

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 Israeli Basic Law on Human Dignity and Liberty (basic law) protects religious freedom through reference to the Declaration of the Establishment of the State of Israel, which describes the country as a Jewish state with full social and political equality, regardless of religious affiliation, and promises freedom of religion. In practice, the government generally protected religious freedom. While there is no constitution, government policy contributed to the generally free practice of religion, although governmental and legal discrimination against non-Jews and non-Orthodox streams of Judaism continued. For example government allocations of state resources favored Orthodox (including Modern Orthodox and religious Zionist) and ultra-Orthodox (sometimes referred to as "Haredi") Jewish religious groups and institutions.

There was no change in the status of respect for religious freedom by the government during the reporting period. Although the government generally protected religious freedom, some laws and policies continued to promote certain Orthodox Jewish values over other religious beliefs. There were reports of societal abuses and discrimination based on religious affiliation, belief, or practice. Some individuals and groups were responsible for discriminatory practices against Israeli-Arab Muslims, Christians, and Messianic Jews at the same elevated level cited in the previous report. 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 during the reporting period.

The U.S. government discusses religious freedom with the government as part of its overall policy to promote human rights. When engaging the government on the topic of religious freedom, embassy officials raised such issues as the possibility of expanding the list of officially recognized religious groups, the necessity of investigating religiously motivated acts of violence against minority religious groups, including Messianic Jews and Jehovah's Witnesses, and the need to clarify and end the practice of preventing entry into the country based on the Ministry of Interior's (MOI) lists of suspected "missionaries."

## Section I. Religious Demography

Based on its pre-1967 armistice lines, the country has an area of 7,685 square miles. The country has a population of 7.7 million (including settlers living in the occupied West Bank and East Jerusalem), of which 5.7 million are Jews; 1.5 million are Arab Muslims and Christians; and 320,000 are classified as "other" -- mostly persons from the former Soviet Union who immigrated under the Law of Return but who did not qualify as Jews according to the Orthodox Jewish definition used by the government for civil procedures, although many identify themselves as such.

According to the 2008 report of the Central Bureau of Statistics (CBS), 7 percent of the Jewish population is ultra-Orthodox; 10 percent is Orthodox; 39 percent describe themselves as "traditionally religious" or "traditionally non-religious;" and 44 percent describe themselves as "non-religious/secular" Jews, most of whom observed some Jewish traditions. The CBS also estimates that 30 percent of the country's Jewish population was born outside the country. A growing but still small number of traditional and secular Jews associated themselves with the Conservative, Reform, and Reconstructionist streams of Judaism. There is a small but growing community of approximately 10,000 Messianic Jews.

Slightly more than 20 percent of the population consists of non-Jews, the vast majority of whom are ethnic Arabs. Of the total population, Muslims (nearly all Sunnis) constitute 16.6 percent; Christians 1.6 percent; Druze 1.6 percent; and other religious groups 0.5 percent, including relatively small communities of Samaritans, Karaites, Jehovah's Witnesses, and Bahais.

Religious communities were often concentrated in geographical areas according to religious beliefs. According to a 2010 report issued by the Bank of Israel and the Social Security Institution, the country is undergoing a generational demographic shift from a secular society toward a more religious society due to widely divergent birth rates, as ultra-Orthodox and Orthodox Jewish communities tend to have much larger families than secular families. This demographic shift was a source of growing tension in 2010 between secular and ultra-Orthodox communities, including: in the allocation of housing; in debates over the future preparedness of the Israel Defense Forces (IDF), since few from the ultra-Orthodox community serve; and in the increasing burden of transfer payments made to ultra-Orthodox families, which are entitled to receive special government subsidies for families with five or more children.

The government reported that during 2009, it issued nearly 90,000 permits for foreigners to work in the country and estimated that another 118,000 illegal foreign workers resided in the country. Foreign workers were members of many different religious groups, including Protestant, Roman Catholic, Orthodox Christian, Buddhist, Hindu, and Islamic traditions.

## Section II. Status of Government Respect for Religious Freedom

### Legal/Policy Framework

Please refer to Appendix C in the Country Reports on Human Rights Practices for the status of the government's acceptance of international legal standards <http://www.state.gov/g/drl/rls/hrrpt/2010/appendices/index.htm>.

The Israeli Basic Law on Human Dignity and Liberty protects religious freedom, and in practice the government generally enforced these protections, although some laws and policies promote certain Orthodox Jewish values over those of other religious beliefs.

In addition, numerous Supreme Court rulings incorporate the Universal Declaration of Human Rights and the International Covenant on Civil and Political Rights (ICCPR), including their religious freedom provisions, into the country's body of law. Matters of personal status, however, are governed by the religious law of the parties concerned, and to the extent that such law is inconsistent with Israel's obligations under the ICCPR, the government reserves the right to apply that law. The basic law describes the country as a "Jewish and democratic state" that promises religious freedom and full social and political equality, regardless of religious affiliation. The basic law provides for religious freedom by upholding the spirit of the principles in the Universal Declaration, and government policy continued to support the generally free practice of religion, although governmental and legal discrimination against non-Jews and non-Orthodox streams of Judaism continued.

Israel inherited a pre-existing body of law from the British Mandate (1920 to 1948) and Ottoman (1517 to 1917) periods, which remains the law, apart from the sections specifically abrogated by the Knesset's (parliament) subsequent legislation. The existence of the Sharia (Islamic law) courts is therefore a continuation from the late

Ottoman period, when their jurisdiction was already confined to issues of personal status, succession, and administration of waqfs (religious endowments). The institution of the Chief Rabbinate as the supreme authority on halacha (Jewish law) and personal status issues also continues since the Ottoman "millet" system, which made hierarchical religious authorities responsible for every individual within the Caliphate. The jurisdiction of each religious community over its own adherents' personal status issues continued in the provisions of the 1922 British Mandate that remain the applicable law today.

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. The fact that the Muslim population was not defined as a religious community was a vestige of the Ottoman period when Islam was the dominant religion, but this has not limited Muslims from practicing their faith. A collection of arrangements with various government agencies defined the status of several Christian denominations with representation in the country. The government allows members of unrecognized religious groups to practice their religious beliefs, but their personal status issues, including marriage, must be handled by an authority within one of the recognized communities.

Major Protestant denominations that have been in the country for many years, such as the Assemblies of God, Baptists, and Lutherans, among others, are not recognized. Four religious communities have applied for state recognition, but their applications have been pending for years: Ethiopian Orthodox, Coptic Orthodox, Evangelical Lutheran Church, and the United Christian Council in Israel, an umbrella organization for many Protestant churches in the country.

Both recognized and unrecognized religious communities complained of difficulties receiving clergy visas for their representatives and leaders. While recognized religious communities only needed visa approvals through the Ministry of Foreign Affairs (MFA), unrecognized religious communities' visas had to be approved additionally through the MOI to justify stays longer than five years. Many religious leaders complained that the MOI made arbitrary decisions leading to difficulties in maintaining consistent religious leadership for their communities within the country.

With some exceptions, each officially recognized religious community has legal authority over its members in matters of marriage, divorce, and burial, limiting the freedom of many individuals who may not otherwise subject themselves to the authority of those religious hierarchies. The Islamic law courts have exclusive jurisdiction in matters of personal status concerning Muslims. Local tribunals did not exercise jurisdiction over personal status issues of non-recognized groups. In general, only recognized religious communities received government funding for their religious services, though there are some exceptions, including for Samaritans and Karaites.

Following Supreme Court rulings since 2002, the government registers certificates of conversion to Judaism performed in the country and abroad by Reform and Conservative rabbis; however, a petition is still pending a decision regarding the entitlement of such converts to the rights granted under the Law of Return. Since personal status matters for Jews are controlled by the Chief Rabbinate, which does not recognize non-Orthodox converts to Judaism as Jews, these converts cannot marry or divorce in the country and cannot be buried in Jewish cemeteries. The government provides funds for Orthodox conversion programs but does not provide support for non-Orthodox (Reform and Conservative) programs. The government had not taken any steps by the end of the reporting period to implement the May 2009 High Court of Justice ruling that the government must cease discriminating against non-

Orthodox conversions. The Israeli Defense Forces sponsored Orthodox Jewish conversion courses for Jewish soldiers converted to non-Orthodox (and therefore unrecognized) tradition and for soldiers not recognized as Jewish by the Orthodox rabbinical authorities. Residency rights are not granted to relatives of converts to Judaism, except for children of female converts who are born after the mother's conversion is complete.

Although not officially recognized for purposes of civil and personal status matters, groups composed of adherents of Conservative, Reform, and Reconstructionist streams of Judaism received a small amount of government funding and were recognized by the courts.

The government implements some policies based on Orthodox Jewish interpretations of religious law. For example the only in-country Jewish marriages the government recognizes are those performed by the Orthodox Chief Rabbinate. The government does not allow civil marriages, such as secular ceremonies performed by state or municipal authorities, or marriages performed by Conservative, Reform, or Reconstructionist rabbis. Civil marriages, non-Orthodox marriages of Jews, or interfaith marriages must take place abroad to be recognized by the government. Jews who married in civil ceremonies or in non-Orthodox ceremonies performed abroad were able to divorce only via rabbinical courts that operated according to halacha, or through courts abroad.

In order to marry in government-recognized ceremonies, Jews had to undergo marriage counseling administered by Orthodox religious authorities. As part of this counseling, all Jews -- including the secular majority and those who practice Reform or Conservative Judaism -- were taught to respect traditional Orthodox family roles.

A new law, passed in March 2010, allows for the civil registration of couples within the country only if both partners are recognized as being "of no religion." No person with religious belief can choose to be married in a civil ceremony or marry someone "of no religion" within the country.

The Chief Rabbinate also determines who is buried in Jewish state cemeteries, limiting this right to individuals considered Jewish by Orthodox standards. This exclusion of people who consider themselves Jewish, usually descendants of Jewish fathers but not Jewish mothers, has led to public outcries, especially during national tragedies, such as the December 5 burial of a Carmel fire victim at a military cemetery. The mourning mother firmly objected, but eventually acquiesced to the Chief Rabbinate's decision to bury her daughter in the non-Jewish section. Although Prime Minister Yitzhak Rabin set a precedent in 1993 when he reversed the Chief Rabbinate's decision to bury a soldier killed by Hamas outside the Jewish section of the military cemetery, no other government leader has overruled the Chief Rabbinate regarding Jewish burials.

Members of unrecognized religious groups also faced difficulties in obtaining marriage certifications and burial services.

Proselytizing is legal in the country, and missionaries of all religious groups are allowed to proselytize all citizens. A 1977 law prohibits any person from offering material benefits as an inducement to conversion. It is also illegal to convert persons 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 has taken a number of steps that discouraged proselytizing and encouraged the popular perception that it is illegal. For example the MOI detained individuals suspected of being "missionaries" upon arrival at the airport and required such persons to post bail and pledge to abstain from

missionary activity. At times government officials have also refused people they perceived as missionaries entry into the country. It maintained denunciations of missionary activity from anti-missionary groups like Yad L'Achim in its border control databases. The Interior Ministry has also cited proselytism as a reason to deny student, work, and religious visa extensions, as well as to deny permanent residency petitions. The Knesset Christian Allies Caucus, composed of an array of Knesset members from most political parties, issued passes to some Christians whom it deemed as not being engaged in missionary activity to facilitate their entry into the country.

The 1967 Protection of Holy Sites Law safeguards the holy sites of all religious groups including in Jerusalem. All holy sites enjoy certain protections under the penal law, which make it a criminal offense to damage any holy site, and historic sites are also protected by the antiquities law. The government provided resources for the upkeep of holy places of all recognized religious communities, but provided significantly greater levels of government resources to Jewish holy places.

A government policy since 1967, upheld repeatedly by the Supreme Court and routinely enforced by the police citing security concerns, denies all non-Muslims the opportunity to worship at the Temple Mount. While the government ensured limited access to the Temple Mount to everyone regardless of religious beliefs, only Muslims were allowed to pray at the site, although their access has been occasionally restricted due to security concerns. Israeli police regulated traffic in and out of the compound and removed non-Muslim visitors if they appeared to be praying. Since 2000 the Jordanian Waqf that manages the site has restricted non-Muslims from entering the Dome of the Rock shrine and Al-Aqsa Mosque. Non-Muslim religious symbols are not allowed to be worn on the Temple Mount.

Government authorities prohibited mixed-gender prayer services at Jewish religious sites in deference to the belief of most Orthodox Jews that such services violated the precepts of Judaism. At the Western Wall, the holiest site in Judaism, men and women must use separate areas to visit and pray. According to a policy repeatedly upheld by the Supreme Court, women are not allowed to conduct prayers at the Western Wall while wearing prayer shawls and are not permitted to read from Torah scrolls because this form of prayer violates Orthodox interpretations of Jewish law. There is a separate prayer area along the Western Wall, south of the Mughrabi Gate, less than half the size of the men's section, where women may pray wearing prayer shawls and read the Torah.

The signs posted around the Western Wall plaza requesting gender segregation throughout the plaza, rather than just at the prayer areas, were removed in 2010. Ultra-Orthodox "modesty patrols" attempted to enforce gender separation and guarded the path designated for "men only" that was installed in 2009 opposite the Western Wall. Some mixed-gender ceremonies have been canceled at the Western Wall plaza, but the public usually ignored the occasional requests for gender separation throughout the plaza.

According to the nongovernmental organization (NGO) Hiddush-Religious Freedom and Equality, the country financially supported over 100,000 yeshiva (religious studies) students over the age of 18. In June the High Court ruled on a decade-old case that such assured income for yeshiva students was illegal, as there was no basis for treating these students preferentially above all other students. The court ordered the government to remove the clause from the 2011 state budget. In late 2010 an interministerial team recommended that yeshiva students meet specific requirements to receive subsidies.

By law the government subsidizes 55 to 75 percent of the expenses incurred by ultra-Orthodox Jewish religious schools, as long as they teach an equivalent percentage of the national curriculum, which includes non-religious subjects.

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

Public Hebrew-language secular schools taught Jewish history and Jewish religious texts. These classes primarily covered Jewish heritage and culture, rather than religious belief. Public Arabic-speaking schools with Arab student bodies taught mandatory classes on the Qur'an and the Bible, since both Muslim and Christian Arabs attended these schools. Orthodox Jewish religious schools that are part of the public school system taught mandatory religion classes, as did independent ultra-Orthodox schools that received significant state funding. A few independent mixed Jewish-Arab schools also existed and offered religion classes.

No religious group possesses legal jurisdiction over financial disputes.

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 immigrated to various points in the Ottoman-controlled Middle East in the late 19th century). Government policy, formalized and conditioned by the 2002 Tal Law, allows ultra-Orthodox Jews to refuse to serve based on religious reasons. Israeli Arabs -- both Muslim and Christian -- are also exempted from compulsory service. The majority of Israeli Arabs opt out of military service; however, some Christian and Muslim Arab citizens, including many Bedouin, voluntarily enlist. In lieu of military service, Israeli Arabs and ultra-Orthodox Jews can perform national service for one to two years, including for NGOs focused on improving their own communities as volunteers in health, education, and welfare sectors. This voluntary national service confers eligibility for similar national benefits accorded military veterans.

The 1993 Fundamental Agreement ratified by the Knesset in 1994 established relations between the Holy See and the government. The subsequent 16-year-long economic negotiations between the government and the Holy See continued at the end of the reporting period. These negotiations addressed property rights and tax exemptions for Roman Catholic institutions and their access to Israeli courts. All recognized religious groups are exempt from taxation for places of worship, according to the annually drafted Arrangements Law.

Secular courts have primacy over questions of inheritance, but by mutual agreement parties may file such cases in religious courts instead. The rabbinical courts, when exercising these powers in civil matters, apply religious law, which varies from civil law, including in matters relating to the property rights of widows and daughters. Family status matters are normally the purview of religious courts, but Jewish, Druze, and Christian families may ask for some cases, such as alimony and child custody in divorces, to be adjudicated in civil courts. Since 2001 Muslims also have

the right to bring matters such as alimony and property division associated with divorce to civil courts in family-status cases. In practice Muslims rarely choose this option. Paternity cases are the exclusive jurisdiction of Islamic law courts.

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 exists (Druze). Legislation establishing religious councils does not include non-Jewish religious communities other than the Druze. The government financed approximately 40 percent of the religious councils' budgets, and local municipalities funded the remainder.

The government funded the construction of Jewish synagogues and cemeteries. According to the government, while the state budget does not cover the costs of construction for non-Jewish places of worship, it provides some assistance for their maintenance, although at a disproportionately lower level than for synagogues.

Under the Law of Return, the government grants immigration and residence rights to individuals who meet established criteria defining Jewish identity and also to certain family members. Eligible family members include a child or grandchild of a Jew, the spouse of a Jew, the spouse of a child of a Jew, and the spouse of a grandchild of a Jew. The government uses a separate, more rigorous standard based on Orthodox Jewish criteria for entitlement to government financial support for immigrants, the legitimacy of conversions to Judaism performed within the country, and Jewish status for purposes of personal and some civil status issues.

The Law of Return established the right for every Jew to immigrate. Both physical descendants and religious converts have been excluded at times, however, based solely on the potential immigrant's religious belief.

Those born to Israeli Jews remain Israeli citizens according to the state, regardless of their religious belief or Orthodox recognition, while non-Israeli Jewish descendants were routinely asked religious questions to determine whether they qualified to become a citizen. The question of whether one believes Jesus is the Jewish Messiah is one question used to determine whether a Jew was qualified to immigrate. The Supreme Court has repeatedly upheld the right, however, of Israeli Jews who believe Jesus is the Messiah to retain their citizenship. The immigration exclusion was routinely applied only against Messianic Jews, whereas Jews who were atheists or chose to believe in other religions, including many Hindus and Buddhists, were not screened out.

Non-Orthodox converts to Judaism are entitled to the civil right of return, Israeli citizenship, and registration as Jews in the civil population registry. These individuals are not able to marry in the country, as they do not meet Orthodox standards. Ethiopian Jews, who practice no rituals relating to the oral tradition of halacha but continue to observe an older form of Biblical Judaism, also had some difficulty getting their marriages and divorces registered due to Orthodox standards, although some Orthodox rabbis have registered their marriages.

Identification cards issued before 2007 distinguished between Jews and non-Jews by the differing dates printed on identification cards using either the Gregorian calendar with roman numerals for non-Jews or the Hebrew calendar with Hebrew numerals for Jewish citizens. Documents issued after 2007 carry both dates.

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 officially established as 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 firing employees who observed a different day of rest for religious observance; nor can employers make working on a rest day a condition of employment. The Ministry of Labor and Social Services issued 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 Sabbath.

#### Restrictions on Religious Freedom

The government selectively enforced legal and policy restrictions on religious freedom. Government policy contributed to the generally free practice of religion, although government discrimination against non-Jews and non-Orthodox streams of Judaism continued. For example the government continued to discriminate against non-Orthodox Jewish citizens through some policies based on Orthodox Jewish interpretations of religious law. A minority of Jews in the country observe the Orthodox tradition, and the majority of Jewish citizens objected to exclusive Orthodox control over fundamental aspects of their personal lives.

Muslims criticized the lack of sufficient state funding in support of Muslim affairs, including for the building and restoration of mosques and cemeteries. Many mosques lack an appointed imam, which is the responsibility of the MOI's Muslim religious affairs department. The country also lacks any academic training center for the study of Islam to educate future imams and qadis (Sharia court judges).

In August the MOI did not renew the residency permit of the Anglican Bishop of Jerusalem on accusations of forgery, which the Bishop denied. The MOI, however, did not press charges against the Bishop, and he remained in Jerusalem.

While proselytism is officially legal, some missionaries continued to face harassment and discrimination from local government officials.

During the reporting period, members of many religious groups traveled to the country freely. However, according to representatives of Christian institutions, visa issuance rates for some of their religious workers remained low. The MOI granted multi-entry visas only to a limited list of members of the clergy and other religious workers seeking to travel to and between their parishes in Israel and the Occupied Territories. Other clergy who wished to return to or visit their parishes and congregations were required to apply for new, single-entry visas at Israeli consulates abroad -- a process that could take months.

Since the government did not have diplomatic relations with Saudi Arabia, Muslim citizens traveled through another country, usually Jordan, to obtain travel documents for performing the Hajj (pilgrimage to Mecca). According to the government, travel to hostile countries, including travel to Saudi Arabia for the Hajj, may be restricted. Palestinian religious groups faced restrictions in practice, such as closures and long waits at Israeli border crossings, which often impeded travel into Israel for religious purposes.



According to government figures, the 2010 budget for religious services and religious institutions for the Jewish population was approximately NIS 1.6 billion (\$433 million), of which religious education accounted for more than NIS 1.1 billion (\$294 million). Religious minorities, which constituted slightly more than 20 percent of the population, received approximately NIS 47 million (\$12.7 million), or less than 3 percent of total funding.

The High Rabbinical Court restricted the choice of some individuals' to convert to Judaism. In May 2009 the High Court of Justice ordered the High Rabbinical Court to explain its retroactive annulment of two Jewish conversions performed by the state-sanctioned Orthodox "Special Conversion" court, but the High Rabbinical Court, which disputed the secular High Court's jurisdiction over the issue, had not responded by the end of the reporting period. The validity of about 40,000 similar conversions since 1999 therefore remained in doubt, since the 2008 annulment ruling alleged the Conversion Authority's prior head had allowed lax observance standards.

As in previous reporting periods, the Religious Affairs Ministry failed to implement the 1996 Alternative Burial Law, which established the right of any individual to be buried in a civil ceremony. The Religious Affairs Ministry did not utilize any of the money allocated in the 2010 state budget for the development of civil, pluralistic, burial plots. There was one regional public cemetery, in Be'er Sheva, and two local cemeteries, in Kfar Saba and Kiryat Tivon, available to the general public. The government contracted with some private cemeteries to provide burial solutions when no other options existed. In 2008 the Jerusalem municipality approved plans to establish a new civil city cemetery for use by those who do not want or cannot receive burial according to Orthodox rites. Citizens who seek civil burials in other regions must use private cemeteries located on kibbutzim (collective farms) at high personal cost, while state burials are free of charge.

A public transportation company, Egged, which operated much of the country's public transportation system, continued to operate some sex-segregated buses along inter- and intra-city routes frequented by ultra-Orthodox Jews. Women who refused to sit at the back of such buses risked harassment and physical assault by male passengers. On February 1, 2010, Transportation Minister Israel Katz determined gender segregation could continue as long as it was done voluntarily, but on February 18 the Supreme Court issued an injunction prohibiting any new sex-segregated bus lines and enforcement of sex segregation on existing lines. A petition submitted to the Supreme Court against the continued existence of these segregated bus lines was pending before the court at the end of the reporting period.

Muslim residents of the Be'er Sheva area continued to protest the municipality's intention to reopen a former mosque (1906-1948) as a museum rather than as a mosque for the city's Muslim residents. The building served as a court and prison until 1953, and as an archaeological museum until abandoned in 1992 due to structural problems. The High Court rejected a petition from the Israeli-Arab legal advocacy NGO Adalah to enjoin the municipality from renovating the structure into a museum. The building is now renovated but not used. A governmental review committee opposed changing its designation from a museum to a mosque. Both the city and the national police argued that a functioning mosque at that central location would disrupt daily life in the Old City of Be'er Sheva and lead to conflict between Muslim and Jewish communities. In 2006 the High Court proposed a compromise whereby the mosque would be used as a museum of Islamic culture and Eastern Nations, and the city agreed to dedicate the museum to the cultures of the sons of Abraham. In January 2007 the Islamic Movement, represented by Adalah, rejected the court proposal, arguing that the religious rights of Muslims who did not have a mosque in the Old City should be respected. The court ordered the parties to reach an agreement in June 2009, but recognized on February

17, 2010, that no agreement would be reached by the Islamic Movement and the municipality. There have been no further hearings, and the High Court had not issued its decision in the case by the end of the reporting period.

The approximately 60,000 Bedouin living in unrecognized villages were unable to build or legally maintain mosques as a result of longstanding government policy to deny ownership claims, building requests, and municipal services in Bedouin communities. Mosques existed in unrecognized Bedouin communities, but, as with homes and other community structures, the government considered them illegal and therefore subject to demolition.

In October 2008 the High Court ruled that the Simon Wiesenthal Center could continue construction at a site in Jerusalem despite the objections of several Muslim organizations, which argued that it was located on part of the Mamilla Cemetery. Supporters of the U.S.-based center had cited an 1894 ruling by the Islamic Law court, which stated that the cemetery was no longer sacred because it was abandoned. The High Court explained in its ruling that the construction site had served as a municipal parking lot for almost 50 years without a single complaint leveled against such use, and Islamic authorities in 1929 had allowed construction in other parts of the abandoned cemetery. Some Islamic groups continued to object to the project on religious grounds during the reporting period.

The legal defense NGO, Jerusalem Institute of Justice (JIJ), continued to allege that MOI officials denied services to some citizens based on their religious beliefs. The JIJ's legal defense caseload included numerous cases dealing with attempts by the MOI to revoke the citizenship of persons discovered holding Messianic or Christian beliefs, or to deny some national services -- such as welfare benefits or passports -- to such persons. In other cases, the JIJ alleged that the MOI refused to process immigration applications from persons entitled to citizenship under the Law of Return if it was determined such persons held Christian or Messianic Jewish religious beliefs. In response to a contempt of court hearing on March 16, 2010, the MOI granted the petitioners citizenship in accordance with an April 2008 High Court ruling that stated that the government could not deny citizenship to three Messianic Jews who were eligible to immigrate under the Law of Return.

#### Abuses of Religious Freedom

There were reports of abuses, including detainees, in the country. Some tourists were temporarily detained for religious reasons at Ben-Gurion Airport, prevented from entering Israel, and sent back to their countries of origin because of the MOI's "suspicions of missionary activity," as explained to them by the border control officials at the airport. According to a government report cited in an April 4, 2010, Yediot Ahronot newspaper article, 30 percent of the more than 110,000 tourists detained in 2009 at the airport for rigorous security interrogations were on an MOI watch list, while the others were on security watch lists. There are no clearly publicized regulations as to how the MOI places a person on the watch list or on what grounds, but the questioning of such individuals often relates to their religious beliefs.

An article in Yediot Ahronot in March 2010 reported that police arrested two Haredi men at the Western Wall on suspicion that they threw chairs at a group of praying women from the Women of the Wall organization, a group occasionally targeted by religious groups for practicing their religion at holy sites. On November 18, 2009, Israeli police temporarily detained a woman because she donned a Jewish talith (prayer shawl) during a ceremony in the traditional women's prayer area, rather than in the designated area.

## Abuses by Rebel or Foreign Forces or Terrorist Organizations

During the reporting period, terrorist organizations, including Hamas and Palestinian Islamic Jihad, carried out attacks against Israeli citizens, mostly in the form of indiscriminate rocket and mortar attacks from the Gaza Strip. Terrorists often issued statements that contained anti-Semitic rhetoric in conjunction with the attacks.

## Section III. Status of Societal Actions Affecting Enjoyment of Religious Freedom

There were reports of societal abuses and discrimination based on religious affiliation, belief, or practice.

Some individuals and groups were responsible for abusive and discriminatory practices against Israeli-Arab Muslims, evangelical Christians, and Messianic Jews with the same frequency as during the previous reporting period.

Relations between other religious and ethnic groups, including Muslims and Christians, Arabs and non-Arabs, and secular and religious Jews, also continued to be strained. Such religious and ethnic tensions were fueled by historical grievances, as well as by cultural and religious differences.

About 50 prominent rabbis, led by Safed chief rabbi Shmuel Eliyahu, published a religious ruling on December 7 prohibiting the sale or rental of real estate to non-Jews and calling for the exclusion from religious gatherings of any Jewish person who breaks the ruling. The ruling argued that allowing non-Jews to reside in a community could damage the religious beliefs of neighboring Jews who might be influenced by the non-Jews, could result in intermarriage, and would reduce home values. Prime Minister Benjamin Netanyahu promptly condemned the halachic ruling, along with President Shimon Peres, many parliamentarians, human rights groups, and Israeli Arabs -- against whom it was primarily directed. The Minorities Affairs Minister called on the Justice Minister to begin the process of suspending Eliyahu from his post as a municipal rabbi. Eliyahu was previously indicted for incitement in 2004 but avoided trial by apologizing. All of the signatories' salaries were paid by the government, including dozens of chief rabbis of cities across Israel. At the end of the reporting period, the Attorney General was looking into whether the signatories could be prosecuted for incitement.

Nazareth (population 72,000), the city with the country's largest Arab majority, experienced strained relations between the growing Muslim majority and the Christian minority. On October 6, 2010, Sheikh Nazem Abu Salim, the imam of the Shihab al-Din mosque, was indicted for inciting violence against Christians and Jews that resulted in attacks (including one Jewish death), supporting Al Qaeda, and recruiting for global jihad. Some Arab Christians in Nazareth said that fear of reprisal by members of the Islamic Movement prevented them from proselytizing openly.

Umm el-Fahm, the country's second largest Arab majority city (population 45,000), was a site of continuing tension between Jews and Muslims. The city has an entirely Muslim population and has elected its leadership from the Islamic Movement since 1989, when Sheikh Raed Salah first became mayor. Over the past few years, Salah gained notoriety for busing Islamic Movement followers from Umm el-Fahm to Jerusalem, where on several occasions Muslims on the Temple Mount threw rocks down onto Jewish worshipers at the Western Wall. On July 25, 2010, Salah was sentenced to five months in prison for his 2007 attack on a police officer while protesting against the rebuilding of a ramp to the Mughrabi Gate, the sole entrance for non-Muslims to the Temple Mount. On October 17 Suleiman Aghbaria, another former mayor of Umm el-Fahm, received a suspended six-month sentence for attacking

a police officer during the same incident. On October 27 as a result of the Supreme Court's decision to overrule police security objections to a planned demonstration, 30 Jewish activists marched through Umm el-Fahm in protest against the Islamic Movement. Hundreds of police ensured that the ensuing riot was quickly controlled without casualties, arresting 10 people for throwing rocks.

On October 29, 2010, an arsonist broke into the basement of the Christian Alliance Church in Jerusalem and set fire to the building, partly destroying it. Ten foreign volunteers were awakened and escaped, but required treatment for smoke inhalation. The church is located in a predominantly ultra-Orthodox neighborhood and allows Messianic Jewish and Arab Christian congregations to use its facilities. A large crowd of ultra-Orthodox Jews watched the fire, with four of the young men chanting loudly "Let it burn!" The fire marshal determined the cause was arson, and the police began an investigation.

On October 12, 2010, an arsonist set two fires at Tel Aviv-Yafo's historic Al Hambra Theater, which had been bought by the Church of Scientology in 2007 and largely renovated for future use. Nine workers escaped unharmed from the building. Scientologists complained about incitement by The Israeli Center for Victims of Cults, which had previously suggested the building be burned and whose predominantly religiously based objection filed with the municipality was forestalling the Scientologists from acquiring the final permit needed from the city to fully renovate the building for use.

Expressions of animosity between secular and religious Jews continued during the reporting period. Some members of ultra-Orthodox Jewish groups acted in a discriminatory and intolerant manner toward non-Orthodox Jews. As in past years, ultra-Orthodox Jews in Jerusalem and other ultra-Orthodox enclaves threw rocks at passing motorists driving on the Sabbath and periodically harassed or assaulted women whose appearance they considered immodest. According to a September poll published by Hiddush-For Religious Freedom and Equality, the Religion and State Index, 49 percent of Jewish adults rated the tension between secular and ultra-Orthodox as the most serious internal tension in society.

Societal attitudes toward missionary activities and conversion generally were negative. Most Jews opposed missionary activity directed at Jews, and some were hostile to Jewish converts to Christianity. While proselytism is officially legal, missionaries continued to face harassment and discrimination by some Jewish activists and organizations. The Messianic Jewish and Jehovah's Witnesses communities, among others, accused groups such as Yad L'Achim and Lev L'Achim, Jewish religious organizations opposed to missionary activity, of harassing and occasionally assaulting their members. According to JIJ attorneys and representatives of affected religious communities, Yad L'Achim pressured landlords, employers, and MOI officials to assist its campaigns against groups it deemed "dangerous cults."

In spite of a June 2009 Supreme Court ruling and a subsequent finding of contempt of court, the Chief Rabbinate Council and Ashdod Rabbinate had not restored the kosher license that rabbinical authorities had torn down from the Pnina Pie Bakery in Ashdod in June 2006, after seeing a Yad L'Achim sign warning that the owner of the bakery was a Messianic Jew. The court noted that the removal of the license, which drastically affected the bakery's business, was solely due to the owner being a Messianic Jew and had nothing to do with Kashrut law.

In June 2010 the Omar Bin Khattab mosque in the village of Ibtin in northern Israel was vandalized and defaced, with graffiti that included the Star of David and which called for the destruction of the holy site. A police investigation was still ongoing at the end of the reporting period.

During the reporting period, members of Jehovah's Witnesses reported assaults, threats of violence, and other crimes against their members and noted the difficulties their members faced in convincing the police to investigate or apprehend the perpetrators. Jehovah's witnesses filed police reports in Ashdod, Haifa, and Bat Yam detailing accounts of religiously motivated physical assaults, as well as death threats accusing them of "missionary" activity and calling on them to leave.

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 Geshar Foundation; Meitarim, which operated a pluralistic, Jewish-oriented school system; the Interreligious Coordinating Council, which promoted interfaith dialogue among Jewish, Muslim, and Christian institutions; and the Council of Religious Institutions of the Holy Land, comprising the chief religious authorities of the area's Jewish, Muslim, and Christian establishments.

#### Section IV. U.S. Government Policy

The U.S. government discusses religious freedom with the government as part of its overall policy to promote human rights. The U.S. embassy consistently raised concerns of religious freedom with the MFA, the police, and other government agencies.

Embassy officials maintained a dialogue with NGOs focusing 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 conducted programs that exposed Israelis to U.S. models of religious diversity and civil society.

The embassy also raised with the government issues such as the possibility of expanding the list of officially recognized religious groups; the necessity of investigating religiously motivated acts of violence against minority religious groups, including Messianic Jews, Jehovah's Witnesses, and Scientologists; and the need to end the practice of preventing entry into the country based on the MOI's lists of suspected "missionaries."

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

The Palestinian Authority (PA) does not have a constitution, but has stated that the Palestinian Basic Law functions as its 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. In practice, the government generally enforced these protections. PA government policy contributed to the generally free practice of religion, although problems persisted

during the reporting period. The Basic Law states that Islam is the official religion and the principles of Sharia (Islamic law) shall be the main source of legislation. The Basic Law also proscribes discrimination based on religion and stipulates that all citizens are equal before the law and that basic human rights are liberties that shall be protected. In the Gaza Strip, the PA was unable to curb Hamas' enforcement of conservative Islamic law, prevent Hamas' harassment of non-Muslims and religious restrictions on women, or promote religious freedom. 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 generally enforced existing legal restrictions on religious freedom within the Occupied Territories during the reporting period. The strict closure policies and the separation barrier constructed by the Israeli government severely restricted the ability of Palestinian Muslims and Christians to reach places of worship and to practice their religious rites, particularly in Jerusalem. 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.

There was no change in the status of respect for religious freedom by the PA during the reporting period. In the Gaza Strip, where Hamas maintained control, the regime's level of respect for religious freedom in law and in practice remained problematic during the reporting period.

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

The U.S. government discusses religious freedom with the PA as part of its overall policy to promote human rights.

## Section I. Religious Demography

The West Bank (excluding East Jerusalem) has an area of 2,238 square miles and a population of 2.7 million, including approximately 301,000 Israelis. East Jerusalem has an area of 27 square miles and its population is 442,000, including approximately 182,000 Israelis. The Gaza Strip has an area of 143 square miles and a population of 1.5 million.

Approximately 98 percent of Palestinian residents of the Occupied Territories are Sunni Muslims. Although there is no official count, a detailed demographic survey from 2008, conducted by local Christian advocates, indicated that there are about 50,000 Christians in the West Bank and East Jerusalem, and an estimated 1,000 to 3,000 Christians in the Gaza Strip. A majority of Christians are Greek Orthodox; the remainder consists of Armenian Orthodox, Copts, Episcopalians, Ethiopian Orthodox, Greek Catholics, Lutherans, Maronites, Roman Catholics, Syrian Orthodox, and several other Protestant denominations. Christians are concentrated primarily in the areas of Jerusalem, Ramallah, and Bethlehem, but smaller communities exist elsewhere. A very small number of adherents of several denominations of evangelical Christians, as well as Jehovah's Witnesses, reside in the West Bank. There is also a community of approximately 400 Samaritans in the West Bank.

According to local Christian leaders, Palestinian Christian emigration has accelerated since 2001, reducing the number of Christians in Jerusalem and the Occupied Territories. Lower birth rates among Palestinian Christians also contribute to their shrinking numbers.

## Section II. Status of Government Respect for Religious Freedom

### Legal/Policy Framework

Please refer to Appendix C in the Country Reports on Human Rights Practices for the status of the government's acceptance of international legal standards <http://www.state.gov/g/drl/rls/hrrpt/2010/appendices/index.htm>.

The PA does not have a constitution but has stated that the Palestinian Basic Law functions as its temporary constitution. The Basic Law and other laws and policies protect religious freedom and in practice, the government generally enforced these protections. The Basic Law states that Islam is the official religion and the principles of 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. The PA sought to protect religious freedom in full.

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

Islam is the official religion of the PA, and Islamic institutions and places of worship receive preferential financial support by the government. The PA has a Ministry of Awqaf (religious endowments) and Religious Affairs that pays for the construction and maintenance of mosques and the salaries of most Palestinian imams in the West Bank. The ministry also provides limited financial support to some Christian clergymen 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.

Personal status law for Palestinians in the Occupied Territories is based on religious law. For Muslim Palestinians, personal status law is derived from Sharia, while various ecclesiastical courts rule on personal status matters for Christians. A 1995 PA presidential decree stipulated that all laws in effect before the advent of the PA would continue in force until the PA enacted new laws or amended the old ones.

Islamic or Christian religious courts must handle all legal matters relating to personal status. In general all legal matters related to personal status--including inheritance, marriage, dowry, divorce, and child support--are handled by such courts, which exist for most Muslim and Christian traditions.

All legally recognized individual sects 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 to adjudicate, but this is not known to occur. Churches that are not officially recognized by the PA must obtain special permission to perform marriages or adjudicate personal status matters; many unrecognized churches advise their members to marry or divorce abroad.

PA President Abbas has informal advisors 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 faith.

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

Under the Oslo 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.

The PA recognizes churches in the West Bank and Gaza under one of three statuses: churches recognized by the status quo agreements reached under Ottoman rule in the late 19th century and Protestant churches with established episcopates; Protestant, including evangelical, churches established between the late 19th century and 1967, which, although they exist and operate, are not recognized officially by the PA; and a small number of churches that have become active within the last decade and whose legal status is less certain.

The PA respects the 19th century status quo agreements reached with Ottoman authorities that govern the first group of churches. These agreements specifically established the presence and rights of the Armenian Orthodox, Assyrian, Coptic, Ethiopian Orthodox, Greek Catholic, Greek Orthodox, Roman Catholic, and Syrian Orthodox churches. The Episcopal and Evangelical Lutheran churches were added later to this list. Upon its establishment, the PA recognized these churches and their rights. 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. They are permitted to operate freely and are able to perform certain personal status legal functions, such as issuing marriage certificates.

The third category consists of a small number of proselytizing groups, including Jehovah's Witnesses and some evangelical Christian groups. These churches also generally operate unhindered by the PA.

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 as reasons for increased emigration.

The PA requires the teaching of religion in PA-operated schools with separate courses for Muslim and Christian students. A compulsory curriculum requires the study of Christianity for Christian students and Islam for Muslim students in grades one through six. A 2006 study conducted by the Israel/Palestine Center for Research and



Information concluded that some textbooks continue to show elements of imbalance, bias, and inaccuracy, but not incitement to violence. Other nongovernmental organizations (NGOs), such as Palestine Media Watch, have taken a more critical view. However, the Jerusalem Municipality permitted the use of these textbooks in Arab schools under Israeli authority in East Jerusalem.

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. 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.

#### Restrictions on Religious Freedom

The PA generally respected religious freedom in law and in practice. There was no change in the status or respect for religious freedom by the government during the reporting period. Nonetheless, 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 were sometimes accused of delivering hateful sermons. The PA also prohibited the broadcast of Qur'an recitations from minarets in the West Bank prior to the call to prayer. The PA oversees approximately 1,800 mosques in the West Bank and authorized imams' salaries from the PA.

Senior Hamas officials in August criticized the ban on incitement and said that the PA was mounting a "religious war among the Palestinian people," according to press reports. A Hamas-affiliated lawmaker and Muslim religious leader claimed in August that the PA banned him from delivering Friday sermons in the West Bank; he had previously preached for 10 years at the al-Aqsa Mosque in Jerusalem, according to press reports.

Members of the Ahmadiyya Muslim community contended that PA clerics declared Ahmadis to be apostates, resulting in a rise of anti-Ahmadiyya activity in the West Bank. These Ahmadis reported that the PA's Sharia courts annulled several Ahmadiyya marriages during the reporting period.

The Government of Israel continued to apply travel restrictions during the reporting period that significantly impeded freedom of access to places of worship in the West Bank and Jerusalem for Muslims and Christians. Strict closures and curfews imposed by the Israeli government negatively impacted residents' ability to practice their faith.

The Government of Israel's construction of a separation barrier, begun in 2002 due to stated security concerns, has severely limited access to holy sites and seriously impeded the work of religious organizations that provide education, healthcare, and other humanitarian relief and social services to Palestinians, particularly in and around East Jerusalem. The Israeli government made some accommodations for Palestinian Christians in the West Bank to access Jerusalem for religious purposes, although it made few accommodations for Palestinian Muslims to enter Jerusalem for religious purposes.

The separation barrier significantly impeded Bethlehem-area Christians 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 congregations 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.

The Government of Israel, as a matter of stated policy since 1967, opposes non-Muslim worship at the Haram al-Sharif/Temple Mount. Israeli police generally did not permit public prayer by non-Muslims and publicly indicated that this policy remained operative even though non-Muslims visited the compound. Israeli police regulated traffic in and out of the compound and screened non-Muslims for religious paraphernalia.

On July 20 a member of the Israeli Knesset entered the Haram al-Sharif/Temple Mount complex in what he claimed was an effort to promote greater Jewish access to the site; during his hour-long visit he said that the compound does not belong to the Jerusalem Islamic Waqf, which administers the site through an agreement between Israel and Jordan, but rather the compound belongs to "the people of Israel."

The Government of Israel severely restricted access for Muslims in the Occupied Territories to the Haram al-Sharif and occasionally restricted access for Muslims resident in Jerusalem. While West Bank Muslims with permits to enter Jerusalem were generally able to visit the site, and in isolated cases permits were issued for Muslims to enter Jerusalem for religious purposes, Israel's permitting regime generally restricted most West Bank Muslims from accessing the Haram al-Sharif. The Government of Israel provided Muslims from Gaza no opportunity to access the site. Israeli security authorities in Jerusalem frequently restricted access to Friday prayers at the Haram al-Sharif for residents in East Jerusalem. Citing security concerns, authorities also frequently barred entry to male residents under the age of 50, and sometimes barred women under the age of 45. Infrequently, authorities would close the Haram al-Sharif entirely, often after skirmishes at the compound between Arabs and Israeli police.

Israeli authorities in some instances barred specific individuals from the compound, including high-ranking Palestinian officials and Jerusalem Islamic Waqf employees. On November 9, Waqf officials alleged Israeli police detained and questioned five Waqf officials, accusing them of threatening three Israelis working on a restoration project outside the compound. Waqf officials claimed the Israeli security regime has reduced average attendance at Friday prayers from 45,000 prior to the Second Intifada to no more than 30,000 presently.

Waqf officials complained that Israeli police increasingly violate agreements regarding control of access to the Haram al-Sharif/Temple Mount site. Israeli police have de facto control of the compound with police stationed outside each entrance to the site and conducting routine patrols on the outdoor plaza. Israeli police have exclusive control of the Mughrabi Gate entrance--the only entrance through which non-Muslims may enter the compound--and in general allow visitors through the gate during set visiting hours. Waqf employees are stationed inside each gate and on the plaza, and they may object to the presence of particular persons, such as individuals dressed immodestly or causing disturbances, but they lack effective authority to remove persons from the site.

Israeli authorities and Jerusalem Islamic Waqf officials generally prohibited non-Muslim worship at the Haram al-Sharif. 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."

Although most mainline Orthodox Jewish teaching discourages Jewish visits to the compound, some Jewish organizations have legally and physically challenged these restrictions. During the reporting period, several Jewish groups visited the compound, escorted by Israeli police, and performed religious acts such as prayers and prostration. Waqf officials condemned the visits, and in some instances, the visits initiated violence between Arabs and Israeli police. Christians were prohibited from performing public prayers at the site.

There were also disputes between the Jerusalem Islamic Waqf and Israeli authorities over Israeli restrictions on Waqf attempts to carry out maintenance and physical improvements to the compound and its mosques. Israeli officials said the Waqf is required to coordinate all changes to the compound with the Israeli government; Waqf officials generally refused to coordinate maintenance and upkeep because they said this violates previous agreements between Israel and the Jordanian government.

The approval process for a permanent ramp leading to the Mughrabi Gate of the Haram al-Sharif/Temple Mount continued during the reporting period; however, excavations in the immediate vicinity of the Mughrabi Gate did not proceed.

On October 4, the Jerusalem Local Planning and Building Committee approved a plan to renovate the Western Wall plaza. The plan calls for a large underground plaza to replace the current main entrance, as well as a new visitors' center, bathrooms, an auditorium, and exhibition space. The plan must still pass a series of additional approvals before construction can begin.

The Western Wall, the holiest site in Judaism, was open to visitors from all faiths during the reporting period, and Muslims and Christians were permitted to make individual prayers at the site. However, the Government of Israel exercised its prohibition of mixed gender prayer services at religious sites. Men and women at the Western Wall must use separate areas to visit and pray, and the women's section is less than half the size of the men's section. The Western Wall Heritage Foundation, which manages the infrastructure at the Western Wall plaza, announced in August that it would replace the existing partition separating women and men with a one-way mirror, which would allow women to observe religious services at the men's section, such as Bar Mitzvahs, while inhibiting men from seeing through to the women's section. Women are not allowed to conduct prayers at the Western Wall while wearing prayer shawls and are not permitted to read from the Torah scrolls. The gender restrictions also affect Muslims and Christians at this site.

The Israeli government kept in place an amended visa issuance process for foreigners working in Jerusalem and the Occupied Territories, which also had the effect of significantly impeding the work of Christian institutions. Reports of Christian clergy, nuns, and other religious workers unable to secure residency or work permits increased during the reporting period. Israeli authorities continued to limit visas for Arab Christian clergy serving in the West Bank or Jerusalem to single-entry visas, complicating clergy travel, particularly to areas under their pastoral authority outside the West Bank or Jerusalem. This disrupted their work and caused financial difficulties to 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.

Separately, Arab Christian clergy, including bishops and other senior clergy, were generally prohibited entry into Gaza to visit congregations or ministries under their pastoral authority.

The Government of Israel granted more than 500 permits to members of Gaza's Christian community to enter Israel and the West Bank to associate with family members located outside Gaza. However, no permits were issued for Gazans between 16 and 35 years old.

Arab Christian leaders said Israeli security authorities obstructed access to the Church of the Holy Sepulchre in Jerusalem for Palestinian Christian residents of the West Bank.

During the reporting period, Israeli authorities severely limited the access of Palestinians to Rachel's Tomb, a shrine holy to Jews, Christians, and Muslims, but allowed relatively unimpeded access to Jewish visitors.

During the reporting period the Israeli Defense Force (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 to the site for 10 nonconsecutive days, including Passover and Yom Kippur; Jews were restricted access to the site for 10 nonconsecutive days corresponding with Muslim holidays. Muslims may enter only through one entry point, and must submit to intensive IDF security screening. Jews have access to several entry points and are not required to submit to security screening. Both Muslims and Jews are able to pray at the site simultaneously; in only one space, through the tomb of Abraham, can both sides see one another through Plexiglas.

IDF provided access for Jews to holy sites in the West Bank in areas under PA security control (Area A), particularly to Joseph's Tomb in Nablus. Some Jews complained securing an IDF escort to Jewish holy sites in Area A required extensive coordination.

While there were no specific restrictions placed on Palestinians making the Hajj, in practice, closures and long waits at Israeli border crossings to leave the country often impeded travel for religious purposes for all Palestinian religious groups.

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 civil and security control of the PA. This restriction prevents Jewish Israelis from routinely visiting several Jewish holy sites, although the IDF occasionally provides security escorts for groups to visit selected Jewish holy sites; the restriction is enforced less frequently for Arab Israelis visiting Muslim and Christian communities and holy sites in the West Bank, such as the Church of the Nativity in Bethlehem.

#### Abuses of Religious Freedom

There were reports of abuses of religious freedom in the country, including religious prisoners and detainees.

Israeli police on July 12 arrested female worshipper Anat Hoffman for carrying a private Torah scroll at the Western Wall and not using a scroll maintained by the Western Wall's chief Orthodox rabbi. Hoffman, an advocate for Reform Judaism in Israel and a founder of Women of the Wall, a group that challenges restrictions on women's rights at the

Western Wall, was issued a restraining order, preventing her from approaching the Western Wall for 30 days. She was detained previously in November 2009 and January 2010 on suspicion of disturbing the peace for her role in organizing prayer services for women at the site.

The Jerusalem Municipality advocated increased Jewish influence and property ownership in East Jerusalem's Kidron Valley, or "Holy Basin." The Municipality took no physical action to build a Jewish-themed historical park, following a June 21 vote approving the plan, which would require the demolition of at least 22 Arab-owned properties in the al-Bustan neighborhood. Three Palestinian families in the Sheikh Jarrah neighborhood of East Jerusalem remained displaced after they were forcibly evicted from their homes by Jewish activists seeking to establish a Jewish presence in the area, which is adjacent to the tomb of an ancient Jewish priest, according to some traditions. Israeli NGOs claim that these projects are intended to surround Jerusalem's Old City and Haram al-Sharif/Temple Mount with Jewish-owned properties and communities, effectively severing Palestinian societal connections to the area.

Some observers of archaeological practices in Jerusalem alleged that the Israel Antiquities Authority (IAA) exploited archaeological finds that bolster Jewish claims to the city while overlooking other historically-significant archaeological finds. The archaeological finds in the area of Silwan underscore early Jewish history in Jerusalem; critics say the IAA and Elad (a Jewish settler organization with excavation responsibilities) undervalue the area's diverse religious history and are intent on highlighting the city's Jewish history.

The Western Wall Heritage Foundation continued to promote ongoing archaeological excavations north of the Western Wall plaza. The archaeological finds are said to shed light on the Jewish presence in Jerusalem during the Second Temple period, but the excavations occur in the Muslim Quarter underneath mostly Arab-owned properties, creating friction with the Old City's Arab residents.

Construction for the Simon Wiesenthal Center's Museum of Tolerance continued during the reporting period on the grounds of a historic Muslim cemetery. In October 2008, Israel's High Court ruled that the Simon Wiesenthal Center could continue construction of Museum of Tolerance at a site in Jerusalem despite the objections of several Muslim organizations, which argued that it was located on part of the Mamilla Cemetery. Construction at 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, has required the excavation of at least 1,000 skeletal remains. The project has received criticism from Islamic and Palestinian institutions. Supporters of the U.S.-based center cited an 1894 ruling by the Islamic Law court, which stated that the cemetery was no longer sacred because it was abandoned. The High Court explained in its ruling that the construction site had served as a municipal parking lot for almost 50 years without a single complaint leveled against such use, and Islamic authorities in 1929 had allowed construction in other parts of the abandoned cemetery. Some Islamic groups continued to object to the project on religious grounds during the reporting period.

On August 5, Israeli military and police forces demolished a synagogue in the Israeli settlement of Mitzpeh Avichai near Hebron; security officials deemed the synagogue illegal. Israeli settlers responded by burning nearby Palestinian agricultural fields as part of a retaliatory campaign referred to by its proponents as the "price tag policy."

Abuses by Rebel or Foreign Forces or Terrorist Organizations

Hamas maintained control of Gaza throughout the reporting period and exploited its security apparatus to arrest or detain Muslims in Gaza who did not abide by Hamas' strict interpretation of Islam.

During the reporting period, terrorist organizations, including Hamas and Palestinian Islamic Jihad, carried out attacks against Israeli citizens, mostly in the form of indiscriminate rocket and mortar attacks from the Gaza Strip. Terrorists often issued statements that contained anti-Semitic rhetoric in conjunction with the attacks.

Hamas maintained control of Gaza throughout the reporting period and enforced a conservative interpretation of Islam on Gaza's Muslim population. For example, Hamas operated a women's prison during the reporting period to house women convicted of "ethical crimes" such as "illegitimate pregnancy." Hamas' "morality police" during the reporting period punished women for riding motorcycles and dressing "inappropriately." Couples in public are routinely stopped, separated, and questioned by plainclothes officers to determine if they are married; premarital sex is a crime punishable by imprisonment. A 19-year-old male remained in prison without trial during the reporting period, allegedly because he is homosexual, according to Human Rights Watch.

During the reporting period, Hamas and other Islamic extremists in Gaza sought to bolster attendance at their youth programs and marginalize programs that did not teach a strict interpretation of Islam. On November 30, Hamas closed the offices of the Sharek Youth Forum, which provides psychosocial and vocational support to Palestinians and also operates summer camps and other programs for 60,000 Gaza children and youth. Members of the forum said Hamas on several occasions summoned and questioned directors and staff members about why the forum permits mixed-gender classrooms and why some female employees do not wear the hijab, according to Human Rights Watch.

On June 27, Islamic extremists burned and vandalized a UN-operated summer camp, accusing the UN of corrupting Gaza's youth with its summer program of games, sports, and human rights studies.

On July 13, members of the Islamic party Hizb ut-Tahrir said some of its members in Gaza were detained by Hamas authorities, according to the Palestinian Centre for Human Rights. The organization reported that Hamas authorities used clubs and fired into the air to disperse members of the party emerging from a meeting.

Hamas largely tolerated the small Christian presence in Gaza and did not force Christians to abide by Islamic law, although they were indirectly affected by Hamas' religious ideology, according to church leaders.

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

The PA did not officially sponsor interfaith dialogue during the reporting period; however, it sent representatives to meetings on improving interreligious relations and efforts to foster goodwill among religious leaders.

Coordinating with the Greek Orthodox, Latin, and Armenian Orthodox establishments, the PA initiated an effort to begin restoration work on the Church of the Nativity in Bethlehem. The churches had been largely unsuccessful in

negotiating an agreement previously, although some church leaders claim PA officials pressured them into an agreement for their restoration efforts.

During the reporting period, PA officials sponsored the renovation of Joseph's Tomb, a Jewish holy site in the West Bank located in "Area A" and formally under PA civil and security control. Much of the tomb was damaged during the Second Intifada and in subsequent incidents of vandalism. The IDF in some instances coordinated with PA security forces the visits by Jewish groups to the site, although most Jewish groups continued to visit the site during hours of darkness and with a significant IDF security escort.

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 Council of Religious Institutions in the Holy Land (CRIHL). The council promoted mutual respect and denounced expressions of religious hatred and the desecration of holy sites. The CRIHL conducted a review of Israeli and Palestinian textbooks for incitement and religious intolerance during the reporting period. On October 4, it condemned the vandalism of a mosque and burnings of the Quran in the West Bank village of Beit Fajjar, north of Hebron.

The Israeli High Court in September ruled 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. The ruling ended a tradition of gender segregation during the Jewish festival of Sukkot.

### Section III. Status of Societal Actions Affecting Enjoyment of Religious Freedom

There were reports of societal abuses and discrimination based on religious affiliation, belief, or practice. 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.

On August 17, unknown assailants shot and killed Jabriyeh Abu Kanas, a 62-year-old resident of Gaza City who had been accused by locals of practicing witchcraft, according to the Palestinian Centre for Human Rights. The group claimed the murder was the result of ongoing "security chaos" in Gaza.

During a public sermon on August 29, the spiritual leader of the Shas ultra-Orthodox (also referred to as "Haredi") Jewish political party, which participates in the Israeli Prime Minister's coalition, called for the death of PA President Mahmoud Abbas and a "plague" on Palestinians. PA officials described the statement as racial incitement. The Government of Israel issued a statement that the comments did not reflect the views of the Prime Minister's office.

On October 4, several individuals set fire to the al-Anbi'a mosque in the Palestinian village of Beit Fajjar near Bethlehem, burning the mosque's carpet and several copies of the Quran. According to the PA, the perpetrators spray painted the Hebrew words for "revenge" and "price tag," a Star of David, and phrases cursing the Prophet

Muhammad on the mosque walls. The PA claimed the perpetrators were Israeli West Bank settlers. The IDF said it would investigate the arson and vandalism.

Israeli settlers in October placed posters in the Nablus area calling publicly for the destruction of a mosque located in the West Bank Palestinian village of Burin. During the reporting period, the mosque was subjected to routine attacks from members of the nearby Yitzhar settlement.

Israeli settlers in the West Bank on several occasions during the reporting period framed violence against Palestinian persons and property as necessary for the defense of Judaism. In November 2009, the dean of the extremist Od Yosef Hai yeshiva in the West Bank settlement of Yitzhar published what he described as a guide to killing non-Jews, which condoned among other things the killing of Christian and Muslim infants. Israeli police arrested the dean, Rabbi Yitzhak Shapira, on July 26 for encouraging the killing of non-Jews, but he was released hours later. Police confiscated 30 copies of his book from the yeshiva, according to press reports.

Some Jewish groups during the reporting period called for the destruction of the Islamic Dome of the Rock and al-Aqsa Mosque to enable the building of a third Jewish temple. Palestinian media also reportedly broadcast programs alleging that Jewish prayer at the Western Wall is a "sin and impurity." According to the Israeli Ministry of Foreign Affairs, Palestinian television also broadcast a children's program in June 2010 which said that "the Jews are our enemies."

Some Haredim at the Western Wall harassed visitors and Jewish worshippers who did not conform to Jewish Orthodox traditions. Members of the Jewish Conservative Masorti and reform movements throughout the reporting period publicly criticized the growing "Haredization" of the Western Wall.

In Jerusalem, some ultra-Orthodox Jews in Jerusalem 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 Shabbat (the Jewish Sabbath).

Some Haredi youth in religious studies programs insulted and spat on Christian clergy, nuns, and seminarians in Jerusalem's Old City and vandalized several monasteries.

A small number of proselytizing groups, including Jehovah's Witnesses and some evangelical Christians, encountered opposition to their efforts to obtain recognition in areas administered by Israel and the PA due to alleged Muslim and established church concerns about proselytizing and the disruption of the status quo.

On August 19, a car carrying Israel's Chief Ashkenazi Rabbi, Yona Metzger, was attacked after the driver accidentally entered the Qalandiya Refugee Camp, in the West Bank, south of Ramallah, while en route to the Israeli settlement of Kochav Hashachar, according to press reports. Metzger was not injured in the attack, and the assailants were not identified.

Palestinian mainstream media, including official PA media and independent outlets, published and broadcast material critical of the Israeli occupation, activities by settlers on Palestinian-owned land in the West Bank and in East Jerusalem, and the ongoing Israeli closure of Gaza. Official PA media sought to control and eliminate statements and



material that could be considered incitement; criticism largely focused on the policies and actions of the Government of Israel and Israeli citizens, and not on religious factors.

Mainstream independent Palestinian news outlets, including Al Quds, Al Ayyam, and Ma'an, are not under the same international obligations to eliminate incitement as the official PA media outlined in the 2003 Roadmap for Peace. However, they generally avoid publishing material that incites hatred and limit their criticism to governmental policies and actions of individuals and not of ethnic or religious groups.

Following the live broadcast of a Friday prayer sermon which included material that incited hatred, the PA and the management of the Palestinian Public Broadcasting Commission, which broadcasts Palestine TV, developed a procedure for reviewing weekly sermons prior to delivery to ensure that inflammatory statements are not included.

Other non-official PA and non-mainstream Palestinian media outlets, particularly those controlled by Hamas, continued to use inflammatory language during the reporting period. Hamas television broadcast content that sometimes praised holy war to expel the Jewish presence in the region. In addition, some children's programs aired on Hamas television legitimized the killing of Israelis and Jews through terrorist attacks.

Senior PA leaders rarely made anti-Semitic statements during the reporting period. PA President Mahmoud Abbas in a June 2010 address before American Jewish community leaders, acknowledged the connection of the Jewish people to Palestine. However, some groups, like Hamas, continued to make anti-Semitic statements during the reporting period.

According to press reports, Jerusalem Mufti Muhammad Hussein in August publicly criticized Israel's designation of some holy sites in Jerusalem and the West Bank as Israeli heritage sites, saying that Israelis and Palestinians were "now in a period of war, not one with tanks and rockets, but one of religion, faith, and distorting Islamic history and tradition." He also claimed that Israel was preparing to destroy the Dome of the Rock and al-Aqsa Mosque, Islam's third-holiest sites.

Hamas' efforts to bolster conservative principles in Gaza negatively affected some Gazan Christians, and they raised concerns that Hamas failed to defend their rights as religious minorities.

The desecration of Muslim and Jewish cemeteries in Jerusalem continued throughout the reporting period. Jewish tombstones on the Mount of Olives cemetery were vandalized, and the Jerusalem Municipality demolished tombstones in the Muslim Mamilla cemetery it deemed were constructed illegally. Trash commonly littered both cemeteries, and maintenance was largely insufficient.

There were occasional reports of societal abuses or discrimination between Christians and Muslims, and societal attitudes continued to be a barrier to conversions, especially for Muslims converting to Christianity. However, conversion is not illegal under PA law. Both Muslim and Christian Palestinians accused Israeli officials of attempting to foster animosity among Palestinians by exaggerating reports of Muslim-Christian tensions.

On June 17, 2010, 62 parents were ordered to serve a two-week jail term for contempt of court, rather than reintegrate newcomers into an ultra-Orthodox school. Slonimer Hassidim, of Ashkenazi origin, ignored a Supreme

Court decision requiring their schools to include Jewish pupils of Mizrahi (Sephardic) descent. The ultra-Orthodox community challenged the authority of Supreme Court decision. The Slonimer Hassidim justified their refusal to include the pupils with the claim that the Mizrahi students were "not religious enough." Over 100,000 ultra-Orthodox persons protested peacefully in the streets of Jerusalem and Bnei Brak, a suburb of Tel Aviv, against the court's decision, which they saw as interference in religious issues and a mislabeling of the dispute as ethnic discrimination.

In August more than 25 Palestinian young adults from the West Bank visited the Yad Vashem Holocaust Museum in Jerusalem and attended discussions at the School for Holocaust Studies; the visit required the application of permits to enter Jerusalem and tight coordination with the museum. The Palestinians said they arranged the educational visit with the purpose of working towards building "a common future" for Palestinians and Israelis, according to press reports.

Interfaith dating remained a sensitive issue. Most Christian and Muslim families in Jerusalem and 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.

Harassment of Messianic Jews (people who identify as Jews and follow Jewish traditions but believe Jesus was the Messiah) by Orthodox Jews continued during the reporting period.

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 recognition, 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

The U.S. government discusses religious freedom with the PA as part of its overall policy to promote human rights.

The U.S. consulate general in Jerusalem regularly met with religious representatives to ensure their views were reported and addressed. 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 throughout Jerusalem and the West Bank. The consulate also maintained regular contact with leaders of the Christian and Jewish communities in Jerusalem, the West Bank, and the Gaza Strip. During the reporting period, the consul general and consulate general officers met with the Greek Orthodox, Latin (Roman Catholic), and Armenian Patriarchs; leaders of the Syrian Orthodox, Egyptian Coptic, Greek Melkite Catholic, Anglican, and Lutheran churches; and Christian evangelical groups. Consulate general officers met with Reform, Conservative, Orthodox, and Haredi rabbis and representatives of various Jewish institutions.

During the reporting period, 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.

