**Appendix 1: Letter of Waiver and Release from Liability**

I the undersigned hereby request permission to participate in a seminar in Judea and Samaria and East Jerusalem (“the Seminar”) funded by the Encounter Program (“Encounter”). By way of a condition for the acceptance of my application, I agree to the following clauses:

1. I have received and read all the materials given to me by Encounter regarding the Seminar: “Encounter’s Guarding and Safety Measures” (see below).

2. I agree to observe and to be committed to all Encounter’s instructions concerning the behavior of the participants in the Seminar, including those recorded in the list of “Encounter’s Security Measures” and sent to me by email.

3. I declare that my health is robust and I have no physical or mental condition liable to prevent my participation in the Seminar. Encounter shall not in any instance be liable for any need for medical treatment or hospitalization caused prior to my departure on the Seminar, during the Seminar, and/or thereafter.

4. I have registered for this Seminar of my own will. It is clear to me that travel to any new place, and particularly to an undeveloped area, is liable to entail limited access to medical treatment and additional services. It is clear to me that I must act subject to the laws of the place I shall visit, and that Encounter cannot be liable for the actions of the governments or their representative offices. It is clear to me that use of use of means of transportation, accommodation, food, and additional goods in services or actions relating to the participation in the Seminar entail the risk of personal injury and of damage or loss of property. I grant my consent to medical treatment in an emergency in such place as such treatment shall be necessary and available.

5. I am aware that the visit to the Territories and East Jerusalem is taking place during a period of heightened political tension, including the threat of international armed conflict, terrorism, and crime, and that there is a risk of physical injury or death. I am aware that it is impossible to predict in advance how the events will unfold, and I recognize that the current events are liable to incur violent reactions against Israelis or any other population around the world. By my signature below I acknowledge this possibility and accept this risk, which is part of a visit to the Territories and East Jerusalem at this time.

6. Assuming that Encounter accepts me to the program, I hereby:

1. Agree that no-one from Encounter or from the organization’s staff, nor trustees, directors, employees, agents or any partners in Encounter, physicians, donors, assistance personnel, medical personnel, tour guides, volunteers or participants in the program (whom Encounter regards as “Exempt Persons”) shall be able to take or annul any action relating to or concerning this Agreement or my participation in the Program, unless such action or nullification are based on deliberate improper conduct on behalf of Exempt Persons; and further –

2. Waive and release from liability to the maximum extent permitted by law, releasing the organization from liability due to or against any loss, claims, damage, commitments or actions in any manner arising pursuant to my participation in the Program, and related or attributed thereto (including all vaccinations, overall medical treatment or urgent treatment undertaken for me, without any restriction, as necessary).

3. Undertake to come to the Program without any personal weapon and to entrust the task of security and guarding to the guards who will be provided on behalf of the organization and the Program.

Any dispute arising from this Agreement or from my participation in the Program, **including any violation or action that occurred outside the United States, shall be determined in accordance with the laws of the State of New York, without choosing the legal provisions. Any legal claim shall be brought solely before the state or federal courts sitting in the Manhattan Borough of New York City.**

*The Intensive Encounter Programs (of the Encounter Organization): Guarding and Safety Means*

***The security of the participants and staff members of Encounter is our top priority, and our programs are planned and executed accordingly and based throughout their course on precautionary means.*** *Any program including travel entails a certain measure of danger, and this may be higher in the framework of travel to the West Bank. The following is an overview of the security and safety means taken by Encounter in order to secure the participants and staff members. We will be pleased to answer additional questions or to connect you directly with our guarding company for the purpose of consultation prior to the travel.*

• **The guarding company:** Every Encounter program is planned with meticulous caution. We have a contract with a reputable Israeli guarding company that reviews and audits out seminar program both prior to the seminar and during its course (MAX Security – see the description and details below).

• **Visiting sites:** The Encounter programs primarily visit **familiar areas** that are regularly visited by tourists from around the world. Other sites are ones that the Encounter organization has already visited in previous seminars, and our local staff members have inspected and stayed in every site we visit.

• **Human relations:** Encounter has been in business for over a decade and our success is based in part on the extensive and profound network of relations we have maintained and nurtured over the decade with the leaders of the Palestinian communities in the Territories and in East Jerusalem. Our staff members maintain relations with all our speakers and service providers. Encounter constantly visits the groups together with **prominent partners from the Palestinian community** who are known to Encounter and are well known in Palestinian society. As a result, the presence of the Encounter participants is regarded by Palestinians who observe them as friendly and not as intrusive.

• **Agents, advanced control, and telephone services:** Encounter has a contract with the MAX Security company, specifying that a guard who is a security employee shall be present with the group throughout the entire duration of the Program, including monitoring and control service (whereby security personnel travel ahead of the group in order to ensure and clarify that the places of encounter are defined a “safe”), as well as guarding experts available by telephone throughout the entire program. A command center in Tel Aviv monitors every stage of our journey and maintains direct contact with the security guard who is present with us on the journey. They also maintain constant contact with the Israeli and Palestinian security forces (including the IDF), in case this is necessary (an unlikely scenario).

• **Adaptation and confidentiality:** In order to ensure the security of the participants and our staff, we reserve the right to change the journey plan at any points in time ***without prior notice***. We do not distribute the journey plan in advance and do not share it online for security reasons. The participants are asked not to share our location in social networks on a real-time basis, but only after we have left each place.

**What we ask from you in order to protect the group’s safety:**

1. Stay with the group at all times! We know you are adults, but nevertheless **Encounter participants are prohibited to leave the group at any time while it is in public areas** – whether to go shopping or to tour the area. The participants are prohibited to leave the hotel after active hours unless they are accompanied by Encounter staff members and a security guard.

2. **Awareness of the power of emblems in conflict zones** – during the seminar we stay in conflict zones where national and religious emblems have more meaning than we attach to them. In order to ensure that the **Encounter groups have the same appearance as all the many international tourism groups** that visit the areas we will visit, Encounter participants are asked not to display in public external emblems of Israeli or Jewish identity – including kippot (skullcaps), tzitzit, Israeli flags, and Hebrew letters – and are asked to refrain from speaking Hebrew. We recognize that this policy is disturbing for many reasons, including historical ones. However, please understand that this is a necessary security requirement. Our Palestinians partners are aware that we are a Jewish group and welcome the opportunity to engage in contact with Jewish leaders; the precautionary means described above refer to times when the group is touring in the public domain in Palestinian areas.

3. **Observe our instructions concerning social media** – although we respect participants who wish to share their experiences on the journey with the world, we ask all participants to refrain from sharing the names or photographs of members of the group on the journey (without receiving explicit permission to do so) and not to make our location public through social networks. This instruction includes a request that in all posts uploaded during the journey, the “location” function will be disabled, so that the posts do not disclose the group’s location.

4. **Do not share the journey schedule** – since we do not distribute online copies of our journey schedule, we will distribute printed schedules at the beginning of the journey for the four-day journey. We ask you to take special cautionary measures and to take these schedules with you as the group moves from one encounter place to the next, and not to share the locations outside the group.

More about Our Security Consultants –

MAX Security Solutions

“Business as usual, even when things aren’t as usual.” Established in 1996, MAX Security Solutions is a leading player in managing holistic solutions for guarding and for situations entailing risk. MAX Security Solutions provides intelligence collection values, including real-time information, inspection, and tactical monitoring, as well as practical recommendations forwarded directly to the team in the field, which protects our clients’ interests and focuses on defense, prevention, and risk management. MAX is active around the world, drawing on local knowledge and operational teams in selected areas around the globe. MAX’s operational personnel have met tests and are reliable and professional in the fields of managing crisis situations. They work in full cooperation with our global command center. For further information, visit [max-security.com](https://www.max-security.com/).

***Eyal Ofer – Senior Operations Manager in MAX Security Solutions – Professional Profile***

• Company commander and combat soldier in an elite IDF nuit (completed military service with the rank of major).

• Officer Training School (Infantry Corps officers course, Rescue Division – Rescue and Recovery Companies).

• Senior Deputy CEO, Operations and Paramedic in MAX Security Solutions.

• Senior manager in MAX Security Solutions. In his position as Director of Long-Term Projects, Eyal traveled the world performing tasks that utilize his professional skills and the knowledge and experience he has acquired over many years in the guarding sector. Operating the client logistical and support system on a 24-hour basis abroad honed his ability to identify and neutralize situations creating a potential risk, a process that includes supervision, risk assessment, and an ability to take and implement instantaneous decisions.

• Operating close protection tasks for clients including engineering and technology companies, investment banks, oil and gas, deliveries, communications, etc.

• Extensive experience: in the military – six years’ regular service and 15 years in the reserves, as well as 15 years’ experience in the security service industry.

***Any more questions?***

It is important for us to give every participant a sense of trust and confidence that all the guarding needs have been met. If anyone has any additional questions or concerns that we have not managed to resolve here, we suggest they contact Encounter’s Deputy Director, Dan Lange ([Dlange@encounterprograms.org](mailto:Dlange@encounterprograms.org)). If necessary we will be happy to arrange a meeting between the participants and Eyal Ofer from MAX Security.