

**NGO ALTERNATIVE PRE-SESSIONAL REPORT ON ISRAEL'S
IMPLEMENTATION OF THE UNITED NATIONS CONVENTION ON
THE ELIMINATION OF ALL FORMS OF DISCRIMINATION AGAINST
WOMEN (CEDAW)**

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**Prepared by the Working Group
on the Status of Palestinian Women Citizens of Israel**

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INTRODUCTION

In its Third Periodic Report submitted to the Committee in 2001, Israel again fails to address adequately or to highlight major issues that affect the specific welfare, livelihood, and status of Palestinian women citizens of Israel. This lack of attention fails to answer the Committee's Concluding Observations which list a number of principle concerns and recommendations related to the status of Palestinian women citizens of Israel.¹ It also fails to describe the ongoing work of Palestinian human rights and women's rights non-governmental organizations which aim to address these issues.

This report, presented as a series of advocacy papers, represents a summary of issues based on the research of The Working Group on the Status of Palestinian Women Citizens of Israel. While this document does not raise the full extent of the Working Group's concerns, the Working Group hopes that this can help the CEDAW Committee develop a "List of Issues" prior to its full consideration of Israel's report in July 2005. These issues fall under the following Articles of the Convention:

- Article 1 and 2 Definition of Discrimination and Obligation to Eliminate Discrimination
- Article 4 The Acceleration of Equality Between Men and Women
- Article 5 Sex Roles and Stereotyping
- Article 7 Political and Public Life
- Article 9 Nationality
- Article 10 Education
- Article 11 Employment
- Article 12 Health
- Article 13 Social and Economic Benefits
- Article 14 Rural Women
- Article 16 Equality in Family and Marriage Life

Background: Palestinian Women Citizens of Israel

Palestinian women citizens of Israel are part of the national minority of Palestinians, who comprise approximately 20%, or a little over 1 million of Israel's population. This national minority is discriminated against on a number of levels, through laws as well as government policies. Palestinian women citizens of Israel face the harshest consequences of this discrimination – as members of a national minority group, and as women in general - which is compounded by their society's social perceptions of status of women and the social rules and customs that govern them.

Palestinian women citizens of Israel are not a monolithic group. They live in a variety of cities, towns and villages throughout Israel, including the unrecognized villages, mixed cities, and Palestinian villages, and within secular and a variety of religious communities (Muslim, Christian, Druze). This cultural and religious diversity obliges the state of Israel to combine not only substantive equality measures but also affirmative action and other special measures in order to eliminate discrimination against them. Even as there are specific legislative measures to guarantee fair representation for women in general and for the Palestinian minority in the civil service and on board of directors of government companies, the state does not recognize Palestinian women citizens as a distinct protected sub-group.

The Legal Status of the CEDAW in Israel

The CEDAW Convention was signed and ratified by Israel on 3 October 1991. Upon ratification, Israel entered substantive and procedural reservations to the Convention, in particular to Article 7(b) which concerns the appointment of women to serve as judges of religious courts and Article 16, which concerns personal status. In addition, Israel has declared itself not bound to paragraph 1 of Article 29 which allows for disputes concerning the interpretation and/or application of the Convention to be solved through arbitration by the International Court of Justice (ICJ). Israel has also not signed or ratified the Optional Protocol to the Convention which entered into force in 2000. Thus, individual women or groups of women may not submit claims of violations of rights protected under the Convention, nor may the Committee initiate inquiries into situations of grave or systematic violations of women's rights.

¹UN Doc A/52/38/Rev.1,Part II. paras.132-183

Although ratified by Israel, the provisions of the CEDAW Convention are not formally incorporated into Israeli domestic law.² The provisions of the Convention are not binding on Israel's national courts although they do serve as benchmarks and guidelines to which domestic law cannot contradict. Under Israeli domestic law, incorporation occurs only when the Israeli legislature (the Knesset) passes a specific act or acts to that effect.

The Working Group on the Status of Palestinian Women in Israel³

The Working Group on the Status of Palestinian Women in Israel formed in June 1996. It is a national network of Palestinian women's rights and human rights NGOs working on Palestinian women's rights issues from various perspectives and fields of expertise. The Working Group submitted its first NGO Alternative Report in July 1997 to the CEDAW Committee in its review of Israel's Initial and Second Combined periodic report (CEDAW/C.ISR/1-2) which essentially ignored the status of Palestinian women citizens of Israel and the discrimination against them. The members of the Working Group on the Status of Palestinian Women Citizens of Israel are:

- Adalah: The Legal Center for Arab Minority Rights in Israel
- Al Tufula: The Pedagogical and Multipurpose Women's Center
- Arab Association of Human Rights (HRA)
- Kayan: A Feminist Organization
- Maan: The Forum of Bedouin Women
- Women Against Violence (WAV)

²Only the Genocide Convention is formally incorporated into Israeli domestic law.

³For more information on the members, please see Annex I.

ARTICLE 1: DEFINITION OF DISCRIMINATION AGAINST WOMEN AND **ARTICLE 2: OBLIGATIONS TO ELIMINATE DISCRIMINATION**

In its Third Periodic Report on the "Implementation of the United Nations Convention on the Elimination of All Forms of Discrimination against Women" (submitted in 2001), the State of Israel provided inaccurate information regarding the right to equality, and failed to explain the absence of meaningful or effective programs to eliminate discrimination against Palestinian women citizens of Israel. Thus, the Committee should be aware that:

a) The absence of a written constitution, basic law or ordinary statute that explicitly guarantees the right of equality for Palestinian citizens of Israel diminishes the power of this right. It thereby prevents the Palestinian minority from attaining equal rights, particularly Palestinian women citizens of Israel, who face discrimination both as members of the national minority and as women.

b) Ordinary statutes that protect the right to equality for women, such as a 2000 amendment to The Women's Equal Rights Law – 1951,⁴ which prohibits all forms of discrimination against women, whether intentional or *de facto*, and the 1993 and 2000 amendments to the Government Companies Law - 1975, which mandate affirmative action for women and Palestinians citizens of Israel, are not effectively implemented in the case of Palestinian women.

c) Points a) and b) above, as well as the State of Israel's self-definition as a *Jewish* state, as entrenched in law, allow the state to carry out an unreasonable policy of "reasonable discrimination," which impacts upon Palestinian women citizens of Israel due to their national belonging, and limits their ability to realize their right to equality as women.

The Working Group on the Status of Palestinian Women Citizens of Israel would like to raise the following issues related to Articles 1 and 2:

1. Definition of Discrimination against Women: Absence of a Constitutional Right to Equality

Israel still lacks a written constitution or a basic law that constitutionally guarantees the right of equality for all. Further, there is no regular law which protects the right of equality for Palestinian citizens of Israel. Although Arab MKs have submitted many bills aimed at guaranteeing this right for Palestinian citizens of Israel, all were dismissed by a majority of the Knesset. Although ordinary statutes do provide protection for the right of equality for women,⁵ such as the Women's Equal Rights Law, which declares total gender equality, no statute relates to the right to equality as a constitutional right.

In its Third Periodic Report, Israel noted (p.11) that the prevailing judicial opinion in Israel, led by Supreme Court Chief Justice Barak, is that the scope of the basic right to human dignity, as protected by the Basic Law: Human Dignity and Liberty, encompasses various un-enumerated human rights, such as the right to equality, although this right is not explicitly included in the Basic Law. While it is true that some Supreme Court justices have interpreted the Basic Law as including a principle of equality, the Court has not ruled that the right to equality is a protected constitutional right. This interpretation of the Basic Law occurred *in dicta*, outside of the main judicial opinions.⁶ Leaving the right to equality to judicial interpretation weakens this right as compared to enumerated rights. The fundamental importance of the principle of equality requires that it be explicitly guaranteed by law. The fact that the right to equality is not explicitly enumerated in Israel's Basic Laws, together with the ongoing debate between the Knesset and the Supreme Court, in which leaders of the ruling coalition criticize the Court for broadening its interpretation of this right, will deter the Supreme Court from expanding the scope of the right to equality. A constitutionally guaranteed right to equality would protect the minority – Palestinian citizens of Israel, women and men – from majoritarian rule. It would also justify judicial review of laws enacted by the Knesset, which is representative of the majority.

⁴ The Women's Equal Rights Law - 1951, Sections 1 and 6.

⁵ See also The Prevention of Sexual Harassment Law - 1998, and The Equal Rights for People with Disabilities Law - 1998.

⁶ See e.g., H.C. 4541/94, *Alice Miller v. The Minister of Security*.

Another significant problem with the Basic Law: Human Dignity and Liberty (in addition to numerous other laws, including the Basic Law: Freedom of Occupation) is the protection it affords to the Jewish majority, through its declaration of the state as a *Jewish* and democratic state.⁷ This declaration undermines the equal rights of "non-Jewish" citizens of the state and can be interpreted as justifying the giving of preference to, and implying the superiority of, the majority in various fields.⁸

The exclusion of the right to equality from the Basic Laws, as well as Israel's self-definition as a Jewish state, empowers the state to carry out an unreasonable policy of "reasonable discrimination."⁹ The origin of this concept is that discrimination on the basis of national belonging is legitimate, part of the government's policy, and part of the "constitutional" structure of the state as "Jewish and democratic."

Based on this policy, in order to cancel discriminatory decisions, it is not enough to prove that discrimination exists; the petitioners must prove that this discrimination is "extremely unreasonable," based on the "moral considerations" of the state's representative, the Attorney General. This policy impacts upon Palestinian women citizens of Israel due to their national belonging, and limits their ability to realize their right to equality as women.

The absence of a constitutional right to equality, combined with the lack of effective implementation of ordinary statutes guaranteeing the right to equality for women vis-à-vis Palestinian women citizens of Israel, is particularly harmful to Palestinian women. Palestinian women constitute a distinct, protected sub-group, subject to compound discrimination on the basis of nationality as well as sex. The Supreme Court of Israel was asked to recognize Palestinian women as such in a petition filed in December 2001 against the Prime Minister and several other ministers. Specifically, the petition asked the Court to order the respondents to fully implement affirmative action policies, in accordance with the 1993 and 2000 amendments to the Government Companies Law – 1975.¹⁰ This law requires the fair representation for Palestinian citizens of Israel - men and women - on the boards of directors of government companies. As of December 2002, less than 1% of sitting board members were Palestinian women citizens of Israel, as compared with Israeli Jewish women, whose representation increased from 7% to 37% between 1994 and 2002.

The state responded that Palestinian women could not be recognized as a separate sub-group, as such recognition needs specific legislation. Moreover, the Court refused to recognize Palestinian women as a protected sub-group, merely stating that there was no need to decide on this issue in the context of the case. In April 2003, the Court dismissed the petition based on the state's representation that it was committed to improving efforts to appoint Palestinian citizens, women and men, to the boards of government companies. The Court also accepted the state's argument that this process would require considerable time and effort. However, the Court did not require the state to provide a timetable for implementing the law. Further, the Court concurred with the state's contention that it is difficult to find suitable Palestinian professionals for these positions, although the petitioners provided a list of 70 qualified Palestinian women and men.

This case illustrates that ordinary statutes, such as the Women's Equal Rights Law and the Government Companies Law-1975, both of which mandate affirmative action for women, are effectively applied only to Jewish women citizens of Israel. Further, in the above case, it was enough for the state to argue that it would seek to increase the number Palestinian women on the boards of government companies for the Supreme Court to dismiss the case, apparently since the Court did not find that the discrimination involved was *extremely unreasonable*. These facts intensify the need for a constitutionally guaranteed right to equality to protect the Palestinian minority in Israel in general, and

⁷ Section 1(a) of Basic Law: Human Dignity and Liberty. The Basic Law: Freedom of Occupation provides constitutional protection for every Israel national or resident to engage in any occupation/employment. Section 2 provides: "The purpose of this Basic Law is to protect freedom of occupation, in order to establish in a Basic Law the values of the State of Israel as a Jewish and democratic state," available at: www.knesset.gov.il.

⁸ See, e.g., Justice Kedmi in H.C. 6698/95, *Qa'dan v. Israel Lands Administration*, et. al. He ruled that the value of a Jewish and democratic state may supersede the right to equality.

⁹ Hassan Jabareen, "Comments on the Unreasonableness of the Attorney General's 'Reasonable Discrimination Policy,'" Adalah's Newsletter, Volume 1, May 2004, available at: www.adalah.org.

¹⁰ H.C. 10026/01, *Adalah v. The Prime Minister*, et. al. Decision delivered 2 April 2003.

Palestinian women citizens of Israel in particular as a distinct sub-group facing compound discrimination.

2. Obligations to Eliminate Discrimination against Women

Although Israel's report details numerous laws and programs designed to eliminate discrimination against women, Israel failed to discuss any meaningful or effective measures it has adopted to eliminate discrimination against Palestinian women citizens of Israel, or to explain their absence. Even where the report does mention Palestinian women, for example, in a section (p.17) on the "Authority for the Advancement of the Status of Women," its discussion serves only to demonstrate the insufficiency of the action taken. The stated functions of this body include the establishment of special programs and services for women to promote gender equality and promotion of the CEDAW.

In a recent report, the Authority detailed activities it initiated for Palestinian women citizens of Israel, which included the appointment of additional advisors on the status of women in local councils (20 in Arab local councils); meetings with community organizations; educational lectures on gender equality; and promoting national service for Palestinian young women.¹¹ This list suggests that the Authority has not taken any major steps in order to advance equality for Palestinian women, on issues such as employment and education. Whereas the Authority noted in its report that it set up a course for the integration of women in management positions within the civil service, it failed to indicate to what extent this initiative included Palestinian women. Another initiative of the Authority, according to Israel's report (p.17), is the creation of a list of women qualified to serve on the boards of government companies and in other senior positions. The Authority's report also noted that it has been working on establishing committees to locate qualified women, and has directed government ministers to appoint women to vacant board positions. However, Israel's report, like the Authority's report, fails to mention what, if any, steps have been taken towards locating qualified Palestinian women citizens of Israel (see above), given that Palestinian women are still extremely under-represented on these boards, making up just 1.3% of sitting board members in 2004, compared with a figure of almost 36% for Jewish women.¹²

Suggested Questions:

- (1) In the absence of a constitutional right to equality, what special measures or affirmative action programs will Israel undertake to ensure the rights of Palestinian citizens of Israel in general, and Palestinian women in particular?
- (2) Why does the self-definition of Israel as a Jewish state not constitute discrimination against the Palestinian minority in Israel?
- (3) What concrete steps, if any, has Israel taken to guarantee equal rights for Palestinian women citizens of Israel, pursuant to the 2000 amendment of the Women's Equal Rights Law -1951?
- (4) What concrete steps, if any, will the Authority for the Advancement of Women take to ensure equal rights for Palestinian women citizens of Israel?

This fact sheet was prepared by Adalah: The Legal Center for Arab Minority Rights in Israel.

¹¹ Activity Report for the Authority for the Advancement of Women, available at: www.pmo.gov.il (Hebrew)

¹² Telephone interview by Adalah with Mr. Zohar Sher, Deputy Director of the Government Companies Authority on 12 October 2004. According to Mr. Sher, figures noted are based on a check/report dated 22 September 2004.

ARTICLE 4: ACCELERATION OF EQUALITY BETWEEN MEN AND WOMEN

In its Third Periodic Report on the "Implementation of the United Nations Convention on the Elimination of All Forms of Discrimination against Women," submitted in 2001, the State of Israel dedicates four pages out of a total of 187 to Article 4 of CEDAW. Whilst Israel has adopted affirmative action laws to accelerate *de facto* equality between men and women in the civil service and on the boards of directors of government corporations, these laws have not been implemented in an effective manner, particularly regarding Palestinian women citizens of Israel, with the result that:

a) Although Palestinian citizens of Israel comprise almost 20% of the population, they accounted for only 5.5% of the civil service workforce in 2003¹³, and the percentage of Palestinian women employed in the civil service *fell* to 1.7% of the total, down from 2% in the two previous years.¹⁴

b) In 2004, just 1.3% of sitting board members were Palestinian women citizens of Israel.¹⁵

The Working Group on the Status of Palestinian Women Citizens in Israel would like to raise the following issues related to Article 4:

1. Under-Representation of Palestinian Women Citizens of Israel in the Civil Service

The *2000 Amendment to the Civil Service Law (Appointments)-1959* states: "*Fair representation will be granted among all ranks and professions of all civil service employees, in every ministry and affiliated institutions and in accordance with the circumstances, to both sexes, people with disabilities and of the Arab population including Druze and Circassian.*"

Despite this amendment, which Israel's Third Periodic Report identifies (p.23) as "tremendously significant," Palestinian citizens of Israel in general remain sorely under-represented in civil service positions. Over the decade between 1992 and 2002, the percentage of Palestinian citizens of Israel working in the civil service increased from 2.1% to just 6.1% of the total employees.¹⁶ At this rate, it will take 30 years for the percentage of Palestinians in the civil service to reflect their percentage of the population.¹⁷ However, in 2003, the percentage of Palestinian citizens in the civil service actually *fell* to 5.5%, below its 2001 and 2002 levels.¹⁸ These figures seriously call into question the efficacy of the new law and/or its implementation. The representation of Palestinian women in the civil service is even lower than that of the Palestinian minority as a whole, and follows the same downward trend: between May 2001 and November 2002, the number of Palestinian women in the civil service remained unchanged at 2% of the total;¹⁹ in 2003, their employment in the Israeli civil service *fell* to 1.7%.²⁰ By contrast, Jewish women made up 62% of the civil service workforce in 2001-2002²¹, climbing to 64.4% in 2003.²²

¹³ Yackov Berger, Report of the Knesset Constitution, Law and Justice Committee, "Fair Representation among State Service Workers," May 2004, p. 4, 58 (Hebrew).

¹⁴ Ali Hedar, "The Arab Citizens in the Civil Service," Sikkuy Report, Equality and the Integration of the Arab Citizens of Israel 2000-2001, June 2001, citing an April 2001 report of the Governmental Companies Authority, p. 21; Ali Hedar, Sikkuy Report, 2003, p. 41; see note 1.

¹⁵ Telephone interview by Adalah with Mr. Zohar Sher, Deputy Director of the Government Companies Authority on 12 Oct 2004. According to Mr. Sher, figures noted are based on a check/report dated 22 Sept. 2004.

¹⁶ Civil Service Commission, "Summary Report-The Integration of Arab and Druze in the Civil Service in 2002," as cited in Ali Hedar, "Representation of Arab Citizens in Civil Service, Government Companies and the Court System," Sikkuy Report, 2003, p. 37 (Hebrew).

¹⁷ See note 4.

¹⁸ See note 1.

¹⁹ Ali Hedar, "The Arab Citizens in the Civil Service," Sikkuy Report, Equality and the Integration of the Arab Citizens of Israel 2000-2001, June 2001, citing an April 2001 report of the Governmental Companies Authority, p. 21; Ali Hedar, Sikkuy Report, 2003, p. 41.

²⁰ See note 1.

²¹ Ali Hedar, "The Arab Citizens in the Civil Service," Sikkuy Report, Equality and the Integration of the Arab Citizens of Israel 2000-2001, June 2001, citing an April 2001 report of the Governmental Companies Authority, p. 21; Ali Hedar, Sikkuy Report, 2003, p. 41.

²² See note 1.

Israel's report states (p.24) that the 2000 amendment to the Equal Rights for Women Law-1951 and the 1988 Supreme Court decision *The Israel Women's Network v. The Minister of Labor and Welfare* "established an all-encompassing basic principle in the Israeli legal system, of the legitimacy of affirmative action as an integral part of the principle of equality. They also established a requirement of adequate representation of women in public bodies, as part of the principle of equality." However, Israel fails to detail any measures for increasing the representation of Palestinian women citizens of Israel, who face compound discrimination regarding representation within the civil service. No specific mention is made of the particularly low and recently declining rate of Palestinian women's representation - at any level - within the civil service. In fact, it is clear from the above data that any measures Israel has implemented to date have failed to increase the representation of Palestinian women citizens of Israel in the civil service. It is also clear that the Division for the Advancement of Women within the Civil Service, which was established in 1996, has not sufficiently promoted the representation of Palestinian women citizens of Israel.

It should be noted that, after being presented with information on this issue, the United Nations Human Rights Committee stated in its Concluding Observations on Israel, 2003, that, "... the Committee notes with concern that the percentage of Arab Israelis in the civil service and public sector remains very low and that progress towards improving their participation, *especially that of Arab women*, has been slow" (emphasis added). The Committee went on to recommend that Israel should, "[a]dopt targeted measures with a view to improving the participation of Arab Israeli women in particular in the public sector and accelerating progress towards equality."

2. Under-Representation of Palestinian Women Citizens of Israel on the Boards of Directors of Government Companies

The 1993 Amendment to the Government Corporations Law-1975 states, "*Fair representation will be granted to both sexes in the composition of government companies' boards of directors.*"

The 2000 Amendment to the Government Corporations Law-1975 states, "*On the board of directors of governmental companies, fair representation will be given to the Arab population.*"

Despite the legislative amendment from 2000, which obligated the state to ensure that Palestinian citizens of Israel in particular are fairly represented in government bodies, Israel has failed to take significant steps towards implementing this law. In addition, the Supreme Court rejected a petition challenging the failure of the State to implement the law.²³ As a result, the position of Palestinian citizens has not improved significantly. Although there are a considerable number of qualified Palestinian citizens, they remain under-represented on the boards of directors of government companies, with 83 of 116 government companies having no Palestinian citizens on their boards,²⁴ and Palestinian citizens making up only 6.9% of the board members of government companies in September 2004.²⁵ Moreover, in spite of the 1993 legislative amendment and related Supreme Court litigation by the Israel Women's Network in 1994²⁶, there was no increase in the representation of Palestinian women citizens of Israel between 1994 and 2002, which remained static at just 1%.²⁷ By contrast, during this period the representation of Jewish women increased from 7% to almost 37%.²⁸ In 2004, Jewish women citizens of Israel counted for almost 36% of the sitting board members of government companies.²⁹ At the same time, just 1.3% of sitting board members were Palestinian women citizens of Israel.³⁰ The gap between the number of Palestinian and Jewish women and the lack of an upward trend in the number of Palestinian women on government company boards seriously casts doubt on the proper implementation of the aforementioned laws, particularly given the concurrent rise in representation amongst Jewish women.

²³ H.C. 10026/01, *Adalah v. The Prime Minister, et. al.* Decision delivered 2 April 2003.

²⁴ Statistical Report of the Government Company Authorities about Government Companies, Daughter Companies and Joint Companies, 9 March 2003, as cited in Ali Hedar, Sikkuy Report, 2003, p.42.

²⁵ See note 3.

²⁶ H.C. 453/94, *Israel Women's Network v. The Government of Israel.*

²⁷ The Office of the Prime Minister, "Report on Government Companies Activities in 2000," 2001, p. 16.

²⁸ See note 15.

²⁹ See note 3.

³⁰ Ibid.

In its report, Israel confirms (p.23) that the Governmental Corporations Law directs the use of affirmative action for the purpose of boosting the number of female board members in government companies. Israel further cited (p.23) the Special State Comptroller Report on Governmental Corporations, which concluded that the 30% rate of women on boards of directors in March 1998 remained unsatisfactory. Significantly, however, Israel failed to discuss the particular case of Palestinian women citizens of Israel, or the fact that the percentage of them on the boards of directors of government companies falls far below 30%.

Suggested Questions:

- (1) What steps has Israel taken to ensure fair representation of Palestinian women citizens of Israel in the civil service, pursuant to the 2000 amendment to the Civil Service Law?
- (2) What steps has Israel taken to ensure fair representation of Palestinian women citizens of Israel on the boards of directors of government companies, pursuant to the 1993 and 2000 amendments to the Government Corporations Law? Did Israel establish any specific body to monitor this law's implementation?

This fact sheet was prepared by Adalah: The Legal Center for Arab Minority Rights in Israel

ARTICLE 5: SEX ROLES AND STEREOTYPING

In its Third Periodic Report on the "Implementation of the United Nations Convention on the Elimination of All Forms of Discrimination against Women," submitted in 2001, the State of Israel discusses the particular situation of Palestinian women citizens of Israel, who are victims of violence only twice: within the context of so-called "honor crimes" and regarding their failure to report domestic violence incidents. This coverage is problematic because:

a) Within these two sections, the state places the blame on Palestinian society in general, and on Palestinian women in particular, for violence against Palestinian women. This reasoning is flawed because it is the *state's* obligation to take steps to eliminate the practice of "honor" killings. It is also the state's obligation to raise awareness, in appropriate ways, and create conditions in which Palestinian women can feel comfortable to report cases of domestic violence. Israel's report did not demonstrate that it was taking appropriate measures in either area.

b) Israel's report fails to sufficiently document and explain how the severe budget cuts on social services, while affecting all women, have a more detrimental effect on Palestinian women victims of violence, whose services, such as shelters, were insufficient for their needs before the cuts. Because of their nationality, Palestinian women are more vulnerable to inadequate and irresponsible police responses to incidents of violence; and the social stigma of reporting cases of violence is exacerbated by discriminatory responses by police.

In light of these considerations and the Committee's Concluding Observations issued in 1997, the Working Group on the Status of Palestinian Women of Israel would like to raise the following issues:³¹

1. "Honor" Killings

Between 1984 and 2000, there were 58 documented cases of "Honor" killings in which women were murdered in the name of preserving their family's honor.³² Israel's State Report states that, "the police treats these cases as it treats all grave murder cases (p.51)." However, researchers found that in five of 25 investigated cases, the victims had sought help from police or other state agencies, which either ignored their complaints or sent them back to their families and to their deaths.³³ Even when a murderer confessed to a crime, the police failed to investigate further, absolving any other involved family members from responsibility.

According to the State Report, while courts do "consistently denounce the attempt to claim 'family honor' as a mitigating ground and entirely condemns those practices (p. 51)," there have been instances where charges brought against the murderer have been reduced or modified. In one case, the murderer was charged with premeditated murder (under Articles 300(a) and 301 of the Penal Law) while his siblings, who also took part in the murder, were charged with manslaughter (under Art. 298). A year later, these charges were amended and all three were charged with lesser offenses. The elder brother was charged with inducing or abetting a suicide (Art.302), while the other brother and sister were charged with causing death by negligence (Art. 304). The murderer was sentenced to three to four years in prison while the sister was not imprisoned at all after religious leaders intervened.³⁴

³¹ The Committee strongly suggested that, "The Government of Israel take necessary steps to eliminate practices which could not be justified on any grounds, such as forced marriages, female genital mutilation, honour killings and polygamy" and that "The Government of Israel take necessary steps to strengthen its efforts and expand its actions to eliminate violence against women, especially violence within the family, in all communities." UN Doc A/52/38/Rev.1, Part II, paras.169, 177

³² Touma-Suliman, A. "Culture, National Minority and the State: Working against the 'Crime of Family Honour' within the Palestinian Community in Israel," in L. Welchman & S. Hossain (Eds.), *Honour: Crimes, Paradigms, and Violence against Women* (London: Zed Press, forthcoming 2005).

³³ Ibid.

³⁴ Ibid.

Suggested Questions:

- (1) Given the continuing occurrence of “honor” killings, what measures has the government taken to monitor and evaluate the performance of police and other state agents in dealing with “honor” killings, and based on what criteria?
- (2) How has the state disciplined or prosecuted any police or other state agents for failure to investigate or for failure to appropriately fulfill their duties in cases involving “honor” killings?
- (3) What is the prosecutorial policy regarding the charges and punishment to be sought in cases of “honor” killings?
- (4) What specific efforts, if any, have been made by the government since 1997 to eliminate “honor” killings, particularly among Palestinian women in Israel?

2. Barriers to Adequate Protection Against Domestic Violence and Sexual Abuse**The Statistics**

According to the Authority for the Advancement of Women (2004), in 2003, Palestinian women citizens of Israel submitted 1,705 complaints of domestic violence to the police out of 15,468 reported in total; in 2004, they filed 1,539 out of 13,592.³⁵ These complaints amount to 11% of the total each year. In 2003, Palestinian women citizens of Israel submitted 225 complaints of sexual violence out of a total of 3,190; in 2004, they submitted 201 complaints out of 2,999 reported in total. These complaints amount to 7% and 6% respectively.

These statistics do not reflect the actual number of incidents of domestic violence or sexual violence against Palestinian women because many women do not report these abuses to the police. Some Palestinian women approach women's rights organizations and independent hotlines (which are not reported in official figures). Women Against Violence (WAV), a Palestinian women's rights NGO based in Nazareth, has recorded an increase in the number of women approaching its Crisis Center for Victims of Physical and Sexual Violence in 2003 and 2004. In 2003, WAV documented 327 cases of Palestinian women who reported incidents of sexual assault or physical violence or who were in need of legal and/or social advice; in 2004, this number increased to 377.

Suggested Question:

- (1) What measures, if any, have been taken to prevent domestic violence against, and sexual abuse of, Palestinian women citizens of Israel and to encourage them to report such incidents to the police?

Police Handling of Domestic Violence

The political situation and the increasing militarization of Israeli society affects the extent and quality of policing of gender-based violence against Palestinian women. Because Palestinian citizens of Israel are perceived as a fifth column or threat to the security of Israel, police are caught in a double bind of serving the state and protecting and ensuring the safety of vulnerable citizens. This paradoxical situation, which was exacerbated by the events of October 2000, in which the police shot and killed 13 Palestinian citizens of Israel, has resulted in negligent treatment of Palestinian women victims of domestic violence by the police. These events have also resulted in a severe mistrust of the police by Palestinian women. Before October 2000, 38% of women seeking help at WAV's Crisis Center reported cases of domestic violence to the police, whereas after October 2000, only 12% chose to do so. Complaints of domestic violence made by Israeli Jewish women are taken far more seriously than those made by Palestinian women, who discouraged by the attitude and thus do not seek help.³⁶

³⁵ Data released in a statement by the Authority for the Advancement of Women on November 22, 2004. Data for 2004 includes all reports submitted until November 22, 2004.

³⁶ Shalhoub-Kevorkian, N. (2004) “Racism, Militarisation, and Policing: Police Reactions to Violence Against Palestinian Women in Israel,” *Social Identities*, Vol. 10, No.2.

Suggested Questions:

- (1) What efforts are made by the state to monitor and document police responses to reports of domestic violence by Palestinian women and Israeli Jewish women?
- (2) What, if any, sensitivity and professional training programs exist for police in dealing with cases of Palestinian women who report domestic violence?

Social Stigma

Palestinian women citizens of Israel must also face the social stigma of reporting cases of domestic violence to the police or other state agencies. For the most part, Palestinian society considers such abuses as private matters, and women are held responsible, even to the point of physical harm and death, if they fail to keep such matters within the family. The social stigma of seeking help also makes it difficult for Palestinian women to apply for a place in a state-funded shelter due to their requirement that women fill out forms from the social welfare office in which they live. Palestinian women living in Palestinian villages in Israel often are unwilling to contact social workers, either because they are acquaintances from the village or because they are related.

Suggested Questions:

- (1) What measures are being taken by the state to raise awareness within the Palestinian community against gender-based violence and the criminal nature of such acts?

Lack of Shelters and Safe Homes

The increasing number of Palestinian women victims of violence is not being met by a similar increase in the number of secure facilities and safe homes for Palestinian women. Palestinian women have different needs than Israeli Jewish women, and thus require separate facilities. Fourteen shelters for women operate in Israel. Of them, two serve Palestinian women - accommodating 24 women and 48 children - and one is a mixed shelter which serves both Jewish and Palestinian women -accommodating 12 women and 24 children. One of the shelters for Palestinian women was just opened in 2003. WAV estimates that in order to meet the most basic minimum level of services, the state must open at least one more shelter for Palestinian battered women and a secured shelter for Palestinian young women.

Palestinian young women in distress (over the age of 18 and single) have even fewer options as they are served by only one facility. The Shelter for Palestinian Young Women in Distress run by Zuhoor Algad seeks to assist young women who are in physical or psychological danger and in an emergency situation. Palestinian young women in need of a transitional home to start an independent life but who are not in an emergency situation are served by the Halfway House for Young Women run by WAV. From September 2000 to October 2004, this Halfway House has received a total of 44 applications but can accommodate only six young women and can only offer services to a total of 14 young women at one time. These young women do not receive any allowances from the state and do not receive unemployment benefits (unless they have worked for six months before registering as unemployed). The lack of job opportunities also makes it extremely difficult for them to live independently.

In 2003 and 2004, three other care and protective facilities for Palestinian women and young women were closed by the state.

(i) In May 2003, the Ministry of Labor and Social Affairs closed down the only state-funded secured exclusively for Palestinian young women, including those under the age of 18 in danger of physical abuse, those judged by the courts to be a threat to themselves or others, and girl juvenile offenders serving an alternative sentence to incarceration. A petition was filed to the Supreme Court arguing that the failure to open a new shelter was discriminatory and violates the principles of equality on the bases of sex and nationality.³⁷ Palestinian women citizens of Israel form a distinct sub-group, and thus are discriminated against as they are the only group not provided with an appropriate shelter. The Ministry funds secured shelters for Jewish young women, Jewish young men, and Palestinian young men. Since the filing of the petition, the state has deferred its commitment to opening a new

³⁷ See H.C. 9111/03, *Women Against Violence, et. al. v. Minister of Labor and Social Affairs* (case pending). Petition filed by Adalah: The Legal Center for Arab Minority Rights in Israel.

shelter and to date, no such shelter has been opened. This inaction is also in defiance of an investigatory committee's recommendation that a separate secured shelter should operate for young Palestinian women.³⁸

(ii) In June 2004, the Ministry closed the Hostel for young Palestinian women in distress (for those under the age of 18 who live in problematic family situations and are in need of safe and secure facilities). The reason for the closure was due to lack of approaches. However, the lack of approaches reflects the inability of social workers to reach out to young women (due to lack of social workers and lack of budgets) rather than the actual number of young women in need of a hostel.

(iii) In December 2004, the Ministry also closed the Amirim shelter (for Jewish and Palestinian women and young women who are pregnant and in danger). These women are being directed to the existing shelters, which are not equipped or prepared to deal with such high risk cases. No official notice or reason for the closure was given.

Suggested Question:

(1) What efforts have been made to by the government to address the lack of secured shelters for Palestinian young women?

Budget Cuts on Services for Women

Budget cuts over the last two years have had a severe, detrimental effect on services for women. In 2004, the budget allocated by the Ministry of Social Welfare for the operations and staff of projects dealing with young women in distress was cut by 35%. Additionally, whereas previously a local welfare office could use its operations' budget for hiring staff, a new regulation issued by the Ministry of Social Welfare prohibits this practice. Due to these actions, the number of social workers has already begun to decline and is expected to decrease even further. Social workers who work with these young women and who individually can handle up to 50 cases properly are now faced with caseloads of over 100 clients each.³⁹ State subsidies to the 10 Crisis Centers have decreased from NIS 2.4 million (about US \$550K) in 2002 to NIS 1.6 million (about US \$366K) in 2004. And, the Readjustment Allowance Law (2002) which gives special allowances for women who have left a shelter and are trying to live independently, has been frozen indefinitely due to budget cuts.

Suggested Questions:

- (1) What measures are being taken to counter the added negative effects of the budget cuts caused by the prohibition on the use of 'operation' budgets for the hiring of social workers?
- (2) In the face of severe budget cuts, what efforts have been made to ensure the security of Palestinian women citizens' victims of violence who depend on shelters and social workers for help and safety?
- (3) Given the specific needs of Palestinian women in Israel, what considerations are made for violence against women programs and services, including shelters, awareness campaigns and social workers, in the state budgets for the years 2003, 2004 and 2005?

Bidding Process

Israeli law requires projects receiving more than 50% of their budgets from the state to undergo a bidding process at least every three years. In this bidding process, the management of the project can change hands based on specific criteria set by the government. In practice, projects such as women's shelters and halfway homes can be taken from non-governmental women's rights organizations and contracted out to a private, for-profit business or corporation, with no experience in handling such matters. In 2003, pursuant to a bid, the management of WAV's Shelter for Young Women in Distress was contracted to an organization (Zohoor Algod) which has no experience in operating such shelters, having only previously run kindergartens. In 2003, a petition by WAV was submitted to the District Court to contest this decision. WAV argued that Zohoor Algod did not meet

³⁸ The investigatory committee was set up in 2004 by the Ministry of Social Welfare to investigate alleged human rights violations against women residing in the Zofia shelter, a secured shelter for young women (under the age of 18). The committee issued its recommendations in 2004.

³⁹ Adva Center, *The 2005 State Budget Proposal: A Gender Perspective*, December 2004. Available at <http://www.adva.org>

the minimum criteria required to take over the shelter and was unfit to take charge of young women in distress. On October 23, 2003 the District Court, agreed that Zohoor Algod did not meet the minimum criteria, but ruled against WAV on technical grounds and on the grounds that Zohoor Algod had already invested finances into the shelter.⁴⁰ WAV appealed to the Supreme Court but the appeal was withdrawn after recommendation from the judges who stated that they did not have the professional expertise to judge the case.

Suggested Questions:

(1) What mechanisms has the state put in place to monitor and oversee bidding processes for state-funded projects, that account for the specific needs of Palestinian girls and women, and experience required to adequately deal with violence against Palestinian women?

This fact sheet was prepared by Women Against Violence (WAV)

⁴⁰ District Court of Tel Aviv 1749/03. *WAV v The Ministry of Labor and Social Affairs*. 23 October 2003.

ARTICLE 7: POLITICAL AND PUBLIC LIFE

In its Third Periodic Report on the “Implementation of the United Nations Convention on the Elimination of All Forms of Discrimination against Women” submitted in 2001, the State of Israel offers no solutions or measures, such as quotas, to deal with the lack of representation of Palestinian women in Israeli political and public life.

In light of this situation, the Working Group on the Status of Palestinian Women citizens of Israel would like to raise the following issues:

1. The Authority for the Advancement of the Status of Women

In its Concluding Observations to Israel, the Committee “looked forward to the adoption of the bill creating the governmental machinery to be known as the “Authority on the Status of Women” and hoped that the machinery would be given sufficient resources to carry out its work,”⁴¹ and noted with concern that a very low percentage of women occupied political decision-making posts and that the situation had barely changed over the years.⁴²

While the Working Group is pleased that Israel established in March 1998 the Authority for the Advancement of the Status of Women, in accordance with the Concluding Observations of the Committee, the Working Group notes with concern the lack of Palestinian women staff and minimal Palestinian women representatives on the advisory committee.⁴³ An advisory committee composed of 32 members includes 20 representatives from government ministries and 12 representatives from women’s NGOs. Only two Palestinian women citizens, who are representatives of women’s NGOs, are on this committee. There are no Palestinian women representatives of the ministries. Of the 5 paid staff of the Authority, only one is Palestinian and he is male.

2. Palestinian Women Citizen’s Representation in the Knesset

In its Concluding Observations, the Committee also “recommended that all necessary measures be taken to ensure peace with the full participation of all women, Jewish, Christian, Muslim and Druze alike. This was necessary to create an environment where women could enjoy their rights fully and so that equality of opportunities in economic and social development, especially of rural women, could be assured.”⁴⁴

Since Israel’s Combined Initial and Second Periodic Report in 1997, there has been no improvement in the percentage of Palestinian women serving in the Knesset. In fact, in the May 2003 Knesset elections, no Palestinian woman candidate was elected. Only one Palestinian woman, Hussniya Jabara of Meretz, has ever served in the Knesset.⁴⁵

3. Palestinian Women in Local Authorities

There are currently no Palestinian woman mayors and only three Palestinian women local council members who were elected in 2004. They include Anisa Abed and Sawar Abu Hadra in Nazareth and Areen Khalil in Eilaboon. All three are from the Democratic Front for Peace and Equality party.

⁴¹ UN Doc A/52/38/Rev.1, Part II, para. 175

⁴² UN Doc A/52/38/Rev.1, Part II, para. 164

⁴³ The responsibilities of the Authority include: formulating policy regarding gender equality and the elimination of discrimination against women; coordinating and promoting cooperation between state government, municipalities, and other formal institutions; advising the ministries on the implementation of equality laws, establishment of special programs and services for women which promote gender equality; Promoting legislative measures for the advancement of women and the elimination of discrimination, and providing of information and tools necessary for the achievement of these goals to the government; raising awareness of violence against women through education and media, in order to prevent such violence.

⁴⁴ UN Doc A/52/38/Rev.1, Part II, para. 174

⁴⁵ 12th Knesset, Elected November 1, 1988

The 2000 Local Councils Law (Advisor on the Status of Women) mandates every local council to appoint an advisor on women's issues who is responsible for outlining policy for the advancement of women within the local authority. This law also grants the Minister of the Interior the authority to order local councils to appoint an advisor and to appoint one if the council fails to do so. There are presently 38 advisors in Arab local councils. These advisors are not paid and there is no obligation by the government to allocate budgets for the position. Local councils are forced to allocate money for this position from their own budgets. As a result, advisors are either not appointed or they are unable to perform their duties adequately and effectively.⁴⁶

4. Palestinian Women Citizens in the Judiciary

As of December 2003, women constituted 40.9% (247/603) of the judiciary. Of these women, 198 (80.2%) were Jewish and 6 (2.4%) were Palestinian. In January 2001, women made up 44.2% of the judiciary overall (203 female judges out of a total of 459). Of these, 198 were Jewish and 5 were Palestinian. Only one additional Palestinian women judge has been appointed since 2001.⁴⁷

Five Palestinian women serve in Magistrate Courts (trial courts) and one serves in the Labor Courts. No Palestinian woman was appointed to the District Court, Supreme Court, or the Family Court. This is in contrast to the 144 Jewish women serving in the Magistrate courts, 44 in the District court, 3 in the Supreme Court, 28 in the Labor court, and 18 in the Family court.⁴⁸ Only one Palestinian woman serves in the Labor court even as, according to State Report, women compose the majority of professional labor judges (p. 63).

There are no Palestinian members on the "Judges Nominations Committee" which nominates judges who are then appointed by the President of the State. The Nominations Committee is composed of nine representatives from the judiciary, executive, and legislative branches as well as the Israeli bar.

Suggested Questions:

- (1) What specific measures are being taken to address the under-representation of Palestinian women in public posts, particularly in the judiciary, local authorities and the Knesset (parliament)?
- (2) How will the Authority for the Advancement of the Status of Women address the lack of concrete budget allocations, including the absence of compensation for local council advisors on gender?

This fact sheet was prepared by Women Against Violence (WAV)

⁴⁶ In a January 5, 2005 phone call with Ms. Nadia Hilu, Advisor to the Status of Women in the Center of the Local Authorities

⁴⁷ Extrapolated from The State of Israel: The Judicial Authority at http://62.90.71.124/heb/cv/fe_html_out/menus/mnu_judges/mnu_all.htm

⁴⁸ Ibid.

ARTICLE 9: NATIONALITY

In its Third Periodic Report on the "Implementation of the United Nations Convention on the Elimination of All Forms of Discrimination against Women," submitted in 2001, the State of Israel referred to its previous report, stating briefly that, "Israeli citizenship and residency laws do not differentiate between men and women. Neither the change of nationality by one member of a couple nor marriage to a non-citizen has any effect on one's citizenship" (p.79). No commentary is made on the laws and policies discussed below, as Israel's report was issued before their enactment. However, the Committee should be aware that:

a) Palestinian women citizens of Israel continue to suffer from the harsh consequences of being separated from their husbands and/or children, who are residents of the Occupied Palestinian Territories, on the basis of their nationality and the nationality of their spouses, as a result of the racist and discriminatory *Nationality and Entry into Israel Law (Temporary Order) - 2003, extended 2004*;

b) Palestinian women citizens of Israel married to spouses from Arab countries face the hardships induced by a discriminatory order issued by the Prime Minister, which instructs the freezing of all status proceedings for citizens of Arab countries in Israel.

The Working Group on the Status of Palestinian Women Citizens in Israel would like to raise the following issues:

1. Racist and Discriminatory Law Banning Family Unification

The *Nationality and Entry into Israel Law (Temporary Order)* was enacted by the Knesset in July 2003 for one year, for an indefinitely renewable period. The law, similar to a previous cabinet decision in force since 12 May 2002, bars Palestinians from the Occupied Palestinian Territories (OPTs) from obtaining any residency status or citizenship in Israel, including through marriage to an Israeli citizen. The law prevents them from living in Israel with their spouses, and from upgrading any temporary residency status already granted to them. The racist law violates the fundamental human rights to equality, liberty, privacy and family life; flagrantly discriminates on the basis of nationality and ethnic origin against Palestinian citizens of Israel (who are overwhelmingly the Israeli citizens marrying Palestinians from the OPTs) and against Palestinians from the OPTs. It is also a disproportionate response to the alleged security reasons cited by the government to justify its enactment, negates the very essence of the values of a democratic society, and renders meaningless the citizenship of the Palestinian minority in Israel. The law violates domestic Israeli and international law regarding nationality, including Article 3(1) of the UN Declaration on the Elimination of all Forms of Racial Discrimination; Article 17 of the ICCPR; Article 3 of the Convention on the Nationality of Married Women; in addition to the CEDAW. Accordingly, UN committees, the EU, Palestinian, Israeli and international human rights organizations and legal academics have condemned the law. The CERD, UNHRC, European Parliament, International Federation for Human Rights (FIDH), Amnesty International, and Human Rights Watch have all called on Israel to revoke the ban on family unification law.

Adalah: The Legal Center for Arab Minority Rights in Israel, submitted a petition to the Supreme Court of Israel against the constitutionality of the law (H.C. 7052/03, *Adalah, et. al. v. Minister of Interior and the Attorney General*) on 4 August 2003. The petitioners include the Chair of the High Follow-up Committee for Arab Citizens in Israel, nine Arab Members of Knesset and two families affected by the law. One of the petitioners, a Palestinian woman citizen of Israel, whose husband is from the West Bank, stated that she believes that being a woman does not require someone to follow her husband, adding that she does not want to raise her children under occupation. She also expressed the overwhelming fear and the emotional pressures that she and her family face as a result of the threat to the family's unity. Six further petitions were also filed against the law, by the Meretz political party; the Association for Civil Rights in Israel (ACRI); and private lawyers. In spite of the criticisms directed against it, the law was extended by the Knesset on 21 July 2004 for six months.

In December 2004, the legal advisor to the Interior Ministry drafted a proposed bill that would re-extend the law, as well as establish even more stringent conditions on Palestinians who wish to

obtain status in Israel through family unification. One of the proposed amendments is that a Palestinian from the OPTs may be prohibited from staying in Israel, not only on the grounds that he or she creates a security risk, but also where, in the “opinion of security officials,” he or she and/or his or her family constitute a security risk. This amendment would effectively negate the presumption of innocence and the principle of individual responsibility, as well as violate the fundamental rights of a person based solely on the individual’s family ties, even in the absence of any relationship with his or her relatives. In January 2005, the new Interior Minister announced that he will re-examine the law and the proposed amendments. The law is likely to be renewed in its current form for a second time in February 2005.

2. Ban on Naturalization for Citizens of Arab Countries Married to Israeli Citizen

An order from the Prime Minister of Israel was issued to the General Security Services (GSS) to stop the issuance of security permits to citizens of Arab countries who wish to formalize their status in Israel. The permits are a necessary component of the multi-staged family unification process for a foreign national spouse of an Israeli citizen. The result of issuing such an order is the complete cessation of all family unification procedures for spouses of Israeli citizens who are citizens of Arab countries. The order’s existence was disclosed in August 2004 in an article published in the Israeli daily newspaper *Ha’aretz*, and was officially acknowledged by representatives of the Prime Minister’s Office. Not only does the order severely undermine the basic right to family life and the right to marry, but it is discriminatory against spouses of Israeli citizens on the basis of race or national origin. Because the majority of the citizens of Arab states are men who come to Israel marry Palestinian women citizens of Israel, this order mainly affects Palestinian women.

ACRI submitted a petition to the Supreme Court of Israel on behalf of one couple, a Palestinian woman citizen of Israel and her husband, a Moroccan citizen. He has gone without official status since their marriage in 2002 (H.C. 9292/04, *Kanam et. al. v. The Minister of Interior et. al.*). In November 2003, the Interior Ministry deported the husband, although his wife was in her ninth month of pregnancy. Upon his return and after an extended battle with his wife, the Ministry permitted his entry into Israel but refused to deal with his case, even after the termination of his temporary residency permit, claiming not to have received authorization from the GSS. The couple presently lives with their daughter in dire economic circumstances, as the husband is not permitted to work in Israel. He has no state insurance, and is not entitled to social benefits. The petition remains pending.

3. Affect on Palestinian Women Citizens of Israel

Many thousands of families have been affected by the Nationality and Entry into Israel Law since its enactment in 2003, the similar cabinet decision issued earlier in 2002, as well as the order banning naturalization for citizens of Arab countries married to Israeli citizens. While these measures discriminate generally against Palestinian citizens of Israel with Palestinian spouses from the OPTs or from Arab countries, they have a disproportionate affect on Palestinian women citizens of Israel for many reasons, including:

The position of women *vis-à-vis* men and the prevailing social norms within Palestinian society make it more problematic for a woman than for a man to live as a single parent or divorcée, to earn her own living, or to relocate away from her family in search of work. This situation may be particularly difficult if the couple has children, the primary care providers for whom tend to be women. In order to avoid living as a divorcée or single parent, the woman may be pressured to move to the OPTs or her husband’s Arab country of origin, and thus lose her social rights and social benefits in Israel. Men are less likely to be sent to live with their spouses in the West Bank, Gaza Strip, or Arab countries.

Palestinian women citizens of Israel who relocate to the OPTs are subjected to the extremely difficult living conditions in these areas, which are the setting for widespread human rights violations. Further, the majority of these women experience a fall in their standard of living due to the extremely poor economic conditions which prevail in the OPTs.

Even when the couple is able to live together in Israel on a temporary residency basis, the man, typically the primary wage earner, is not permitted to work, rendering such couples especially vulnerable to poverty.

The threat of separation often exerts emotional, economic, and social pressures on the affected couples living in Israel and their families. Such tensions can lead to the break-down of the family unit, which sometimes result in instances of domestic violence, to which women are particularly vulnerable.

Suggested Questions:

- (1) What measures has Israel taken to protect the family units of Palestinian women citizens of Israel married to Palestinians from the OPTs?
- (2) How many Palestinian women citizens of Israel have lost their Israeli social rights and benefits by moving to the OPTs to join their Palestinian spouses since 12 May 2002?
- (3) How many Palestinian women citizens of Israel who have been affected by the Nationality and Entry into Israel Law: cannot apply for status for their spouses; cannot upgrade the residency status of their spouses in Israel?
- (4) What measures has Israel taken to protect the family units of Palestinian women citizens of Israel married to citizens of Arab countries?
- (5) How many Palestinian women citizens of Israel who have been affected by ban on naturalization for citizens of Arab countries married to Israeli citizens: cannot apply for status for their spouses; cannot upgrade the residency status of their spouses in Israel?

This fact sheet was prepared by Adalah: The Legal Center for Arab Minority Rights in Israel

ARTICLE 10: EDUCATION

In its Third Periodic Report on the "Implementation of the United Nations Convention on the Elimination of All Forms of Discrimination against Women," submitted in 2001, the State of Israel did not adequately address the education of Palestinian girls and women citizens of Israel, and thus, disaggregated statistics were often not provided. By failing to provide these disaggregated statistics in its report, the full extent of the discrimination faced by Palestinian girls and women was not adequately conveyed. In addition, Israel's report did not detail measures undertaken to begin to bridge the huge gaps which exist between the educational attainment levels of Palestinian girls and women and other population groups within Israel, or otherwise remedy the factors which hinder their ability to achieve at all levels of education. Thus, the Committee should note that:

a) Palestinian women citizens of Israel had the highest illiteracy rate - 14.7% - among all population groups in Israel in 2003. This compares with 4.5% for Jewish women, 6.2% for Palestinian men, and 2.5% for Jewish men.

b) Palestinian women citizens of Israel had the lowest median educational level - 10.9 years - compared with 11.2 years for Palestinian men, and 12.6 years among the Jewish population in 2003.

c) The percentage of the Palestinian women citizens of Israel who did not attend school (9.9%) - was triple that of the Jewish women citizens (3.3%) in 2003.

d) The percentage of Palestinian girls who dropped out of school in grade nine - 9.5% - was almost three times greater than the percentage of Jewish girls (3.6%) in 2003.

e) According to the Ministry of Education, 60% or more of the school textbooks provided for Palestinian schools include the wide use of gender stereotypes.

f) Just 32.7% of Palestinian women citizens of Israel met university entrance requirements, as compared with 52.5% of Jewish women in 2002, a gap of 20%.

g) Fewer Palestinian women citizens of Israel receive a university education than other population groups in Israel: e.g., 7.1% received 16 or more years of schooling, compared with 19.0% of Jewish women in 2003.

The Educational System for the Palestinian Minority in Israel

Palestinian citizens of Israel comprise approximately 20% of the population in Israel, and 25% of the country's school students. From elementary to high school, Palestinian and Jewish students learn in separate schools.

Discriminatory Allocation of Resources for Palestinian Education

The Ministry of Education (MOE) severely under-funds schools for the Palestinian minority in Israel. Israel does not regularly release official data detailing how much it spends in total on each Palestinian compared with Jewish student, which "... indicates the weakness of its commitment to real improvements in the Palestinian educational system in Israel."⁴⁹ However, statistics published in 2004 reveal that combined public and private investment in Palestinian school students stood at an average of New Israeli Shekels (NIS) 862 per student, compared with NIS 4,935 per Jewish student for the academic year 2000-2001. Over the same period, public investment totaled on average NIS 534 per student for Palestinians, compared with NIS 1,779 per Jewish student.⁵⁰ Thus, while the

⁴⁹ Human Rights Watch, *Second Class: Discrimination against Palestinian Children in Israel's Schools*, 2001, p.49.

⁵⁰ Central Bureau of Statistics (CBS), New Survey – Investment in Education 2000/1, Press Release 3 August 2004 (Hebrew). According to the Mossawa Center – The Advocacy Center for Arab Citizens of Israel, only 3.1% of the MOE's budget was allocated for Palestinian citizens of Israel in 2001. From State Budget for Fiscal Year 2001, Government of Israel 2000, cited in Mossawa Report, *The Arab Citizens of Israel: Status and Implications for the Middle East Conflict*, Shira Kamm (et al.) Mossawa Center 2003, pp.13-14.

these figures show that private investment in Jewish students greatly outstripped that in Palestinian students, the government spent over three times as much on each Jewish student as on each Palestinian student. This under-funding is manifested in many areas, including the poor infrastructure and facilities characteristic of Palestinian schools⁵¹, crowded classrooms⁵², few teaching hours relative to Jewish students, the lack of support and management professionals in the Palestinian educational system in Israel, and poor Arabic textbooks. This environment creates a negative experience for students, academically, emotionally and socially, and leads to phenomena such as academic under-achievement and high drop-out rates.

Lack of Palestinian control over the curriculum

The State Education Law-1953 establishes separate, independent educational systems - state secular and state religious schools - to meet the distinct needs of the Jewish community. There are no state religious schools for Palestinian children in Israel. The MOE retains centralized control over the curricula for Palestinian schools and Jewish secular schools. Jewish religious schools enjoy wide autonomy over their curricula, whereas Palestinian educators, excluded from significant decision-making positions in the MOE, have no autonomy to set curricula. In contrast to the independence granted to Jewish religious schools, no autonomous educational system has ever existed to satisfy the needs of the Palestinian community as a distinct group with a common language, history, culture and national identity. The State Education Law sets the educational goals of the state educational system, which emphasize only Jewish history and culture; mandatory subjects for all students who take the matriculation examinations at the end of high school include, for example, Jewish religious texts. Palestinian students are thus denied the opportunity to develop a positive cultural and national identity.

The Working Group on the Status of Palestinian Women Citizens in Israel would like to raise the following issues related to Article 10, and kindly asks the United Nations Committee on the Elimination of Discrimination against Women to inquire about the related questions:

1. Legal Developments

Two recent legislative measures discussed in Israel's report in relation to CEDAW (p.80) are potentially effective legal tools for raising education levels for all in Israel. However, both are being implemented in a discriminatory manner *vis-à-vis* Palestinian citizens of Israel.

A 1984 Amendment to the Compulsory Education Law-1949 lowered the age of compulsory education from five to three years old, and required that implementation of the new amendment be fully achieved by the end of 2000, subsequently delayed until 2008. Due to the MOE's discriminatory allocation of budgets for kindergartens, state funding for preschool education for three- to four-year-old Palestinian children remains minimal: although over 25% of children in Israel aged three and four are Arab, only 66.5% of three-year-old Arab children were enrolled in kindergartens in 2002-2003, compared with 100% of Jewish children.⁵³ In 2004, the Supreme Court rejected a petition which demanded that the MOE establish preschools for approximately 300 Palestinian Bedouin children in their villages to ensure their right to free education, in accordance with the Compulsory Education Law.⁵⁴ The children involved were from two Bedouin villages in the Naqab in the south of Israel which the government does not recognize, both of which lack any educational framework for children of this age. Similarly, only 6% (96 out of 1,599) of daycare centers, supervised by the Ministry of Social Affairs and serving the 0-3 year-old age group, are for Palestinian children.⁵⁵

⁵¹ A study commissioned by the Follow-Up Committee on Arab Education in Israel found that, for example, of the 6,300 classrooms surveyed, as many as 6.5% were completely unsuitable for productive learning and instruction. In addition, the physical facilities themselves are also laden with health risks, such as asbestos and other hazardous substances.

⁵² From primary to secondary school levels, average class sizes are larger in Palestinian schools than in Jewish schools, with an average class size of 27 pupils per class in Jewish schools compared with 30 pupils in Palestinian schools. Source: CBS, Statistical Abstract of Israel 2004, Table 8.11.

⁵³ CBS, Children in Kindergartens and Day Care Centers - 2001/02, Press Release 4 August 2004 (Hebrew).

⁵⁴ H.C. 5108/04, *Ismail Mohammed Abu-Guda, et. al, v. Limor Livnat, Minister of Education, et. al.* submitted by Adalah: The Legal Center for Arab Minority Rights in Israel.

⁵⁵ CBS, Children in Kindergartens and Day Care Centers - 2001/02, Press Release 4 August 2004 (Hebrew).

The *Long School Day Law-1997 (amended 2004)* was passed to increase school hours for students in towns and villages with low socio-economic status, and to encourage mothers in these areas to work out side their homes. The long school day is available for only 10% of the school children in Israel, or 140,000 children. The generally poor state of school infrastructure, buildings and facilities in Palestinian towns and villages further hinders the implementation of this law in Arab schools. Budgetary constraints, to which Israel attributes the partial/delayed implementation of these laws, cannot continue to relieve the MOE of its obligations under them. The implementation of the laws should prioritize the economically and educationally disadvantaged Palestinian minority in Israel, to help close the educational gaps between Jewish and Palestinian students.

The failure to fairly and effectively implement both laws also has a specific, negative impact on Palestinian women, by reducing their opportunity to enter the labor force. In 2003, just 24% of Palestinian women aged 25-54 worked outside the home, compared with 78.9% of Jewish women, 78.7% of Palestinian men and 84% of Jewish men.⁵⁶ The shortage of kindergartens and daycare centers, the latter of which were developed in the 1970s as a way of encouraging women to enter the labor force, and the non-implementation of the long school day in Palestinian towns and villages, reduce the engagement of the Palestinian women, traditionally the primary care-providers for children, in the labor force. Their low rate of engagement in the labor force impacts negatively on Palestinian women's standard of living and degree of independence.

2. Illiteracy Rates

In its report (pp.80-81), Israel merely refers to overall improvements in the level of illiteracy within all population groups. Israel did not comment in its report, however, on the fact that Palestinian women citizens of Israel suffer from the highest rate of illiteracy of any group within Israeli society: in 2003, 14.7% of Palestinian women citizens of Israel were illiterate, compared with 4.5% of Jewish women, 6.2% of Palestinian men, and 2.5% of Jewish men.⁵⁷ In fact, the rate of literacy among Palestinian women, according to United Nations Development Programme's Human Development Report 2004, is equal to the literacy rate in Myanmar, the country ranked 132 out of 177 in the UNDP's human development index. Israel is ranked 22. Further, Paraguay, Indonesia, Bolivia, Mongolia, South Africa and Zimbabwe, for example, all have higher literacy rates than Palestinian women citizens of Israel, although these countries' positions in the index range from between 89 and 147. Despite the particularly high rate of illiteracy among Palestinian women citizens of Israel, which is more typical of a developing rather than a developed country, and despite the gaps which exist between the illiteracy rates of Palestinian women citizens of Israel and other population groups in the country, Israel's report fails to detail any measures which the state has put in place in order to reduce illiteracy among Palestinian women citizens of Israel and close these gaps. Although the overall rate of illiteracy in Israel is decreasing over time, the level of illiteracy amongst Palestinian women citizens of Israel fell by just 1.5% - from 16.2% to 14.7% - over the four-year period between 1999 and 2003. Without specific measures being adopted to address this problem, at the current rate it would take over 20 years for the illiteracy among Palestinian women citizens of Israel to fall to the level of Palestinian men, and even longer to reach the national average of 4.6%.⁵⁸

3. High Schools in Israel

Palestinian women citizens of Israel have the lowest median educational level of all population groups in Israel, at just 10.9 years in 2003, compared with 11.2 years for Palestinian men, and 12.6 years among the Jewish population, within which the median educational level is equal for both men and women.⁵⁹

While rates of attendance have increased over time, and in the Palestinian educational system, like the Jewish educational system, girls' attendance rates are higher than those of boys, in 2003 the

⁵⁶ CBS, Statistical Abstract of Israel 2004, Table 12.1.

⁵⁷ CBS, Statistical Abstract of Israel 2004, Table 8.3.

⁵⁸ Ibid.

⁵⁹ Ibid.

percentage of the Palestinian women citizens of Israel did not attend school - 9.9% - was still triple that of the Jewish women citizens - 3.3%.⁶⁰

The drop-out rate among high school Palestinian pupils is approximately double that of Jewish pupils, with 8.3% of 9-12 grade Palestinian students, compared with 4.4% of Jewish students dropping out in 2001-2002.⁶¹ This rate is a central problem facing Palestinian citizens of Israel in the field of education. A breakdown of the figures uncovers the fact that, for example, the percentage of Palestinian girls who dropped out of school in 2003 in grade 9 was more than double (9.5%) that of Jewish girls (3.6%).⁶² Palestinian girls dropped out at a higher rate than their Jewish counterparts in all grades between 7 and 12.⁶³

At the same time, the MOE's discriminatory policies mean that Palestinian high school pupils are disadvantaged regarding access to educational service programs to address the problem of dropping out, as well as other educational problems such as low academic performance. Programs aimed at improving skills, raising grades, and preventing dropping out have been operating in Jewish schools since the 1970s, and almost one-third of all Jewish students have benefited. Programs for enhancing educational opportunities have only been offered in Palestinian schools in the last few years, although Palestinian communities are among the most in need in Israel. These programs include educational and psychological counseling services, tutoring services and computer services. For example, despite the figures detailed above, only 15.3% of the number of counselors specialized in preventing dropping out recommended according to the MOE's own criteria were actually operating in Palestinian schools in 2000; the corresponding figure for Jewish schools is 43.4%, although the problem of dropping out is far more acute in the Palestinian educational system.⁶⁴

4. Activities and Educational Programs Adopted by the Ministry of Education in Order to Prevent Discrimination

Israel states in its report (p.86) that in recent years "sincere efforts" were made to remove messages containing gender stereotypes from textbooks used in Palestinian schools, in line with efforts previously made in the Jewish educational system. However, the report goes on to cite the 1999 State Comptroller Report, according to which the MOE lacked the means to extend the project of removing stereotyped messages into the Palestinian educational system. As a result, textbooks used in many Palestinian schools still contain gender stereotypes. A committee set up by the MOE to examine gender stereotypes in school textbooks in Israel concluded that 60% or more of the textbooks examined in the Palestinian educational sector include the wide use of gender stereotypes, and that this indicates that gender stereotypes are more common in textbooks in the Palestinian sector than in the Jewish sector.⁶⁵ Therefore, the MOE's failure to remove gender stereotypes from textbooks in the Palestinian sector constitutes discrimination against Palestinian female school students, since the need to eliminate these stereotypes has been identified and they have been removed from textbooks in Jewish schools.

The state report cites (p.86) the Equality 2000 project as the centerpiece of initiatives launched by Israel for combating discrimination against girls and women. According to the report, the MOE implements the project in schools from nursery to middle school levels, and is described as, "rapidly becoming a permanent part of the Ministry's curriculum." However, to date the project has not been implemented in any Palestinian school.⁶⁶

⁶⁰ CBS, Statistical Abstract of Israel 2004, Table 8.5.

⁶¹ CBS, Dropping out of Secondary Schools in 2001/2, Press Release 7 July 2004 (Hebrew).

⁶² CBS, Statistical Abstract of Israel 2004, Table 8.19.

⁶³ Ibid.

⁶⁴ Annual Report 51B of the State Comptroller, 2000, p.10.

⁶⁵ Report of Committee to Examine Gender Stereotypes in School Textbooks in the Educational System in Israel, March 2002, pp.27-28. (Hebrew).

⁶⁶ The only such project to be implemented in Palestinian schools was initiated by the Al-Tufula Center. The center developed a pilot project to work with children in elementary schools, their families and teachers. The Ministry of Education did not fund this pilot.

5. Higher Education

Palestinians are dramatically under-represented in Israel's higher education system. Thus, while the Palestinian minority makes up approximately 20% of the population, the percentages of Palestinians among university students in Israel 2002-2003 was 9.5% at first degree level, 4.8% at second degree level, and just 3.2% at third degree level.⁶⁷ Yet, despite these figures, no steps are being taken by Israel to increase the numbers of Palestinians in higher education.

In fact, Israel has created obstacles which stand between Palestinian students and higher education, including the reinstatement in 2003 of the *psychometric examination* as a criterion for admission into university. A committee established by the Council for Higher Education to examine the problem of Palestinian students' low results in the psychometric examination, concluded that the examination, a translation of the Hebrew version of the test, is not sensitive to Palestinian culture or the Arabic language, and therefore Palestinian students are at a disadvantage when taking it. Thus in 2002, for example, although only 6.7% fewer Palestinian than Jewish girls gained a matriculation certificate (56.3% versus 63.0%⁶⁸), in terms of meeting university entrance requirements the gap rose to almost 20% (32.7% versus 52.5%), because of their relatively poor performance in the psychometric examination.⁶⁹

A further such measure is the imposition of age limits for studying in many university faculties. Many courses stipulate a lower age-limit of 20 years. This discriminates against Palestinian candidates, since they, unlike Jewish candidates, do not serve in the army, and generally seek to enter university at 18 years old.

In some cases, the impact of such measures has a greater impact upon female Palestinian students, notably the imposition of age limits for certain university faculties. This policy compounds the social pressures experienced by many Palestinian women to begin a family rather than obtain a university degree, thereby constituting an additional obstacle for those wishing to pursue their education. The aggregate effect of these policies is witnessed by years Palestinian women spend in education in comparison with the other sectors in Israeli society: for example, 7.1% of Palestinian women citizens of Israel received 16+ years of schooling, compared with 19.0% of Jewish women, 9.7% of Palestinian men and 20.0% of Jewish men in 2003, which represents a **fall** from the previous year, when 7.7% of Palestinian women received 16+ years of schooling.⁷⁰

Israel's report fails to provide disaggregated data showing the number of Palestinian women citizens of Israel in higher education in general, concentrating on the comparative figures for men and women in general. In a paragraph on minorities in higher education (p.98), Israel observes that the number of Palestinian female students in Israel is inversely related to the level of education, and that more Muslim men receive higher education than Muslim women. It goes on to state that "non-Jewish" women's entry into higher education has undergone a significant increase, and participation among "non-Jewish" students in general grew from 8.9% in 1971/72 to 41% in 1992/93. Significantly, Israel omitted to compare "non-Jewish" women and Jewish women's participation in higher education over the same time period, drawing attention away from the gaps between Palestinian and Jewish women in higher education, and giving a misleading impression that it is simply a matter of time before Palestinian women are fairly represented in Israel's higher education institutions.

6. Women on the Academic Staff

Israel's report discusses (p.102) the problem of the extremely low rate of Palestinians among academic staff in Israeli universities, and states that only 1% of academic staff members were Palestinians in 1999. The report provides no specific data about the number of Palestinian women on the academic staff. Regarding measures to redress the massive under-representation of Palestinian citizens, Israel cites (p.102) the "Maof Program," which was set up "to encourage the promotion of young outstanding scientists within the Arab-Israeli sector, with the explicit intention of integrating

⁶⁷ CBS, Statistical Abstract of Israel 2004, Table 8.42.

⁶⁸ CBS, Statistical Abstract of Israel 2003, Table 8.21.

⁶⁹ Ibid.

⁷⁰ CBS, Statistical Abstract of Israel 2003, Table 8.3; CBS, Statistical Abstract of Israel 2004, Table 8.3.

them within academia at the rank of lecturer ..." Israel states that there have been 26 recipients of the program since 1996, of which only 4 were women, demonstrating its insufficiency as a means to secure an increase in the numbers of Palestinian women in academia. While women in general are particularly under-represented in the fields of mathematics, statistics, computers, the physical sciences, engineering and architecture, comprising less than 10% of the total of academic staff in these fields in Israel (p.100), the negligible representation of Palestinian women across all subjects attests to Israel's failure to set up effective affirmative action programs to enable more Palestinian women citizens of Israel to enter academia.

7. Science and Technology Education for Women

While Israel's state report admits (p.103) that high school girls are under-represented in the exact sciences and technology fields in Israeli universities - without providing figures - the report fails to provide separate data on the participation of Palestinian high school girls in these fields.

8. The Girl-Child

Pages 103-109 of Israel's report discuss the "girl-child." While the report includes a comparison between girls of different ages, and between girls and boys, the report fails to deal with Palestinian girls, who form a distinct sub-group with their own particular needs, and are affected by the issues covered (which include alcohol and drug abuse, sexual behavior, physical and mental health, violence, and suicide) in distinct ways.

Suggested Questions:

- (1) Given the significant gap which exists between the number of Palestinian and Jewish children benefiting from a kindergarten education, will the Ministry of Education not prioritize Palestinian towns in the establishment of new kindergartens? In view of the considerably low percentages of Palestinian women in the labor force, will the Ministry of Social Affairs increase the number of daycare centers in Palestinian villages and towns?
- (2) In how many Palestinian schools is the Long School Day Law implemented? What plans, if any, does Israel have to implement the Long School Day Law in more Palestinian schools in Israel?
- (3) What if any plans does the State of Israel have for introducing measures to reduce the particularly high rate of illiteracy among Palestinian women citizens of Israel?
- (4) Why, given the low median education level of Palestinian girls compared with other population groups and the low rates of attendance of Palestinian girls compared with Jewish girls has Israel not instigated measures to close these gaps?
- (5) Why has Israel not initiated measures to close the significant gap between the drop-out rates among Palestinian girls and Jewish girls?
- (6) Why does Israel not provide disaggregated results for the matriculation examinations for Palestinians, including a gender breakdown?
- (7) What if any effort is Israel making to remove gender stereotypes from textbooks in the Palestinian educational system?
- (8) Does Israel plan to implement the Equality 2000 project in Palestinian schools?
- (9) Why has Israel adopted no affirmative action or other policies to raise the number of Palestinian university students?
- (10) Why do measures indicative of a policy to decrease the number of Palestinian university students, some of which have a greater impact upon Palestinian women, including the imposition of lower age-limits for university courses, not constitute discrimination against the Palestinian minority in Israel?
- (11) How many Palestinian women citizens of Israel have participated in the Maof Program since its establishment? What if any further measures will introduce Israel to raise the numbers of Palestinian women academia?
- (12) How many Palestinian women annually receive research grants or budgets at Israeli universities? How many Palestinian women sit on decision-making and steering committees in Israeli universities?
- (13) How many female Palestinian students participate in the fields of science and technology at the high-school, undergraduate and postgraduate levels? How many Palestinian schools participate in "The Future Generation of Hi-Tech," program mentioned in Israel's report? How many Palestinian schools are participating in the "GES" programs mentioned in the report? How many scholarships

have been awarded to Palestinian female students under the Ministry of Science Culture and Physical Education program mentioned in the report? What percentage of Palestinian high school girls enroll in the university science enrichment activities described in the report?

(14) Please provide separate information under the section "The Girl-Child" relating to Palestinian girls, in acknowledgment that they are a distinct sub-group with particular needs.

This fact sheet was prepared by Adalah: The Legal Center for Palestinian Minority Rights in Israel and the Al-Tufula Pedagogical and Multipurpose Women's Center.

ARTICLE 11: EMPLOYMENT

In its Third Periodic Report on the "Implementation of the United Nations Convention on the Elimination of All Forms of Discrimination against Women" submitted in 2001, the State of Israel mentions Palestinian women only twice: in Section 7.1.1, 'Women's Participation in the Workforce,' and Section 9, 'Vocational and Professional Training for Women.' This insufficient coverage is a grave omission by the State of Israel because:

- a) The percentage of Palestinian women citizens of Israel participating in the workforce has only marginally increased (from 22.3% in 1998⁷¹ to 22.9% in 2001) while the percentage of Jewish women participating in the workforce has increased from 51% in 1998 to 77.3% in 2001.
- b) The Third Periodic Report indicates that the total budget for the Department for Adult Training has increased by 10% between 1996-2000; however, Palestinian women citizens of Israel make up only 6% of participants in training programs between 2001-2.
- c) Palestinian women earn the lowest wages, and have the fewest resources, such as daycare centers or industrial zones, to help them participate in the workforce.

In light of these considerations, the Working Group on the Status of Palestinian Women of Israel would like to raise the following issues and kindly asks the Committee on the Elimination of Discrimination against Women to inquire about the related questions:

1. The Participation of Palestinian Women Citizens in the Workforce

In its Concluding Observations, the Committee on the Elimination of Discrimination Against Women recommended that "the participation of Palestinian women in the public sector and in decision-making posts should be increased."⁷²

In 2001, 22.9% of Palestinian women aged 25-54 participated in the Israeli labor force (compared to 77.3% of Jewish women and 77% of Palestinian men).⁷³ The Israeli government serves as the primary employer of women. In 1972, 45,920 women worked for the public sector⁷⁴, only 7.2% of these women were Palestinian. In 1995, 184,640 women worked for the public sector, only 13.6% of them were Palestinian⁷⁵. These numbers fall far short of equal participation of Palestinian women in the public sector.

The Ministry of Health employs 82% of all Palestinian women in public sector. Some ministries, such as the Ministry of Transportation, the Ministry of National Infrastructure, the Ministry of Tourism, the Ministry of Public Security and the Ministry of Construction and Housing do not employ even a single Palestinian woman.⁷⁶

The small number of Palestinian women working in public sector is not surprising, since most public services are not available in Arab villages. The reluctance of the Israeli government to invest in the infrastructure of Arab villages and to make public services more accessible for their residents, create little demand for employees within small villages.

⁷¹ Third Periodic Report Submitted in 2001 to the United Nations Committee on the Elimination of Discrimination Against Women

⁷² UN Doc A/52/38Rev.1, Part II para. 176.

⁷³ ADVA Center, *Participation in Civilian Labor Force of Persons Aged 25-54, by Population Group and Gender*, 2001.

⁷⁴ The term public sector encompasses civil service, municipal employment, schools and all other public jobs paid by the government.

⁷⁵ Shlomo Swirski, Etty Konor-Attias, Barbra Swirki and Yaron Yecheles, *Women in the Labor Force of the Israeli Welfare State*, ADVA Center, July 2001.

⁷⁶ Sikkuy, Annual Report, 2003.

2. Salaries of Palestinian Women Citizens and the Lax Enforcement of Labor Law

In its Concluding Observations, the Committee on the Elimination of Discrimination against Women noted with concern that a marked disparity existed between the average earnings of women and men in many sectors and that women were also disproportionately represented in part-time employment.⁷⁷

The limited demand for employees in Arab villages leads to the exploitation of women in the work place. Employers usually offer women poor working conditions with no social benefits.

In 2001, the average monthly wage in Israel was NIS 7,604. Residents of Arab towns and villages earned the lowest average wage in Israel- NIS 5,252⁷⁸ (30% less than the average wage in Israel).

In 2001, the average monthly wage of women in Israel was NIS 5,835⁷⁹. It should be noted that there are no governmental sources on the monthly average wage of Palestinian women, even in the statistical abstracts published by the CBS.

A survey conducted by ADVA center on 50 villages and towns with the lowest monthly wage of women, revealed that 48 out of the 50 villages and towns were Arab villages⁸⁰. The survey also showed that in 20 towns and villages, the monthly wage of women was even below the minimum wage (NIS 3,191), all of these villages were Arab.

A survey conducted in 1998 in Nazareth, the largest Arab city in Israel, found that 61% of working women earned below the minimum wage prescribed by law.⁸¹ Only 34.7% of the women who reported working over time received payment for additional hours.

Only 53.7% of the women reported taking annual vacation. 67.4% of the women were paid by their employer during sick leave.

The survey also showed that the average weekly working hours per a woman was 39.3, which indicated that women worked in part time jobs.

3. The Lack of Daycare Centers for Children

The development of daycare centers began in the 1970s, as a way of encouraging women to enter the labor force. Such centers provided a practical solution for women with children of three years old and younger. Today, the Ministry of Social Affairs and the Ministry of Industry, Trade and Labor subsidize the maintenance of both children of working mothers and for children categorized as children at-risk in these daycare centers and house care programs. According to the Ministry of Social Affairs, of the 1,600 daycare centers in Israel for children aged 0-3 in 2003, only 25 centers operate in Arab villages. Out of approximately 80,000 children aged 0-3 who attend publicly subsidized daycare centers or house care programs, only 4,200 of them are Arab children. Although Arab children constitute 26% of the total number of children in Israel, they constitute only 5.25% of the children attending subsidized daycare centers and house care programs. The lack of sufficient subsidized daycare centers in Arab villages discourages many women from participating in labor force, since most of them cannot afford a private babysitter.⁸²

⁷⁷ UN Doc A/52/38Rev.1, Part II para. 165.

⁷⁸ Alon Etkin, *Wage Levels in Different Localities in Israel: 2001*, ADVA Center, March 2004.

⁷⁹ Ibid.

⁸⁰ Ibid.

⁸¹ The Arab Association for Human Rights, *The Conditions of Women Workers in the Private Sector in Nazareth*, 1998.

⁸² The information was obtained from the ministry according to the Freedom of Information Law (1998) cited in Sonia Boulos, *The Integration of Palestinian Women in the Israeli Labor Market: Obstacles and Suggestions for Solution*, The Association of Civil Rights in Israel, July 2003.

4. The Lack of Adequate Professional Training for Palestinian Women Citizens of Israel

Most of the vocational schools operating in Palestinian villages provide traditional vocational training for women. Women are usually trained to become secretaries, nursing assistants, hairdressers or other stereotypically “feminine” professions. These schools do not provide professional training in technological fields. The Ministry of Industry, Trade and Labor also runs vocational training programs for the unemployed. The Ministry does not provide enough training courses designated for Palestinian women who make up only 6% of the participants in the Ministry’s training programs in 2001-2002. In addition, the majority of Palestinian women who participated in these programs received traditional vocational training, even when technological training programs were available.⁸³ As a result, Palestinian women are clustered in professions that are stereotypically “female” with no room for professional growth, demand no special skills, and afford the lowest wages.⁸⁴

5. The Lack of Industrial Zones and Public Services

Only 3.2% of the industrial zones supported by the Ministry of Industry, Trade and Labor are located in Palestinian localities.⁸⁵ In 2004, the Ministry allocated only 10% of the budget designated for developing industrial zones for Palestinian localities.⁸⁶ The absence of industrialized zones and public services creates very limited demand for employees within Palestinian villages. The few available work places within Palestinian localities offer poor working conditions for women. Furthermore, due to the lack of employment opportunities in their communities, many Palestinian women work in part time jobs or in professions that are not compatible with their education or vocational training.

6. The Lack of Public Transportation

The absence of frequent public transportation from small villages to central cities makes it nearly impossible for women to work outside their villages. Living in traditional society, many Palestinian women are not allowed to work outside their place of residence, while men are free to do so.⁸⁷ Because the major public transportation system (Egged) is majority owned by the government, Israel has a responsibility to make transportation available to all its citizens.

7. The Absence of National Employment Services (NES) in Palestinian villages

The National Employment Services (NES) operates 120 branches. The basic functions of the NES include job placement, employment counseling, providing information and referrals to vocational courses and adult education courses under the auspices of the Ministry of Industry, Trade and Labor. Only 14 branches are located in Palestinian localities.⁸⁸ Due to the lack of public transportation as well as other social factors that limit women’s mobility, these opportunities are not available to women living in villages in which the NES does not operate. In fact, the new trend in the Ministry is toward closing smaller offices and consolidating them to bigger offices.

Suggested Questions:

- (1) Please provide information on possible measures, such as developing new industrial zones in Palestinian villages, providing adequate public transportation and NES services, providing professional training courses and subsidized day care centers, to improve the levels and types of employment of Palestinian women citizens of Israel in the civil service and elsewhere?
- (2) Can the State please explain any measures it has taken in order to increase compliance with labor laws in Palestinian villages?

This Fact Sheet was prepared by Kayan: A Feminist Organization.

⁸³ For example, in 2002, of the 309 individuals participating in computer graphics and web design courses, only 2 were Palestinian women while 236 were Jewish women.

⁸⁴ Supra, note 82

⁸⁵ Sikkuy Annual Report, 2004

⁸⁶ Ibid.

⁸⁷ Supra, note 82

⁸⁸ This data is available at: www.taasuka.gov.il/branches.asp

ARTICLE 12: EQUALITY AND ACCESS TO HEALTH

In its Third Periodic Report on the “Implementation of the United Nations Convention on the Elimination of all Forms of Discrimination Against Women” submitted in 2001, the State of Israel dedicates one section to Arab Women’s Health (Section 12) that covers the relationship with the doctor providing treatment, access to services, health awareness, mammograms, and “other health data.” While the Working Group is pleased that the State of Israel has set aside a section for Arab women, this section does not sufficiently cover all health issues of Palestinian women citizens of Israel because:

- a) The percentage of Palestinian women citizens receiving mammograms or PAP smears and the percentage visiting gynecologists is *still* much lower than the percentage of Jewish women.
- b) Only three private hospitals cater to Palestinian women’s needs with respect to language and access. All three hospitals are located within the Arab-speaking town of Nazareth, in the north. Some hospitals located in mixed cities also employ Palestinian health care providers.
- c) Israel’s failure to supply free and accessible contraceptives disadvantages poor women, many of whom are Palestinian women citizens, putting them at high risk of unwanted pregnancies and unnecessary abortions.

In light of these considerations, the Working Group on the Status of Palestinian Women Citizens of Israel would like to raise the following issues:

1. The Health Insurance System in Israel

Prior to 1995, Israel had a voluntary health insurance system, under which 96% of the Jewish population and 88% of the Palestinian population were covered for ambulatory treatment and hospitalization as members of health funds. In 1995, the newly enacted *National Health Insurance Law* made health insurance both compulsory and universal. The law introduced principles of equality in terms of access and availability of services. National health fees are determined by salary or income level. According to the law, every insured person is entitled to a “Health Services Basket,” which includes diagnosis, consultation, medications, hospitalization, supplies and medical equipment. The Ministry of Health and the sick funds are responsible for providing services included in the basket. Although Israel has one of the most comprehensive health care plans, the health basket does not provide coverage for health services that are specifically relevant to women, such as authorized abortions and contraceptives. The failure to meet women’s unique health needs discriminates against girls and women and undermines their right to health.

2. Awareness of Health Issues among Palestinian Women Citizens of Israel

Recent surveys on women’s health in Israel reveal that Palestinian women citizens are less likely to receive appropriate diagnostic testing for women’s health issues than their Jewish counterparts. For example, in the EUROHIS survey, only 31% of Palestinian women citizens reported having been screened for breast cancer (mammography) at least once, compared to 49.5% of Jewish women; while 11% of Palestinian women citizens reported having been screened for cervical cancer (PAP smears) at least once, compared to 58% of Jewish women.⁸⁹ The survey also revealed that only 17.3% of Palestinian women citizens reported visiting a gynecologist at least once a year compared to 50.3% of Jewish women.

This gap in testing is further evidenced in the number of Palestinian women citizens diagnosed with osteoporosis. According to the Israeli Center for Disease Control, 4.5% of Palestinian women citizens aged 45 and older are diagnosed with osteoporosis, compared to 19.6% among Jewish women in the same age group. The Center for Disease Control concluded that since Palestinian women citizens

⁸⁹ The survey was conducted under the auspices of the European Health Interview Surveys (EUROHIS) and was carried out by the Israeli National Center for Disease Control. The results were published in August 2004.

overall suffer from poorer health than their Jewish counterparts, the difference in rates likely results from less testing of Palestinian women citizens. These gaps in diagnostic testing can be attributed in large part to the lack of awareness among Palestinian women citizens regarding women's health issues in addition to the problem of lack of access to health care described below.

Suggested Question:

(1) What measures are taken by the Ministry of Health and other relevant bodies, to raise awareness among Palestinian women about health issues related to women specifically?

3. Reproductive Rights

In its Concluding Observations, the Committee on the Elimination of Discrimination Against Women noted with concern that the public health system did not include even partial coverage for contraceptives.⁹⁰ The Committee also recommended that public health services supply free and accessible contraceptives.⁹¹

Despite the Committee's recommendations, contraceptives remain unsubsidized.

Israel's failure to supply free and accessible contraceptives is a barrier to women's control over their bodies and to practice family planning and puts them at high risk of unwanted pregnancies and unnecessary abortions. In 2003, The Israel Association for the Advancement of Women's Health completed a survey on contraceptive behavior among women in Israel. The survey revealed that women with higher incomes were more likely to use contraceptives. About 6% of the participants reported that they ceased using contraception due to financial costs. A further 30% stated that birth control pills were expensive.⁹² In research conducted in Kufr Manda, a Palestinian village with one of the highest unemployment rates in Israel, 55.6% of women reported that the number of children in their families was not as they had planned or desired. The researchers concluded that failure to provide free access to contraceptives made women choose cheap and less effective methods of birth control. For example, 10.8% of women got pregnant while using IUD. This was attributed to the use of IUDs that are least expensive.

The average fertility rate among Palestinian women citizens is 3.8% compared to 2.3% among Jewish women.⁹³ The average spacing of children among Palestinian women citizens is 2.8 years compared to 4 years among Jewish women. Higher fertility rates generally correlate with early marriage, lower levels of education, less access to family planning services, poverty and lack of awareness, all of which Israel has failed to address comprehensively.

Suggested Question:

(1) What is being done to address the barriers that women face in accessing affordable reproductive health and family planning services and commodities, particularly Palestinian women citizens and rural women?

4. Infant Mortality Rates

In its Concluding Observations, the Committee on the Elimination of Discrimination Against Women was concerned because non-Jewish women enjoyed poorer health, resulting in very high maternal and infant mortality rates.⁹⁴

According to the Israeli Ministry of Health, the overall rate of infant mortality in Israel for 2003 was 4.96 per 1000 births.⁹⁵ The rate of infant mortality for Palestinians was 8.63% compared to 3.63% in

⁹⁰ UN Doc A/52/38Rev.1, Part II para. 167.

⁹¹ UN Doc A/52/38Rev.1, Part II para. 181.

⁹² According to the EUROHIS survey, the percentage of Palestinian women ever practicing oral contraception is 24.9 compared to 49.4% among Jewish women. 5% of Palestinian women reported current use of oral contraceptives compared to 21.2% among Jewish women.

⁹³ Supra, Note 3.

⁹⁴ UN Doc A/52/38Rev.1, Part II para. 162.

the Jewish community. The overall rate of stillbirths in Israel was 1.07 per 1000 births. Among Palestinians, the rate was 1.47% as compared to 0.91% in the Jewish community. In 2003, the child mortality in the Palestinian community decreased by 8% compared to 10% in the Jewish community. The highest child mortality rate (13.3%) was registered in the Bedouin community in the Negev. Israel needs to address those factors that lead to increased mortality rates, including poverty, access to resources and access to health care.

Suggested Questions:

(1) What concrete steps are being taken and what resources are allocated to addressing the high infant and maternal mortality rates among Palestinian women, particularly the Bedouin women in the Negev?

5. Childbirth Among Minors

The following table of 2002 data from the National Council for the Child⁹⁶ shows numbers of birth based on the age of the minor and nationality:

<i>Age of Mother</i>	<i>Palestinian</i>	<i>Jewish</i>
<i>Under 15</i>	<i>25</i>	<i>13</i>
<i>Under 16</i>	<i>108</i>	<i>26</i>
<i>Under 17</i>	<i>354</i>	<i>93</i>
<i>Under 18</i>	<i>840</i>	<i>351</i>

6. Access to Health Care Services

Under the CEDAW Convention, Israel is obligated to ensure women's access to health care. One important method to promote access is the provision of health clinics and hospitals in Palestinian communities. Notably, Nazareth is the only Palestinian community with hospitals and these three hospitals are non-governmental hospitals, primarily operated by churches. Palestinians living in other areas must go to hospitals located in Jewish or mixed localities. Social restrictions on women's mobility, as well as limited public transportation options limit their access to medical treatment.

In 2001, parliament member (MK) Ahmed Tibi introduced a bill to establish new hospitals in three Palestinian towns: Umm al-Fahem, Taybeh and Sakhnin. During the Preliminary debate, MK Tibi emphasized the need to build new hospitals in order to meet the needs of the growing population in these three towns and the neighboring Palestinian villages and to make health services more accessible to the local community.⁹⁷ MK Tibi finally accepted the Ministry of Health's proposal to begin construction of a regional hospital at just one site. Nevertheless, the Minister of Justice opposed the bill.⁹⁸ A similar bill to establish a new hospital in the Jewish city of Ashdod passed preliminary reading.⁹⁹

Suggested Questions:

(1) What efforts are being made by the government to ensure equality in access to affordable, convenient, quality comprehensive health services to the Palestinian community?

6. Language Barrier

Even when Palestinian women citizens are able to travel and receive medical care, they often face a language barrier since most health service providers speak only Hebrew, while the women speak only Arabic. Since much of medical care depends on clear communication between doctors and patients, women's health is prejudiced by the communication barrier. In research conducted by Meyers JDC

⁹⁵ Ministry of Health <http://www.health.gov.il/news/news.asp?ID=235>.

⁹⁶ Children in Israel 2003, The National Council for the Child.

⁹⁷ Bill # 2998 as cited in N. Sultany (2003) *Citizens without Citizenship*. Haifa: MADA Center.

⁹⁸ Ibid.

⁹⁹ Bill # 1666 as cited in Sultany.

Brookdale Institute on Women's Health, it was revealed that Palestinian women citizens showed less appreciation for their physicians compared to Jewish women. This was contributed *inter alia* to language barriers.¹⁰⁰ These problems are only exacerbated in the rural areas.

Suggested Question:

(1) What special measures are being taken to increase the number of Arabic-speaking healthcare providers in medical centers, clinics and hospitals that serve the Palestinian citizens and Palestinian women citizens in particular?

This Fact Sheet was prepared by Kayan: A Feminist Organization.

¹⁰⁰ Meyers JDC Brookdale Institute on Women's Health. See <http://brookdale.pionet.com/default.asp?catid={C5B343E4-306A-4294-82D1-39F3DBB51FBA}>

ARTICLE 13: SOCIAL AND ECONOMIC BENEFITS

In its Third Periodic Report on the “Implementation of the United Nations Convention on the Elimination of All Forms of Discrimination against Women” (submitted in 2001), the State of Israel insufficiently covers the issues because:

a) economic policy in recent years has led to major budget cuts in the welfare domain, and according to the State Report, 73% of all recipients of long-term care benefits are women (p. 159),

b) “Non-Jewish women” – i.e. Palestinian women citizens in most cases – are only mentioned in section 1.1.1. (Maternity Insurance), a service Palestinian women citizens seldom make use of, while section 1.2 (Poverty of Women) does not mention Palestinian women at all, even though the *Poverty Report 2003* of the National Insurance Institute (NII) reveal that 48.4% of Palestinian families in Israel live below the poverty line, as opposed to 14.9% in the Jewish sector (*NII Poverty Report 2003*). This percentage even rises in families who rely on social and economic benefits, e.g. 72% of Palestinian families headed by a senior citizen (compared to 15% of Jewish families) are poor (latest data available: *NII Income Survey 2002*),

c) Israeli Unemployment and National Insurance Laws are covertly discriminatory against Palestinian minority citizens, and general practice in the Employment Bureaus suggests a biased attitude towards Palestinian job-seekers.

In light of these considerations, the Working Group on the Status of Palestinian Women Citizens in Israel would like to raise the following issues:

1. Granting Unemployment Benefits upon Condition of Fulfilling an Unrelated Duty

In Israel, an “insured, unemployed person” is generally eligible for unemployment support. However, “insured” is defined as “a resident of Israel, or temporary resident, who is an employee aged 18-65, or a soldier, demobilized from regular service less than one year ago”, while conditions of eligibility set the age limits “between 20 and 65 years of age, and in some cases also between 18 and 20 years of age.” Between the age of 18-20, Jewish Israelis and Druze have to serve in the army, while the majority of the Palestinian citizens are exempt from this duty. Tying the right to social and economic benefits to the performance of an unrelated duty (i.e. not related to trying to seek employment) contradicts the notion of the universality of this right. Moreover, income benefits are only paid to needy residents of Israel aged 25 or older.

Suggested Question:

(1) How does the State of Israel fulfil its duty to provide support for needy, unemployed Palestinian women citizens aged 18-20, given the fact that they are not eligible for any sort of welfare payments, be it unemployment support or income benefits?

2. The “Property Clause” in National Insurance Law

According to Article 10a. of the National Insurance Law (1982), income benefit and income supplement payments are affected by a recipient's ownership of real estate. Depending on the estimated value of the property, a certain percentage of income support payments is deducted. In practice, only Palestinian citizens are affected by this provision, since Jewish Israelis generally live on leased land in one-family houses. Moreover, the justification for the ratio used to determine possible income generated from the property is unclear. Palestinian women citizens, both as spouses and as potential heirs, are affected by this law because they are automatically considered heirs of their fathers' real estate even if they waived this right or if the land in question was sold but not registered with the new owner.

Suggested Questions:

(1) Can the State of Israel provide current data about how many Palestinian women citizens of Israel who are either directly - as heirs/owners of real estate - or indirectly - as the spouse of an heir/owner of real estate - affected by the property clause (Article 10 a. of the National Insurance Law) live below the poverty line?

(2) Based on what evidence does the State justify the assumption that possible income generation out of real estate ownership in any part of Israel is 8% of the estimated value?

3. Implications of Recent Budget and Economic Arrangement Laws

The *2003 Economic Arrangements Law* provided a 30% cut in income benefit payments and the *2003 Budget Law* prescribes that in families with children between the ages of 2 and 7 who rely on income benefits, both spouses need to sign in the Employment Bureau and be available on the job market. Generally, the unit for income benefit support is the family, i.e. husband, wife, and dependent children below 18.

Suggested Question:

(1) The purpose of National Insurance Law in Israel is "to reduce economic disparities and ensure social security for every individual and family at all times" and income benefit is paid to "any person and family in Israel not capable of ensuring a basic minimum income for subsistence." How does the State of Israel fulfil this mandate in cases of Palestinian women citizens – both as members of a family unit and as singles - whose income support and supplement payments amount to 0 New Israeli Shekel (NIS) per month due to an accumulation of deductions, such as the general 30% cut in 2003 and deductions resulting from ownership of real estate, which factually does not generate income?

4. Rehabilitation for Long-Term Unemployed Palestinian Women Citizens of Israel

In 2002, the director of the textile section of Israel's industrial union estimated that in the previous seven years, 15,500 workers out of a total of 45,000 lost their jobs in the textile industry. He further noted that most of these labourers were Palestinian women citizens and that 84% of the female workers made redundant in the textile industry cannot find new employment.

Suggested Questions:

(1) What does the National Employment Service do to counteract the vicious circle of long-term unemployment among Palestinian women in Israel?

(2) Do the Employment Bureaus offer special services for the particularly vulnerable, such as for Palestinian women with a low level of education, rural women, and women who do not have a sufficient command of the Hebrew language?

5. Producing "Job Refusers" as Part of the Economic Policy

In 2003, the Labour Court in Tel Aviv dealt with the case of an employee of the Haifa employment bureau who had been made redundant in the course of an economic reform plan (case no. 07514/03 AB). The employee herself, however, argued she had been fired because she did not produce a sufficient number of job refusers in the income benefit department, who as a consequence get their benefits cut for two months. Judge Ilan Itach adopted the employee's position and argued in the verdict, which ordered the Employment Bureau to reverse its decision, that the reason for laying off the employee was the low number of job refusers she produced in her office. He further noted that this attitude of the employment bureau is illegal and contradicts the Labour Bureau Law (point 8.2 of the decision). He added that the low number of refusers in the employee's office should rather suggest that she is an excellent staff member because she succeeds in sending people to work (point 10.1 of the decision). Case studies support the assumption that this general policy of overzealously using the "refusal-to-work" stamp is prevalent with Palestinian benefit recipients and Palestinian women citizens in particular, since they have a very low standing as members of the Israeli work force.

Suggested Questions:

- (1) How many Palestinian women citizens were registered as “refused to work” in the Haifa job office from 2000 until present?
- (2) How does the National Employment Service guarantee transparency in its dealings with benefit recipients who are labelled “refused to work”?
- (3) Are there any concrete action plans to investigate and counteract the discriminatory practices revealed in case no. 07514/03 AB of the Tel Aviv Labour Court?

6. Single Mothers’ Benefits and Polygamy

Polygamy is a common practice in the Bedouin communities in the Negev. However, according to the Israeli Penal Code, it is a criminal offense. Therefore, second and third wives are usually not registered as spouses, since it would implicate the husband in a criminal activity. As a result, abandoned wives do not have a divorce certificate. Moreover, due to the difficult economic situation of Bedouin women and the conservative social structure of the Bedouin community in the Negev, these women and their children have no choice but to continue living close to their extended family members and former husbands.

Many abandoned wives and their children live in a legal vacuum and have no access to support payments. Firstly, if these women apply for single mothers’ benefits, their applications are in most cases rejected since the NII assumes that they still share a household with their former husbands (because they remain in the neighbourhood). Secondly, many second or third wives of a polygamous husband are residents of the Occupied Palestinian Territories, and according to the regulations of the Nationality and Entry into Israel Law (Temporary Order), they cannot apply for residency in Israel. If their children are not recognised by the father – in order to avoid being prosecuted for polygamy - they remain stateless.

Suggested Questions:

- (1) How many Palestinian women citizens live in polygamous marriages in Israel and are not officially registered as spouses, and how many Palestinian women citizens have been abandoned by their husbands without any official divorce procedure?
- (2) How many female residents of the Occupied Palestinian Territories live in polygamous marriages inside Israel or have been abandoned by their husbands?
- (3) How many stateless children born to an Israeli father live in Israel?
- (4) What direct measures are taken by the State to protect the right to social and economic benefits of wives of polygamous men and of their unrecognised children?

This fact sheet was prepared by the Arab Association for Human Rights (HRA), The Laborer’s Voice (“Sawt el-Amel”), and Altufula: Pedagogical and Multipurpose Women’s Centre.

ARTICLE 14: RURAL WOMEN

In its Third Periodic Report on the "Implementation of the United Nations Convention on the Elimination of All Forms of Discrimination against Women", the State of Israel's presentation of Arab Bedouin women in the Negev is problematic in a number of areas.

a) The discussion of the Arab Bedouin women of the Negev as rural women neatly glides over the fact that successive Israeli governments have pursued a policy of "de-ruralisation" of the Bedouin, and have developed a set of planning policies and mechanisms aimed at forcibly settling all the Bedouin in "modern" urban communities, dismantling the traditional pastoral economy, and asserting control over all of the land of the Negev. These policies do not square in any way whatsoever with the State's obligation under Article 14 to foster the rural way of life and to recognize the special roles women play in the survival of the rural economy.

b) The presentation of the Bedouin community in the Negev as "number[ing] approximately 100,000" and as "scattered across the desert, living in villages and semi-nomadic encampments" gives a highly prejudiced view of the Bedouin as widely dispersed and unknowable, implying that it is not unreasonable why the government struggles to provide them with services. Yet the Israeli Central Bureau of Statistics calculates the Bedouin population as 138,000.¹⁰¹ Moreover, the scattered villages and encampments referred to by the state, and known more widely as "the unrecognized villages," all lie within the metropolitan Beer Sheva area, and are either villages that predate the establishment of state, or are on sites where the state relocated the Bedouin during its early years.

In light of this misrepresentation, and of the subsequent information presented, the Working Group on the Status of Palestinian Women Citizens in Israel would like to raise the following issues:

1. Housing

House Demolitions

According to the Regional Council of the Unrecognised Villages¹⁰², 117 Arab Bedouin homes have been demolished in the Negev since May 2001. Demolition orders have been issued for at least 22,000 additional homes.¹⁰³ House demolitions have been pursued with renewed vigour under the current government. Demolitions occur in the unrecognized villages, the recently recognised villages and the recognized villages. Houses are demolished due to building permit violations, but villagers lack alternatives because there is no way they can get a building permit for their house. In addition, when a house is demolished, residents are provided with no alternative housing.

The impact of the house demolition policy on Arab Bedouin women is particularly harsh. They are the primary caretakers of the family and responsible for the welfare of their children and husband. Their connection to the home is considerable because it is the private space within which they provide for the needs of the family. Being forced to relocate into relatives' homes or other public spaces adds psychological and physical burdens on the women who are still expected to fulfil their household tasks, but without the privacy of their own home.

Suggested Question:

(1) What efforts are being made to address the adverse affects on women and their families of the continuing policy of house demolitions, with no alternatives accommodations provided?

¹⁰¹ Israel Central Bureau of Statistics. (2004) 2002 Statistical Yearbook of the Bedouin. Beer Sheva: Ben Gurion University.

¹⁰² Regional Council of the Unrecognized Villages (2004, Dec) List of House Demolitions in the Unrecognised Villages in the Negev, unpublished paper.

¹⁰³ Regional Council of the Unrecognized Villages and Arab Association of Human Rights (2004), The Unrecognized Villages in the Negev: Update 2003, Nazareth.

Planning

Plans to “modernise” the living conditions of Arab Bedouins have been devised with no community consultation and at odds with any planning goals that aim to improve quality of life. Rather, plans have aimed to concentrate the Bedouin in certain areas and to make their traditional lands available for Jewish settlement programs. There are over 13 plans that ignore the existence of the unrecognized villages. Whereas residence planning for the Arab Bedouin involves settling them entirely in urban localities, different options are open for Jews, such as agricultural communities, kibbutzes, and single-family farms. The Southern Regional Planning Committee, which implements planning guidelines for the Negev region, comprises of 17 members, none of whom are Bedouin or Arab. There was no community participation in any of the Regional Plans.

Because the movement of Arab Bedouin women is carefully managed in and around the house and within the collective space of the neighbourhood, planning that fails to consider their needs will inevitably restrict their movement and any independent initiative even further. For instance, the planning of neighbourhoods with homes that have only one entrance and no transportation options within or between Bedouin localities have had particularly isolating effects on the women.¹⁰⁴

Suggested Question:

(1) What measures have been taken to guarantee equal participation of Bedouin women in development planning in the Negev, both in planning new neighbourhoods in officially recognized Bedouin localities, and in particular, in addressing the concerns of women residents of the unrecognized villages?

2. Health

Denial of Services

The government has employed health care as a political tool to relocate Arab Bedouin away from their historic lands. The Bedouin Development Authority, founded in 1981 to deal with land issues, has the authority to provide health services and to determine where clinics are established in the Bedouin community. However, until 2001 no clinics existed in the unrecognized villages. Only after Supreme Court action began in December 1997 were six Mother and Child clinics opened, each with a physician and nurse.¹⁰⁵ None of these clinics hold medicine that requires electricity to be kept refrigerated, and none have a pharmacy. About 38 villages still remain without any clinics.

The six clinics that are available in the unrecognized villages remain inaccessible for thousands of other Arab Bedouin women, who have no available transport to the clinic, are unable to pay the fees, and cannot communicate with the majority of clinic staff who do not speak Arabic. Only a third of nurses in these clinics speak Arabic. According to one study, 29% of women patients reported having language problems when visiting the clinic. As a result, 47.3% of Arab Bedouin women do not avail themselves of health services when they need them.¹⁰⁶

Access to health centers and emergency services is also impeded by the lack of adequate ambulance services for the Arab Bedouin community. While there are many ambulance stations near Bedouin localities, only ambulances from the central station of Beer Sheva or Rahat are routed to enter a Bedouin recognized village. All the neighbouring Jewish localities have an ambulance serving their community. No ambulances will serve unrecognized villages since Magen David Adam (the state emergency service) has a policy of non-entry into these villages.¹⁰⁷

The denial of such services has several severe effects on Arab Bedouin women. The infant mortality rate among the Bedouin community is 17.4 per 1,000 births, compared with 6.3 per 1,000 births in the

¹⁰⁴Fenster, T. (1997, Nov) “Gender and Space Construction” *Gender Institute Discussion Paper Series*, London: London School of Economics.

¹⁰⁵ H.C. 7115/97, Adalah, et.al. v. Ministry of Health, et. al.

¹⁰⁶ Cwikel, J. et al (2003) “Physical and Psycho-Social Health of Bedouin Arab Women of the Negev: The Impact of High Fertility and Pervasive Domestic Violence,” *Violence Against Women*, 9(2), pp. 240-257; Sage Publishers; Researchers found that living in an unrecognized village and having a low family income directly correlated with how often Bedouin women access health services.

¹⁰⁷ Almi, O. (2003) *No Man’s Land: Health in the Unrecognized Villages of the Negev*, Tel Aviv: Physicians for Human Rights.

Negev Jewish community. About 24% of these deaths are due to infectious diseases or unknown causes. Moreover, the infant mortality rate triples in the winter months of December and January.¹⁰⁸ Outside of the winter months, three times more Bedouin children than Jewish children are hospitalised with infectious diseases.¹⁰⁹ About 90% of the children hospitalised each year in the Sorroka regional hospital in Beer Sheva are Bedouin.

In the sphere of mental health, 30.7% of Arab Bedouin women surveyed suffered from low self-esteem, 26.1% from hopelessness and depression, and 26.7% were found to be clinically depressed. Yet only 6.9% of survey participants took anti-depressants.¹¹⁰

Suggested Questions:

- (1) What measures are being taken to ensure that rural Bedouin women can easily access quality, affordable comprehensive healthcare services and care by healthcare providers who speak their local language?
- (2) What steps have been taken to address the lack medical transport infrastructure and healthcare services in the unrecognized villages, and the adverse impact on female residents of these villages?

Access to Water

The state maintains a policy of denying clean and accessible water to the residents of the unrecognized villages, yet nearby single-family Jewish farms are connected to public water networks. Arab Bedouin villagers are forced to get water from improvised plastic hose connections or to transport the water themselves from single points far from their homes. The villages of Wadi Naam and Um Batin (each with populations of over 2,000 people) have only one pipe shared between the villages. The average water consumption in the unrecognized villages is 24 cubic metres p.a. compared with, 151 cubic metres for the neighbouring Jewish locality of Omer.¹¹¹

This absence of water infrastructure in Arab Bedouin communities affects the health of Arab Bedouin women and their children. Low water consumption leads to health risks from dehydration and diarrhoea. On average, in August of every year, about 16,000 Bedouin children are admitted to Sorokka Hospital in the Negev with diarrhoea, compared with only 5,000 Jewish children.¹¹² The lack of safe drinking water in the unrecognized villages has been directly linked to infant deaths.¹¹³

Suggested Question:

- (1) What efforts are being made to address the severe impact of the lack of safe water and water infrastructure on the health of women in the unrecognized villages?

Environmental Policies

Following the Bedouin land registration process of the early 1970s, a series of heavy industrial and military developments have been initiated, which caused the Bedouin to move from their traditional lands. Such projects include the creation of, *inter alia*, open sewage outlets, military firing zones, military airports and chemical dumps in the centre of Bedouin areas. There are two open sewage lines running through the unrecognized villages. One line originates in Dimona and carries untreated

¹⁰⁸Shoham Vardi, I. (2002) "The Death of Bedouin Babies in the Negev, 1990-2002" Beer Sheva: Ben Gurion University; unpublished conference paper.

¹⁰⁹ Levy, A. et al (1998) "Hospitalisations for infectious diseases in Jewish and Bedouin children in Southern Israel," *European Journal of Epidemiology*, No. 14, pp.179-186, Netherlands: Kluwer Academic Publishers: Netherlands.

¹¹⁰Supra, Note 5.

¹¹¹In Feb. 2003, the Supreme Court dismissed a petition challenging the government's policy of denying clean and accessible water to the unrecognized villages claiming they were "illegal settlements" and that residents were trespassers. This petition was dismissed based on a report which revealed that some water access points had been added for 5/7 of villages named in the petition. However, these water access points maintained the status quo of distant water points and did not improve the situation. See H.C. 3586/01, The Regional Council for Unrecognized Villages in the Naqab, et. al. v. The Minister of National Infrastructure, et. al. (Supreme Court decision delivered 16/02/03).

¹¹²Levy et al (1998)

¹¹³ Supra, Note 5, p. 33

sewage, whereas the second line originates in Hebron with sewage that is treated only after it has passed through the Bedouin areas and reaches the city of Beer Sheva.

The State has suspended the aerial spraying of toxic chemicals on agricultural crops belonging to Bedouins, only due to an injunction issued by the Supreme Court prohibiting this practice.¹¹⁴ Aerial spraying of chemicals are a danger to life and health of the Bedouins and their animals, as well as to the environment and crops. More generally, the policy of preventing Bedouins from permanent building leads to an increased risk of home accidents.¹¹⁵ While the Ministry of Interior is responsible for refuse collection in non-municipal areas, it does not collect refuse in unrecognised villages. Consequently, refuse must be burned. About 64% of home accidents among Bedouin citizens result from burns.¹¹⁶ Since Bedouin women and young children spend the most time at home, these environmental risks have a disproportionate effect on them.

Suggested Question:

(1) How does the government plan to tackle the negative health and sanitation effects of its environmental policies on the Bedouin women citizens of the unrecognized villages?

Ramat Hovav Industrial Complex

The Ramat Hovav Industrial Complex, located next to the Arab Bedouin unrecognised village of Wadi Naam, has been operating for 25 years and contains 17 chemical plants. In 1997, the first and only storage area for dangerous refuse was opened at the site. In 1999, a military base 2km to the North was dismantled due to concerns about risks to the health of the soldiers, and at present military exercises there are limited to short stays. In the 2004 State Comptrollers Report, the Ramat Hovav Industrial Council was criticised for failing to treat industrial wastewater, polluting the air and for failing to enforce legal environmental standards. The Ramat Hovav Industrial Council has no representative from the Ministry of Health.¹¹⁷

According to a recent 3-year Ministry of Health study, conducted by Prof. Batia Sarov, and only released to the public following a High Court petition by the Ramat Hovav local council, the rate of severe birth defects among Bedouin living near Ramat Hovav is almost twice that of Bedouin who live elsewhere and the mortality rate is 65% higher than in equivalent communities elsewhere. In addition, the cancer rate in Beer Sheva (12km away) is up to double that of the national average. The report also found that residents near Ramat Hovav had a far higher rate of hospitalisation due to respiratory problems, and that there was a positive correlation between the hospitalisation rate and wind patterns. Since they spend more time at home near the sites of these chemicals, Bedouin women are more exposed to these threats.

Suggested Question: (1) What measures have been taken to gather data on and provide health treatment due to the health impact of the Ramat Hovav complex on the surrounding Arab Bedouin villages, and particularly on women residents who spend longer time at homes near the site?

3. Employment

In 2002, according to the National Insurance Institute (NII), only 1,819 women living in the recognised Arab Bedouin localities were employed, or approximately 13% of working age women in these localities.¹¹⁸ The average wage of these women was 2,559 NIS (US \$586) per month, which is 46% of the national average wage for employed women in Israel, and only 28.5% of the average wage for employed men.¹¹⁹ There are very few work opportunities for Arab Bedouin women, and a very high

¹¹⁴ H.C. 2887/04, Saleem Abu Medeghem et. al. v. Israel Lands Administration, et. al. (case pending). See also Ibrahim, Tarek (2004) By All Means Possible: Destruction by the State of Crops of Bedouin Citizens in the Negev by Aerial Spraying With Chemical. Nazareth: HRA.

¹¹⁵ Supra, Note 6.

¹¹⁶ Supra, Note 6.

¹¹⁷ Ibid.

¹¹⁸ Statistical Yearbook of the Bedouin, Ben Gurion University (2004), Tables IV/2, II/5. Working age defined as 18-64.

¹¹⁹ Statistical Yearbook of the Bedouin, Ben Gurion University (2004), Table IV/2.

proportion of Bedouin women working are employed in traditionally “feminine” careers, such as teachers, nurses or social workers. Outside of the health, educational and social services departments, very few Arab Bedouin women are employed by local authorities or by Ministers or government companies.

Vocational Training for Unemployed Women

Presently, 2,108 Bedouin women are registered as unemployed. While attending vocational training courses are mandatory in order to receive unemployment benefits, the only training programmes funded by the government are training to work as caretakers in daycare centres, which do not even exist in the Bedouin community. Other vocational training, such as hairdressing and photography, which do lead to more employment opportunities, are currently offered by local women’s NGOs but do not receive government funding.

Suggested Question:

(1) What steps are being taken to provide suitable vocational training for Arab Bedouin women that is culturally appropriate and leads to feasible work opportunities?

State support for economic initiatives

The Ministry of Labour and the Ministry of Social Welfare set aside budgets to support NGOs that encourage women to work and regularly fund women’s NGOs. Today there are a number of Arab Bedouin women’s NGOs that aim to encourage Arab Bedouin women to join the labour market, such as the Laqiyya Women’s Association, and the Sidreh Association. Yet despite various appeals of these associations for support, the Ministry of Labour and the Ministry of Social Welfare have yet to fund any of them.

Suggested Question:

(1) What efforts are being made to provide adequate access to resources such as state funding, credit, loans and technology, to Arab Bedouin women who wish to enter the labour and economic markets?

Public Transportation Networks

Only one bus a day serves the seven recognized Arab Bedouin localities and only the biggest of the Arab Bedouin towns. This complete lack of public transportation severely minimizes the ability of Arab Bedouin women to realize employment opportunities.

Suggested Question:

(1) Given the availability of only one daily bus serving the Bedouin localities, how does the government plan to ensure access to employment opportunities for Arab Bedouin women living in this area?

This fact sheet was prepared by Maan: the Union of Bedouin Women’s Organizations in the Negev

ARTICLE 16: EQUALITY IN MARRIAGE AND FAMILY LIFE

In its Third Periodic Report on the "Implementation of the United Nations Convention on the Elimination of All Forms of Discrimination against Women" (submitted in 2001), the State of Israel prefaces the chapter on Article 16 by noting its reservations to Article 16. These reservations are contrary to the "object and purpose" of the Convention and are thus not permitted under Article 28(2) of the Convention. Such reservations prevent women from enjoying those rights that the Convention was meant to guarantee, and prevents them from using national mechanisms to seek justice. In this context, the Committee should be aware that:

a) While Israel states that the problem of under-age marriage is prevalent within the "Moslem population," it does not address the fact that the authorities do not enforce the Marriage Age Law-1950 among the Palestinian citizens or that the law itself is not consistent with the Convention on the Rights of the Child (CRC) and CEDAW Committee's recommendation that the minimum age of marriage be 18.¹²⁰

b) Palestinian citizens are not adequately represented in Family Counseling Units that exist in civil courts which leads to resolutions for couples and families that can be detrimental to Palestinian women citizens.

c) Many Palestinian women citizens in the Triangle area do not use family courts because one does not exist in this region.

d) Because Palestinian women citizens are prohibited from serving as judges in Shari'a (Muslim) and Ecclesiastic (Christian) courts, they are forced to relinquish any decision-making powers to change institutional policies which directly affect their lives.

The Working Group on the Status of Palestinian Women Citizens of Israel would therefore like to raise the following issues related to Article 16:

1. Minimum Age of Marriage

According to the Age of Marriage Law (1950), marriage is permitted for young women and men at the age of 17. The law also stipulates that "a person who has done one of the below-mentioned acts: married a minor, prepared a marriage, or helped in any way in preparing a marriage, or was connected to preparing a marriage to a minor, was a parent or guardian who convened the marriage of the minor under his custody, should be sentenced to two years in jail or pay a fine."

Setting the minimum age of marriage at 17 contradicts provisions of the CRC and the CEDAW Committee's own recommendations that the minimum age of marriage be 18 and also sidesteps the problem of child marriage. In Israel, a large portion of marriages occur between the ages of 17 and 18 and thus in accordance with the law. According to the National Council of the Child (NCC), 1395 Palestinian girls were married by the age of 18, compared to 979 Jewish girls married by the same age.¹²¹ A bill was proposed recently by the Chair of the Parliamentary Committee on the Rights of the Child to raise the minimum age of marriage to 18. The bill is still pending.

In addition, authorities do not enforce the Age of Marriage Law. In 2001, 113 Palestinian girls were married by the age of 16, compared to 24 Jewish girls of the same age. 1272 Palestinian girls were married by the age of 17, compared to 314 Jewish girls of the same age.¹²² These figures do not reflect the exact number of child marriages occurring each year, since in most cases, the files or marriage contracts are hidden until the child reaches the age of 17, when the contracts are registered with the Interior Ministry. In June 2004, the Parliamentary Committee on the Rights of the Child held a hearing to address child marriage in Israel. In this hearing, a police representative admitted that in

¹²⁰ Committee on the Elimination of Discrimination Against Women, Equality in Marriage and Family Relations, General Recommendation #21(13th session, 1994).

¹²¹ The National Council for the Child. (2003) *The State of Child in Israel*. Jerusalem.

¹²² Ibid.

2003 the police investigated only 4 cases of child marriage. In 2004, they do not investigate any cases.

A minor wishing to annul a marriage is confined to certain parameters. According to Israeli law, child marriage is not “void” but can be annulled if the minor, her guardians, and/or a social worker file a motion to the court. This motion can be filed by the minor before she reaches the age of 19, or by her guardians/social worker before she reaches 18. In all cases, the marriage can be annulled only in accordance to the religious law applicable to the minor.

Suggested Questions:

- (1) What, if any, measures are the government adopting to enforce the law?
- (2) What is the government’s position on raising the minimum age of marriage?

2. Lack of Arab Social Workers in Family Counseling Units

The Family Courts Law (1995) in addition to establishing civil courts, also established family counseling units within the civil courts. These units are composed of social workers whose mandate is to provide couples and families involved in family disputes with professional counseling and support throughout the legal process of, for example, custody battles. They also provide recommendations to the court.

Presently, 13 family counseling units are in operation. Only one Palestinian social worker is employed in these units, in the Ramat Gan area, leaving family counseling units located in areas heavily populated by Palestinian citizens, without any Palestinian social workers. Although the lack of Palestinian social workers has negative affects on families as a whole, it has disproportionately negative affects on Palestinian women citizens in particular. The lack of Palestinian social workers could lead litigants to seek alternative, traditional means of counseling from community and religious leaders whose methods are not public, recorded, or consistently and reliably effective for women.

Suggested Questions:

- (1) What, if any, measures did the government adopt in order to increase the number of Palestinian social workers in family counseling units?

3. Access to Family Courts in the Triangle Area

The Amendment to the Family Courts Law (2001) guaranteed Palestinian women citizens the right to choose between religious courts and family courts in all matters related to personal status, except for marriage and divorce which remained under the exclusive jurisdiction of the religious courts. While there are no family courts, or civil courts, in any Arab villages, Palestinian women citizens living in the Triangle area are at a disadvantage. In other regions highly populated by Palestinian citizens, both family courts and religious courts are located in fairly easily accessible towns or cities such as Haifa, Acre, and Beer Sheva. In the Triangle area, however, there is one Shari’a court in the Arab town of Taybeh, whereas the nearest family courts are located in Jewish cities such as Hadera and Kfar Saba. This fact reduces the ability of Palestinian women citizens to make a free choice between approaching a family court or a Shari’a court, since the latter is more accessible. The Bein Committee appointed by the Ministry of Justice to investigate the needs of establishing a new court in an Arab city, recommended that a new court be established in Taybeh. The committee published its recommendation in 2001. To date, the Ministry of Justice has not taken any measures to implement this recommendation.

Suggested Questions:

- (1) What measures, if any, did the government adopt in order to implement the Bein Committee recommendation?

4. Non-Representation of Women as Judges in Shari'a and Ecclesiastic Courts

Even though the Qadi's Law (1961), which regulates the appointment of *qadis* (religious judges), does not preclude the appointment of a woman to these positions, no woman has ever held a judicial post in the *shari'a* courts which hold exclusive judicial authority in all issues related to marriage and divorce and parallel jurisdiction over all other personal status matters. This *de facto* discrimination is affirmed by the Law of Civil Service (Appointments) which requires equitable representation of women in appointments to civil service positions but does not apply in cases of appointments to the *shari'a* or courts. The possibility for women to serve as judges in ecclesiastic courts is restricted by the fact that these courts are under the sole jurisdiction of the church and as such, enjoy full autonomy over their operations, including paying salaries and appointing judges, without governmental intervention. Both the Catholic and the Greek Orthodox Church restrict judicial posts to men.

In fact, women who have had better credentials than male candidates have been snubbed for a judicial position based on their gender. In 2001, the Working Group for Equality in Personal Status Issues submitted an appeal to the High Court contesting the appointment of a *qadi* who had just been appointed to the *shari'a* court despite his unsuitability and despite the fact that the other candidate, a woman, was not only an attorney but also a certified *shari'a* advocate. This appeal was rejected.

5. Polygamy

In 2004, a bill was introduced that broadened the definition of polygamy in the Penal Code.¹²³ According to this bill, a divorced person who remarries could be prosecuted for polygamy if: (1) he/she is still living with the former spouse, (2) he/she shares a household with the former spouse (3) he/she lives close to the former spouse. In Bedouin communities, due to their unique social structure, divorced Bedouin women tend to live in the same neighborhood as their former husbands. This bill threatens many Bedouin women who will be denied their single mothers' benefits, even if they have an official divorce decree, based purely on their residence in their former husband's neighborhood. The bill also threatens the liberty of many Bedouin men who get divorced, but live close to their former wives. This bill has created a new criminal offence, which violates the basic principles of Penal law and contradicts basic constitutional rights such as the right to liberty, the right to privacy and due process. The *actus reus* of polygamy is so vague that many individuals could be prosecuted of a crime that never took place.

This Fact Sheet was prepared by the Working Group for Equality in Personal Status Issues

¹²³ Bill # 2470

ANNEX 1: MEMBERS OF THE WORKING GROUP

Adalah: The Legal Center for Arab Minority Rights in Israel

Adalah is an independent human rights organization, registered in Israel. It is a non-profit, non-governmental, and non-partisan legal center. Established in November 1996, it serves Arab citizens of Israel, numbering over one million people or close to 20% of the population. Adalah ("Justice" in Arabic) works to protect human rights in general, and the rights of the Palestinian Arab minority in particular. Adalah's main goals are to achieve equal individual and collective rights for the Arab minority in Israel in different fields including land rights; civil and political rights; cultural, social, and economic rights; religious rights; women's rights; and prisoners' rights.

Amongst its activities, Adalah brings cases before the Israeli courts that raise issues of group discrimination and Arab minority rights; promotes equality and minority rights through legislative advocacy; organizes and facilitates panel discussions, study days, and workshops; publishes topical reports on current legal issues concerning the Arab minority in Israel; and trains new Arab lawyers in human rights advocacy.

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Al-Tufula: The Pedagogical and Multipurpose Women's Center

Al-Tufula is a non-profit independent organization founded in 1984 by Palestinian women citizens of Israel in order to develop Early Childhood Education for Palestinian children in Israel and to improve the status of Palestinian women. It serves the Palestinian citizens of Israel and networks with regional Arab organizations as well as international groups on specific issues. Al-Tufula uses different strategies to reach its goals: it develops human resources as well as material resources (to date 15 different books were published in Arabic and several articles in English, German, Arabic, and Hebrew); trains women on CEDAW and its mechanisms; networks, advocates, and lobbies on a variety of women's rights issues; and works with Palestinian women partners from Jordan, Lebanon, Gaza, and the West Bank (ie., Research and Training on Lobbying and Advocacy women empowerment projects in the newly recognized villages, the Equality between the sexes project, etc.)

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The Arab Human Rights Association (HRA)

Established in 1988, the Arab Association for Human Rights (HRA) works to defend and promote the social, cultural, economic, political and civil rights of the Palestinian Arab citizens of Israel. Its efforts are based on the standards set by international human-rights instruments, with a special focus on minority rights.

The HRA's activities include human-rights education (the Human and Civil Rights Education and Women's Human Rights Programmes) for the local community, international advocacy and a newly-established Research and Reporting unit, which works as an interface between the HRA's local and international programmes.

*Contact Information:**Mohammed Zeidan, Director**PO Box 215. Nazareth 16101. Israel**Tel: (972) 4 656-1923**Fax: (972) 4 656 4934**E-mail: mzeidan@arabhra.org. <http://www.arabhra.org>***Kayan: A Feminist Organization**

Kayan is a feminist organization that aims to put feminism and women's status on the Palestinian social agenda and to create an alternative dialogue about Palestinian women. The organization works on two levels - reaching out to individuals to change attitudes about women and intervening in the community and institutional levels to change conditions for Palestinian women and girls. Amongst its activities, Kayan lectures in schools and community centers to parents, students and staff; runs groups for women and girls to develop themselves as leaders; organizes cultural and academic lectures and discussion groups as well as workshops and study days.

*Contact Information:**Rula Deeb, Director**118 Arlozorov St. Haifa. Israel. Tel: (972) 4 864-1291**Fax: (972) 4 864-1072**E-mail: Kayan@netvision.net.il. <http://www.kayan.org>***Maan: The Forum of Negev Bedouin Women**

Maan was formed in 1999 by women's organizations in the Negev in order to gather more support from and have more strength in the community in the struggle for equal rights. The Forum aims to promote the status of women in the Bedouin community and in Israeli society; to empower and develop women's leadership; to encourage women's involvement in their own communities; to promote women's organizations and aid to individual women in the community; to develop contacts between Bedouin women from different tribes in the Negev; and to network with other women's organizations in Israel and internationally.

Since its establishment, four intensive workshops have occurred, in which 25 women - all representatives from the organizations in the Negev- have participated. The Forum was officially recognized as a Non-profit association (Amuta) in July 2001.

*Contact Information:**Safa Shehada, Coordinator**PO Box 3412. BeerSheva. Israel**Tel: (972) 50 5711 725**Fax: (972) 8 644 4213**E-mail: maanegev@walla.co.il***Women Against Violence (WAV)**

Women Against Violence is a non-profit, independent organization founded in 1992 by a group of professional Arab women alarmed by incidences of violence against women and the lack of services to help them. Women Against Violence aims to raise the social and legal status of Arab women and to eliminate all forms of violence against them. WAV also seeks to address the paucity of support services for abused Arab women in Israel. WAV established the first full-service Arabic crisis hotline in Israel (the second Arabic language hotline in the country), and Israel's first shelters and halfway houses for Arab women and girls. It also provides a myriad of other programs such as the Raising Awareness program, which educates professionals, women, and students on issues of women's rights and gender equality, publishes and distributes information pamphlets, and participates in a number of coalitions including the Working Group on Personal Status Issues. The organization's expertise is often sought after by women's organizations in the Middle East and Europe, including

Egypt, Jordan, and Ireland, and has participated throughout the years in a number of international conferences.

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ANNEX 2: OTHER CONTRIBUTORS

The Laborer's Voice ("Sawt el-Amel")

The Laborer's Voice, is a grassroots membership organization based in Nazareth, which aims to achieve constructive change from the bottom up. It was established by low-waged workers and unemployed members of the Palestinian Arab community in Israel in 1999. The organisation supports Arab low-income and unemployed workers in their struggle against discrimination in the labor market and welfare domains. *Sawt el-Amel* provides legal counsel in labor-law cases, assists recipients of unemployment and income benefits and conducts advocacy. It further works to increase educational and thus employment opportunities for Palestinian minority citizens of Israel.

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The Working Group for Equality in Personal Status Issues

The Working Group for Equality in Personal Status Issues was established in 1995 by a group of associations working in the field of women's and human rights and by lawyers and social workers. The initiative for establishing the Working Group was driven by a need to address the problems facing Palestinian women in regard to personal status laws, resulting from the low status of Palestinian women in Israel.

The Working Group is a coalition of the following associations: Women Against Violence, the Association for Citizen's Rights in Israel, the Women's Network in Israel, Kayan Feminist Organization, Al Tufula Pedagogical Center, the Center for Family Development, and individual volunteer lawyers, social workers, and university professors. The Working Group believes that there is an urgent need for work on various levels to solve personal status problems and guarantee Arab women's rights in the family and society.

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