



**State of Israel
Ministry of Justice**

The Human Rights and Foreign Relations Department

Av 10, 5770

July 21, 2010

Ref: 952

Dear Sir/Madam,

Re: Mr. Mordechai Vanunu

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

1. Mr. Mordechai Vanunu was prosecuted and subsequently convicted for transmission of secret information with the intent to harm state security, collecting secret information with the intent to harm state security, and aiding the enemy during a state of war. In 1986, he was sentenced to 18 years of imprisonment. Mr. Vanunu was released from prison on April 21, 2004, under certain limitations.
2. These limitations include a 6 month order, (extended for several additional 6 month periods), issued by the Head of the Home Front Command, subjecting Mr. Vanunu to Israeli Police supervision, and limiting his freedom of movement. ("Limitation and Supervision Order"). Mr. Vanunu is obligated to inform the Police of any change in residency and any overnight stays. Also, Mr. Vanunu is not allowed within a 500 meter range of international borders, border passages, harbors and airports. Additionally, Mr. Vanunu is prohibited from entering diplomatic missions without permission, having contacts or exchange of information with foreign citizens or residents, or participating in chats on the internet. Note that Mr. Vanunu can have contact with foreign citizens or residents where such contact has been pre-approved by the State. Mr. Vanunu has filed such requests, and most of them have been approved.

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3. Another order, issued by the Minister of Interior, prohibits Mr. Vanunu from leaving Israel for a 12 month period subsequent to his release. This order has also been extended.
4. It should be emphasized that according to the Limitation and Supervision Order, Mr. Vanunu was been allowed to hold meetings and conversations and talk with foreigners, as long as he received permission, in advance,
5. These limitations were the subject of Mr. Vanunu's following petitions to the High Court of Justice, requesting the Court to cancel the abovementioned orders:
 - a. H.C.J. 5211/04 *Mordechai Vanunu V. Head of the Home Front Commander*,
 - b. H.C.J. 6358/05 *Mordechai Vanunu V. Head of the Home Front Commander*,
 - c. H.C.J. 4624/04 *Mordechai Vanunu V. Head of the Home Front Commander*.
6. In all of the above mentioned cases, the Courts different panels rejected Mr. Vanunu's arguments, and confirmed the validity of the orders issued against him.
7. During the court hearings, the Supreme Court judges learned about some of the secret information held by Mr. Vanunu, and found that to date it constitutes a relevant threat to the security of the State of Israel, even after 20 years has passed.
8. On April 30, 2007 Mr. Vanunu was convicted of 14 violations of Limitation and Supervision Orders, and one attempted violation of these orders. Mr. Vanunu was convicted on the basis of conversations in which he revealed details concerning his knowledge in the nuclear field.
9. The Court also acknowledged that Mr. Vanunu has repeatedly stated, on various occasions, that his long imprisonment did not subdue or otherwise lessen his intention to expose and publish confidential material related to his classified work. Mr. Vanunu has actually prepared a number of notebooks detailing sketches, charts, and exhaustive records of structures, devices, methods and other procedures which he became familiar with during his work. All of that information constitutes confidential material, and it is the opinion of the Court, that Mr. Vanunu wishes to publish it.

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10. The Court acknowledged that Limitation and Supervision Orders are an onerous option for Mr. Vanunu, but stated that Mr. Vanunu had displayed complete contempt for the Limitation and Supervision Order previously issued by the Head of the Home Front Commander.
11. Consequently, on July 2nd 2007, Mr. Vanunu was sentenced to 6 months imprisonment and 6 months probation for a period of 3 years.
12. Mr. Vanunu appealed to the District Court and most of his appeal was rejected. The Court stated that the offences committed by Mr. Vanunu are not trivial, both in regard of the number of the offences and by the fact that he committed some of the offences even after his appeal to the High Court of Justice was rejected and even after he was arrested and interrogated. The Court stated that Mr. Vanunu took the law into his own hands in defiance which deserves a proper punitive response. The great sensitivity of the District Court to Mr. Vanunu's rights may be seen in the fact that the Court examined profoundly the 14 cases in which Mr. Vanunu violated the Limitation and Supervision Orders, and found him not guilty with regard to 3 of the cases. The Court however affirmed Mr. Vanunu's conviction in the other 11 violations of the orders, but mitigated his sentence from 6 to 3 months.
13. Mr. Vanunu's request to file an appeal to the Supreme Court was rejected by the District Court on December 15, 2009. The Court requested to examine the possibility of allowing Mr. Vanunu to serve his sentence as community service in the eastern neighborhoods of Jerusalem due to Mr. Vanunu's fear of doing so among Israeli population. According to a professional opinion presented to the Court by the relevant authorities, it was suggested that Mr. Vanunu will serve his community service in the western neighborhoods of Jerusalem. However Mr. Vanunu refused and in these circumstances, the Court had no choice but to order his imprisonment. Thus, on May 23, 2010, Mr. Vanunu began serving his sentence.

Sincerely yours,


Assaf Radzyner, Adv.

Cc. Hila Tene-Gilad, Adv.