



ועדת הבחירות המרכזית לכנסת
דוברות והסברה

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PRESS RELEASE:

Central Elections Committee Chairman, Supreme Court Justice Uzi Vogelmann, instructed the Likud party and the party chairman, Mr. Binyamin Netanyahu, to remove a part of a campaign video in which the Prime Minister appears with an IDF helicopter, an IDF soldier and an IAF worker in the background.

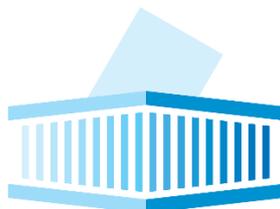
Central Elections Committee chairman, Supreme Court Justice Uzi Vogelmann, ruled in the case of Doron Taubin v. the Likud and the Likud chairman, Mr. Binyamin Netanyahu, **to remove the campaign video in which IDF soldiers appear next to the Likud chairman, Prime Minister Binyamin Netanyahu** – which is against the regulations forbidding the use of the IDF in electioneering, per the Election Law (Propaganda Means).

The petition also claimed that the video included materials which were filmed by the Government Press Office. Use of such materials violates the prohibition to use public property in election campaigns.

The responses of the respondents and the GPO confirmed that the Likud and Likud chairman did not pay for the use of the GPO materials.

On Friday, January 29/21, Justice Vogelmann ruled that the Likud must remove from their video the sections the sections filmed by the GPO: “If this creates any complications, the entire video should be removed from their internet accounts and not be publicized.”

On Thursday, February 4/21, the Likud announced that they paid the GPO for use of the materials in the current election campaign, and therefore, too their understanding, there is no problem using the sections which were filmed by the GPO, including the sections Justice Vogelmann ruled to remove.





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The Government Press Office confirmed payment but noted that this is not the first time that the Likud paid for use of materials only after the materials were used.

Justice Vogelman stated in his decision that: "... the request was accepted in part. Since there is no longer any use of public property – which is forbidden by Section 2a of the law – the sections which were filmed by the GPO may be used as long as there are no other reasons to disallow them."

Justice Vogelman pointed out that: **"...section 2b(b) of the law forbids the use of the Israeli Defense Forces in election campaigns in a manner that could create the impression that the IDF is identified with any party or candidate list. This section is meant to balance between free political speech on the one hand and the need to prevent false impressions and maintain the army's apolitical nature and the principle of equality on the other."**

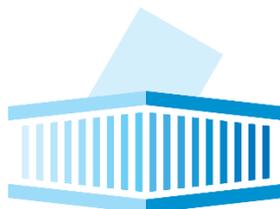
"...on this topic, we are clearly discussing a campaign video, and no one claimed otherwise. The second is a seeming appropriation of the IDF – if in the eyes of the average voter there is any chance of understanding any identification – however weak, indirect or subconscious – between the IDF and any specific party or candidate list..."

Justice Vogelman ruled that appropriation is apparent here: **in the background behind Mr. Netanyahu appear a soldier in uniform and an Israeli Air Force worker, who represent the IDF, even if the viewer does not know who they are.**

In the video, Mr. Netanyahu and his entourage walk in front of a helicopter which bears no markings whatsoever, but anyone would understand that Mr. Binyamin Netanyahu, Prime Minister of Israel, uses an IDF helicopter.

"...in the background, we hear the second respondent (Mr. Binyamin Netanyahu) speaking, and his words also appear on the screen: 'I am protecting all of you, all Israeli citizens.' Any viewer would connect between these words and the images. This can create a link between the IDF and the second respondent (Mr. Binyamin Netanyahu), and through him to his party, the first respondent (the Likud)."

Therefore, Justice Vogelman rules to remove the segment which violates Section 2b(b) of the law.





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Justice Vogelmann added: “As the Government Press Office pointed out that one may not use their materials without paying **in advance**. Taking care of payment after the fact means that the initial use of public property was done illegally.”

“The Likud, and the Likud chairman, must verify, without delay, that **the video has been removed from any of their internet accounts. They may publicize it again, only after the segment in which Mr. Binyamin Netanyahu appears next to soldiers and with the helicopter in the background.**”

Additionally, the Likud was ordered to pay 2,000 NIS legal expenses to the GPO.

Attached is [the ruling](#) (in Hebrew).

Sincerely,

Giora Fordes

Central Elections Committee Spokesman

