allowed to marry.³⁹

In May 2016 a decision was taken to reinforce security at the Jewish cemetery on the Mount of Olives, following a spate of violence against visitors and graves being torched, smashed, or

graffitied. The cemetery, which is still in use, dates back 3,000 years to the First Temple period. New security measures for the site will include fences and gates, and will cost US\$400,000.⁴⁰

Prospects for Religious Freedom

In May 2016 Latin Patriarch Fouad Twal said that Israel, “although it proclaims itself a secular and democratic State, is really behaving more and more like a denominational Jewish military regime”. He added: “It is the first time that a Christian minority lives in a Jewish State with all the consequences associated with being a minority; and it is the first case in history where a Jewish majority has a State. But this majority continues to behave, and especially to defend itself, as if it were actually a minority, with the temptation of living as a theocratic State inspired by the Bible, and not as a secular State.”⁴¹ In Israel religion and nationalism can be linked, causing problems for religious minorities like Muslims and Christians. Infringements on their religious rights, though, are often more motivated by political reasons than by specifically religious ones. But there is a tendency among groups on the extreme fringes of the Israeli right to attack non-Jews and their institutions solely on religious grounds.

¹ The “basic laws and the Declaration of Independence designate Israel as a ‘Jewish and democratic state.’” <https://freedomhouse.org/report/freedom-world/2008/israel>

² Gaza is a more complicated situation. Israel claims to no longer occupy Gaza, but it nevertheless controls six of its seven land crossings, and its maritime zones and airspace. See Iain Scobbie, “Southern Lebanon” in *International Law and the Classification of Conflicts*, ed. by Elizabeth Wilmshurst (Oxford: Oxford University Press: 2012), p. 295.

³ http://www.nytimes.com/2016/04/18/world/middleeast/israel-will-never-give-golan-heights-to-syria-netanyahu-vows.html?_r=0

⁴ <http://www.ynetnews.com/articles/0,7340,L-4553654,00.html>

⁵ <http://www.jpost.com/Operation-Protective-Edge/50-days-of-Israels-Gaza-operation-Protective-Edge-by-the-numbers-372574>

⁶ www.mfa.gov.il/mfa/foreignpolicy/peace/guide/pages/declaration%20of%20establishment%20of%20state%20of%20israel.aspx

⁷ https://www.knesset.gov.il/laws/special/eng/basic3_eng.htm

⁸ <http://www.haaretz.com/israel-news/.premium-1.631807>

⁹ <http://www.state.gov/j/drl/rls/irf/religiousfreedom/index.htm#wrapper>

¹⁰ <http://www.state.gov/documents/organization/238670.pdf>

¹¹ <http://fides.org/en/news/59659->

ASIA_JORDAN_The_Catholic_Bishops_of_the_Holy_Land_discuss_the_agreements_still_suspended_between_Israel_and_the_Holy_See#.Vzb8ifmLSM8

¹² <http://www.bbc.com/news/world-middle-east-27754663>

¹³ <http://fides.org/en/news/36384->

ASIA_HOLY_LAND_The_Catholic_Bishops_the_recognition_of_the_Aramean_nationality_aims_to_divide_the_Palestini_an_Christians_from_others#.VzctsPmLSM8

¹⁴ <http://edition.cnn.com/2014/10/30/world/meast/temple-mount/> ; <https://www.theguardian.com/world/2014/oct/30/israel-closure-al-aqsa-mosque-temple-mount-mahmoud-abbas-war>

¹⁵ <http://www.bbc.com/news/world-middle-east-30092720>

¹⁶ <http://www.reuters.com/article/us-israel-palestinians-seminary-idUSKBN0LU0XP20150226>

¹⁷ <http://www.asianews.it/news-en/Maronite-vicar-says-Israeli-police-doing-nothing-to-catch-vandals-who-attacked-Christian-graveyard-33996.html>

¹⁸ <http://www.timesofisrael.com/thousands-attend-funeral-for-jerusalem-car-ramming-victim/>

¹⁹ <http://www.acn-aed-ca.org/holy-land-what-will-come-next/>

²⁰ <http://fides.org/en/news/58421->

ASIA_ISRAEL_Compensation_for_the_burning_of_the_church_in_Tabgha#.VzcB4vmLSM8

²¹ <http://www.acn-aed-ca.org/tag/msgr-shomali/>

²² <http://fides.org/en/news/58461->

ASIA_ISRAEL_Agreement_reached_with_the_government_Christian_schools_put_an_end_to_the_strike#.VzcBafmLSM8

²³ <http://www.reuters.com/article/us-israel-palestinians-idUSKCN0RD0C420150913>

²⁴ <http://www.haaretz.com/israel-news/.premium-1.677779>

²⁵ <http://mfa.gov.il/MFA/PressRoom/2015/Pages/Statement-by-PM-Netanyahu-regarding-the-Temple-Mount-24-Oct-2015.aspx>

²⁶ <http://fides.org/en/news/59020->

ASIA_ISRAEL_Netanyahu_Israel_is_the_only_State_in_the_Middle_East_that_protects_Christians#.VzcAwvmLSM8

²⁷ <http://www.timesofisrael.com/3-weeks-after-attack-israeli-stabbed-in-hebron-dies/>

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- ²⁸ http://fides.org/en/news/59057-ASIA_HOLY_LAND_600_Israeli_permits_to_Christians_in_Gaza_to_visit_the_holy_places_at_Christmas#.Vzb-3fmLSM8
- ²⁹ http://fides.org/en/news/59096-ASIA_ISRAEL_Catholic_Bishops_react_to_shocking_statements_of_a_Rabbi_against_Christian_vampires#.Vzb-KfmLSM8
- ³⁰ <http://en.lpj.org/2015/08/10/aochl-files-complaint-against-the-rabbi-gopstein/>
- ³¹ http://fides.org/en/news/59145-ASIA_HOLY_LAND_Christian_cemetery_in_Beit_Gemal_desecrated#.Vzb9uvmLSM8
- ³² <http://www.acn-aed-ca.org/tag/acn-press/>
- ³³ http://fides.org/en/news/59234-ASIA_HOLY_LAND_Two_suspects_for_acts_of_sectarian_vandalism_against_the_Dormition_church_have_been_arrested#.Vzb89fmLSM8
- ³⁴ <http://www.saintyves.org/?MenuId=3&Lang=1&TemplatId=news&id=129&catId=1&full=1>
- ³⁵ <http://www.acn-aed-ca.org/the-wall-separating-israel-and-palestine/>
- ³⁶ <http://www.saintyves.org/?MenuId=3&Lang=1&TemplatId=news&catId=1&full=1&id=129>
- ³⁷ <http://en.lpj.org/2016/04/08/cremisan-latin-patriarchate-distressed-in-the-face-of-injustice-against-christian-families/>
- ³⁸ <http://www.jpost.com/Israel-News/Cabinet-approves-historic-decision-to-create-Western-Wall-egalitarian-prayer-space-443362>
- ³⁹ <http://www.haaretz.com/israel-news/.premium-1.702891>
- ⁴⁰ <http://www.jewishpress.com/news/breaking-news/attacks-on-jews-at-ancient-cemetery-cause-israel-to-beef-up-security/2016/05/24/>
- ⁴¹ http://fides.org/en/news/59835-ASIA_HOLY_LAND_The_Latin_Patriarch_of_Jerusalem_Israel_behaves_as_a_theocratic_State#.VzbW8PmLSM8