



Convention on the Elimination of All Forms of Discrimination against Women

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Committee on the Elimination of Discrimination against Women

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Concluding observations of the Committee on the Elimination of Discrimination against Women

Israel

1. The Committee considered the fourth and fifth reports of Israel (CEDAW/C/ISR/4 and CEDAW/C/ISR/5) at its 961st and 962nd meetings, on 18 January 2011 (see CEDAW/C/SR.961 and 962). The Committee's list of issues and questions is contained in CEDAW/C/ISR/Q/5, and the responses of Israel are contained in CEDAW/C/ISR/Q/5/Add.1.

A. Introduction

2. The Committee expresses its appreciation to the State party for its fourth and fifth periodic reports, which were well structured and in general followed the Committee's guidelines for the preparation of reports, with references to the previous concluding observations, although they lacked references to the Committee's general recommendations. The Committee regrets that the reports did not provide information on the enjoyment by all women, including women living in the Occupied Palestinian Territories, of their rights under the Convention. The Committee expresses its appreciation to the State party for its oral presentation, the written replies to the list of issues and questions raised by the Committee's pre-session working group, as well as the supplementary written information.

3. The Committee commends the State party for its multi-sectoral delegation which included a high number of women and men representing ministries and other governmental bodies with responsibilities for the implementation of measures in the areas covered by the Convention. The Committee appreciates the constructive dialogue that took place between the delegation and the members of the Committee, but it regrets that a significant number of its oral questions were left unanswered.

B. Positive aspects

4. The Committee notes with appreciation the significant law reform undertaken since the consideration of its third periodic report (CEDAW/C/ISR/3) in 2005, aimed at the

promotion of gender equality and elimination of discrimination against women and at achieving compliance with the obligations under the Convention. Specific reference is made to:

- (a) Anti-Trafficking Law (Legislative Amendments), in 2006;
- (b) Public Protection from Sex Offenders Law, in 2006;
- (c) Gender Implications of Legislation Law (Legislative Amendments), in 2007, which imposes the duty to systematically examine the gender implications of any primary and secondary legislation before it is enacted by the Knesset;
- (d) Encouragement of the Advancement and Integration of Women in the Workforce and the Adjustment of Workplaces to Women's Needs Law, in 2008; and
- (e) Amendment of the Statistics Ordinance, in 2008, including the requirement in Section 7A that the collection, processing and publication of statistical data relating to individuals shall include statistics segregated by gender, unless certain circumstances justify a deviation from the general rule.

5. The Committee also notes with satisfaction that, in the period since the consideration of the previous report, the State party has ratified or acceded to the following international instruments:

- (a) The Optional Protocols to the Convention on the Rights of the Child on the involvement of children in armed conflict, in 2005, and on the sale of children, child prostitution and child pornography, in 2008; and
- (b) The United Nations Convention against Transnational Organized Crime, in 2006, and the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the Convention, in 2008.

C. Principal areas of concern and recommendations

6. The Committee recalls the obligation of the State party to systematically and continuously implement all the provisions of the Convention and views the concerns and recommendations identified in the present concluding observations as requiring the priority attention of the State party between now and the submission of the next periodic report. Consequently, the Committee urges the State party to focus on those areas in its implementation activities and to report on actions taken and results achieved in its next periodic report. The Committee calls upon the State party to submit the present concluding observations to all relevant ministries, to the Knesset, and to the judiciary, so as to ensure their full implementation.

Parliament

7. While reaffirming that the Government has the primary responsibility and is particularly accountable for the full implementation of the obligations of the State party under the Convention, the Committee stresses that the Convention is binding on all branches of Government, and it invites the State party to encourage the Knesset, in line with its procedures, where appropriate, to take the necessary steps with regard to the implementation of the present concluding observations and the Government's next reporting process under the Convention.

Reservations

8. The Committee remains concerned that the State party continues to retain its reservations to articles 7 (b) and 16 of the Convention. The Committee is of the view that

the reservation to article 16 is impermissible as it is contrary to the object and purpose of the Convention. It also impinges on other fundamental articles of the Convention, including article 2, and implementation of the principle of substantive equality between women and men in all matters relating to marriage and family relations.

9. Recalling its previous recommendation (CEDAW/C/ISR/CO/3, para. 26), the Committee urges the State party to consider withdrawing its reservations to article 7 (b) and especially to article 16 of the Convention in order to eliminate discrimination against women in all matters relating to marriage and family relations in line with articles 2 and 16 of the Convention.

Definition of equality and non-discrimination

10. While noting that the principle of non-discrimination is incorporated in several pieces of legislation, the Committee remains concerned that the State party's Basic Law: Human Dignity and Liberty (1992), which serves as Israel's bill of rights, does not contain a general provision on equality between women and men and the prohibition of both direct and indirect discrimination against women. The Committee notes, however, that the State party continues the process of preparing a consensus-based constitution.

11. The Committee recalls its previous recommendation (CEDAW/C/ISR/CO/3, para. 18) and urges the State party to:

(a) Include in the new Constitution, or in a basic law or other appropriate legislation, a specific right of non-discrimination on the grounds of sex, and a definition of discrimination that encompasses both direct and indirect discrimination and discrimination in the public and private spheres, in conformity with article 1 of the Convention; and

(b) Develop, in accordance with article 2 of the Convention, a principle of gender equality in the appropriate national law in order to fulfil the necessary internal procedures for the incorporation and implementation of the provisions of the Convention.

Applicability of the Convention

12. Recalling its previous concluding observations (CEDAW/C/ISR/CO/3, para. 23), the Committee regrets the State party's position that the Convention does not apply beyond its own territory and, for that reason, the fourth and fifth periodic reports did not provide any information on the status of implementation of the Convention in the Occupied Palestinian Territories. The Committee notes, however, that the delegation acknowledged that the State party had certain responsibilities, including in the context of humanitarian law, and that the delegation, while maintaining its position, provided responses to some of the questions raised by the Committee concerning the situation of women in the Occupied Territories. The Committee reiterates that the State party's view that the Convention is not applicable in the Occupied Territories is contrary to the views of the Committee and of other treaty bodies, including the Human Rights Committee, the Committee on Economic, Social and Cultural Rights and the Committee against Torture and also of the International Court of Justice in its Advisory Opinion on the Legal Consequences of the Construction of a Wall in the Occupied Palestinian Territory, which have all noted that obligations under international human rights conventions as well as humanitarian law apply to all persons brought under the jurisdiction or effective control of a State party and have stressed the applicability of the State party's obligations under international human rights conventions to the Occupied Territories.

13. With reference to paragraph 12 of its general recommendation No. 28 on the core obligations of States parties under article 2 of the Convention, the Committee

urges the State party to reconsider its position and to give full effect to the implementation of its obligations under the Convention as well as its obligations under humanitarian law with regard to all persons under its jurisdiction or effective control, and to provide in its next periodic report detailed information on the enjoyment by all women, including, if still relevant, women living in the Occupied Palestinian Territories, of their rights under the Convention. The Committee encourages the State party to strengthen its dialogue with the Palestinian authorities in respect of the implementation of the provisions of the Convention.

Participation of women in the peace process

14. The Committee is aware that the persistence of conflict and violence hinders the full implementation of the Convention. In this regard, it welcomes the fact that the State party has recognized the importance of United Nations Security Council resolution 1325 (2000) on women and peace and security in various domestic and international forums, and that the 1951 Equal Rights for Women Law was amended in 2005 following this resolution to include section 6C1, mandating that there must be equal representation for women in bodies that shape national policy, including peacebuilding negotiations.

15. **With reference to its previous recommendation (CEDAW/C/ISR/CO/3, para. 22), the Committee calls on the State party to strengthen its efforts towards conflict resolution, in line with relevant United Nations resolutions, and to fully involve all women concerned in all stages of the peace process, including through their equal opportunity and participation in the decision-making processes.**

Visibility of the Convention

16. The Committee notes with concern that there is inadequate knowledge in society in general, including among all branches of Government, of the rights of women under the Convention, the Convention's concept of substantive equality of women and men and the Committee's general recommendations. The Committee is also concerned that the State party did not provide information on cases in which the provisions of the Convention had been directly invoked in court. It is further concerned that women themselves, including those in the Occupied Territories and women belonging to minority groups, are not aware of their rights under the Convention and thus lack the necessary information to claim them.

17. **The Committee recommends that the State party take all appropriate measures to:**

(a) **Ensure that the Convention is sufficiently known and applied by all branches of Government, including the judiciary, as a framework for all laws, court decisions and policies on gender equality and the advancement of women;**

(b) **Ensure that the Convention and related domestic legislation be made an integral part of the legal education and training of judges, magistrates, lawyers and prosecutors so that a legal culture supportive of the equality of women with men and non-discrimination on the basis of sex is firmly established in the country;**

(c) **Enhance the awareness of all women, including Israeli Arab women and women belonging to other minority groups, of their rights through, inter alia, legal literacy programmes and legal assistance; and**

(d) **Ensure that information on the Convention is provided to women, especially Palestinian women in the Occupied Territories and those from minority communities, through the use of all appropriate measures, including the translation of the Convention and the present concluding observations into Arabic.**

National machinery for the advancement of women

18. The Committee welcomes the continued activities of the Authority for the Advancement of the Status of Women, including training activities, surveys and awareness-raising campaigns, the recent strengthening of the Authority as well as the doubling of its budget for 2011. However, the Committee remains concerned that the Authority, which has multiple functions, may not have sufficient power, visibility, and human and financial resources for the effective promotion of the advancement of women and gender equality. It also notes with concern that the State has not adopted a national plan of action for the advancement of women.

19. The Committee calls on the State party to:

(a) **Continue to strengthen the Authority and ensure that it is provided with the power, location within the executive branch of Government and necessary human and financial resources to enable it to carry out effectively the promotion of the advancement of women and gender equality throughout all sectors of Government; and**

(b) **Develop and adopt a comprehensive national plan of action for the advancement of women in line with the Convention and take due consideration of the Committee's recommendations in the formulation of this action plan, ensure its effective implementation, including monitoring and regular evaluation of strategies and measures used in its implementation, and establish a regular reporting system to the Government and the Knesset.**

Violence against women

20. The Committee acknowledges the efforts by the State party to combat violence against women, including the adoption of new legislation on sexual offences and the ongoing activities of the special task force of 220 investigators specializing in gender-based violence. However, the Committee expresses its concern at the prevalence of domestic and sexual violence against women and girls, particularly against women belonging to the minority communities.

21. The Committee urges the State party to continue to give priority attention to combating violence against women and girls and to adopt comprehensive measures to address such violence, in accordance with its general recommendation No. 19. To this end, the Committee recommends that the State party:

(a) **Ensure the effective implementation of existing legislation as well as prosecution and punishment of perpetrators of such violence; and**

(b) **Provide the police, public prosecutors, the judiciary and other relevant Government bodies with the necessary training on domestic and sexual violence.**

Violence against and harassment of women in the Occupied Palestinian Territories

22. While noting the complexity of the local administration, the Committee notes with deep concern that Palestinian women and girls continue to suffer from violent attacks from both State (Israeli soldiers) and non-State (inter alia settlers) actors, as well as all other forms of violence within their communities, including violations of the right to life, physical, psychological and verbal abuse, and sexual harassment. The Committee also notes with serious concern that such cases are rarely documented, prosecuted and punished. The Committee welcomes the establishment of an exceptional committee within the State party that provides financial assistance for battered women who wish to leave the shelters and start independent lives, but it regrets that Palestinian women do not have access to financial assistance from this committee. Furthermore, the Committee notes with concern that the

restrictions on movement in the Occupied Territories as well as regular harassment by settlers of both children and teachers on their way to and from school have had a negative impact on Palestinian women and girls' access to education and to their health.

23. The Committee urges the State party to:

(a) Take immediate action to prevent human rights abuses and violations against women and girls in the Occupied Palestinian Territories and to protect them against such acts, including at checkpoints;

(b) Provide these women with effective access to legal remedies and ensure that such cases are fully and promptly investigated and that perpetrators are brought to justice, regardless of whether they are State or non-State actors;

(c) Ensure the provision of adequate compensation and, where appropriate, reparation to the surviving victims;

(d) Ensure that Palestinian women who are victims of violence have access to a sufficient number of shelters as well as financial and legal assistance, where necessary;

(e) Take the necessary measures to ensure that Palestinian women and girls can enjoy their right to education and their right to health, including safe and unhindered access to schools and to health facilities and resources; and

(f) Establish a constructive dialogue with the Palestinian authorities on the issues relating to violence against women under their responsibility.

Family reunification

24. The Committee notes with concern that the 2003 Citizenship and Entry into Israel Law (Temporary Order), as amended in 2005 and 2007, remains in force and has been declared constitutional by the Supreme Court. The Committee reiterates its concern that this Law, which suspends 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 Palestinian Territories, has recently been extended for another six months and thus continues to adversely affect the marriages and right to family life of Israeli Arab women citizens and Palestinian women from the Occupied Territories.

25. Recalling its previous recommendation (CEDAW/C/ISR/CO/3, para. 34), the Committee calls on the State party to balance its security interests with the human rights of persons affected by such policies, and to reconsider them with a view to facilitating family reunification of all citizens and permanent residents. To this end, it calls on the State party to bring the 2003 Citizenship and Entry into Israel Law (Temporary Order) of 31 July 2003 into line with articles 9 and 16 of the Convention.

Freedom of movement

26. The Committee is deeply concerned that the severe restrictions on the freedom of movement in the Occupied Palestinian Territories, especially through the wall, checkpoints, restricted roads and permit system, create hardship and have a detrimental impact on the enjoyment of human rights by Palestinian women, in particular their rights to freedom of movement, family life, work, education and health.

27. The Committee urges the State party to:

(a) Review these measures to ensure that restrictions on freedom of movement are not systematic, are not applied in a discriminatory manner, and do not lead to segregation of communities; and

(b) Ensure that Palestinian women enjoy their human rights, in particular their rights to freedom of movement, family life, work, education and health.

House demolitions

28. While noting that the State party delegation referred in the dialogue to national security concerns, the Committee is seriously concerned that continued demolitions of property, homes and schools as well as forced evictions in the Occupied Palestinian Territories and in East Jerusalem have a serious impact on the development and advancement of Palestinian women, including refugee women, as well as Israeli Arab women, and on their enjoyment of human rights and fundamental freedoms.

29. The Committee urges the State Party to:

(a) Revoke its policies allowing for and refrain from the practice of forced eviction and house demolitions, which negatively impact on the physical and psychological well-being as well as the development and advancement of Palestinian and Israeli Arab women; and

(b) Review its housing policy and issuance of construction permits to Palestinians to ensure that Palestinian and Israeli Arab women can enjoy all their fundamental rights and freedoms, particularly their right to adequate housing and to family and private life.

Trafficking and exploitation of prostitution

30. The Committee underlines the State party's continuous efforts to address the issue of trafficking in women and girls, including the enactment of the Anti-Trafficking Law, which has broadened the definition of trafficking, as well as the adoption of the two National Plans to combat trafficking in persons for purposes of prostitution, and trafficking in persons for purposes of slavery and forced labour. While noting the extensive information provided in the fifth report and the State party's replies to the list of issues, including that there has been a sharp decline in the number of women trafficked to Israel for purposes of prostitution, the Committee remains concerned at the prevalence of trafficking in the State party as a destination country, as well as reports of internal trafficking. In addition, it is concerned at the limited information provided on the existence and implementation of regional and bilateral memorandums of understanding and/or agreements with other countries on trafficking. Furthermore, the Committee is concerned that female asylum seekers and migrants entering Israel through the Sinai desert are at high risk of becoming victims of trafficking.

31. The Committee urges the State party to fully implement article 6 of the Convention, including through:

(a) Effective implementation of its anti-trafficking legislation as well as its two national plans on trafficking, in order to ensure that perpetrators are punished and victims adequately protected and assisted;

(b) Strengthening of its efforts at international, regional and bilateral cooperation with countries of origin and transit so as to address more effectively the causes of trafficking, and improve prevention of trafficking through information exchange; and

(c) Provision of information and training on the anti-trafficking legislation to the judiciary, law enforcement officials, border guards and social workers in all parts of the country; and

(d) Provision of immediate and effective treatment, including medical, psycho-social and legal assistance for women in need of international protection, who are victims of trafficking and sexual slavery, in transit to Israel.

Participation in political and public life

32. The Committee notes the measures taken by the State party to enhance women's participation in political and public life, including Government Resolution No. 1362 (2007) determining that equal gender representation shall be achieved in the boards of Government corporations, within two years of the Resolution, as well as the creation of a list of women qualified to serve as directors in Government corporations and other public bodies, including Israeli Arab women. While welcoming the increase in the number of women in the Knesset and the fact that women now constitute the majority of judges in the judiciary, the Committee is concerned that gaps remain between women's and men's representation in certain areas of political and public life, including in local councils/authorities, academia and the foreign service. Furthermore, the Committee is concerned at the continued low level of representation of Israeli Arab women in these areas. In this respect, the Committee notes with interest the two bills on the funding of political parties and on local authorities (elections).

33. The Committee recommends that the State party pursue sustained policies aimed at the promotion of the full and equal participation of women in decision-making in all areas of public, political and professional life. It recommends that the State party fully utilize the Committee's general recommendation No. 23 and calls upon the State party to adopt temporary special measures, in accordance with article 4, paragraph 1, of the Convention and the Committee's general recommendation No. 25, in order to accelerate the full and equal participation of women in public and political life. To this end, the Committee recommends that the State party:

(a) Establish concrete goals and timetables 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, where parity has not yet been reached;

(b) Implement awareness-raising activities on the importance of the participation of women in decision-making for society as a whole and develop targeted training and mentoring programmes for women candidates and women elected to public office, as well as programmes on leadership and negotiation skills for current and future women leaders;

(c) Carefully monitor the effectiveness of measures taken and results achieved and that it inform the Committee thereof; and

(d) Provide information, in its next report, on the status and content of the two Bills on the funding of political parties and on local authorities (elections).

Education

34. The Committee acknowledges the progress made in the field of education for women and girls. However, the Committee is concerned that Israeli Arab and Bedouin women and girls remain in a disadvantaged and marginalized situation, including with regard to drop-out rates and access to institutions of higher education. It is also concerned about women's disproportionately low presence in engineering and technical fields in higher education. While noting some efforts made, the Committee is further concerned that elimination of gender stereotypes from textbooks has not been prioritized, including in the Arab education system.

35. The Committee calls on the State party to enhance its compliance with article 10 of the Convention and to raise awareness of the importance of education as a

human right and as the basis for the empowerment of women. The Committee recommends that the State party:

(a) Take the necessary measures, including the use of temporary special measures, in accordance with article 4 and the Committee's general recommendation No. 25, to reduce the drop-out rates of Israeli Arab and Bedouin girls and increase the number of Israeli Arab and Bedouin women at institutions of higher education, *inter alia* through the provision of scholarships;

(b) Take effective measures to actively overcome the *de facto* segregation in the fields of education, to encourage the diversification of educational and professional choices for women and men and to offer incentives for women to enter traditionally male dominated fields of study; and

(c) Review and revise textbooks, including in the Arab education system, through the special committee appointed for this purpose, in a speedy manner, in order to eradicate gender stereotypes.

Employment

36. The Committee welcomes the establishment, in 2008, of the Equal Employment Opportunities Commission with a mandate to receive and handle complaints regarding employment discrimination as well as the amendment to the Women's Employment Law on the extension of maternity leave to 26 weeks. However, the Committee notes with concern the segregation of the labour market as well as the wide gender pay gap, with the average income of women being 63 per cent of the average income of men across the country. While noting efforts by the State party to combat sexual harassment, including the activities of the Authority in this respect, the Committee is concerned at the persistence of sexual harassment, including in the military.

37. The Committee requests the State party to ensure equal opportunities for women in the labour market, in accordance with article 11 of the Convention. To this end, the Committee recommends that the State party:

(a) Ensure the effective implementation of its labour legislation to combat the segregation of the labour market and the gender pay gap; and

(b) Continue its efforts to combat sexual harassment, including in the military, through the enforcement of the Prevention of Sexual Harassment Law and other concrete measures.

Health

38. The Committee appreciates the efforts made by the State party in the area of health care as well as the continuing decline in the child mortality rate. However, it is concerned that discrepancies remain in the infant and maternal mortality rates of Jewish, Israeli Arab and Bedouin women and children. The Committee also notes with concern that the restrictions on movement in the Occupied Territories have had a negative impact on the health of women, including older women and disabled women, and in particular their access to adequate health services, such as hospitals, clinics, urgent care and specialized treatment not available in the Occupied Territories. In addition, the Committee remains concerned about the number of incidents at Israeli checkpoints which have a negative impact on the rights of Palestinian women, including the right of access to health-care services for all women, including pregnant women.

39. The Committee calls upon the State party to take all necessary measures to ensure women's access to health care and health-related services, within the

framework of the Committee's general recommendation No. 24. To this end, the Committee calls upon the State party to:

- (a) Refrain from any action that would prevent Palestinian women from accessing adequate health services and treatment;
- (b) Strengthen its efforts to close the gaps in the infant and maternal mortality rates of Jewish, Israeli Arab, and Bedouin women and children; and
- (c) Ensure that the Israeli authorities at the checkpoints are instructed to ensure safe and unhindered access to health-care services for all women, including pregnant women.

Palestinian female prisoners

40. The Committee is seriously concerned at the situation of Palestinian women in detention. In this respect, the Committee expresses its concern with respect to the harsh detention conditions of Palestinian female prisoners as well as their treatment during detention. It also expresses its concern at reports that approximately 25 per cent of Palestinian female prisoners suffer from treatable diseases, but that many have little or no access to medical attention, and it notes with concern the lack of adequate services provided to pregnant Palestinian prisoners. Furthermore, the Committee notes with concern that the detention of Palestinian female prisoners outside the Occupied Territories obstructs regular family visits.

41. The Committee urges the State Party to:

- (a) Ensure humane detention conditions and treatment of Palestinian women during their arrest, interrogation and detention;
- (b) Ensure that Palestinian female prisoners, including pregnant prisoners, have access to adequate health services and treatment and that the gender-specific medical needs of these prisoners are met; and
- (c) Ensure that Palestinian female prisoners are allowed to receive family visits as often as other female prisoners.

Female migrant workers

42. The Committee expresses its particular concern at the disadvantaged situation of female migrant workers in the country. In this respect, the Committee is concerned at the difficult working conditions of female migrant workers, who are employed primarily as in-home caregivers, and that they work on a round-the-clock basis with mandatory live-in arrangements. The Committee also notes with concern the 2009 Supreme Court decision in the matter of *Yolanda Gloten vs. the National Labour Court*, which held that migrant home caregivers are excluded from the Hours of Work and Rest Law, which provides basic labour law protections to workers in the State party generally. Furthermore, the Committee is seriously concerned at the State party's existing policy that migrant workers who give birth must leave the State party with their babies within three months of giving birth or send their babies out of the State party's borders so as to safeguard their work permits. The Committee is equally concerned that marriage and intimate relationships between migrant workers under an existing State party policy constitute grounds to revoke the couple's work permits.

43. The Committee urges the State party to:

- (a) Extend and enforce all labour law protections, including health and safety standards, for all female migrant workers, including migrant home-care

workers, ensure their access to legal remedies, and allow them to negotiate freely with their employer whether to reside in the employer's household or not; and

(b) Revoke its policies with regard to cancellation of work permits for migrant workers in cases of childbirth, marriage and intimate relationships, in accordance with the State party's obligations under the Convention and the Committee's general recommendation No. 26 on women migrant workers.

Bedouin women

44. The Committee notes the establishment, in 2007, of the Advisory Committee on the Policy regarding Bedouin Towns as well as the detailed information provided in the State party's reports on the situation of Bedouin women and girls in the Negev desert, including the increase in school enrolment rates and decline in infant mortality. Nevertheless, the Committee reiterates its concern that Bedouin women remain in a disadvantaged and marginalized situation, especially with regard to education, employment and health, and their access to land. The Committee also reiterates its concern at the situation of Bedouin women who live in unrecognized villages with poor housing conditions and limited or no access to water, electricity and sanitation.

45. The Committee urges the State party to:

(a) Continue to take effective measures to eliminate discrimination against Bedouin women and to enhance respect for their human rights through effective and proactive measures, including in the fields of education, employment and health;

(b) In its planning efforts in the Negev area, respect the Bedouin population's right to their ancestral land and their traditional livelihood; and

(c) Include, in its next report, detailed information on any national policy, strategy or programme carried out by the State party to improve the situation of Bedouin women and girls, including their access to health care, education and employment, as well as the impact and achievements of such government initiatives.

Other disadvantaged groups of women

46. While noting the information provided in the fifth report in respect of women with disabilities and women belonging to ethnic minorities, especially Israeli Arab women, the Committee is concerned at the very limited information provided regarding certain other disadvantaged groups of women and girls, including asylum-seeking women, refugee women, internally displaced women, stateless women and older women. The Committee is also concerned that those women and girls often suffer from multiple forms of discrimination, especially with regard to access to education, employment and health care, protection from violence and access to justice. The Committee is further concerned that gender-based persecution is not recognized by the State party as a ground for refugee status.

47. The Committee recommends that the State party:

(a) Provide, in its next report, comprehensive information, including sex-disaggregated data and trends over time, on the de facto situation of these disadvantaged groups of women and girls in all areas covered by the Convention, as well as on the impact of measures taken and results achieved in the implementation of policies and programmes for these women and girls; and

(b) Consider including gender-based persecution as a ground for refugee status, in accordance with the Office of the United Nations High Commissioner for Refugees (UNHCR) Guidelines on International Protection relating to gender-related persecution.

Discrimination in marriage and family relations

48. Noting that all Jews in Israel can be married and divorced only in the rabbinical courts, which are male dominated and completely governed by religious law, the Committee is concerned about discrimination against women in the context of divorce in such courts, in that only the husband has the right to grant his wife divorce (the “get”) of his own free will. The Committee also expresses its concern at recent cases of retroactive invalidation of divorce, to the detriment of Jewish women. The Committee is further concerned about the continuing practices of polygamy and under-age marriage of girls that are legitimized under different religious laws governing personal status.

49. The Committee calls upon the State party to:

- (a) **Introduce an optional system of civil marriage and divorce available to all;**
- (b) **Harmonize religious laws currently governing marriage and divorce with the Convention and eliminate provisions that are discriminatory against women, including by prohibiting the man’s unilateral power to grant the “get”, prohibiting the possibility of extorting concessions from women in return for the “get” as well as the practice of retroactive invalidation of divorces, and by further limiting the scope of rabbinical courts’ jurisdiction to matters of marriage and divorce alone;**
- (c) **Ensure that rabbinical court judges are provided with training on the Convention, with special emphasis on article 16 as well as domestic violence;**
- (d) **Take active measures to enforce the prohibition of bigamy and current exceptions under which it is allowed and polygamous marriages, as called for in the Committee’s general recommendation No. 21; and**
- (e) **Take effective measures to enforce adherence to the minimum age of marriage, and, in this respect, take measures to raise the minimum age of marriage to 18 years for both women and men.**

Cooperation with civil society

50. While acknowledging the State party’s emphasis on working in cooperation with civil society organizations, including women’s non-governmental organizations, and the fact that some of these organizations have participated in the preparation of the State party’s reports, the Committee notes with concern the recent decision of the Knesset to form a parliamentary inquiry committee with respect to the work and funding of civil society organizations, some of which are providing essential services, and are working to promote equality, for women and girls.

51. The Committee calls upon the State party to:

- (a) **Ensure that civil society organizations and women’s non-governmental organizations are not restricted with respect to their establishment and operations and that they are able to function independently of the Government; and**
- (b) **Provide an enabling environment for the establishment and active functioning and involvement of women’s and human rights organizations in promoting the implementation of the Convention.**

National Human Rights Institution

52. **The Committee recommends that the State party consider establishing a national human rights institution in accordance with the principles relating to the**

status of national institutions for the promotion and protection of human rights (the Paris Principles, General Assembly resolution 48/134, annex).

Optional Protocol and amendment to article 20, paragraph 1, of the Convention

53. The Committee encourages the State party to ratify the Optional Protocol to the Convention and to accept, as soon as possible, the amendment to article 20, paragraph 1, of the Convention concerning the meeting time of the Committee.

D. Final paragraphs

Dissemination

54. The Committee requests the wide dissemination in Israel of the present concluding observations in order to make the people, including Government officials, politicians, parliamentarians and women's and human rights organizations, aware of the steps that have been taken to ensure the de jure and de facto equality of women, as well as the further steps that are required in that regard. The Committee recommends that the dissemination include the local community level. The State party is encouraged to organize a series of meetings to discuss progress achieved in the implementation of the present observations. The Committee requests the State party to continue to disseminate widely, in particular to women's and human rights organizations, the Committee's general recommendations, the Beijing Declaration and Platform for Action and the outcome of the twenty-third special session of the General Assembly on the theme "Women 2000: gender equality, development and peace for the twenty-first century".

Ratification of other treaties

55. The Committee notes that the adherence of the State party to the nine major international human rights instruments¹ would enhance the enjoyment by women of their human rights and fundamental freedoms in all aspects of life. The Committee therefore encourages the Government of Israel to consider ratifying the treaties to which it is not yet a party: the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families; the Convention on the Rights of Persons with Disabilities; and the International Convention for the Protection of All Persons from Enforced Disappearance.

Follow-up to concluding observations

56. The Committee requests the State party to provide, within two years, written information on the steps undertaken to implement the recommendations contained in paragraphs 23 and 49 above.

¹ The International Covenant on Economic, Social and Cultural Rights; the International Covenant on Civil and Political Rights; the International Convention on the Elimination of All Forms of Racial Discrimination; the Convention on the Elimination of All Forms of Discrimination against Women; the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment; the Convention on the Rights of the Child; the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families; the International Convention for the Protection of All Persons from Enforced Disappearance; and the Convention on the Rights of Persons with Disabilities.

Preparation and date of next report

57. The Committee requests the State party to ensure the wide participation of all ministries and public bodies in the preparation of its next report, as well as to consult a variety of women's and human rights organizations during that phase.

58. The Committee requests the State party to respond to the concerns expressed in the present concluding observations in its next periodic report under article 18 of the Convention. The Committee invites the State party to submit its sixth periodic report in February 2015.

59. The Committee invites the State party to follow the harmonized guidelines on reporting under the international human rights treaties, including guidelines on a common core document and treaty-specific documents, approved at the fifth inter-committee meeting of the human rights treaty bodies, in June 2006 (HRI/MC/2006/3 and Corr.1). The treaty-specific reporting guidelines adopted by the Committee at its fortieth session, in January 2008, must be applied in conjunction with the harmonized reporting guidelines on a common core document. Together, they constitute the harmonized guidelines on reporting under the Convention on the Elimination of All Forms of Discrimination against Women. The treaty-specific document should be limited to 40 pages, while the updated common core document should not exceed 80 pages.
