



**State of Israel
Ministry of Justice**

The Office of the Deputy Attorney General (International Law)

Date: July 31, 2018

Av 19, 5778

Ref: 1298

Dear Sir/Madam,

Re: Ms. Darin Tatour

We received your enquiry regarding the above and would like to address your concerns, according to information forwarded to us by the relevant authorities.

On May 3, 2018 the Nazareth Magistrate's Court convicted Ms. Tatour of incitement to violence according to the *Penal Law 5737-1977* (Section 144D2) and the support of a terrorist organization according to the *Prevention of Terrorism Ordinance 5708-1948* (Sections 4(b) and (g)). According to the Court's decision, in October 2015, during which many terrorist attacks were carried out daily in Israel, the Defendant managed a Facebook account and a Youtube account which were registered on her name and to which she uploaded content calling for acts of violence or terrorism, while praising and identifying with such acts. This included, *inter alia*, calls for encouragement and support of *Intifada* – uprising – and uploading a video of violent acts committed against Israeli security forces while she is reading the words of a song she wrote titled "*Resist, my people, resist them*". These publications were open and accessible to everyone on the internet.

The Court found that the content of the publications reflect an identification with the Islamic Jihad terrorist organization and constitute an inciting publication that entails a real possibility of leading to a terrorist act. It also found that the Defendant's calls for *Intifada* and her support of the Islamic Jihad terrorist organization constitute support of and identification with a terrorist organization. The Court further noted that though freedom of speech is a basic right in the Israeli legal system, it is not, however, an absolute right and it

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can be limited when facing other protected rights such as the prevention of terrorist acts which harm public safety and state security (Cr.C.4480-11-15 *the State of Israel vs. Dareen Tatour* (3.5.2018)).

The Defendant was sentenced to five months' imprisonment and six months' suspended imprisonment for a period of three years (Cr.C.4480-11-15 *the State of Israel vs. Dareen Tatour* (31.7.2018)).

The indictment against Ms. Tatour was submitted to the Nazareth Magistrate's Court after its approval by the Attorney General, as required by Section 144E of the *Penal Law*. The Court noted in this regard that a review of the Attorney General's indictment approval shows that the Attorney General examined the entire indictment and affirmed its submission after examining of all its aspects and implications.

Please note that despite the prosecution's request for detention until the end of the proceedings, Ms. Tatour was held in detention for only two months, after which she was released by the Court to partial house arrest (between 22:00 PM and 09:00 AM) that included several additional restrictions (including, *inter alia*, the prohibition of entrance to the Palestinian Authority, prohibition on holding a cellular phone or any internet support device whenever outside the house, prohibition on participation and presence in political events, and deposit of bail in the amount of 6,000 NIS (1,174 USD)).

Ms. Tatour was represented by her lawyers in all the proceedings against her.

Yours Sincerely,



Assaf Radzyner, Adv.

Cc. Adv. Hila Tene-Gilad