



Convention on the Elimination of All Forms of Discrimination against Women

Distr.: General
14 Sept 2010

Original: English

Committee on the Elimination of Discrimination against Women

Pre-session working group

Forty-eighth session

17 January – 4 February 2011

List of issues and questions with regard to the consideration of periodic reports

Israel

The pre-session working group considered the fourth and fifth periodic reports of Israel (CEDAW/C/ISR/4 and CEDAW/C/ISR/5).

General

1. Please describe how representatives of civil society organizations, in particular women's and human rights organizations, participated in the preparation of the reports. Please also inform the Committee if the reports were presented to the Knesset (Parliament) or any designated high-level authority.
2. In its previous concluding observations (CEDAW/C/ISR/CO/3, paras. 23-24), the Committee expressed its regret at the State party's position that the Convention did not apply beyond its own territory and at the State party refusal, for that reason, to report on the status of implementation of the Convention in the Occupied Territories, including the situation of women in the Occupied Territories. Please indicate whether the Convention has been implemented throughout the territory under the State party's jurisdiction, if it is directly applicable, and if it has been invoked before the courts. Please provide information on the enjoyment by women, including women in the Occupied Territories, of their human rights under the Convention, such as equal access to basic services.
3. Further to the Committee's previous concluding observations (CEDAW/C/ISR/CO/3, para. 21), please provide information on the status of the draft law on women in peacemaking, which would require 25 per cent participation of women in the peacemaking process. Please specify other measures taken by the State party to ensure that all women concerned, including the internally displaced, are involved in all stages of the peace process. Please also provide information on the implementation of Security Council resolutions 1325 (2000) and 1820 (2008), and the participation of affected women in their implementation.
4. In its previous concluding observations (CEDAW/C/ISR/CO/3, para. 26), the Committee urged the State party to consider withdrawing its reservations to the

Convention. Please provide information on progress made with regard to withdrawal of the reservations on articles 7 (b) and 16.

5. The fifth report refers to an amendment of the Statistics Ordinance in 2008, including the requirement in section 7A that the collection and processing of statistics relating to individuals, and the publication of the results by the Central Bureau of Statistics in accordance with section 7, shall include statistics by gender unless the National Statistician determines that there are circumstances regarding a specific matter that justify deviation from the general rule (para. 9). Please give further details on this and provide examples of circumstances that could justify a deviation.

Legislative and institutional framework

6. In the light of the Committee's previous concluding observations (CEDAW/C/ISR/CO/3, para. 18) and the information provided in the State party's fifth report (paras. 27 and 28), please provide further explanation as to why the State party has not yet included the right to equality between women and men and the prohibition of both direct and indirect discrimination in the "Basic Law: Human Dignity and Liberty (1992)" and whether it plans to do so. The report indicates that the Constitution, Law and Justice Committee of the Knesset is in the process of preparing a consensual-based constitution. Please provide information on the status of such process and whether a new draft constitution has been prepared. If so, please inform the Committee if the draft includes the right to equality of women and men and protects lesbian, bisexual and transsexual persons from discrimination. Please indicate the timeline for its adoption.

7. Further to the Committee's previous recommendations (CEDAW/C/ISR/CO/3, para. 20), please indicate steps taken to establish mechanisms to monitor and regularly assess the compatibility of domestic laws with the State party's obligations under the Convention. In this regard, please provide more information about the content and implementation of the 2007 Gender Implications of Legislation Law (Legislative Amendments) 5676-2007 which imposes a duty to systematically examine the gender implications of any primary and secondary legislation before it is enacted by the Knesset (CEDAW/C/ISR/5, para. 8). Please provide examples of opinions submitted by the Authority for the Advancement of the Status of Women in this regard. Please also provide information on measures taken, including training and awareness-raising, to familiarize judges, prosecutors and other members of the legal profession with the provisions of the Convention, as recommended by the Committee in its previous concluding observations (CEDAW/C/ISR/CO/3, para. 20).

8. The fifth report includes information about the Public Complaints Commissioner, which is responsible for handling complaints and grievances from the public, including complaints from women (paras. 43-45). Please provide updated information on the total number of complaints received by the Commissioner in the period 2008-2010, in particular the number of complaints from women, the types of complaints received and their outcome. How does the Commissioner determine and handle "justified complaints"?

9. Please provide information on how house demolitions and forced evictions in the West Bank, including East Jerusalem, impact on the development and advancement of women, including Palestinian refugee women, and their exercise and enjoyment of human rights and fundamental freedoms. In particular, please provide comparative data on the number of building permits issued to Palestinians in the West Bank, including East Jerusalem, and the number of permits issued to citizens of Israel, including the Palestinian community in Israel. What alternative accommodation is provided for affected women and children?

National machinery

10. The State party's fifth report provides information on the activities of the Authority for the Advancement of the Status of Women, including training activities, surveys and awareness-raising campaigns. In the light of the Committee's previous concluding observations (CEDAW/C/ISR/CO/3, para. 28), please provide additional information on measures taken to strengthen the Authority, in particular by ensuring that it is provided with adequate mandate, authority and human and financial resources to enable it to carry out effectively the promotion of the advancement of women and gender equality in the State Party.

Stereotypes

11. The report, referring to article 5 of the Convention, provides information on women's portrayal in the Israeli media, including pornography, and the recent innovations in this sphere (para. 101 ff) but it does not provide sufficient information on addressing prevalent stereotypes or the traditional roles and responsibilities of women and men in society and family. Please elaborate on any challenges the State party faces in ensuring compliance with articles 5 (a) and 2 (f) of the Convention, and measures taken to overcome them. Please indicate whether human rights and gender equality issues are incorporated in the education curriculum.

Violence against women

12. The fifth report describes a number of legal and administrative measures on violence against women, but provides limited information on the efficacy and impact of these measures. Please inform the Committee whether a comprehensive strategy to prevent violence against women is in place. If so, please describe its components and its impact on counteracting violence against women. Please also indicate whether the legal system recognizes marital rape as a crime.

13. According to information before the Committee, Palestinian women continue to suffer from violent attacks from both State (Israeli soldiers) and non-State actors (settlers). Such violence reportedly includes violations of the right to life, physical abuse, sexual harassment, verbal violence and house demolitions. Please describe the measures taken by the State party to ensure the protection of Palestinian women from such violence and to ensure that there is adequate law enforcement, including effective investigations, prosecutions and punishment of those responsible. Please also provide information on the steps taken to prevent and respond to child sexual exploitation in areas of armed conflict.

14. The fifth report refers to the establishment of an exceptional committee that provides financial assistance for women in shelters for battered women (para. 181). Please provide more information on the composition and activities of this committee and on the number of women to whom assistance has been provided. Please indicate whether Palestinian women victims of domestic violence also have access to the committee and to the shelters.

15. During the visit, in January 2008, of the Special Rapporteur on freedom of religion or belief to Israel and the Occupied Territories, she was informed about cases of honour killings carried out in the name of religion with impunity in the Occupied Territories (A/HRC/10/8/Add.2, para. 64). The Committee also notes the information in the fifth State party's report that murder in the name of so-called "family honour" has decreased dramatically in recent years among the Arab population (para. 180). Please inform the Committee of effective measures taken by the State party to combat such crimes and to prosecute and punish the perpetrators both in the Occupied Territories and within Israel.

Trafficking and prostitution

16. The fifth report provides extensive information on suppression of the exploitation of women (paras. 184-262). The report also indicates that there has been a sharp decline in the number of women trafficked to Israel for prostitution. Please provide information on the implementation of the Anti Trafficking Law 5767-2006, which is applied to a number of illegal practices under a broadly defined crime of trafficking, and on its impact on the reduction of such cases. Please provide more information on the content and implementation of the National Plans that have been approved to combat slavery and trafficking for slavery, forced labour and trafficking for the purpose of prostitution, as briefly referred to in the fifth report (para. 236). The fifth report also describes investigation, prosecution and compensation activities related to trafficking (paras. 213-227 and 262). Please provide information on measures taken to ensure the protection of victims in these processes and clarify whether the mechanisms for compensation are accessible to victims who have already returned to their countries of origin.

17. Please elaborate on measures taken to prevent and suppress exploitation of prostitution of women. Please provide further information on the implementation and impact of the 2007 inter-ministerial Plan for the Rehabilitation and Treatment of Women and Girls Engaged in Prostitution in order to Assist Them in Breaking the Vicious Cycle of Prostitution, as referred to in the fifth report (para. 52.2). Has the State party adopted any exit programmes for women who wish to leave prostitution?

18. Please provide information on measures taken by the State party to address concerns expressed by the Special Rapporteur on the human rights of migrants, the Special Rapporteur on trafficking in persons, especially women and children, the Special Rapporteur on violence against women, its causes and consequences, and the Special Rapporteur on the sale of children, child prostitution and child pornography, regarding alleged cases that female victims of trafficking felt pressured to testify in court because certain benefits, including shelter and health services, were being tied to their giving testimony (E/CN.4/2006/73/Add.1, para. 83).

19. Information available to the Committee indicates that there are cases of women migrant workers who enter Israel with valid work permits, but become victims of debt bondage, fraud, forced labour and sexual slavery. Please provide information on existing and planned mechanisms for the protection of the rights of women migrant workers, including their access to justice and criminal prosecution of the perpetrators.

Participation in decision-making and representation at the international level

20. In its previous concluding observations (CEDAW/C/ISR/CO/3, paras. 31 and 32), the Committee expressed its concern at the low level of representation of women in decision-making positions in local authorities and that the number of women in high-level positions in the civil service and the foreign service remained low. The fifth report states that women's representation in political life has progressed in all fields, although gaps remain between men and women's representation in certain areas of political life (para. 264). Please elaborate on such gaps and provide more detailed information on measures taken to overcome them.

21. The fifth report provides information on the acceleration of equality between men and women (paras. 96-100). Please provide further information on sustained measures taken by the State party, including temporary special measures in accordance with article 4, paragraph 1, of the Convention and the Committee's general recommendation 25 (2004), so as to accelerate the increase in the representation of women, including Israeli Arab women, in elected and appointed bodies in all areas of public life. Please include in the answer information on the establishment of concrete goals and timetables to this effect, as

recommended in the Committee's previous concluding observations (CEDAW/C/ISR/CO/3, para. 32).

Nationality

22. In its previous concluding observations (Ibid., paras. 33-34), the Committee expressed its concern about the State party's temporary suspension order of May 2002, enacted into law as the Nationality and Entry into Israel Law (Temporary Order) of 31 July 2003, which suspended the possibility, subject to limited and subjective exceptions, of family reunification, especially in cases of marriages between an Israeli citizen and a person residing in the Occupied Territories. The Committee also noted with concern that the suspension order, which had been extended until the end of August 2005, had already adversely affected the marriages and family life of Israeli Arab women citizens and Palestinian women from the Occupied Territories. In its fifth report, the State party indicated that no notable changes had occurred regarding the issue of nationality since the submission of the State Party's previous report (para. 335). Please provide information on any steps taken by the State party to bring this Temporary Order in line with articles 9 and 16 of the Convention and please provide detailed statistical information on and analysis of the short- and long-term impact of this Order on affected women. Please indicate whether the State Party is considering balancing its security interests with the rights of women affected by such policies in a way that facilitates family reunification without any discrimination.

Education

23. With reference to the Committee's previous concluding observations (CEDAW/C/ISR/CO/3, paras. 35-36), please provide further information on measures taken by the State party to reduce the drop-out rates of Israeli Arab girls and increase the number of Israeli Arab women at institutions of higher education. According to the fifth report, the Minister of Education appointed a special committee to examine the extent to which gender stereotypes may still remain in educational textbooks (para. 361). Please elaborate on the findings of this committee and provide more information on steps taken to review and revise textbooks in the Arab education system in order to eradicate gender stereotypes.

24. Please inform the Committee of the measures taken by the State party to make sure that the blockade imposed on the Gaza Strip following the events of June 2007 did not disproportionately impact the access to education of women in Gaza. Please also provide information regarding how the Entrance to Israel Order (Interim Order), 2005 and its subsequent extensions have affected female students seeking higher education.

Employment

25. The fifth report refers to the enactment, on 10 April 2008, of the Encouragement of the Advancement and Integration of Women in the Workforce and the Adjustment of Workplaces to Women's Needs Law (paras. 36-39). The report also states that this Law is aimed at serving as an incentive to employ more women, to promote women to senior positions and to modify the work conditions to the unique needs of women, thus increasing women's economic independence. Please elaborate on the implementation and impact of this Law. Please also provide information on the composition and activities of the Public Council for the Integration and Advancement of Women in the Workplace.

26. Please indicate any gaps in the protection of women against sexual harassment in the workplace, and what is being done to close them. Please also indicate if there are any pay inequalities between men and women in the public and private sectors and, if so, the measures taken to address them.

27. The fifth report refers to a 2006 report by the State Comptroller which addressed the issue of the handling of sexual harassment complaints by the Israeli Defense Force (IDF) (paras. 45 and 302-305). The State Comptroller indicated that a large number of cases were not satisfactorily addressed within the 45-day deadline and also noted additional “flaws”, including cases that were heard by officers who were unauthorized to preside in sexual harassment cases, and flaws regarding judicial procedure, among others. Please inform the Committee of effective steps taken by the State party to address such flaws and to ensure that sexual harassment complaints are dealt with in a proper manner. Furthermore, please provide information about the number of such complaints within the IDF and their outcome.

Health

28. Please inform the Committee of the measures taken by the State party to ensure that the blockade imposed on the Gaza Strip did not negative impact the health of women, including older women and disabled women, in the Gaza Strip and in particular their access to adequate health services (including adequate equipment) and care. In particular, please provide information regarding measures taken by the State party:

(a) To prevent restricted access to food and fuel from affecting the health status of women, including anaemia rates;

(b) To prevent restricted access to secondary health care in Israel from impacting on women’s health issues;

(c) To address psycho-social issues of women caused by the blockade and the aftermath of the conflict from 27 December 2008 to 19 January 2009.

29. In its previous concluding observations (CEDAW/C/ISR/CO/3, paras. 37 and 38), the Committee expressed its concern about the number of incidents at Israeli checkpoints which had a negative impact on the rights of Palestinian women, including the right of access to health-care services for pregnant women. Please update the Committee on any developments in this respect.

30. Please inform the Committee on the situation of Palestinian female prisoners in Israeli prisons. What measures are taken or envisaged to ensure their access to adequate quality health-care services as well as living conditions? Please also explain how the policies and measures developed towards Palestinian female prisoners fulfil women’s health rights, in particular with regard to female needs, and indicate the types of measures taken to allow specialized doctors’ visits.

31. The fifth report states that, despite a continuing decrease, the child mortality rate among the Arab population is still relatively high and stands at a rate of 7.2 deaths per every 1,000 live births (para. 517). In addition, the infant mortality rate among the Bedouin in 2008 was reported as 11.5 deaths per every 1,000 live births (para. 599). Please provide information on measures taken and resources allocated by the State party to improve the status of Israeli Arab and Bedouin women’s health, in particular with regard to infant mortality. Please also provide data on child mortality among Arab women in the Gaza Strip, West Bank and Occupied Territories, and the measures taken to address women’s health, including maternal and child mortality, in those areas.

32. Please provide data disaggregated by sex and by age of women infected by HIV/AIDS. Please also provide detailed information on the initiatives undertaken by the State party, including targeted awareness raising campaigns, to protect women and girls from HIV/AIDS infection and to provide treatment and care to those infected.

Rural women and disadvantaged groups of women

33. The fifth report provides information on the situation of Bedouin women living in the Negev desert, including with regard to education, employment and health, and refers to some policies adopted in this respect. Please elaborate on the work plan established by the Authority for the Advancement of the Status of Women, together with its relevant steering committee, for promoting the status of Bedouin women in Southern Israel (para. 48.8). Please also provide an assessment of the impact of the policies adopted with regard to Bedouin women, as previously requested by the Committee (CEDAW/C/ISR/CO/3, para. 40). Please indicate to the Committee the measures taken by the State Party to ensure that the rights of Palestinian Arab Bedouin women who have lost their ancestral land due to home demolitions are fully protected.

34. Please provide more detailed information on the situation of Bedouin women who live in unrecognized villages with poor housing conditions and limited or no access to water, electricity and sanitation. The fifth report refers to a report, published by an Israeli non-governmental organization and entitled “Ana Huna (I am here) – Gender and health in the unrecognized villages of the Negev”, which is critical of the health-care services granted to Bedouin women in the Negev and points to problems in the provision of infrastructure and public transportation as well as language barriers (para. 612). Please inform the Committee of measures taken by the State party to address these issues.

35. Please provide information regarding the closure regime and related restrictions on movement in West Bank, and what impact they have on women living in rural areas of the West Bank and their ability to enjoy the rights provided by the Convention, in particular those provided for under article 14. This information is particularly relevant with regard to the access of women to adequate health care, formal and non-formal education, adequate living conditions and empowerment, equality with respect to economic life and also their right to enjoy family life. Please also inform the Committee about measures taken to ensure that women living in rural areas are able to access and cultivate their land in areas behind the wall and around settlements.

36. Please inform the Committee of any obstacles to the enjoyment of the rights guaranteed under the Convention by older women and disabled women, and the measures taken by the State Party to address them.

Marriage and family relations

37. In its previous concluding observations, the Committee urged the State party to take active measures to enforce the prohibition of polygamy and enforce adherence to the minimum age of marriage (CEDAW/C/ISR/CO/3, para. 42). According to the fifth report, the phenomenon of polygamy is decreasing (paras. 630-632). Please provide further information on measures taken by the State party aimed at enforcing the prohibition of polygamy and adherence to the minimum age of marriage, as well as the impact of such measures.

38. Please clarify the proceedings for the dissolution of a Jewish marriage, including whether consent is needed from both spouses. The fifth report refers to a case in 2008 where the Jerusalem Family Matters Court compensated a woman due to her husband's lack of compliance with the order of the Rabbinical Court, stipulating the need for a divorce between the couple (*F.M.C. (Jerusalem) 6743/02 K. v. K (21.6.08)*) (paras. 15 and 626). Please provide information on other such court cases, if available. Please also indicate whether the law protects women's equal right to property upon dissolution of marriage.

Optional Protocol

39. Is the State Party considering accession to the Optional Protocol to the Convention and acceptance of article 20, paragraph 1, of the Convention on the meeting time of the Committee?
