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Compilation of information prepared by the Office of the United Nations High Commissioner for Human Rights

I. Background

1. The present report was prepared pursuant to Human Rights Council resolutions 5/1 and 16/21, taking into consideration the outcome of the previous review.¹ It is a compilation of information contained in relevant United Nations documents, presented in a summarized manner owing to word-limit constraints.

II. Scope of international obligations and cooperation with human rights mechanisms

2. The Committee on the Elimination of Racial Discrimination encouraged Israel to consider ratifying those international human rights treaties that it had not yet ratified, including 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, the Domestic Workers Convention, 2011 (No. 189), and the Indigenous and Tribal Peoples Convention, 1989 (No. 169), of the International Labour Organization, and the Convention on the Reduction of Statelessness.²

3. The Human Rights Committee recommended that Israel consider acceding to the two Optional Protocols to the International Covenant on Civil and Political Rights and withdrawing its reservation to article 23 of the Covenant.³

4. The Committee on the Elimination of Discrimination against Women encouraged Israel to ratify the Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women.⁴

5. The same Committee recommended that Israel expedite the ratification of the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence.⁵

6. The Special Rapporteur on the situation of human rights in the Palestinian territories occupied since 1967 stated that the pattern by Israel of non-cooperation with the mandate was a serious concern.⁶

7. The Special Rapporteur on violence against women, its causes and consequences, recommended that Israel consider issuing a standing invitation to all special procedure mandate holders.⁷



III. National human rights framework

1. Constitutional and legislative framework

8. The Human Rights Committee recommended that Israel review and amend the Basic Law: Israel – the Nation-State of the Jewish People with a view to eliminating its discriminatory effect on non-Jewish people and ensuring the equal treatment of all persons within its territory and subject to its jurisdiction, in conformity with the International Covenant on Civil and Political Rights.⁸

9. The Committee on Economic, Social and Cultural Rights recommended that Israel review existing anti-discrimination legislation or adopt comprehensive anti-discrimination legislation with a view to ensuring that such legislation prohibited all direct, indirect and multiple forms of discrimination, on all grounds, including language, colour, social origin, property, sexual orientation, birth or other status, and provided for effective remedies for victims of discrimination.⁹

2. Institutional infrastructure and policy measures

10. The Human Rights Committee recommended that Israel step up its efforts to establish a national human rights institution in line with the principles relating to the status of national institutions for the promotion and protection of human rights (the Paris Principles).¹⁰

IV. Promotion and protection of human rights

A. Implementation of international human rights obligations, taking into account applicable international humanitarian law

1. Equality and non-discrimination

11. The Human Rights Committee recommended that Israel strengthen its efforts to achieve equitable representation of Israeli citizens of Arab origin and women in the civil service and in government, in particular in decision-making positions in legislative and executive bodies, including the Knesset.¹¹

12. The Office of the United Nations High Commissioner for Refugees (UNHCR) stated that there were frequent public expressions of racism levelled by certain anti-refugee activists, in particular in south Tel Aviv. That included the spraying of racist and insulting graffiti on the offices of non-governmental organizations (NGOs) working with asylum-seekers and on schools attended by asylum-seekers. On some occasions, it had extended to physical harassment of asylum-seekers and staff of NGOs.¹²

13. UNHCR recommended that Israel take active steps to combat racism and hate speech against asylum-seekers of African origin.¹³

14. The Committee on the Elimination of Racial Discrimination recommended that Israel step up its efforts to counter and stem the tide of racism and xenophobia in public discourse.¹⁴

2. Right to life, liberty and security of person, and freedom from torture

15. The Human Rights Committee recommended that Israel place an absolute ban on torture, including by incorporating into its legislation a definition of torture that was fully in line with article 7 of the International Covenant on Civil and Political Rights, and removing the notion of “necessity” as a possible justification for the crime of torture.¹⁵

16. The same Committee recommended that Israel ensure that all allegations of torture and ill-treatment were promptly, impartially, thoroughly and effectively investigated, that perpetrators were prosecuted and, if found guilty, were punished with sanctions commensurate with the severity of the crime, and that victims were provided with full reparation, including rehabilitation and adequate compensation.¹⁶

17. The same Committee also recommended that Israel consider abolishing the use of solitary confinement for children and develop alternative measures where necessary.¹⁷

18. The same Committee further recommended that Israel establish an independent and effective monitoring mechanism for all detention facilities within its territory and occupied territories, keep audio and visual documentation of all interrogations taking place in the facilities of the Israel Security Agency and ensure that such documentation could be used as evidence in courts.¹⁸

19. The Office of the United Nations High Commissioner for Human Rights (OHCHR) stated that arbitrary detention of Palestinians by the Israeli authorities, including the practice of administrative detention, including of children, had continued to be a major concern.¹⁹

20. The Human Rights Committee recommended that Israel immediately put an end to the widespread practice of arbitrary arrest and detention, including administrative detention, of Palestinians, in particular children.²⁰

21. The United Nations High Commissioner for Human Rights recommended that Israel ensure that conditions of detention were fully in accordance with international human rights law and immediately end all practices that might amount to torture or ill-treatment, ensuring that violations were promptly, impartially and independently investigated, perpetrators were held accountable and victims had access to an effective remedy.²¹

3. Human rights and counter-terrorism

22. The Human Rights Committee was concerned about the use of secret evidence in counter-terrorism proceedings that was inaccessible to defendants and their lawyers.²²

23. The same Committee recommended that Israel review its Counter Terrorism Law 5776-2016 with a view to ensuring that the definitions of “terrorist organization” and “terrorist act” therein, as well as the powers conferred by and the limits on the exercise of the Law, were in full compliance with the International Covenant on Civil and Political Rights and the principles of legal certainty, necessity, proportionality and the rule of law.²³

24. The United Nations High Commissioner for Human Rights called upon Israel to revoke the designations against Palestinian human rights and humanitarian organizations as terrorist or unlawful organizations, absent sufficient evidentiary basis for them.²⁴

25. The Independent International Commission of Inquiry on the Occupied Palestinian Territory, including East Jerusalem, and Israel, acknowledged the significant detrimental impact of armed attacks and security incidents on Israeli and Palestinian citizens and residents. It stated that, notwithstanding security concerns, all actions implemented by Israel had to remain in conformity with applicable international law.²⁵

4. Administration of justice, including impunity, and the rule of law

26. The Human Rights Committee recommended that Israel ensure that Palestinian detainees, including those held in administrative detention, were provided with all legal and procedural safeguards, including the rights to be informed of the reason for their arrest and detention, to access legal counsel, to be brought promptly before a judge and to notify a person of their choice of their detention.²⁶

27. The United Nations High Commissioner for Human Rights recommended that Israel ensure that the rules of engagement of the Israeli security forces and their application were fully in line with international norms and standards.²⁷

5. Fundamental freedoms and the right to participate in public and political life

28. The Human Rights Committee was deeply concerned about increasing reports of the arbitrary arrest and detention of journalists and human rights defenders, as well as threats, intimidation, harassment and attacks directed against them, and of smear and defamation campaigns aimed at discrediting civil society organizations and discouraging support and funding for their work.²⁸

29. The same Committee recommended that Israel guarantee the effective protection of journalists and human rights defenders against any kind of threat, pressure, intimidation, attack and arbitrary arrest and detention, and ensure that such acts were independently and thoroughly investigated, those responsible were brought to justice and victims were provided with effective remedies.²⁹

30. The United Nations High Commissioner for Human Rights recommended that Israel ensure that the rights to freedom of expression, association and peaceful assembly were respected and protected and that journalists and civil society actors, including women human rights defenders, were allowed to conduct their professional activities safely, freely and without harassment.³⁰

31. The United Nations Educational, Scientific and Cultural Organization (UNESCO) recommended that Israel fully decriminalize defamation and place it within a civil code that was in accordance with international standards.³¹

32. The Committee on the Elimination of Discrimination against Women recommended that Israel take specific steps, including through legal amendments, to create an enabling environment in which Israeli and Palestinian women human rights defenders and NGOs working on gender equality and women's empowerment could freely conduct their activities without undue restrictions, including on funding by foreign sources.³²

33. The Human Rights Committee was concerned about legislation of Israel that might have discriminatory effects on the exercise of the right to participate in public affairs by members of minority groups, in particular the Arab population.³³

34. The same Committee was concerned that conscientious objectors continued to be subjected to repeated punishment and imprisonment for their refusal to serve in the army.³⁴

35. UNESCO recommended that Israel strengthen the independence of broadcast licensing in line with international standards.³⁵

6. Right to privacy

36. The Special Rapporteur on the occupied Palestinian territories stated that Israel continued to take actions against Palestinian civil society organizations, including through the use of Pegasus spyware on mobile telephones of Palestinian human rights workers.³⁶

7. Right to marriage and family life

37. The Committee on Economic, Social and Cultural Rights, while noting that religious courts had exclusive jurisdiction on issues relating to marriage and divorce and that civil family courts had parallel jurisdiction on custody and alimony, was concerned that different laws and regulations applied to the parties to a dispute depending on their religion and denomination, which resulted in different rules and levels of protection in matters of personal status.³⁷

38. The Committee on the Elimination of Discrimination against Women was concerned that women suffered from discrimination in divorce matters because they were under the influence of discriminatory religious laws.³⁸

39. The Special Rapporteur on violence against women recommended that Israel introduce the option of civil marriage and divorce, allowing freedom of choice between civil and religious marriages.³⁹

40. The Committee on Economic, Social and Cultural Rights was concerned about the fact that the Citizenship and Entry into Israel Law (Temporary Order) prohibited Palestinians from the West Bank or the Gaza Strip and who were married to Israeli or East Jerusalem residents to exercise family reunification with their spouses and that that prevented them from enjoying their right to family life.⁴⁰

8. Prohibition of all forms of slavery, including trafficking in persons

41. The Committee on the Elimination of Discrimination against Women was concerned that Israel remained a destination country for trafficking in women and girls for purposes of sexual and labour exploitation.⁴¹

42. The same Committee was particularly concerned at the lack of early identification of women and girls who were victims of trafficking for sexual exploitation, the inefficiencies in the identification of victims and the low rate of prosecution of traffickers owing to the lack of coordination between the police and the migration services.⁴²

43. The Special Rapporteur on violence against women recommended that Israel provide long-term rehabilitation for women asylum-seekers who were victims of trafficking and ensure the effective identification of women-asylum seekers who were victims of torture.⁴³

9. Right to work and to just and favourable conditions of work

44. The Committee on Economic, Social and Cultural Rights recommended that Israel intensify its efforts to increase the labour market participation of persons with disabilities, Bedouin, Arab women and ultra-Orthodox Jewish men, including by providing vocational education and training tailored to their experience and level of job skills and by fully implementing the quota for the employment of persons with disabilities.⁴⁴

45. The same Committee recommended that Israel intensify its efforts to reduce occupational injuries and fatalities, including by raising the awareness of employers and workers about workplace safety and measures that could be taken to prevent injuries and fatalities and by strengthening labour inspections.⁴⁵

46. The same Committee was concerned about the frequent incidence of sexual harassment in the workplace, despite the adoption of the Prevention of Sexual Harassment Law of 1998, and about the very small number of cases investigated and leading to prosecution.⁴⁶

47. The same Committee, while noting that, in Israel, 58 per cent of migrant workers, most of them women, were employed as caregivers on a live-in basis, was concerned that those workers were excluded from the applicability of the Hours of Work and Rest Law of 1951 and that their working conditions were not effectively monitored by the labour authorities.⁴⁷

48. The Special Rapporteur on the occupied Palestinian territories stated that Palestinians working in Israel were paid more than their counterparts in the occupied territory, but that their working conditions and wages were considerably inferior to those of Israelis in the Israeli labour market, and that they were subject to an abusive permit brokerage system.⁴⁸

10. Right to social security

49. The Committee on Economic, Social and Cultural Rights recommended that Israel take the steps necessary to equalize the retirement ages of men and women with a view to closing the gender gap in pensions and that it increase the old-age pension to a level that provided recipients with a decent standard of living.⁴⁹

50. UNHCR stated that most welfare services and benefits were not accessible to asylum-seekers. The denial of the most basic services and benefits was particularly detrimental to asylum-seekers with specific needs, such as persons with disabilities, victims of torture, victims of trafficking, survivors of domestic violence and single parents.⁵⁰

51. UNHCR recommended that Israel extend the coverage of the Social Security Law to asylum-seekers and apply in full, through municipal offices, the Welfare Act and the Social Workers Law to asylum-seekers and those who could not be removed from Israel.⁵¹

52. UNHCR also recommended that Israel, at a minimum, provide mental health and welfare services to vulnerable asylum-seekers, including victims of torture.⁵²

11. Right to an adequate standard of living

53. The Committee on Economic, Social and Cultural Rights was concerned about the high and growing incidence of poverty in Israel, in particular among older persons, Bedouin families, Arab Israeli families and ultra-Orthodox families.⁵³

54. The same Committee recommended that Israel increase the budget allocated to the housing sector with a view to expanding social housing to disadvantaged and marginalized individuals and families.⁵⁴

55. The Committee on the Elimination of Racial Discrimination remained concerned about house demolitions and the ongoing transfer of Bedouin communities to temporary locations, as well as the absence of meaningful participation of and consultation with Bedouin communities in the formulation of such plans affecting their access to land and property. The Committee was also concerned about the substandard living conditions in both the unrecognized villages and the recognized townships, which were characterized by limited access to adequate housing, water and sanitation facilities, electricity and public transportation.⁵⁵

56. The Committee on Economic, Social and Cultural Rights recommended that Israel immediately stop the eviction of Bedouin people living in unrecognized villages from their homes and ancestral lands and recognize their villages. It also recommended that Israel improve living conditions and infrastructure in all Bedouin residential localities in the Negev area.⁵⁶

57. UNHCR stated that asylum-seekers, in particular those with vulnerabilities, such as survivors of torture, persons with disabilities or serious medical conditions and women, struggled to meet basic needs.⁵⁷

12. Right to health

58. The Committee on Economic, Social and Cultural Rights was concerned about the disparities between urban and peripheral areas in terms of the availability, accessibility and quality of health-care services.⁵⁸

59. The same Committee was also concerned about the disproportionately poor health status of the Arab and Bedouin populations in Israel, including the disproportionately higher rates of infant mortality compared with those of the general population.⁵⁹

60. The Committee on the Elimination of Discrimination against Women recommended that Israel address discrimination in the health sector, in particular against women and girls of Ethiopian descent.⁶⁰

61. UNHCR recommended that Israel extend the coverage of the National Health Insurance Law to asylum-seekers and those who could not be removed from Israel or, alternatively, establish a subsidized health insurance scheme and provide additional resources to State-run clinics.⁶¹

13. Right to education

62. The Committee on Economic, Social and Cultural Rights was concerned about the disproportionately high dropout rates among Bedouin students and the large gaps in educational achievements between Arab students and Jewish students.⁶²

63. The same Committee was also concerned about the shortage of classrooms and kindergartens in Bedouin neighbourhoods and the proliferation of poor-quality and unsupervised private kindergartens that were attended mostly by children of asylum-seekers.⁶³

64. The Committee on the Elimination of Discrimination against Women recommended that Israel strengthen its strategies to improve education outcomes among Israeli-Arab, Bedouin and ultra-Orthodox women and girls, and use attendance officers from the Ministry of Education to prevent them from dropping out of school.⁶⁴

65. UNHCR stated that children of asylum-seekers faced barriers to integrating into ordinary schools. Attempts by African asylum-seekers to enrol their children in ordinary

Israeli schools in Tel Aviv, even very close to their residence, had not been tolerated by the local and central authorities.⁶⁵

66. UNHCR recommended that Israel introduce policies that would facilitate the integration of asylum-seekers' children into mainstream Israeli schools.⁶⁶

67. The Committee on the Elimination of Discrimination against Women recommended that Israel review textbooks in the Arab education system to identify and remove discriminatory stereotypes.⁶⁷

68. UNESCO encouraged Israel to take further steps towards improving equitable access to education and to adopt additional measures directed at fostering education opportunities for disadvantaged and marginalized groups.⁶⁸

14. Cultural rights

69. The Committee on Economic, Social and Cultural Rights was concerned about the lack of measures taken to promote cultural diversity. It was also concerned about the fact that the status of Arabic had been downgraded from an official language to a language with special status through the adoption of the Basic Law: Israel – the Nation-State of the Jewish People.⁶⁹

15. Business and human rights

70. The Committee on Economic, Social and Cultural Rights recommended that Israel immediately cease issuing licences for the exploitation of natural resources in the occupied territories and that it regulate the operations and activities of Israeli and multinational companies operating in the occupied territories in order to ensure their compliance with human rights standards.⁷⁰

B. Rights of specific persons or groups

1. Women

71. The Special Rapporteur on violence against women stated that Palestinian women citizens of Israel, including Bedouin women, were overrepresented among the victims of femicide.⁷¹

72. The same Special Rapporteur noted the serious underreporting of domestic violence by women, due to, inter alia, the perception that domestic violence was a private matter and the social and cultural pressure not to disclose it, in particular among women from the Jewish Orthodox, Palestinian, Bedouin and Druze communities, and a lack of trust in the enforcement authorities.⁷²

73. The Committee on the Elimination of Discrimination against Women recommended that Israel intensify efforts to combat gender-based violence against women, including femicide and domestic violence, by ensuring that such acts of violence were effectively investigated and prosecuted and adequate sentences imposed on the perpetrators.⁷³

74. The Special Rapporteur on violence against women recommended that Israel increase the number of shelters for victims of gender-based violence, including victims of trafficking and torture, and of crisis centres in remote areas, as well as the number of social workers in shelters speaking Arabic and languages of other minority groups.⁷⁴

75. The same Special Rapporteur stated that patriarchal attitudes and gender stereotypes were deeply entrenched in society.⁷⁵

76. The Committee on the Elimination of Discrimination against Women was concerned that discriminatory stereotypes based on restrictive religious interpretations concerning the roles and responsibilities of women and men in the family and in society persisted, in particular among ultra-Orthodox Israelis.⁷⁶

77. The same Committee was also concerned that polygamous and forced marriages persisted, in particular among the Arab and Bedouin communities.⁷⁷

78. The same Committee recommended that Israel intensify its efforts to guarantee equal opportunities for women in the labour market by combating segregation, and take specific measures to reduce the gender pay gap by enforcing the principle of equal pay for work of equal value and intensifying the use of wage surveys.⁷⁸

79. The same Committee also recommended that Israel adopt specific measures, including temporary special measures, to improve the participation of Bedouin and ultra-Orthodox women in the labour market and remove barriers faced by Israeli-Arab women to gaining access to employment.⁷⁹

2. Children

80. The Committee on Economic, Social and Cultural Rights recommended that Israel ensure that all children, regardless of their legal status, had access to health-care services at all times.⁸⁰

81. The Special Representative of the Secretary-General for Children and Armed Conflict recommended that Israel uphold international juvenile justice standards, including the use of detention as a measure of last resort and for the shortest appropriate period of time, end the administrative detention of children and prevent any violence and ill-treatment in detention.⁸¹

82. UNHCR recommended that Israel provide regular residency status to asylum-seeker children born and living for long periods in Israel.⁸²

83. UNHCR also recommended that Israel invest resources in supporting youth asylum-seekers in their transition to adult life, including through facilitating access to tertiary education, vocational training and employment.⁸³

3. Older persons

84. The Committee on Economic, Social and Cultural Rights was concerned that the old-age pension was insufficient to provide recipients with a decent living, given the high incidence of poverty among older persons in Israel.⁸⁴

4. Persons with disabilities

85. The Committee on Economic, Social and Cultural Rights was concerned about the large portion of students with disabilities enrolled in special classes or special schools and recommended that Israel expand inclusive education opportunities for students with disabilities to attend mainstream schools.⁸⁵

5. Minorities

86. The Committee on the Elimination of Racial Discrimination recommended that Israel eliminate all barriers preventing minority groups from accessing justice, and continue facilitating the filing of complaints for victims of racial discrimination.⁸⁶

87. The same Committee reiterated its concern about allegations of ongoing discrimination against Ethiopian Jews. It recommended that Israel intensify its efforts to eliminate all forms of racial discrimination affecting Jewish minorities so as to ensure equal enjoyment of their rights under the Convention, in particular the rights to education, work and political representation.⁸⁷

88. The same Committee recommended that Israel continue and step up its efforts to achieve adequate representation of minorities in the civil service, law enforcement and judicial bodies, in particular in senior positions.⁸⁸

89. The same Committee recommended that Israel eliminate all barriers faced by minority women, in particular those belonging to the Palestinian, Druze, Bedouin, Circassian and Ethiopian communities, in obtaining access to employment, education, health care and justice.⁸⁹

6. Migrants, refugees and asylum-seekers

90. UNHCR stated that the status and rights of asylum-seekers and refugees in Israel were not regulated in primary legislation. Their stay was mainly governed by a 2 (a) (5) permit, which merely constituted a conditional release from immigration detention (a bridging visa) and did not confer any rights other than non-refoulement.⁹⁰

91. The Committee on the Elimination of Racial Discrimination recommended that Israel ensure that the refugee status determination procedure was in full compliance with the Convention relating to the Status of Refugees and that the process of application was fair and effective.⁹¹

92. UNHCR recommended that Israel introduce a procedural time limit for delivering decisions on asylum applications.⁹²

93. UNHCR also recommended that Israel provide linguistic and legal assistance throughout all stages of the asylum procedure.⁹³

94. UNHCR further recommended that Israel grant refugee status or at least provide subsidiary protection with associated rights where return would constitute refoulement.⁹⁴

95. UNHCR stated that most refugees in Israel held a conditional release permit, which did not formally acknowledge a right to work. The employment of refugees was also made difficult due to the short expiry dates of their visas and various obligations imposed on employers for employing them.⁹⁵

96. The Committee on Economic, Social and Cultural Rights recommended that Israel allow asylum-seekers to enter the labour market.⁹⁶

97. The same Committee also recommended that Israel take the measures necessary to ensure that migrant workers and asylum-seekers had equal access to preventive, curative and palliative health-care services, regardless of their legal status and documentation, including by extending the coverage of national health insurance to them.⁹⁷

98. The same Committee further recommended that Israel expand the provision of health-care services, including for mental health care, by State-funded clinics to asylum-seekers and enhance the accessibility of such services, including by providing additional financial resources.⁹⁸

7. Stateless persons

99. The Committee on the Elimination of Racial Discrimination was concerned about the lack of adequate protection for stateless persons, primarily people of African descent, who entered Israel irregularly, and the revocation of the citizenship of Bedouin persons without due process. It recommended that Israel ensure adequate protection for all stateless persons and establish an effective mechanism to end statelessness among Bedouin.⁹⁹

C. Specific regions or territories

100. The Independent International Commission of Inquiry stated that Israel had created and was maintaining a complex environment of coercion, which included the demolition of homes and the destruction of property, excessive use of force by security forces, mass incarceration, settler violence, restricted movement through checkpoints and roads, and limitations on access to livelihoods, basic necessities, services and humanitarian assistance.¹⁰⁰

101. The United Nations High Commissioner for Human Rights urged Israel to conduct prompt, independent, impartial, thorough, effective and transparent investigations into all alleged violations and abuses of international human rights law and international humanitarian law, including into allegations of international crimes, and called upon Israel to ensure that all victims and their families had access to effective remedies, gender-responsive reparation and truth.¹⁰¹

102. The Office of the United Nations High Commissioner for Human Rights in the Occupied Palestinian Territory stated that the Secretary-General and the United Nations High

Commissioner for Human Rights had consistently raised concerns over apparent excessive use of force and unlawful killings, including extrajudicial executions, of Palestinians by Israeli forces. The lack of transparency regarding the opening of investigations and the absence of progress and outcome of investigations by Israeli authorities was a matter of utmost concern.¹⁰²

103. The Human Rights Committee recommended that Israel ensure that prompt, thorough, effective, independent and impartial investigations were launched into all incidents involving the excessive use of force by the Israeli security forces, that perpetrators were prosecuted and, if found guilty, punished, and that victims were provided with effective remedies.¹⁰³

104. The United Nations High Commissioner for Human Rights stated that Israeli zoning and planning policies in Area C and East Jerusalem were discriminatory and considered incompatible with requirements under international law, and rendered it almost impossible for Palestinians to obtain building permits. Palestinians had virtually no choice but to build without permits and thereby exposed themselves to the risk of demolition.¹⁰⁴

105. The Human Rights Committee was concerned about the increased and intensified practice by Israel of the demolition of Palestinian houses and other infrastructure, such as schools and water, sanitation and hygiene structures, and the forced evictions and forcible transfer of those whose homes had been destroyed.¹⁰⁵

106. The Committee on Economic, Social and Cultural Rights was concerned about reports that the family homes of alleged perpetrators of attacks against Israeli civilians and security forces were being demolished as a form of punishment.¹⁰⁶

107. The Human Rights Committee strongly reiterated its previous recommendations that Israel refrain from implementing eviction and demolition orders based on discriminatory planning policies, laws and practices affecting Palestinians, and also Bedouin, in the West Bank, including East Jerusalem.¹⁰⁷

108. The United Nations High Commissioner for Human Rights recommended that Israel immediately and completely cease and reverse all settlement development and related activities in the Occupied Palestinian Territory, including East Jerusalem, and in the occupied Syrian Golan, in accordance with relevant United Nations resolutions, including Security Council resolutions 497 (1981) and 2334 (2016).¹⁰⁸

109. The United Nations High Commissioner for Human Rights stated that the Israeli security forces, in numerous instances which appeared to indicate a pattern, had failed to prevent settler attacks and had repeatedly failed to protect Palestinians when attacks had occurred in their presence.¹⁰⁹

110. The Secretary-General recommended that Israel ensure that all incidents of violence by settlers and Israeli security forces against Palestinians and damage to their property were promptly, effectively, thoroughly and transparently investigated, that perpetrators were prosecuted and, if convicted, punished with appropriate sanctions, and that victims were provided with effective remedies, including adequate compensation, in accordance with international standards.¹¹⁰

111. The United Nations High Commissioner for Human Rights recommended that Israel protect the rights to freedom of expression and peaceful assembly of Palestinians, refrain from all undue restrictions, including use of force, and create an enabling environment for peaceful protests.¹¹¹

112. The Human Rights Committee reiterated its deep concern about the continuing restrictions on freedom of movement imposed by Israel throughout the Occupied Palestinian Territory, including East Jerusalem, through its discriminatory permit regime and the designation of access-restricted areas.¹¹²

113. The Special Rapporteur on the occupied Palestinian territories stated that Israeli checkpoints and roadblocks continued to effectively obstruct Palestinians' access to rights and services, including health, education and work. In addition, Palestinians in the West Bank were barred from using roads built for Israeli settlers. Those who attempted to cross checkpoints were routinely harassed and obstructed, severely hindering their freedom of movement.¹¹³

114. The United Nations High Commissioner for Human Rights stated that Palestinians faced continuing discriminatory practices, which resulted in them being prevented from enjoying their rights to water and sanitation. That was further aggravated by harm caused to their environment by the exploitation by Israel of natural resources in the Occupied Palestinian Territory.¹¹⁴

115. The Committee on Economic, Social and Cultural Rights recommended that Israel cease the destruction of Palestinian water infrastructure and ensure that Palestinians had access to sufficient quantities of safe and clean drinking water.¹¹⁵

116. The Committee on the Elimination of Discrimination against Women was concerned that, owing to restrictions on freedom of movement at checkpoints, Palestinian women and girls in the Occupied Palestinian Territory experienced hardships in reaching health-care facilities such as hospitals and clinics and emergency care and specialized treatment.¹¹⁶

117. The Special Rapporteur on the occupied Palestinian territories recommended that Israel ensure regular and reliable access, at all times, for all Palestinian patients who required specialized health care outside of their jurisdictions, consistent with genuine Israeli security concerns.¹¹⁷

118. The Committee on the Rights of Persons with Disabilities requested Israel to provide information on the measures taken to address the significantly high rates of mental distress and psychosocial disabilities among children and adolescents resulting from the reported ongoing violence, occupation and conflict.¹¹⁸

119. OHCHR stated that the realization of the right to education had remained severely compromised due to violence and armed search operations in schools, harassment, intimidation and violence towards students and teachers on the way to and from school, a severe shortage of classrooms and demolition or stop work orders on school buildings.¹¹⁹

120. The Committee on Economic, Social and Cultural Rights was concerned about the restricted access of students to education in the Occupied Palestinian Territory, in particular the shortage of school facilities due to the frequent demolition of school buildings and the confiscation of school premises or educational materials by Israeli authorities, as well as difficulties in obtaining construction permits and securing construction materials, most of which were banned under the dual-use item regime.¹²⁰

121. The Special Representative of the Secretary-General for Children and Armed Conflict recommended that Israel better protect schools as safe places of learning and endorse the Safe Schools Declaration.¹²¹

122. OHCHR stated that the blockade and closures had continued to be the main drivers of the humanitarian crisis in Gaza and severely undermined the realization of nearly all economic and social rights.¹²²

123. The Special Rapporteur on the occupied Palestinian territories stated that Israeli attacks on Gaza had resulted in civilian deaths and injuries, as well as large-scale destruction and damage to civilian objects.¹²³

124. The Committee on Economic, Social and Cultural Rights was concerned about reports that half the population of Gaza lived in poverty and that about two thirds of households in Gaza had been suffering from food insecurity, stating that it was largely attributable to the closure policy of Israel.¹²⁴

125. The Special Rapporteur on the occupied Palestinian territories stated that the power supply in Gaza continued to be dangerously low, impacting all aspects of life, including health care, water, water treatment and sewage.¹²⁵

126. The Special Rapporteur on the occupied Palestinian territories stated that the coastal aquifer of Gaza, its sole source of natural drinking water, had become polluted and unfit for human consumption because of contamination by seawater and sewage, substantially driving up water costs for an already destitute population.¹²⁶

127. The Committee on Economic, Social and Cultural Rights was concerned about the very limited availability of health-care services and the deteriorating quality of such services in the Gaza Strip due to restrictions on dual-use items, including essential medical equipment

and supplies, and the escalation of hostilities, which had forced residents to seek medical treatment in the West Bank or in Israel.¹²⁷

128. The United Nations High Commissioner for Human Rights recommended that Israel end the blockade and closure of Gaza, lift all restrictions on imports, exports and humanitarian access, and facilitate the rebuilding of its water infrastructure, ensuring respect for international humanitarian law and international human rights law.¹²⁸

129. The Committee on Economic, Social and Cultural Rights recommended that Israel facilitate the entry of essential medical equipment and supplies and the movement of medical professionals from and to Gaza and review the medical exit-permit system with a view to making it easier for residents of Gaza to access, in a timely manner, all medically recommended health-care services.¹²⁹

Notes

- ¹ [A/HRC/38/15](#), [A/HRC/38/15/Add.1](#) and [A/HRC/38/2](#).
- ² [CERD/C/ISR/CO/17-19](#), para. 48. See also [CEDAW/C/ISR/CO/6](#), para. 62.
- ³ [CCPR/C/ISR/CO/5](#), para. 5.
- ⁴ [CEDAW/C/ISR/CO/6](#), para. 58.
- ⁵ *Ibid.*, para. 29 (d).
- ⁶ [A/76/433](#), para. 2.
- ⁷ [A/HRC/35/30/Add.1](#), para. 89 (r).
- ⁸ [CCPR/C/ISR/CO/5](#), para. 11. See also [E/C.12/ISR/CO/4](#), paras. 16–17; and [CERD/C/ISR/CO/17-19](#), paras. 13–14.
- ⁹ [E/C.12/ISR/CO/4](#), para. 19. See also [CERD/C/ISR/CO/17-19](#), para. 12.
- ¹⁰ [CCPR/C/ISR/CO/5](#), para. 9. See also [E/C.12/ISR/CO/4](#), para. 13; [CERD/C/ISR/CO/17-19](#), para. 18 (a); [CEDAW/C/ISR/CO/6](#), para. 21; and [A/HRC/35/30/Add.1](#), para. 91.
- ¹¹ [CCPR/C/ISR/CO/5](#), para. 13.
- ¹² UNHCR submission for the universal periodic review of Israel, p. 4.
- ¹³ *Ibid.*, p. 5.
- ¹⁴ [CERD/C/ISR/CO/17-19](#), para. 27 (a).
- ¹⁵ [CCPR/C/ISR/CO/5](#), para. 29. See also [A/HRC/49/83](#), para. 55 (i).
- ¹⁶ [CCPR/C/ISR/CO/5](#), para. 31.
- ¹⁷ *Ibid.*
- ¹⁸ *Ibid.*, para. 29.
- ¹⁹ [A/HRC/37/38](#), para. 26.
- ²⁰ [CCPR/C/ISR/CO/5](#), para. 35. See also [A/HRC/37/42](#), para. 23; and [A/75/532](#), para. 24.
- ²¹ [A/HRC/49/83](#), para. 55 (h). See also [CEDAW/C/ISR/CO/6](#), para. 53.
- ²² [CCPR/C/ISR/CO/5](#), para. 18.
- ²³ *Ibid.*, para. 19.
- ²⁴ [A/HRC/49/25](#), para. 47 (b). See also [CCPR/C/ISR/CO/5](#), para. 49 (c).
- ²⁵ [A/77/328](#), paras. 50 and 79.
- ²⁶ [CCPR/C/ISR/CO/5](#), para. 35. See also [A/HRC/37/42](#), para. 23; and [A/75/532](#), para. 24.
- ²⁷ [A/HRC/49/83](#), para. 55 (c).
- ²⁸ [CCPR/C/ISR/CO/5](#), para. 48 (b). See also [A/HRC/40/43](#), para. 27; [A/HRC/37/38](#), para. 35; and [A/HRC/37/41](#), paras. 23–24.
- ²⁹ [CCPR/C/ISR/CO/5](#), para. 49 (b).
- ³⁰ [A/HRC/49/83](#), para. 55 (j).
- ³¹ UNESCO submission for the universal periodic review of Israel, para. 12.
- ³² [CEDAW/C/ISR/CO/6](#), para. 39.
- ³³ [CCPR/C/ISR/CO/5](#), para. 50.
- ³⁴ *Ibid.*, para. 46.
- ³⁵ UNESCO submission, para. 13.
- ³⁶ [A/HRC/49/87](#), para. 5.
- ³⁷ [E/C.12/ISR/CO/4](#), para. 38.
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- ³⁹ [A/HRC/35/30/Add.1](#), para. 89 (e).
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- ⁴¹ [CEDAW/C/ISR/CO/6](#), para. 34.
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- ⁴⁴ [E/C.12/ISR/CO/4](#), para. 25.

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- ¹¹⁰ [A/77/493](#), para. 78 (d). See also [A/HRC/49/85](#), para. 57 (e).
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- ¹¹⁶ [CEDAW/C/ISR/CO/6](#), para. 46 (b). See also [A/75/532](#), para. 23.
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- ¹²² [A/HRC/37/38](#), para. 41.
- ¹²³ [A/HRC/47/57](#), para. 9.
- ¹²⁴ [E/C.12/ISR/CO/4](#), para. 44.
- ¹²⁵ [A/HRC/47/57](#), para. 16. See also [A/HRC/44/60](#), para. 68.
- ¹²⁶ [A/HRC/49/87](#), para. 45.
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