



Israel's Knesset and Legislative Process

A Primer on Passing Legislation Based on the Nordic Model

Prepared by ATZUM's Task Force on Human Trafficking - December 2014

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The main function of the Knesset as Israel's legislative authority is to create law. Legislation can be initiated by a) the Government ("Government bill"); b) one or more Members of Knesset, ("private member's bill"); or c) a Knesset committee. To become law, a bill must pass numerous readings, each of which is adopted or rejected by a vote of the Knesset members present in the plenum. Between each reading, the bill is discussed and modified by relevant Knesset committees. After passing the third reading, the bill is published in the Official Gazette and becomes a law of the State of Israel.

The majority required to pass a bill varies according to the nature of the proposed legislation. If the government supports the bill proposed by ATZUM's Task Force on Human Trafficking (TFHT), a simple majority of MKs (Members of Knesset) present and voting will suffice. If the government does not sponsor the TFHT proposed bill, then the support of at least 50 MKs will be required.

Key Committees: Leadership and Function

Ministerial Committee on Legislation – Chaired by Minister of Justice Tzipi Livni (HaTnuah)

This committee is responsible for reviewing suggested legislation and deciding whether the government will support the bill. Additionally, relevant government officials are invited to participate in the discussion. The Ministerial Committee on Legislation is made up of 14 ministers, all members of the Government. Therefore, if proposed legislation receives the support of the committee, it has effectively received the support of the Government, making it likely the bill will be approved by subsequent readings and passed into law.

Subcommittee on Trafficking in Women and Prostitution – Chaired by MK David Tzur (HaTnuah)

This subcommittee is responsible for addressing sex trafficking, procuring, child and adult prostitution in Israel; ensuring existing legislation regarding prostitution and trafficking is enforced; and reducing the number of prostituted persons through educational initiatives. The subcommittee was formed by the Committee on the Status of Women and Gender Equality at the urging of ATZUM's Task Force on Human Trafficking and other NGOs.

Committee on the Status of Women and Gender Equality – Chaired by MK Aliza Lavie (Yesh Atid)

This committee is responsible for advancing the status of women and promoting economic, educational, and representational equality between the genders; reducing gender-based violence; and preventing sexual and gender-based discrimination. This committee is the umbrella committee for the Subcommittee on Trafficking in Women and Prostitution.

Passing Nordic Model Legislation in Israel

Prostitution in Israel

Israel Police and the NGO community estimate that there are 15,000 prostituted persons in Israel, more than 90 percent childhood victims of incest and/or other sexual abuse, and about 5,000 of whom are under the age of 18. The estimated average age of entry into prostitution in Israel is 12-14. While Israel has made progress in the fight against human trafficking, following much publicized pressure from the international community - particularly from the US Department of State as generated by their "[Trafficking In Persons \(TIP\) Report](#)" - and due in appreciable measure to ATZUM's persistent legislative and advocacy efforts, prostitution remains legal in Israel (see below) and demand continues unabated.

A 2013 expose by Israel's Channel 1 revealed that prostituted persons are exploited in Israel more than one million times monthly. Currently, prostitution (purchasing and selling sex) is legal in Israel, although coercing, pimping, soliciting, renting or managing property ("discrete apartments" or brothels) from which to house prostitution, and publicizing the sale of sexual services are criminal acts, as is buying sex from minors.

Past Efforts to Pass Nordic Model Legislation

TFHT, with the *pro bono* support of the law firm [Kabiri-Nevo-Keidar](#), has called for and is leading the way to secure passage of legislation based on the [Nordic Model](#), the international standard designed to criminalize the purchase of sexual services and protect prostituted persons. After nine years, TFHT, with an unrelenting commitment to end sexual servitude through prostitution, has helped make appreciable progress towards this long-term goal.

For example, the Ministerial Committee for Legislation's unanimous approval of the [Prohibition of Consumption of Prostitution Services and Community Treatment Bill](#), proposed in February, 2012, by MK Orit Zuretz, with whom TFHT worked intensively with for many years, revealed a readiness of Israel's government to begin to address the demand for sexual services. Unfortunately, while the then ministers supported the law, their ministries did not. Additionally, the proposed bill did not complete its first reading before the Knesset's dissolution in October, 2012.

Remounting Efforts in the 19th Knesset

TFHT immediately mounted a new multi-pronged campaign to assure the current government and 19th Knesset is the one to rid Israel of this horrific blight. Specifically, TFHT worked with MK Zahava Gal-On (Meretz), a former Chair of the Knesset Subcommittee on Trafficking in Women, to reintroduce legislation based on the Nordic Model, and promote the bill. Additionally, TFHT organized and worked with a coalition of government and non-profit organizations, and with MKs from several parties, to lobby for the bill.

In July, 2014, the Ministerial Committee for Legislation heard individual ministries' positions on the proposed legislation. Though the committee was not obligated to publicize or even keep official protocols of that meeting, we were informed that while several ministers were firmly supportive of the legislation, others expressed reservations concerning enforcement, public education and rehabilitation of prostituted persons.

The vote was consequently postponed with an agreement to establish an inter-ministerial committee tasked with re-examining the legislation and drafting a more comprehensive bill. This decision was initially troubling to those eager to see more progress and wary about the possibility that the concern might end up buried in unending political bargaining. To date, the committee has not been formed and no timeline has been established for its formation.

Drafting Comprehensive Legislation

Rather than wait for the creation of the inter-ministerial committee, TFHT began to address the objections raised by the Ministerial Committee on Legislation and various ministries. TFHT is now partnered with three MKs from different ends of the political spectrum firmly committed to advancing the Nordic Model in Israel: MKs Shuli Moalem-Refaeli (HaBayit HaYehudi) and David Tzur (HaTnuah), both from the government coalition, and MK Gal-On of the opposition (Meretz).

Though representing parties with widely different priorities, all are united in their adamant desire to pass enforceable legislation confronting the demand for prostitution and providing rehabilitation options for prostituted persons. With their support and close involvement, TFHT has assumed responsibility for drafting a new version of the legislation which seeks to meet differing concerns of the relevant ministries.

Steps to Pass the Legislation

1. Working closely with MKs and other officials currently supporting the Nordic Model to determine how best move the legislation forward while meeting with other ministries to address their specific concerns related to the implementation of the Nordic Model in Israel.
2. Overseeing a new alliance of NGOs working with prostituted persons to identify priorities more comprehensive legislation must address.

3. Collaborating with international organizations, legislators and experts to develop effective deterrents and penalties for purchasing sexual services in Israel.
4. Undertaking research in comparative law to ensure revised legislation addresses: legal penalties (lengths and amounts of jail sentences and/or fines); education programs, including "Johns Schools" for sex buyers; and rehabilitation initiatives for prostituted women.
5. Liaising with the academic community to research and establish a baseline on the demand for and consumption of sexual services in Israel so as to help measure the bill's effectiveness once it becomes law.

Immediate Timeline

1. Complete a comprehensive draft of legislation that includes effective deterrents and penalties for sex-buyers and a rehabilitation package for prostituted persons.
2. Introduce the legislation to the Justice, Social Affairs (welfare), Public Security, Finance, and Defense Ministries and incorporate their feedback into the next draft of the legislation to gain their support.
3. Present the revised legislation to the Subcommittee on Sex Trafficking and Prostitution, chaired by MK Tzur, and incorporate the subcommittee's feedback in the next draft of the legislation.
4. Assist the Subcommittee on Sex Trafficking and Prostitution in bringing the bill to the Ministerial Committee on Legislation for consideration. If that committee backs the bill, it will have gained the support of the Government, making passage considerably easier. Moreover, as the bill will have incorporated different ministry concerns, it will likely also have the support of the ministers comprising the committee.
5. If the Ministerial Committee for Legislation approves the bill, it will then proceed as any other bill.

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