

Special Clemency Scheme - "Iron Swords" War

In light of the ongoing Iron Swords War and the upcoming 76th Independence Day of the State of Israel, President Yitzhak Herzog and Minister of Justice Yariv Levin have decided to introduce a special clemency scheme in recognition of the challenges faced by the citizens of Israel during this time.

Similar to clemencies granted in the past against the backdrop of wars and national events, Israel's President and Minister of Justice believe that these challenging times, the likes of which the State of Israel has never known, warrant and even necessitate the extensive exercise of clemency. This, out of a desire to offer some relief to the citizens of Israel who have been facing significant challenges for many months, as well as out of the necessity of reducing social gaps and conveying a unifying message to all parts of society. Clemency will be exercised with the goal of reducing recidivism, while considering rehabilitative measures provided by various organizations and addressing the needs of the prison system.

Clemency will be broader than usual in the framework of said Scheme, with special weight given to personal and family characteristics and circumstances, as well as to treatment and rehabilitation processes. The scheme will also prioritize those who contribute or have contributed to Israel's security and resilience, in particular within the framework of the Iron Swords War.

The scheme will include the exercise of clemency in a number of contexts -

1. Revoking criminal records of reservists.
2. Extension and validation of the policy associated with the 75th anniversary of Israel's independence - with an emphasis on clemency requests of disabled IDF veterans, the defense establishment, including combat survivors.
3. Mitigation of prison sentences.

4. Relief from fines.

It is emphasized that blanket clemency will not be granted. Clemency will be granted only after submitting an application for clemency and assessing each case's merits, having obtained recommendations from all relevant authorities. All, in order to ensure that the clemencies to be granted under the special scheme do not endanger the public, and do not harm the enforcement of the law.

It is further emphasized that this Special Clemency Scheme does not preclude the submission of a clemency application by any person, in the framework of clemency powers granted to the President of Israel.

As always, Clemency shall be performed whilst safeguarding the rights of Victims of Crime Law, 5761-2001, according to which, victims of violence or sexual abuse, as well as victims of offenses causing death by negligence and of hit-and-run traffic accident, are provided an opportunity to state their position in writing before the President of Israel decides on the application for reduced prison sentence. The position of the victim of the crime can be submitted to the Department of Clemency at the Ministry of Justice.

1. **Revoking criminal records of reservists**

Out of deep recognition and appreciation of IDF reserve soldiers who volunteered for reserve service in the Iron Swords War and in general, and their families, and bearing in mind the extensive changes proposed in the reserve system, an initiative was established for a dedicated mechanism in cooperation with the Office of the President, the Department of Clemency within the Ministry of Justice, in collaboration with the IDF and led by the Education and Youth Corps, aimed at reviewing requests for the widespread revocation of criminal records for reservists who served extensively during the Iron Swords War.

It was decided to use the existing model used by the Chief Education Officer's Committee, which routinely deliberates the revocation of criminal records pertaining to serving soldiers, and apply a similar model to reserve soldiers as well.



In this framework, reservists who meet the relevant terms will be able to apply to the committee, headed by the Chief Education and Youth Officer in the IDF, to receive its recommendation for the granting of clemency. After a discussion of the soldiers' application, a decision will be made regarding the granting of said recommendation.

In cases where the committee decides to recommend the granting of clemency to the reservist, the clemency request will be forwarded by the committee to the President of Israel and the Minister of Justice, along with its recommendation.

A reservist's application will be brought for discussion before the committee, only if all the following terms are met:

1. The soldier served in active reserve service for at least 90 days cumulatively since October 7, 2023 or alternatively served in active reserve duty for at least 120 days, in the three years preceding the calendar year in which its request was submitted.
2. The soldier has a criminal record for offenses it committed as a citizen, following its release from mandatory service in the IDF. The committee will not discuss soldiers with a criminal record arising from military convictions.
3. At least three years have transpired since the date a final judgment was given in the soldier's case.
4. The soldier was not sentenced to a prison sentence exceeding 18 months, and at least five years have transpired since it served a prison sentence, if one was imposed thereon.
5. There is no valid suspended prison sentence regarding the soldier, or a valid driver's license disqualification penalty.
6. There are no cases involving the soldier that are pending legal clarification or have been ongoing for the five years preceding the



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calendar year in which the application was submitted, and there are no pending criminal proceedings against them.

Moreover, the committee will not discuss the case of a soldier who was convicted of the following crimes: offenses compromising Israel's security, manslaughter, serious violence offenses, sex offenses, crimes committed against a minor or a family member, and traffic offenses in general. Despite the above, the chairman of the committee is authorized to order the committee to discuss a soldier who does not meet the aforesaid terms, in special circumstances justifying such.

Moreover, insofar as a soldier's request relates to criminal offenses stemming from the need to remove an omission or restore a situation to its original state (such as tax offenses, planning and construction offenses), it will be required to submit to the committee references indicating that such omission was removed or that the situation was restored to its original state.

The following conditions will also be examined in relation to each application: the seriousness of the offense and its circumstances, the length of time that has transpired since the conviction and committing the offense, recidivism, remorse and taking responsibility, treatment and rehabilitation processes, the position of the victims of the offense in the appropriate cases, the nature of the reserve soldier's service and more, all as is customary in handling applications for revocation of a criminal record of this type and in accordance with the policy of the President of Israel, as detailed on the Office of the President website.

It should be emphasized that the submission of applications to revoke a criminal record according to the outline described is not time-limited at this stage.



Applications to the committee will be submitted to a designated email address: rishumpmiluim@gmail.com, using a designated form to be published by the IDF.

2. Extension and validation of the 75th anniversary of Israel's independence

In light of the war and its effects, **the clemency policy for the 75th anniversary of Israel's independence** will be extended by one year, remaining in effect until the end of the 76th year, on May 1, 2025. In considering said clemency application, a lenient approach will be taken in relation to the requests of disabled IDF veterans, the defense establishment, including combat survivors and victims of hostilities.

3. Prison Sentences

A reduction in prison sentences will be considered in respect of prisoners who possess one or more of the characteristics listed below, who have served at least half of their prison term:

1. A prisoner who is a first-degree relative of a person who fell in battle or was killed in hostilities or war operations, which took place in the period from October 7, 2023 to the end of the Iron Swords War.
2. A prisoner who is a first-degree relative of an abducted or missing person, or a person who was an abductee or missing person and was returned to Israel.
3. A prisoner suffering from life-threatening illnesses and who cannot receive relief through Section 7 of the Law on Conditional Release from Prison, 5761-2001.
4. A prisoner severe disabilities or impairment.
5. A prisoner over the age of 65.

6. A prisoner whose minor children are cared for by someone who is not their parent, due to the imprisonment.
7. A prisoner who was abused by the victim of the crime.
8. A prisoner serving a sentence in lieu of a fine.

In addition to the aforesaid, consideration will be given to the granting of relief from a prison sentence to a prisoner serving a first sentence of up to three years and has served at least a third of its prison term.

Consideration will also be given to granting a prison sentence relief to prisoners who have made a unique and extraordinary contribution to Israel's security.

No clemency will be granted to prisoners convicted of security offenses, and offenses subject to the authority of a military court. With regards to each application, the following characteristics will be examined: the severity of the offense and its circumstances, the length of the prison term, recidivism, level of threat, behavior in prison, expression of remorse, treatment and rehabilitation processes, the position of the victims of the offense in the appropriate cases, whether there is a unique injury to the prisoner or its family as a result of the Iron Swords War, and more. All as is customary when dealing with clemency applications of this nature and in accordance with the clemency application handling policy outlined on the Office of the President website.

Typically, clemency is granted by reducing the length of the prison sentence. If the President decides to grant clemency, the prisoner will be entitled to appear before the parole board at an earlier date according to the shortened release date, with the parole board considering its release as a prisoner on license, on parole.

Insofar as the committee decides on its parole - the parole period will run to the end of the prison term as determined by the President. Regarding prisoners with severe disabilities, in the necessary cases, an initiative will be undertaken vis-a-vis



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welfare officials in the community, so that the clemency will be granted as much as possible in conjunction with the locating of a suitable place for the treatment and rehabilitation of such prisoners.

The Special Clemency Scheme will apply to prisoners who began serving their prison terms prior to the 5784 (May 14, 2024) Independence Day and whose clemency requests are submitted by May 1, 2025.

4. Fines Scheme

Further to the aforementioned, we would like to remind you that the **Special Clemency Scheme** for the relief of fines in the framework of the Iron Swords War is still in effect, and applications can be submitted thereunder until May 1, 2025.

Applications (apart from applications to revoke a reservist's criminal record) must be sent to the President of Israel using an online form available on the Office of the President website.

<https://forms.gov.il/globaldata/getsequence/getHtmlForm.aspx?formtype=HNI1@justice.gov.il>

For further information, please visit the Office of the President website at:

<https://www.president.gov.il/clemency> as well as the website of the Clemency Department at the Ministry of Justice at: [https://www.gov.il/he/departments/ministry_of_justice_pardons/govil-landing - page](https://www.gov.il/he/departments/ministry_of_justice_pardons/govil-landing-page)

For further inquiries, contact the Legal Bureau at the Office of the President at: 02-6707211 as well as the Secretariat of the Clemency Department at the Ministry of Justice at: 073-3927070.