

11 May 2005

Original: English

---

**Committee on the Elimination of Discrimination  
against Women**  
Pre-session working group  
Thirty-third session  
5-22 July 2005

**Responses to the list of issues and questions for  
consideration of the combined fourth and fifth  
periodic report**

**Israel\***

---

\* The present document is being issued without formal editing.

LIST OF ISSUES

Question no. 1	3
Question no. 2	3
Question no. 3	3
Question no. 4	4
Question no. 5	4
Question no. 6	5
Question no. 7	6
Question no. 8	7
Question no. 9	8
Question no. 10	9
Question no. 11	10
Question no. 12	11
Question no. 13	12
Question no. 14	13
Question no. 15	14
Question no. 16	14
Question no. 17	16
Question no. 18	17
Question no. 19	18
Question no. 20	19
Question no. 21	20
Question no. 22	22
Question no. 23	23
Question no. 24	23
Question no. 25	23
Question no. 26	24
Question no. 27	25
Question no. 28	26
Question no. 29	26
Question no. 30	26

## **Constitution, legislation and national machinery for the advancement of women**

1. *In its previous concluding comments, the Committee recommended that “the Government of Israel should ensure that the Convention was implemented throughout the territory under its jurisdiction.” Please provide information on whether the Convention has been implemented throughout the territory under its jurisdiction, if it is directly applicable, and if it has been invoked before the courts.*
  - 1) The Convention is implemented by the Government throughout the State of Israel.
  - 2) According to the Israeli legal system, international conventions do not apply directly, but through national legislation. Such is the case with the CEDAW which is implemented through a wide range of legal instruments, such as basic laws, laws, orders and regulations, municipal bylaws, and court rulings.
  - 3) In its 3<sup>rd</sup> periodic Report, Israel did not include details on the implementation of the CEDAW in the West Bank and the Gaza Strip for several reasons, ranging from legal considerations to practical reality.
  - 4) It is Israel’s position that the Convention does not apply beyond its territory, in the West Bank and the Gaza Strip, and it was never the intention of the Government when it ratified the CEDAW that it would so apply.
  - 5) The ongoing armed conflict and daily situation of violence, suicide bombings and terrorism against Israel and its citizens, the lack of enforcement of public order and the rule of law by the Palestinian authorities in the West Bank and the Gaza Strip, and the concomitant necessity for Israel to defend itself - only amplify the fact that the law of armed conflict is the only logical and applicable regime to ensure humanitarian protection for all involved; and that a normal peacetime human rights regime, of which the CEDAW is clearly a central component, cannot be considered applicable with regard to the territories.
  - 6) Furthermore, many of the provisions of the CEDAW relate to fields of powers and responsibilities which to a large extent have been transferred to the Palestinian Authority, and which are subject to its jurisdiction and control regarding its population. Hence, as a practical matter, Israel is not in the possession of, nor can it gather, the predominant part of the information requested by the Committee.
2. *In its previous concluding comments the Committee recommended that the right to equality and the prohibition of both direct and indirect discrimination against women should be reflected in the Basic Laws. Please provide information on steps taken in that regard.*
  - 1) Israel legal system is multilayered, as detailed in our previous reports. The process of legislating basic laws is very complicated and necessitates balancing between the various sectors among the Israeli society. Following the completion of this process, the state will report to the committee accordingly.
  - 2) Furthermore, and concurrently, the Israeli Constitution, Law and Justice Knesset Committee is in the process of preparing a consensual-based constitution, and has held over 60 sessions on drafting its text. Among the topics discussed are: due process guarantees, freedom of speech and assembly, the right to form and join trade unions, and the right to adequate standard of living.
3. *In its previous concluding comments, the Committee suggested withdrawal of the State Party’s reservations to the Convention. Please provide information on progress made with regard to withdrawal of reservations on articles 7(b) and 16.*

- 1) The Reservations entered by Israel to the convention are related to the very fabric of the Israeli society, comprised of many religions, each with varying degrees of autonomy with regards to certain religious practices.
  - 2) In light of the complexity of the religious fabric of communities in Israel, accompanied by unique sensitivities - Muslim, Jewish, Christian, Druze, Circassian and many fragments amongst them, these reservations are unavoidable at this point in time.
4. *In its previous concluding comments, the Committee strongly suggested that the Government take necessary steps to eliminate forced marriages, female genital mutilation, honour killings and polygamy. Please provide statistical data on those practices, as well as on measures taken by the Government for their elimination.*
- 1) There are no known cases of forced marriage in Israel. The Government would investigate any particular allegation that would be brought to its attention. Currently, there is no specific section in the *Penal Law* relating to "forced marriage", but an offender may be prosecuted under other sections of the Law (such as rape, threats, extortion etc.).
  - 2) Recent data indicates over the last few years there were no reports of women who underwent female genital mutilation in Israel.
  - 3) In 2003, 3 Arab women were murdered in the name of what is known as "family honor". Murder is a severe offence, punishable by life imprisonment. The Israeli police, as well as Israeli legal system, regard any murder as such, and investigate it vigorously, regardless of the motives of the murderer. Israeli law recognizes no mitigating circumstances in such cases and prosecutes, indicts and punishes in the perpetrators in all severity.
  - 4) Recent data provided by the Israeli Police reveals very low numbers of polygamy cases – 10 in 2003 and 15 in 2004. It should be noted that in 2004, a Knesset member presented a bill amending the *Penal Law*, suggesting that a person previously married shall continue to be considered as such, so long as he remains cohabitated with his former partner, or in great proximity, sustaining a joint housekeeping.
5. *The report describes a number of legal and administrative measures on violence against women, but provides limited information on the efficacy of these measures or what specific programmes have been implemented to address violence against women. Is a comprehensive strategy to prevent violence against women in place? If so, please describe its components and its impact on counter-acting violence against women.*
- 1) *The 2000 Victims of Offences' Rights Law* - which accords the victims of violence and sexual offences with a range of rights, has been implemented gradually.
  - 2) In 2002, the *Victims of Offences' Rights Regulations*, accompanying the Law were promulgated. These Regulations list the locations where information pamphlets should be placed, in Hebrew, Arabic, Russian, Amharic, English and Braille. The pamphlets are to be placed in the following locations: social service departments, centers for the prevention of domestic violence, police stations, courts, hospitals emergency rooms, offices of the department of police officers investigations, criminal secretaries of the state attorney, the district attorney general offices, Magen David Adom (first aid organization), the Ministry of Social Affairs counseling bureaus and the legal aid bureaus. The Regulations also detail the conditions for the victim's consideration of the indictment.
  - 3) The Law and Regulations are gradually assimilated into the various relevant bodies. The Police designated 6 regional officers in charge of contact with victims of crimes (VOC) in each region,

supervising the implementation of the law and regulations in their respective regions as well as conducting training programs. The Prison Service is also working towards implementing the law and its regulations, and a VOC officer was already nominated and is providing the relevant information to interested parties.

- 4) The Prison Service is in the final stages of developing a nation-wide computerized call center to provide victims of crimes with the relevant information. Information pamphlets, detailing the rights of victims of offences, have been placed, in centers for the prevention of domestic violence, police stations, emergency rooms, the offices of the Department of Police officers Investigations and the Pardons Department in the Ministry of Justice. It should also be noted that the Department for Pardons in the Ministry of Justice, as a matter of policy, has integrated the basic principles of this law in every aspects of its activities. This includes meeting with victims and their families and being attentive to the needs and perspectives of the victims throughout the pardon process.
  - 5) The *Prevention of Stalking Law* mentioned in our 3<sup>rd</sup> periodic report was enacted in October 2001. The Law is intended to protect a person from harm to his peace, privacy, freedom or body, by another person, acting in a manner constituting stalking (e.g. intimidating harassment) or bodily harm. The court may issue a protective injunction against a person who engages in stalking, or impose further restrictions. The injunction shall be issued for a maximum period of 6 months, can be extended for additional six months, and even further extended given special circumstances to a total of two years. Current statistics indicate that since 2002, 2,946 cases were submitted to the Courts based on this Law, with a distinct rise through the years – 472 cases in 2002, 1,167 in 2003 and 1,307 in 2004 up until October 1<sup>st</sup>.
  - 6) Another important revision is amendment no. 36 of the 1982 Criminal Procedure Ordinance, adding sections 59A and 62A. According to these sections, a police officer and/or a public prosecutor may not rely solely on a spouse's request as an indication to lack of public interest, that justifies not conducting an investigation or prosecution in a sexual or violent offence among spouses.
  - 7) The Authority for Advancement of the Status of Women has initiated a nation-wide campaign on the issue of "Identifying Early Signs of Violence During Courtship", holding nearly 200 seminars (with approximately 40,000 participants) throughout Israel. The Authority also conducted a large scale campaign in the media providing women with appropriate tools to identify and avoid violence in relationships.
6. *The report notes that compared to a rising number of arrests in spousal violence cases, the rate of prosecution and sentencing to jail time for assailants remains very low (p. 44). The report cites both an institutional lack of awareness on laws regarding intimate violence and a "partial legitimization towards wife battery" (p. 45). Please provide information on what measures have been taken to institute sensitization programmes amongst law enforcement officials, the judicial community, and the legal profession. If such measures have been instituted, what effects have been observed in how domestic violence cases are investigated and prosecuted?*
- 1) As detailed in our 3<sup>rd</sup> periodic report, a national investigative system focusing solely on domestic violence has been operating since 1998 in all police stations throughout the country, consisting of 120 specially trained investigators specializing in domestic violence cases. Fifty other investigators handle these cases in smaller police stations in addition to their usual workload. There are 2-7 domestic violence investigators in each police station, depending on its size. Nine of the 120 positions were reserved for Arab women investigators in stations that serve the Arab community and there are 18 Arabic-speaking investigators, 14 Russian-speaking and three Amharic-speaking officers all over the country. In addition to the weeklong preparatory course detailed in our 3<sup>rd</sup> periodic report, which includes theoretical and practical knowledge in the sociological and legal aspects of domestic violence as well as the various

police guidelines in this field, there are also yearly seminars for new investigators joining the system. Furthermore, domestic violence (as well as sex offences) workshops are held for the heads of investigation units as well as station officers, investigators, rotation officers, patrol officers, etc.

- 2) Following a request made by the VOC unit in the police, the police behavioral sciences department conducted an extensive survey which compared the current survey to a survey held in 1993, measuring up police officers stance towards battered women to that of social workers. The comparison clearly demonstrates a considerable improvement in the police officers' position in general and a larger improvement in that of the domestic violence investigators.
  - 3) It should be noted, that under the police internal regulations, members of the police force are to provide swift and efficient solutions in situations where restraining orders issued are violated, according to the level of the severity of the violation and the potential hazards involved.
  - 4) Several training programs, seminars, workshops and lectures were initiated to better prepare medical aid personnel to recognize victims of domestic violence. Over 7,000 doctors, nurses, social workers and others participated in these programs between 2000 and 2003. Furthermore, the Ministry of Health initiated a program encouraging hospital personnel to enquire women regarding violence, regardless of the cause of their admittance. The Ministry of Health' Director General recently issued a circular, obligating doctors, as part of the routine admittance procedure, to enquire about past violence.
  - 5) Among the additional steps taken to institute sensitization concerning domestic violence are: the circulation of informative and guidance materials for care-takers and female victims of violence; the reinforcement of district health bureaus and hospitals with social workers who have domestic violence treatment expertise; establishment of three district centers for the treatment of sexually assaulted women (in Tel Aviv, Haifa and Tiberias); issuing professional procedures for all agents of the health system, regarding violence and sexual assault; the establishment of information pools concerning victims of domestic violence, sexual abuse and neglect of minors and the helpless.
  - 6) The Authority for Advancement of the Status of Women conducted an extensive survey aimed at exploring the public's awareness of identifying early signs of violence during courtship. The survey showed a very low level of public awareness of these signs. 90% of the women stated that they would discontinue their relationships upon identifying such indicators. About a third of the public pointed out that it had encountered spousal violence amongst their friends and 17%-18% of the women had themselves suffered violence during courtship.
7. *Please provide information on the budgetary allocations made for shelters and centres for treatment and prevention of domestic violence. Has there been any attempt to collaborate and partner with non-governmental agencies to provide comprehensive services and housing options to victims of domestic violence?*
- 1) The Ministry of Social Affairs provides battered women with three phases of shelter-care. The first is aimed at women in the preliminary phase of moving out of their homes to shelters, these are "reception apartments", located in 5 municipalities: Afula, Ashdod, Ashkelon, Be'er Sheva and Dimona. These apartments are designated for women of all sectors, and are also adapted for women with disabilities. The duration of stay in these apartments is limited to six weeks and in the year 2003 - 44 women and 75 children were housed in these apartments.
  - 2) In the second phase, 14 shelters which house about 600 women and 950 children per year are available for battered women and their children. There are currently two shelters serving the Arab sector and one for Orthodox and ultra-Orthodox women. One of the Arab shelters and another shelter can house women

with disabilities. Another shelter is undergoing the required arrangements to accommodate women with disabilities. The shelters are located all over Israel; all receive women on a 24 hours basis.

- 3) Lastly, there are currently 18 “transitional apartments”, intended to assist women in their transition back to life outside the shelter. 50 women and 90 children use these apartments annually, the average length of their stay is 12 months.
  - 4) The 2004 budget for shelters for battered women was 17 million NIS.
  - 5) All shelters are operated by women associations and organizations, but are fully funded by the Ministry of Social Affairs and the local authorities.
  - 6) The number of centers for the treatment and prevention of domestic violence is at a constant rise - 49 to this date (18 additional centers since our 3<sup>rd</sup> periodic report). In 2003, the centers treated 5,077 battered women, 2,013 battering men and 558 children who witnessed domestic violence. The Centers in total held 210 therapeutical groups. Furthermore, 15 of the centers have programs combating violence against the elderly.
  - 7) The 2004 budget for centers for the treatment and prevention of domestic violence was 10 million NIS.
  - 8) Some of the centers are operated jointly with associations and organizations, but are fully funded by the Ministry of Social Affairs (75%) and the local authority (25%).
8. *In her March 2004 report (E/CN.4/2004/66/Add.1), the Special Rapporteur on Violence Against Women, its Causes and Consequences noted two separate incidents in 2003 involving violence directed at female detainees in the Neve Tirza and Ramleh prisons. Please provide information on the outcome of these incidents, as well as provide an overview of the situation of women in prison, including statistical data.*
- 1) The following table details the number of female prisoners in Israeli prisons, run by the Israeli Prison Service, aggregated by religion:

	<b>Jewish</b>	<b>Muslim</b>	<b>Christian</b>	<b>Druze</b>	<b>Other</b>
<b>Criminal Offences</b>	127	24	8	-	6
<b>Security Offences</b>	2	110	1	1	-
<b>Total</b>	129	134	9	1	6

*Source: Israeli Prison Service, 2005*

- 2) As to the allegations raised in the abovementioned report - Security prisoners, as all prisoners in the Israeli prison system, are entitled to whatever medical treatment is necessary to ensure their health.
- 3) As to the complaints concerning the use of force against the inmates, standard procedure in the Israeli Prison Service is that force is used only in exceptional cases of rioting and breach of discipline, and it is limited to what is strictly necessary to restore order and discipline. Measures such as the use of tear gas are subject to the same restrictions and are permitted only in exceptional circumstances.
- 4) An inquiry held, revealed no case of a prisoner being severely injured or suffering broken bones through the use of such measures, as alleged in the complaint about the two inmates, Arij Ataf Sbahi Shahabri and

Kahara Elsa'adi. After any use of force, prison authorities provide inmates with the option of being examined by a physician or paramedic. An inmate found to be injured, receives the necessary medical care.

- 5) As to the second issue, relating to prisoner A.M., the incident in question still remains under investigation and consideration, and as no decisions with regard to possible legal proceedings against the prisoner were taken yet, at this point in time we cannot further comment on this matter.
- 6) However, we would like to emphasize that the abovementioned prisoner is currently serving time for the planned cold-blooded murder of an innocent 16 year old boy. It is clear that she is determined to harm as much as possible the Jewish population, and her overall behavior throughout her stay in prison, constantly involves acts of provocation towards the Prison Service staff, including the deliberate violation of Prison safety regulations and discipline procedures, whilst persistently inciting other inmates to do the same. The prisoner has approached the Prison Guards Investigation Unit regularly, making complaints regarding guards behavior- that were later found to be false.

## **Trafficking and exploitation of prostitution**

9. *Please provide any available information on the extent of trafficking of women and girls into Israel for the purposes of sexual exploitation, as well as any rehabilitative programmes and shelters put in place by the Government to support and assist them. Please include an evaluation of the successes and challenges of these programmes.*
  - 1) Israel is a country of destination for victims of trafficking in persons for the purpose of prostitution. Most victims are young women, ranging in age between 18 and 35 years. Trafficking in minors does NOT constitute a major problem in Israel; however, in some cases victims were under the age of 18 though even in these cases, adolescents rather than children were involved.
  - 2) It is difficult to provide an exact number of persons trafficked into Israel every year for the purpose of prostitution. In 2003, the Police estimated that approximately 2,000 to 3,000 women were engaged in prostitution in Israel and that most women engaged in prostitution were in fact victims of trafficking. According to Police estimates, during 2004, there has been a significant decrease in that number, especially in the Tel Aviv area, the central location for such activities.
  - 3) The victims of trafficking come predominantly from former Soviet Union Republics, such as Moldova and Uzbekistan, and the major trafficking route is illegal smuggling via the border with Egypt. Due to strict supervision, entry via the official sea and air ports is insignificant.
  - 4) The State of Israel does not tolerate the phenomenon of trafficking in persons, has combated this phenomenon in the past, and has continued to do so, with increased vigor, during 2004. This issue is a matter of priority for the Government. In the past year, in particular, Israel has undertaken increased efforts to prevent trafficking in persons for prostitution, to protect victims of trafficking and to prosecute the perpetrators.
  - 5) Shelter: The shelter for victims that began operating on February 15, 2004, has by now become a real home for the victims. The shelter's capacity is up to 50 victims and since the last part of 2004 it has been running in almost full capacity. The shelter has succeeded in creating a supportive climate for victims and provides access to psychological, social, medical and legal assistance. In addition, procedures have been developed in the framework of the shelter to allow for the return of victims of trafficking to their countries of origin in safety and with an eye to their rehabilitation. It should be noted that the shelter also



finds jobs for women who are deemed ready to work while they await testimony. Most of the women in the shelter are witnesses, but some are humanitarian cases.

- 6) In August 2003, legislation was amended to grant victims the right to be represented by the Legal Aid Service of the Ministry of Justice in civil suits initiated against traffickers and in certain administrative hearings. According to the Legal Aid Order (Decision to Provide Legal Services) of 2004, free legal aid is provided to the victims of trafficking or related offences who reside in the shelter.
  - 7) District Attorneys and Courts also contribute to victim assistance in requesting and ruling on compensation for victims by traffickers after the conclusion of the criminal trial. In the majority of cases filed to the Court, the Court imposes on the defendant the duty to pay compensation to each of the victims.
  - 8) Housing and Medical Care for Victims: While most victims housed in the shelter are potential witnesses, some are there for humanitarian reasons. Victims who choose not to testify are housed in facilities of the Immigration Administration (run by the police) in Hadera, in Zohar and in the Maasiyahu Prison. In all these places of detention, conditions are relatively pleasant, victims are apprised of their rights, representatives of NGOs are given access in order to render assistance and attempts are made to listen to the needs of the victims.
  - 9) Ichilov Hospital in Tel Aviv and Shaarei Tzedek Hospital in Jerusalem provide the women basic medical services. The women can receive unconditional emergency medical aid at any of the emergency rooms in the country. (There exists a possibility that the women will be asked to pay for the medical care granted to them retroactively.) In addition, they continue to be eligible for free medical services for sexually transmitted in Tel Aviv and Haifa.
10. *The report notes that the State Attorney has directed districts to take the testimony of trafficked women in a pre-hearing, so as not to prolong their stay in the country (p. 53). Please provide information on whether trafficked women are being deported upon receipt of their testimony. If so, has the Government taken any measures to ensure the safety of these individuals upon their return to their countries of origin or considered social reintegration programmes that would enable trafficked women to remain in Israel?*
- 1) Early testimony: Recent legislation regarding early testimony in court, obligating courts to hear early testimony within a short period of time (two months) shows the importance of victim's testimony and the Government's encouragement of the victims taking part in the prosecution of traffickers. There has been great progress in this respect. Over the course of 2004, early testimony has taken place with regards to 21 files, compared to 16 in 2003.
  - 2) The Court Administration emphasizes that great efforts are made in order that the decisions regarding early testimony be made as early as possible. Nonetheless, in numerous cases the early testimony has been delayed due to the requests of the parties for more time to prepare, for the appointment of a public defender, or because of the absence of the victim invited to testify. In 2004, the average waiting period from the time of filing the indictment until the first hearing was 0.35 months, compared to 2003, where it was 0.46 months.
  - 3) The former Minister of the Interior issued a policy statement by which, as a rule, victims who have concluded their testimony will be issued temporary visas for six months (another six months are optional) which include work permits. In addition, in one case, in the wake of a recommendation of the Court, the Minister granted a 2 year visa to a victim of trafficking who had been diagnosed HIV positive.

- 4) It is a matter of Police policy to encourage victims of trafficking to testify against traffickers, and to try to ensure that traffickers will be prosecuted and will not subject additional women to abuse. According to estimates of the Intelligence Division of the Police from 2004, traffickers have begun to realize that the Police are exerting great efforts to encourage women to testify in order to convict the traffickers. Women are more inclined to testify against the traffickers and are becoming more aware of their rights. Therefore, the traffickers prefer not to hurt the women in an extreme manner so they do not escape and file a complaint to the Police.
- 5) Police efforts in this regard bore significant fruit, and 108 victims agreed to testify during 2004, an increase from 2003, when 81 testified. The establishment of a shelter for victims of trafficking has created a supportive climate, which encourages more victims to testify. In addition, women staying in the shelter are granted temporary visas to be extended when necessary.
- 6) Risk Assessments - If there is some evidence of danger to a trafficking victim, Police intelligence with the assistance of Interpol and the Israeli Police delegate abroad prepare a risk assessment which relates to her risk status in Israel and in her country of origin. If it is found that she is in danger in the country of origin, attempts are made to find a solution and for example by maintaining contacts with the IOM or NGOs in the countries of origin in order to coordinate a safe house and rehabilitation program.
- 7) In two cases this year, the Police reached the conclusion that claims that a victim faces a serious risk if returned to her home were well founded and the women were consequently not returned to their countries of origin.
- 8) The Police accords protection to approximately 100 witnesses a year.

## **Participation in public life and decision-making**

11. *Please provide information on what measures have been taken since the consideration of the State party's previous report to increase women's participation in public life and political decision-making, including the adoption of any temporary special measures in accordance with article 4, paragraph 1, of the Convention, and the Committee's general recommendation 25.*
  - 1) A significant amendment in this field was the enactment of the *Public Tender Law* (Amendment no. 12 from 2002), relating to State tenders for purchasing goods, real-estate, and services which prohibits discrimination amid the candidates in a government tender for certain grounds, including gender, sexual inclination, personal status and parenthood.
  - 2) The gaps between men and women in Civil Service's internal job-tenders participation, both as candidates and appointees, have diminished since our 3<sup>rd</sup> periodic report. There were more women-candidates than men in every year since 2000, with 62.36% in 2003. This trend is also apparent in the appointment of women for positions in the civil service, with 61.52% women-appointees in 2003. The situation in public tenders has also improved, yet there remains a slight disparity in favor of men (in relation to their high percentage in the civil service in general). Nonetheless, despite women being 49.11% of the candidates in 2003, they comprised 53.50% of new appointments.
  - 3) The Civil Service Commission added a segment in tender announcements regarding affirmative action for women, providing special measures for women and establishing educational programs on the issue of affirmative action for women and for members of tender committees.

- 4) Women's role in key positions within Israel's economic and public life is also progressing at a fair and steady rate. Women are now about a quarter of all Chief Scientists of the governmental Ministries, and five Ministers appointed women as their Director Generals.
  - 5) At the end of 2002, the legislator amended the *Planning and Building Law*, adding a mandatory representative of women's organizations to the National Council for Planning and Building.
  - 6) The New Histadrut (the largest employees' organization in Israel) Employees Committees Election Code stipulates that a female candidate who received 50% of the votes shall be preferred over a male counterpart in companies that employ over 300 employees, where at least 25% of whom are female. The code further specifies that a 30% minimum of the members of employees committees shall be of each gender.
  - 7) As stated in our 3<sup>rd</sup> periodic report, women's representation on the Boards of Government Corporations is rising. At the beginning of 2004, women constituted 34.4% of the directors. There were 5 women (11.36%) serving as head of a board of directors (4 new nominations since our 3<sup>rd</sup> periodic report), and 10 women serve as CEO's of governmental corporations.
  - 8) The Authority for Government Corporations, in cooperation with the Authority for the Advancement of the Status of Women, have requested all governmental corporations to address the issue of women's appropriate representation in their annual reports.
12. *In its previous concluding comments, the Committee remarked on the concentration of power in the armed forces due to the ongoing conflict, and noted that due to women's poor representation in senior positions, their perspectives on peacekeeping and negotiations were not utilized. Similarly, the report (p. 66) states that women serve far more months in a lower post before receiving promotions, compared to their male counterparts. Please provide information on what measures have been taken to address this disparity and to promote greater female participation in the army's senior ranks.*
- 1) Over the last decade, the tendency towards opening further positions to women in the IDF has continued, leading to a growing number of female soldiers to "quality" jobs and a smaller number into clerical positions.
  - 2) As of 2004, 81% of all positions in the military are open to women, compared to 56% two decades ago. Women are placed in 62% of the positions (compared to 40% in 1990) and efforts are made towards enlarging these percentages. It is important to emphasize that this process requires exploring all physical aspects of the additional positions, including the adaptation of the relevant equipment, preparation of the staff and additional activities.
  - 3) Following the abolition of the women corps (*Chen*), the Chief of Staff nominated on August 1, 2001, a special body, headed by the Advisor on Women Issues (a brigadier general). This body is assigned to create an atmosphere where women can better utilize their abilities in the IDF and advance equal opportunities, for the objective of empowering women in the IDF and the Israeli society.
  - 4) Following the 2000 enactment of Section 16A of the *Defense Service Law (Consolidated Version)*, titled "Equality of Service", the IDF has taken a number of measures to implement the decision. One of the measures taken involves a comprehensive review of all issued military orders, exploring the differentiation between men and women. In the years 2002-03, 360 such orders were examined and the Office of the Advisor on Women Issues found that 160 of them needed further examination, eventually recommending the cancellation or reduction of the gender distinction in 74% of these orders. Another

measure taken was applying the rule of equality between men and women serving in combat related positions, regarding the duration of the volunteering period. Further steps are examined regarding the adding of positions open to women service in the IDF.

- 5) Another amendment involves women's service in the reserve forces, where women in combat-related positions now serve until the age of 54, with no exemptions for pregnant women and mothers, whilst women in non-combat-related positions serve up to the age of 38, and are exempted from service due to pregnancy and motherhood.
  - 6) Female officers make up 26% of the officers in the regular forces and 18% of the career service. In recent years there has been a dramatic increase in the number of female officers in field positions, with a 17 times rise from 1997 to this date.
  - 7) Although the percentage of women still diminishes when going up the ranks' scale, the number of female Colonel and Brigadier General are at an ascent.
  - 8) Another difference explored relates to the amount of time men and women serve in a certain rank before being promoted. The comparison shows a gap between men and women in promotion from Major to Lieutenant Colonel and no significant gap between men and women in the promotion from Lieutenant Colonel to Colonel.
  - 9) As detailed in our 3<sup>rd</sup> periodic report, the IDF initiated several programs intended to promote female Scientists and Engineers among its ranks and support them in their careers. These programs include the "Rakia" program, targeting 12<sup>th</sup> graders, interested in studying for a practical engineer degree, with the IDF funding – the number of participants has tripled from 80 in 2001 to 240 in 2003; "Tzabar" – a pre-academic one-year preparatory course aimed at assisting young women interested in studying engineering and exact sciences in the course of the academic reserve; "Technological Horizons" – a unique course for 12<sup>th</sup> graders majoring in mathematics and physics, intended to assist them in continuing to study for a practical engineer degree.
  - 10) Women also participate in the "Atidim" Project for integrating youth from the periphery in the academic reserve (25% women in 2003); "Talpiyot" Project targeting soldiers to become part of the IDF research and development program through a comprehensive training program (11% women in 2003).
13. *The report notes that Arab women have significantly lower levels of participation in all spheres of public life and decision-making—the judiciary, the legislature, law enforcement, civil service, and the private sector. Please provide updated statistical data regarding Arab and Jewish women's participation in these fields, and comment on what measures have been taken to increase the active participation of Arab women in each of them.*
- 1) Recent data concerning female judges indicates that there are 3 Christian and 1 Muslim Magistrate Court judges, as well as 1 Christian Labour Court judge and 2 Christian Registrars. In October 2004, there were 262 women judges out of a total of 542 judges, (48.3% of the judiciary in Israel). The number of female Justices on the Supreme Court has risen to 40% (6 out of 15 Supreme Court Justices). Women continue to compose the majority of professional labor judges (67.3% of the judges, and 57.1% of the registrars), nearly half of the District Courts judges (41.3%), almost half of the Magistrate Courts Judges (48.7%) and more than half of the registrars (56.9%).
  - 2) In the Ministry of Justice, there are 2 Christian and 2 Muslim female Public Defenders, 1 Christian and 1 Druze attorneys and a Muslim legal intern. As of July 2004, 113 (66.9%) of the 169 jurists in the Ministry of Justice were women, and a parallel percent of women were working in the State Attorney's and the

Attorney General's offices (432 women to 210 men) and the Public Defenders office (33 women to 15 men). There were also 201 female legal-interns to 120 male legal-interns, and 22 women in the high judge-equivalent ranks, to only 8 men.

- 3) There are 9 Arab women Directors in the directorate of governmental corporations. At the beginning of 2004, women constituted 34.4% of the directors. There were 5 women (11.36%) serving as head of a board of directors (4 new nominations since our previous report), and 9 women (11.84%) served as CEO's of governmental corporations.
- 4) There are also 38 female Advisors on the Status of Women in Arab local municipalities.
- 5) 207 women were elected to the local authorities' councils in the last elections - a total of 10.3% of the electives. Overall, women were chosen to councils in 87 out of the 158 local authorities. Thus, while women's percentage in Jewish local authorities' councils reaches 14.2%, Arab women comprise only 0.5%. Similarly, women were chosen at 82% of the Jewish local authorities and only at 4% of the Arab local authorities. This gap is usually explained as the result of various socio-cultural factors such as religion and local tradition, given that in certain minority communities, the role of the women is still somewhat restricted when considering public service positions.
- 6) It should be noted that the Authority for the Advancement of the Status of Women is working towards increasing the involvement of women in Municipalities. This is done through the strengthening of knowledge and awareness to women's involvement in local politics and the preparation of a "Women Reserve" for the next local elections, especially among the Arab sector. Appeals also have been made by the Authority and the Union of Local Authorities to appoint women to high-ranking positions in municipal corporations.
- 7) As of March 2005, there were 53 Arab women in the police force – 1 Samaritan, 19 Christians, 12 Muslims, 14 others and 7 of unknown religion.
- 8) Women constitute 21% of the police force, a moderate decrease since the 3<sup>rd</sup> periodic report (23%). Women officers comprise a higher percentage than their representation in the police force, with 23.4% of the police officers being female.

#### **Percentage of Women in the Police Force, 2004**

	<b>Women</b>		<b>Men</b>		<b>Total</b>	
	Number	% of the Women	Number	% of the Men	Number	%
Non-Officers	3,362	74.88%	13,361	78.39%	16,723	77.66%
Officers	1,128	25.12%	3,684	21.16%	4,812	22.34%
<b>Total</b>	<b>4,490</b>	<b>100%</b>	<b>17,045</b>	<b>100%</b>	<b>21,535</b>	<b>100%</b>

*Source: Israel Police, 2004*

#### **Education and stereotypes**

14. *The report, in reference to article 5 of the Convention, provides source data on women in the media profession, but does not provide information on addressing prevalent stereotypes or the traditional roles and responsibilities of*

women and men. Please explain any challenges the State party faces in ensuring compliance with articles 5(a) and 2(f) of the Convention, and measures taken to overcome them.

- 1) The Department for Planning and Development of Curriculums in the Ministry of Education, Culture and Sports has been active in establishing criteria for schoolbooks, specifically within the realm of gender stereotypes. These criteria were integrated into the curriculum by a special committee appointed in 2001 by the current Minister of Education, Culture and Sports.
  - 2) The Committee examined gender stereotypes in schoolbooks used by the Israeli education system, and endeavored to end all stereotyping in the curriculum. The Committee adjusted the previous criteria, on a qualitative and quantitative level, addressing the following issues regarding equal representation for both genders: expanding the material with illustrations to include women's contribution to all areas of life; drawing attention to pre-existing stereotypes; refraining from gender stereotypes of all kinds (both direct and implied); assigning tasks on a gender-neutral basis; selecting works, essays and papers equally representative of both genders; assigning children to courses and classes regardless of their gender; addressing children in a gender neutral language; omitting gender-stereotypical drawing and illustration from schoolbooks.
15. *In its previous concluding observations the Committee on the Rights of the Child noted its concern regarding "the serious deterioration of access to education of children in the occupied Palestinian territories as a result of the measures imposed by the Israeli Defense Forces, including road closures, curfews and mobility restrictions, and the destruction of school infrastructure." Please provide the Committee with statistical data on education of girls in the Occupied Territories and measures that have been taken to increase their access to educational institutions, in light of the ongoing conflict, escalating violence, and construction of the wall inside the Occupied Territories. Please describe the impact of such measures towards the elimination of discrimination against this group of girls, including whether drop-out rates have decreased.*
- 1) In its 3<sup>rd</sup> periodic Report, Israel did not include details on the implementation of the CEDAW in the West Bank and the Gaza Strip for several reasons, ranging from legal considerations to practical reality.
  - 2) It is Israel's position that the Convention does not apply beyond its territory, in the West Bank and the Gaza Strip, and it was never the intention of the Government when it ratified the CEDAW that it would so apply.
  - 3) The ongoing armed conflict and daily situation of violence, suicide bombings and terrorism against Israel and its citizens, the lack of enforcement of public order and the rule of law by the Palestinian authorities in the West Bank and the Gaza Strip, and the concomitant necessity for Israel to defend itself - only amplify the fact that the law of armed conflict is the only logical and applicable regime to ensure humanitarian protection for all involved; and that a normal peacetime human rights regime, of which the CEDAW is clearly a central component, cannot be considered applicable with regard to the territories.
  - 4) Furthermore, many of the provisions of the CEDAW relate to fields of powers and responsibilities which to a large extent have been transferred to the Palestinian Authority, and which are subject to its jurisdiction and control regarding its population. Hence, as a practical matter, Israel is not in the possession of, nor can it gather, the predominant part of the information requested by the Committee.
16. *The report provides some disaggregated data and makes reference to the significantly lower levels of educational achievements amongst Arab women and girls, and extremely low rate of Arab women amongst academic staff in Israeli universities. However, the report provides no information on what Government programmes are in place to advance Arab girls' educational progress or promote Arab women at academic staff at universities. Please provide such information and the impact of such programmes in relation to their stated goals.*

- 1) Among the Arab education system, 91.7% of the female-minors within the 12th grade age group took the matriculation exams, compared with 84% of the male-minors. Female-minors' entitlement to a matriculation degree also was higher in this sector than male-minors (56.3% and 44.7%, respectively).

#### Examinees and entitlement to matriculation certificates – 2002

	Examinees		Entitled to a Certificate	
	Total	% of pupils in grade XII	Total	% of pupils in grade XII
<b>Hebrew Education</b>				
Male-minors	30,869	75.1	20,326	49.5
Female-minors	35,176	84.3	26,305	63
<b>Arab Education</b>				
Male-minors	5,373	84	2,858	44.7
Female-minors	7,270	91.7	4,464	56.3

Source: Central Bureau of Statistics, 2004

- 2) The Department for Regular Attendance and the Prevention of Dropouts in the Ministry of Education, Culture and Sport has been active on all levels to raise the percentage of attendance and prevent dropouts in all sectors. They have operated on three major levels – awareness, managerial/organizational and pedagogical. Between the 2001-2002 school year and the 2002-2003 school year, the dropout rate was reduced to 6% in the Jewish sector and 10% in the Arab sector.
- 3) The gaps between men and women in higher education have been eradicated, and in the 2002-03 school year, Muslim, Christian and the Druze female students are now a majority- among first-degree students in the universities. The same can be said for the general student population, with the exception of the Druze sector where the gap is rapidly closing. Indeed, certain gaps still remain in higher degrees, but there too, the figures show a significant rise in the percentage of female students among these sectors.

#### Women by Population Group and Religion and Degree, 2002-2003

Percent of Women of Total Students in Each Cell (Universities only)

	Total	First Degree	Second Degree	Third Degree	Diploma
<b>Total</b>	56.5	56.2	57.2	52.7	82.2
Jews	56.8	55.9	58.1	54.3	84.9
Muslim	51.9	54.6	42.3	23.9	64.5
Christian	62.7	63.9	58.4	34.5	-
Druze	49.8	53.3	33.7	-	-

Source: Council for Higher Education, 2004

- 4) Aside from the state universities, a number of alternative higher education institutions exist which grant non-degree diplomas. In the academic year 2002-2003, 6.4% of Jewish women, aged 20-29, attended non-university higher education institutions (colleges) (compared to 5.6% in 1999-2000). The rate of Arab women attending these institutions is 4.4% (compared to 4.6 in 1999-2000).

- 5) On December, 2000, the Council for Higher Education, the State institution responsible for higher education, including teaching and research appointed a special committee, which was requested to formulate a general overview on the advancement of higher education among the Arab population in Israel. At the same time, the Committee was requested to examine programs to be submitted by the institutions of higher education for advancement of Arab students and to advise on the modes of compensating the institutions for initiatives and achievements leading to the broadening of access for Arab students to academic studies and support programs, to reduction of the dropout rate of such students and to increase in the number of Arab students studying for master's degrees in general, and in research tracks, in particular.
- 6) The committee concluded with a list of Recommendations on the advancement of higher education among the Arab population in Israel, in the following subjects of concern: pre-academic programs, increasing access – information and support centers, the psychometric examination, assistance and support programs for integration of Arab students studying at institutions of higher education, social and multi-cultural integration on campus, integration of faculty members and administrative personnel.
- 7) The Committee's recommendations were unanimously adopted by the Council in a resolution taken on January 2002.

## **Employment and economic empowerment**

17. *The report does not include data on the rate of poverty amongst women Falasha Jews and non-Jewish women. Please provide this information to the Committee, as well as describe the success of social benefit programmes in reaching and assisting these women.*

- 1) Women in Israel in general are the majority of social benefits recipients; a figure mostly derived from women's longer life span and their employment patterns.
- 2) The number of single-parent families in Israel is at a constant ascent in recent years - mostly due to the changes in family patterns and the rise in the rate of divorce. In 2003, single-parent families comprised approximately 12% of all the families with children – compared to 9.3% in 1995. Women head 97% of these families and in close to a third of them, the parent was a new immigrant. It should be noted that single-parent families also constitute 36% of all income guarantee recipients.
- 3) The Ministry Industry, Trade and Labor (ITL) initiated a special program to integrate single parents in the labor market, specifically those receiving income guarantees and alimony payments. The program intends to increase single parents' earning capabilities, while raising their employment qualifications. The program grants its participants with the following benefits: a 9,600 NIS grant to those who increase their income by at least 1,200 NIS compared to their income in May-July 2003; single parents' full time employers are entitled to a financial grant of up to 12,000 NIS, travel expenses refund, vocational and professional training, and participation in fees for children in kindergarten and day-care centers. The program began in August 2003, and by March 2004, 30,000 single parents approached the Bureaus, 13,000 of them were referred to positions and 5,100 were placed accordingly. The dropout rate is about 30%. Also, 630 single parents are currently attending vocational courses, and 372 of them placed their children in day-care centers.
- 4) There is no specific data concerning women-immigrants from Ethiopia in this respect.



18. *The report states that significant wage gaps and the glass ceiling phenomenon persist between men and women, throughout all ranks of service and even when all variables, such as hours worked and levels of education, are taken into account (p. 127). Has the Government instituted any measures to address these phenomena? If so, please provide the Committee with information on these measures, as well as an assessment of their successes and challenges.*
- 1) In 2003, the Israeli civil workforce totaled 1.4 million men and 1.2 million women. Compared to 2002, the workforce grew by 24,000 men and 39,300 women, so that women accounted for roughly 60% of the increase.
  - 2) In 2003, women's proportion of the labor force increased to 49.1%, compared to 48.2% in 2001 and 46.3% in 1998. Men's proportion decreased to 60.1%, from 60.7% in 2001 and 61.2% in 1998.
  - 3) As detailed in our 3<sup>rd</sup> periodic report, women maintain their cluster in “feminine professions”, with the highest percentages of women employed in the education field (20.8%) and in health, welfare and social work services (17.4%). However, we would like to refer you to our reply to query number 13, concerning women's soaring representation in the legal profession.
  - 4) There are still gaps between male and female salaries. According to recent data, men have a 63% higher income than women.
  - 5) One explanation for this gap is shorter working hours (or lower availability for work) for women- (In 2002, employed men worked an average of 42 hours a week, compared to employed women, who worked 31 hours a week - a 35% difference). Yet, in 2002, women's average income per hour was 36.7 NIS and men's – 45.3 NIS, a 23% gap, indicating that the difference cannot be completely attributed to the number of working hours.
  - 6) In the Arab sector women employees earned 7% more than men. This can be explained by the fact that 47% of the Arab women are employed in academic, associate and technical professions, while 64% of the Arab men were skilled and unskilled workers in construction and industry branches. The differences deepen as the age rises, although both genders' income climbs with age.
  - 7) In 2003, 27% of the women in the labor force had 16 years or more of schooling, compared to 23% of the men. Also, 0.65% of women had 0-4 years of schooling, compared to 0.09% of men. The level of education is a conclusive factor in female participation rates in the labor force and the rates escalate as the level of education rises. The education level of women in the labor force is higher than that of men.
  - 8) In 2003, 87.4% of men and 62.6% of women worked full-time. most of the usually part-time employed persons in the labor market were women (401,400 women compared to 159,500 men). 14.1% of the women stated that the motivation for part-time employment was care for their children and/or household.
  - 9) In 2003, 1,072,600 women were employed (compared to 1,257,600 men), 978,000 were salaried employees. 984,600 of the employed persons were Jewish women, 895,800 of them were salaried employees. In 2003, most of the employed men (81.9%) were salaried employees and 8.8% were self-employed. 91.2% of the employed women were salaried employees and only 4.6% were self-employed. In 2002, 17,000 men and 20,000 women received their wages from manpower contractors, compared to 22,000 and 26,000 respectively, in 2001.
  - 10) Several recent rulings of the Israeli Labor courts have further reinforced the protection granted by law to women in the workforce. In November 2003, the Labor Court in Be'er Sheva ruled in favor of a female

employee who received a lower salary than her male counterparts (La. 1576/99 *Simmy Niddam V. Rally Electricity and Electronics Ltd.* (03.11.03)). The court granted the plaintiff all social benefits along with compensation for grief caused to her in the sum of 30,000 NIS (about 6,500 \$). The Tel-Aviv Jaffa District Labor Court convicted a company that fired a temporary employee who was pregnant, two days before she completed a 6- month employment trial period. The Ministry of ITL indicted the company on grounds of discrimination (pregnancy, parenthood and gender) based on the *Equal Employment Opportunities Law*. The Court convicted the company and imposed a fine of 80,000 NIS, as part of a plea bargain. (*Cr.C. 100/04 the State of Israel / the Ministry of ITL v. S.I.R.N Ltd. et al* (, 15.12.04).

- 11) In a January 2004 decision, the Tel Aviv Labor Court ruled in favor of a female plaintiff who received a lower salary than her male colleagues, granting her the difference between the salaries along with additional compensation based on the infringement of the *Equal Employment Opportunities Law* (La. 300880/98 *Orit Goren V. Home Centers Int.* (04.01.04)).
19. *The report provides information on some laws in place to assist women in reconciling their family and work responsibilities, but notes that professional women still spend significantly more time on unpaid work than their male counterparts, especially as the number of children in the household rises (pp. 113-114 and 130-131). Please provide information on what specific measures the Government has adopted to promote women's participation in the workforce, as well as overcome stereotypes and reconcile the responsibilities of women and men with regards to family life and children.*
- 1) In a 2002 amendment, the legislator extended the single parent privilege under the *Sick Pay Law (Absence from Work due to a Child's Sickness)*, granting a 12-day leave to tend to a sick child (compared to the standard 8 days).
  - 2) In June 2004, amendment no. 9 to the *Equal Employment Opportunities Law*, added pregnancy as one of the grounds of prohibited discrimination in the workforce, both as a job applicant and as an employee.
  - 3) In 2003, 219,805 employment seekers applied to the Employment Service Labor Bureaus (monthly average). 114,321 were women (compared to 91,920 women in 2001) and the remaining 105,484 were men.
  - 4) The percentage of unemployed women was 10.6%. In 2003, the fraction of unemployed male of the labor force was 10.2 % (compared to 8.4% in 2000). In 2003, the percentage of unemployed women was 11.3%, compared to 9.2% in 2000.
  - 5) A 2001 survey indicates that 30.7% of the self-employed are women, compared to 69.3% men. Women entrepreneurs face inherent obstacles such as insufficient administration skills, difficulties in financing and low self-esteem. Consequently, several programs were developed by the Ministry of ITL through the Israel Small and Medium Size Enterprises Authority and in the Centers for Fostering Entrepreneurship for women of all sectors, including the Arab sector, new immigrants, and orthodox women. These programs include assistance in funding for small businesses, feminine empowerment courses, establishment of "women only" business clubs and other activities and special assistance for single parents.
  - 6) As mentioned in our 3<sup>rd</sup> periodic report, the Division for Training and Development in the Ministry of ITL organizes vocational courses for all sections of the Israeli population. The Division takes specific measures to raise the number of women participants in these courses via the establishment of separate courses for women in the ultra orthodox and Arab sector, directing the Acceptance Committees to

perform their role with the utmost equality, and support for female participants in all courses, especially those previously considered “masculine”.

- 7) The number of men applying to the Center for Fostering Entrepreneurship in the Ministry of ITL is double the number of women applicants. Most of the applicants, men and women, are in the 25-34 and 35-44 age groups. 45% of the women-applicants have an academic degree while only 35% of the men-applicants have one. A majority of the applicants, both men and women, require assistance in launching a business – approximately 60%.
  - 8) The Department of Supervision of Labor Laws of the Ministry of ITL supervises the enforcement of a number of labor laws, including the *Employment of Women Law*. Under this Law, in 2003 – 2004 (up to June 1<sup>st</sup>), 32 cases were forwarded to the legal department for indictment and 7 employers were indicted. Two were convicted and fined and two other cases are still pending. Another two indictments concern discrimination of women in acceptance to work due to parenthood; in one case the employer was convicted and administered a 40,000 NIS fine, and another case is still pending.
  - 9) According to recent figures, 5.3% of the women who were employed in their last pregnancy, resigned from their jobs following their delivery. 2% of the women who were employed in the course of their recent pregnancy were dismissed subsequent to the delivery. This indicates a high percentage of adherence to the law. The majority of women returned to the same or a comparable position of employment following maternity leave. 4.5% of the women were promoted and 6% were demoted.
  - 10) In 2003, 1,657 applications were received concerning dismissal of pregnant employees. In 44% of the cases, the Department granted permits for dismissal while 56% of the requests were either refused or the cases were closed, a significant reduction to the 54% approval rate in 2000. The main reasons for consenting to permissions were the closing of businesses, consensual dismissal, or termination of contract.
  - 11) The decision to approve dismissal is an administrative one, subject to judicial supervision. Both parties can petition this decision to a Labor Court. However, generally, the courts do not intercede in the authority’s considerations and do not reverse those decisions, provided the authority performed its function in good faith, and in a manner relevant to its capacity.
  - 12) As mentioned in our 3<sup>rd</sup> periodic report, the Enforcement Division of the Ministry of ITL boosted its activities under the *Equal Employment Opportunities Law* and the *Prevention of Sexual Harassment Law*. In the years 2003-04 (until the end of June 2004), it investigated 55 complaints concerning alleged discrimination of women in their place of employment due to pregnancy, parenthood and gender. The Division conducted 477 investigations involving unlawful advertisement and levied 228 administrative fines. The Division also held 1,326 inspections of workplaces regarding the publication of the code of practice in accordance with the *Sexual Harassment Law*.
20. *Given the multiple discrimination faced by Arab women in the workforce, please provide statistical data on their participation in the workforce, and information on policies and measures in place to increase their participation at all levels of the labour force.*
- 1) During the last two decades, there was an increase in Arab women’s participation in the labor force, from 11% in 1980 to 14.8% in 2002. Arab women today constitute about 4% of all women in the civil labor force in Israel. In 2003, there were 263,500 employed Arabs in the labor force, 204,900 (77.7%) were men and 58,600 (22.3%) were women. 34,100 of the Arab population were listed as unemployed, 6,400 (18.7%) of them were women.

- 2) The highest level of labor force participation for both genders is in the 25-34 age group. In the Arab sector, the majority of men (81,200) in the labor force graduated after 11-12 years of schooling, compared to the majority of women (32,100), who graduated with 13 years or more of schooling.
- 3) In the Arab sector women employees earned 7% more than men. This can be explained by the fact that 47% of the Arab women are employed in academic, administrative and technical professions, while 64% of the Arab men were skilled and unskilled workers in construction and industry branches. The differences deepen as the age rises, although both genders' income climbs with age.

## Health

21. *Please provide updated and sex-disaggregated data on health indicators, such as rates of infant mortality; low birth weight; maternal mortality; immunizations; and overall life expectancy amongst Jewish and non-Jewish populations, as well as the prevalence of diseases, including depression, amongst both populations. Please include a qualitative analysis of the trends and patterns with regards to the health of women in each of these populations.*

- 1) In 2003, the overall infant mortality rate was 4.96. Pursuant to specific data for 2003, the rate was 3.63 in the Jewish Sector, 8.77 among Muslims, 3.24 among Christians and 7.09 in the Druze sector. These rates indicate a 10% decrease in the Jewish sector and an 8% decrease in the Arab sector.
- 2) In 2002, 1,174 Jewish babies and 441 non-Jewish babies were born with very low birth weight (under 1,500 grams), a certain rise compared to the 2001 data (1,095, 425 respectively).
- 3) The maternal mortality rate has remained generally low. In 2002, the maternal mortality stood at 6 deaths per every 100,000 live births.
- 4) Recent data indicates that the rate of vaccinations (for children up to the age of two), in the non-Jewish sector is 96%, significantly higher than the rate in the Jewish sector (88%).
- 5) In 2002, the average life span for Israeli women was 81.5 years and 77.5 for men. Elderly people (65+) comprise 10% of the population as of 2004 (only 3% among the Arab sector) and are expected to rise to 12% in the year 2020. In 2003, women over 65 made up 11.2% of the female population, compared to 8.53% of the male population.
- 6) In the last two decades (1981-2001), life expectancy for Israeli women has increased by 5.3 years, compared to 4.6 among men. Over half the elderly women are widows, compared to only 16% of the men, mostly due to women's longer life span and their tendency to marry older men.

**Population, by population Group over 65, Religion, Sex and Age, 2003 (by thousands)**

<b>Religion</b>									
<b>Age</b>	<b>Christians – total</b>			<b>Moslems</b>			<b>Jews</b>		
	<b>Females</b>	<b>Males</b>	<b>Total</b>	<b>Females</b>	<b>Males</b>	<b>Total</b>	<b>Females</b>	<b>Males</b>	<b>Total</b>
65-69	2.4	1.8	4.3	6.1	5.5	11.6	95.3	79.3	174.6
70-74	1.9	1.3	3.2	4.2	3.3	7.5	85.0	65.7	150.7
75-79	1.4	0.8	2.2	2.6	1.9	4.5	78.8	53.6	132.5
80-84	0.7	0.4	1.2	1.3	1.1	2.4	50.7	36.3	87.0
85-89	0.3	0.2	0.4	0.6	0.7	1.2	24.3	14.7	39.0
90+	0.2	0.1	0.3	0.3	0.4	0.8	13.8	8.0	21.8

<b>Age</b>	<b>Religion unclassified</b>			<b>Druze</b>		
	<b>Females</b>	<b>Males</b>	<b>Total</b>	<b>Females</b>	<b>Males</b>	<b>Total</b>
65-69	3.5	2.4	5.9	0.9	0.7	1.6
70-74	1.8	1.2	3.0	0.7	0.6	1.2
75-79	1.6	0.7	2.3	0.4	0.4	0.8
80+	1.3	0.4	1.6	0.4	0.5	0.9

Source: Central Bureau of Statistics, 2004

- 7) Cancer is the second major cause of death for women in Israel, after heart illness. Breast Cancer is the most common malignant illness in Israel, constituting 18% of all annual cancer instances, and 30% of the cases of cancer among women.
- 8) The Ministry of Health figures indicate that 3,400 new cases of breast cancer are discovered annually, 70% of the patients are over 50 and 400 annual cases can be found among the 22-40 age group. In the 45-64 age group, the average rate of breast cancer per 100,000 women is 281.1 in the Jewish sector and 118 in the Arab sector. The basic services entitlement includes of over 70 different drugs for the treatment of breast cancer. Colon and rectum cancer are the second most common cancers among women (as well as the general population), with 68 of 100,000 in the Jewish Sector and 37.6 of 100,000 in the Arab sector.
- 9) A 2003 national survey of women's health performed by JDC - Brookdale Institute, indicates that 13% of the women under 50 and 62% of the women over 50 had a mammography screening in the two years prior to the survey. The survey further specifies that the mammograms rates of women are almost equal, with 62% among the Jewish sector and 61% among the Arab sector (a dramatic rise from 18% in 1995).
- 10) According to professional estimates of the Ministry of Health, 40% of the women over 55 shall undergo at least one osteoporosis fracture. The Israeli Center for Disease Control, through a project initiated by the European Health Interview Surveys (EUROHIS) collected data which indicates that 15.8% of women aged 45-74 were diagnosed with osteoporosis, and 76.5% thereof were treated with drugs (a significant improvement to 50% in 1998). A DEXA bone density check up is provided to women over 50 every 2-5 years. The basic service basket includes about a dozen different drugs for the treatment of osteoporosis.
- 11) As of the end of 2002, there were 47,660 patients in mental health clinics, 25,380 men (53.3%) and 22,280 (46.7%) women. The number of women is higher in the 45-64 and 65+ age groups.
- 12) The EUROHIS data indicates that women suffer from higher levels of depression and anxiety than men. In the 45-74 age group, 4.7% of the women reported that they were diagnosed as depressed/anxious, to

only 3.8% of the men. In the younger age group of 21-44, the numbers are almost identical, with 1.7% of the women and 1.5% of the men.

22. *The previous concluding observations of the Committee on the Rights of the Child; the Committee for Economic, Social, and Cultural Rights; and the Committee on the Elimination of Discrimination against Women all noted with concern the disparity in access to health services between Jewish and non-Jewish communities. In particular, the CRC noted that the Israeli Defense Forces had imposed road closures, curfews and mobility restrictions, thereby curtailing Arab communities' access to medical personnel and supplies, as well as causing severe water and food shortages. Please comment on the availability of health services to Arab women and describe what measures are being taken to improve health delivery to non-Jewish women and girls, given the restricted mobility and construction of a wall inside the Occupied Territories.*

- 1) In its 3<sup>rd</sup> periodic Report, Israel did not include details on the implementation of the CEDAW in the West Bank and the Gaza Strip for several reasons, ranging from legal considerations to practical reality.
- 2) It is Israel's position that the Convention does not apply beyond its territory, in the West Bank and the Gaza Strip, and it was never the intention of the Government when it ratified the CEDAW that it would so apply.
- 3) The ongoing armed conflict and daily situation of violence, suicide bombings and terrorism against Israel and its citizens, the lack of enforcement of public order and the rule of law by the Palestinian authorities in the West Bank and the Gaza Strip, and the concomitant necessity for Israel to defend itself - only amplify the fact that the law of armed conflict is the only logical and applicable regime to ensure humanitarian protection for all involved; and that a normal peacetime human rights regime, of which the CEDAW is clearly a central component, cannot be considered applicable with regard to the territories.
- 4) Furthermore, many of the provisions of the CEDAW relate to fields of powers and responsibilities which to a large extent have been transferred to the Palestinian Authority, and which are subject to its jurisdiction and control regarding its population. Hence, as a practical matter, Israel is not in the possession of, nor can it gather, the predominant part of the information requested by the Committee.
- 5) More than 1,000 people were murdered in attacks carried out by Palestinian terrorists since September 2000.
- 6) Thousands of Israelis have been injured, many of the victims maimed for life. The terrorists infiltrated Israeli cities and towns, and carried out attacks – often in the form of suicide bombings – on buses, in restaurants, shopping malls, and even private homes. No other nation in the world has before this time faced such an intense wave of terror, especially in the form of suicide bombings.
- 7) In almost all of the cases, the terrorists infiltrated from Palestinian areas in the West Bank. The Palestinian leadership has done nothing to stop them and has even encouraged them.
- 8) Israel's decision to erect a physical barrier against terrorism was taken only after other options were tried but failed to stop the deadly terrorist attacks. Public opinion in Israel pushed for building a fence that would block the terrorists from entering Israeli population centers. The absence of a barrier makes infiltration into Israel communities a relatively easy task for terrorists
- 9) The Government of Israel has an obligation to defend its citizens against terrorism, to protect their right to life and physical integrity. The anti-terrorist fence saves life.

23. *The Committees also noted their deep concerns regarding the lack of availability of food and water resources amongst non-Jewish women and children, including Arab, Bedouin, and Ethiopian immigrant communities, due to road blockades and limited access to foreclosed areas. Please provide information on what is being done to ensure ready access to basic resources such as electricity, food, and water within these same communities.*

- 1) There are no road blocks throughout Israel, and there are also no "foreclosed areas". Moreover, there are no limitations on access to food and water resources and basic resources such as electricity and water, based on religion or nationality.
- 2) There are certain difficulties in access to services in illegal villages in the Negev. The Israeli government allocates extensive resources to provide the Bedouin living in such illegal villages with basic infrastructures and municipal services.
- 3) Approximately 83,000 Bedouin (60% of the total Bedouin population) live in planned, urban settlements. 40% of the remaining 55,000 Bedouins reside in hundreds of illegal clusters over an area of more than half a million dunams, obstructing the urban expansion in the greater Negev area and the common good of the Bedouin population.
- 4) The State encourages the Bedouin population to move into the permanent towns, by granting special financial aid, also through the allocation of subsidized lands.
- 5) In 2003, the government of Israel decided to promote a comprehensive plan for the Bedouin sector. According to the plan, during a period of 6 years, 1.1 billion NIS would be designated for the amelioration of infrastructures in the Bedouin communities and the establishment of public institutions.
- 6) Furthermore, in the last 20 years, the Government has enacted new outline plans for Bedouin communities in Rahat, Hura, Lakia, Arara, Keseifa, Tel Sheva and Segev Shalom. These plans are aimed at expanding the territories of these communities in order to meet the requirements and needs of the steadily growing population.

24. *The report states that "an astoundingly low percentage of women are treated by female doctors," and acknowledges Arab women's consequent reluctance to consult a family doctor or specialist, even when medical attention is necessary (p. 155). Please provide information on efforts to increase the number of Arab women in tertiary education, especially in medicine and health sciences, so as to increase, within time bound targets, the number of Arab women doctors.*

- 1) According to the Ministry of Health, at the end of 2003, there were 317 licensed Arab women doctors.
- 2) Current numbers from State-hospitals indicate that there are 3,650 doctors, 1,259 of which are women. To date there are 24 female Arab doctors and 2 Druze doctors in these hospitals. Note that due to the long hours and demanding schedule, many female-Arab doctors prefer working in one of the private health care organizations or in their own clinics.

## **Rural and vulnerable women**

25. *Please provide comprehensive information on the implementation of article 14 of the Convention with respect to Bedouin women and girls.*

- 1) The following paragraphs focus on the Bedouin community in the southern Israeli Negev desert. There are approximately 145,000 Bedouins living in the Negev, approximately 83,000 of them in seven Bedouin towns and the rest in illegal villages throughout the Negev.
  - 2) The Bedouin population has a high rate of unemployment and low socio-economic state. Several measures are being implemented to change these statistics. One example is a business entrepreneurship course for Bedouin women in cooperation with the Center for Fostering Entrepreneurship and the Authority for the Advancement of the Status of Women.
  - 3) A Center for the Welfare of the Bedouin Family was recently established in Be'er Sheva, manned by a specialized social worker. The Center serves as a place for discrete conflict negotiations and a place of transit for Bedouin women seeking refuge due to domestic violence.
  - 4) There has been a remarkable 81% decrease in the infant mortality rate in the Bedouin population over the last three decades, from 33.9 per thousand to the current 15.3 per thousand. Nonetheless, the mortality rates remain high. This is due to rough living conditions and the high rate of consanguineous marriage (60% overall, with 40% being of the first degree). Another element impacting upon mortality rate is the religious prohibition against abortion among Muslims even in medically recommended cases, as well as the high rate of births among elderly women.
  - 5) The Ministry of Health's Public Health Services initiated a project to reduce infant mortality in the Bedouin sector. The project operates through Arabic-speaking female instructors who educate prospective mothers on the importance of regular visits to the doctor during pregnancy. These instructors address the following topics: the importance of medical examinations to detect birth defects during pregnancy, and awareness of the consequences of consanguineous marriage.
  - 6) Bedouins, like All Israeli residents, have health insurance under the *National Health Insurance Law*. All Bedouins are covered, whether they reside in Bedouin towns or in illegal villages. Various Health Funds (i.e., privately owned health care providers subsidized by the Government) build and run community clinics in permanent towns, as well in the illegal villages (This mostly due to the Court of Justice ruling in H.C.J. 4540/00 *Abu Apash v. The Minister of Health*, petitioning for clinics in the illegal villages).
  - 7) The improvement of the relevant health indicators among the Bedouin community continues, yet gaps remain, especially among those living in the illegal villages mainly due to the physical conditions.
  - 8) The Bedouins residing in the Bedouin towns enjoy the same health services provided to all Israeli citizens, some of which are adapted especially to their needs. Unfortunately, many Bedouins choose to live outside permanent towns, in living conditions considered inadequate by the Ministry of Health. Nonetheless, the government is doing all it can to provide sufficient health care to Bedouins in illegal villages through Mother and Child Health Clinics (Tipat Halav), Health Fund medical clinics, family care mobile units, mobile immunization teams, and a special mobile eye medicine unit.
26. *The report notes that Bedouin girls leave school at an early age due to financial constraints. Has the State party considered instituting scholarship programs for Bedouin and immigrant girls in order to address the lack of resources amongst these communities? If not, what other programmes are in place to promote Bedouin and immigrant girls' participation in the educational sector?*
- 1) The Bedouins enjoy the same rights and opportunities as other Israeli citizens, including the privilege to receive formal education at all levels, in accordance with the laws of Israel.



- 2) In recent years, there has been a substantial rise in the percentage of pupils in the Bedouin sector taking matriculations exams (up from 19.7% in the year 1998 to 53.8% in the year 2002), as well as a huge leap in the percentage of pupils entitled to a matriculation certificate (from 15.5% in the year 1998 to 42.8% in the year 2002).
- 3) The high school dropout rate in the Bedouin sector is 11.58%, to a 4.53% in the Jewish sector. The highest dropout numbers are of female-minors in the illegal villages, mostly due to early marital age and the desire to protect family dignity. It should be noted that the situation is quite different in the Bedouin towns where female-minors graduate after 12 years of schooling, usually continuing with higher education as detailed below.
- 4) A recent survey held by the Van Leer Jerusalem Institute examined the issue of Bedouin female-minors dropout rates and concluded that the educational system has to consider the special needs of the traditional Bedouin society. The major requisite adjustments are separate schools/classes for male-minors and female-minors, as in the Jewish-religious school system, and harmonization of the curriculum to the cultural background of the Bedouin pupil.
- 5) With regards to higher education, there are currently more Bedouin women studying for their first degree than men. Statistics indicate that most of the Bedouin women who turn to higher academic education are unmarried and might abandon their studies due to family pressure to marry. They then continue only if their husbands' permits them to do so.
- 6) There are three colleges in Be'er Sheva where the majority of students are Bedouins. Most of the women students are single. Married women study, for example, in the Negev College, where classes are separate, and in Be'er-Sheva University where there is a Student Body Association that accompanies the Bedouin women students. Also, the Faculty of Medicine accepts a number of qualified Bedouin women on a trial basis if they failed the formal entry exams.
- 7) The Ministry of Education, Culture and Sports has recently granted 18 Bedouin students full scholarships in order to pursue higher studies at the Ben-Gurion University in Beer-Sheva during the academic year 2004/5. The scholarships were granted on the basis of academic excellence and financial situation. Among the 18 students' recipients of the scholarship, 12 were women. Additional Scholarships are granted by various NGOs.

## **Family and personal law**

27. *Israel has entered a reservation to article 16 of the Convention that the Committee considers contrary to the object and purpose of the Convention, and by which it maintains the supremacy of Israel's religious regulation in the areas of personal status, marriage, and family relations. Please provide information on plans to secure equal rights for women in those areas, as suggested in paragraph 173 of the Committee's previous concluding comments.*
- 1) See our reply to query number 1.
  - 2) Overall, religious Courts have an exclusive jurisdiction over all matters of marriage and divorce, except when the couple is non affiliated or of different religions – the jurisdiction in these cases is granted to the Family Courts, upon the decision of the president of the Supreme Court.
  - 3) Matters concerning women's and child's alimony, property issues, child maintenance, guardianship, violence and parental matters (concerning Muslims), Family Courts and the Religious Court have a parallel jurisdiction, with certain differences between the various religious communities.

- 4) Inheritance and adoption – the Family Courts have the main jurisdiction, the Religious Courts jurisdiction is subject to the consent of all relevant parties and certain limitations stipulated in the Law.
  - 5) Child abduction, marriage approvals under the *Marital Age Law*, name changing, determination of age, surrogacy, parenthood (except for Muslims) and other disputes among family members, in matters not mentioned above, jurisdiction is granted solely to the Family Courts.
28. *Please explain which personal status laws apply to Arab women, and provide further information on these laws with respect to a woman's rights within the family and religious spheres.*

See our reply to query number 27.

29. *The report states that although the minimum age for marriage is seventeen, the prevalence of under-aged marriage, both via petition and without approval, remains high (pp. 183 and 186). Please explain why the law prohibiting under-age marriage is not better enforced.*
- 1) Young brides are significantly more common than young grooms, especially in certain sectors of the population such as the Ultra orthodox Jews, Georgians Jews, Muslims, Druze and Bedouins.
  - 2) The Knesset Research and Information Center, in a survey held at the end of June, 2004, estimated that hundreds of female - minors annually marry in Israel. The survey claims that the *Marital Age Law*, is seldom enforced and when a petition is filed for an under-age marriage, it is almost always granted, since these are populations that are experiencing changes and only recently coming to grips with a new social context that has a different approach to public policy norms. In the year 2001, 15 Jewish and 20 Muslim under-17 grooms were registered for marriage, and 24 Jewish and 113 Muslim under-16 brides.
  - 3) Usually under-age marriages take place in closed communities, and do not become public knowledge, therefore the likelihood of acquiring evidence of the marriage or proving their very existence, is quite low. Furthermore, violations of this Law do not come to the knowledge of the Police or other relevant bodies.
  - 4) There are some specific State programs in towns in the northern part of Israel, aimed at educating the population with regard to the implications of under aged marriages.

## **Optional protocol**

30. *Please indicate any progress made with respect to ratification of or accession to the Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women.*

The state of Israel does not intend to ratify the optional protocol at this point in time.

---