

The 22nd Knesset

Central Elections Committee

19 Av, 5779

August 20, 2019

Spokesperson's Announcement

The Central Elections Committee Chairman, Justice Hanan Melcer, has given a Court Order to the Prime Minister and the Likud party to stop publicizing campaign messages with photographs of IDSF soldiers in uniform, in any form.

"This order refers to the Prime Minister's personal pages on Twitter and Facebook as well."

"... IDF officers and soldiers are expected to refrain from being photographed with candidates..."

The Movement for Quality Government in Israel petitioned against the Likud party and the Prime Minister, requesting a court order forbidding them from publicizing a photograph and video which were published on the prime minister's personal Twitter page, in which there is a campaign message combined with photographs of IDF soldiers in uniform, as well as IDF weaponry – which runs counter to the instructions delineated in Section 2b(b) of the Elections Propaganda law.

The publications which were central to the appeal were created by the Government Press Office, and were originally publicized on the Prime Minister's Office's **official Facebook and Twitter accounts**.

Shortly thereafter, the abovementioned publications were also publicized in the prime minister's personal-political Twitter account.

In his decision, Justice Melcer determined, among other things, that, "... while the second respondent continues to visit IDF facilities, or meet with IDF officers and soldiers, he is not allowed to document these visits in pictures, or distribute photographs or video clips from those visits in any medium, **unless the events fit in the narrow list of exceptions which were enumerated by the Attorney General, and only after he has been given written, advance permission from the relevant legal counsels (of the Prime Minister's Office or the Defense Ministry), and , if needed and according to their judgement in consultation with the Attorney General, or someone appointed for this purpose from and by the Justice Ministry...**"

"...application of the above shows that the publications – including their content and the way in which they are distributed by the respondents in their **private accounts** does not correspond to the rules and goals provided above..."

Additionally, Justice Melcer stipulates that:

"The IDF authorities must repeat the instruction to all IDF offices and soldiers to avoid being intentionally photographed with candidates during the election period, and if they have been photographed in such a manner in the past, to avoid distributing and publicizing these photographs and videos. Please bring to the soldiers' attention that an infraction of Section 130 of the Elections Law may be an administrative or criminal offense...."

"... from my examination of the appellant's claims, the appendices and publications – I am convinced that the claim should be partially accepted..."

"As to the request according to the Contempt Ordinance – I am unable to accede to this..."

Justice Melcer determined that a copy of this decision should be given to the IDF Chief of Staff and Military Advocate General.

[Attached is a link to the complete decision \(in Hebrew\).](#)

Sincerely,
Giora Fordes

Central Elections Committee Spokesperson