

**NGO ALTERNATIVE REPORT IN RESPONSE TO
'LIST OF ISSUES AND QUESTIONS WITH REGARD TO THE CONSIDERATION OF
PERIODIC REPORTS' (CEDAW/PSWG/2005/II/CRP/ADD.7)**

**ON ISRAEL'S IMPLEMENTATION OF THE UNITED NATIONS CONVENTION ON
THE ELIMINATION OF ALL FORMS OF DISCRIMINATION AGAINST WOMEN
(UN CEDAW)**

**Submitted to the Committee on the Elimination of Discrimination against Women
By
The Working Group on the Status of Palestinian Women Citizens of Israel
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Table of Contents

Acknowledgements	i
I. Constitution, legislation, and national machinery for the advancement of women	1
II. Violence against women	5
III. Participation in public life and decision-making	8
IV. Education and stereotypes	12
V. Employment and economic empowerment	16
VI. Health	24
VII. Rural and vulnerable women	38
VIII. Family and personal law	47
IX. Nationality: Proposed Concluding Observations and Background	53
Annex I: Members of the Working Group on the Status of Palestinian Women Citizens of Israel	57

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I. Constitution, legislation and national machinery for the advancement of women

Question #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 (para.172). Please provide information on steps taken in that regard.

The State of Israel lacks a written constitution or a Basic Law that constitutionally guarantees the right to equality and prohibits discrimination, either direct or indirect. Israel has not taken any steps to reflect this right in the Basic Laws. Although ordinary statutes do provide protection for the right of equality for women, such as The Women's Equal Rights Law - 1951 (Sections 1 and 6) which declares total gender equality (see *also* The Prevention of Sexual Harassment Law - 1998, and The Equal Rights for People with Disabilities Law - 1998), no statute relates to the right to equality as a constitutional right. Furthermore, **the Supreme Court of Israel has not delivered any final ruling in which it held that the right to equality is a constitutional right.** Whilst some justices of the Supreme Court have interpreted *in dicta* the Basic Law: Human Dignity and Liberty as including a principle of equality, this interpretation is not unanimously accepted by the Court's justices or by a final ruling.

The above, together with the State of Israel's self-definition as a *Jewish* state, as entrenched in the Basic Laws, allows the State of Israel to carry out discriminatory policies, which impact upon Palestinian women citizens of Israel due to their national belonging as members of the national minority, and limit their ability to realize their right to equality as women. **The absence of a constitutional right to equality and the legal protection such a right affords, is thus particularly harmful to Palestinian women, who constitute a distinct sub-group within Israeli society, subject to compound discrimination both as Palestinians and as women.**

The absence of an explicit guarantee of the right to equality and freedom from direct or indirect discrimination in the Basic Laws diminishes the power of this right. The fundamental importance of the principle of equality requires that it be explicitly guaranteed in the Basic Laws or a written constitution, in order to ensure that the right to equality will not remain weak in comparison with enumerated rights. By not doing so, Israel is failing to fulfil its obligations under Article 2(a) of the CEDAW.

This response was prepared by Adalah – The Legal Center for Arab Minority Rights in Israel

Question #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” (para.178). Please provide statistical data on those practices, as well as on measures taken by the Government for their elimination.

1. Forced Marriages

Child marriage can be defined as a type of forced marriage. Entering into a marriage with the **free and full consent** of the intending spouses is a basic human right, recognized in almost all international human rights instruments. Child marriages stand in contradiction to this right, since the consent of a child cannot be “freely and fully” given when he/she is not sufficiently mature to make an informed decision about a life partner. In addition, even if the child is not opposed to marrying, it is difficult to ascertain to what extent family pressure, whether direct or indirect, influences the decision of a child to marry. Therefore, it is crucial to set down a minimum age for marriage in order to ensure that both spouses and, in particular girls, who may be more vulnerable in a child marriage, are mature enough to make a free and informed decision.

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 should be 18, and sidesteps the problem of child marriage. In Israel, a large portion of marriages occur between the ages of 17 and 18, in accordance with the law. According to the National Council of the Child (NCC), 1,395 Palestinian girls were married by the age of 18, compared to 979 Jewish girls of the same age.¹

The NCC and the Working Group on Equality in Personal Status Issues (WGEPSI) jointly promoted a bill to raise the minimum age of marriage to 18. The Chair of the Parliamentary Committee on the Rights of the Child (PCRC) supported the bill, and even proposed it to the Knesset. In February 2005, in the wake of the Chair’s appointment as Deputy Minister of Education, the NCC and WGEPSI were forced to contact various Members of Knesset regarding the continuation of the work of promoting the bill penned by the previous chair the year before. However, pressure from religious parties to block the bill has threatened all attempts at securing the amendment to the law.

Moreover, the Israeli government does not enforce the *Age of Marriage Law*, particularly with respect to Palestinian citizens of Israel. Thus, in 2001, 113 Palestinian girls were married by the age of 16, compared to 24 Jewish girls of the same age. 1,272 Palestinian girls were married by the age of 17, compared to 314 Jewish girls of the same age.² 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 PCRC held a hearing to address the issue of child marriages in Israel. During this hearing, a representative of the Israeli Police acknowledged that, in 2003, the police conducted investigations into just four cases of child marriage. In 2004, they did not investigate a single case. She further stated that the police force feels uncomfortable interrupting and preventing the continuation of wedding ceremonies. This statement proves that the authorities do not perceive the gravity and harsh impact of such marriages on the physical and mental health of the child, and hence do not consider those who break the law to be offenders; indeed, this statement exhibits a degree of empathy toward them.

¹ The National Council for the Child. (2003) *The State of Children in Israel*, Jerusalem.

² Ibid.

2. "Honour" Killings

Between 1984 and 2000, there were 58 documented cases of "Honour" killings in which women were murdered in the name of preserving their family's honour.³ Israel's State Report states that, "the police treat 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.⁴ 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 honour' 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 offences. 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.⁵

2. Polygamy

According to *Shari'a* (Islamic) law, men are permitted to marry up to four wives. However, under Israeli civil law, polygamy is a criminal offence. Article 176 of the *Penal Law-1977* prohibits polygamy and provides that, "a married man who marries another woman, and a married woman who marries another man, should be sentenced to five years in jail." According to this law, polygamous marriage contravenes a woman's right to equality with men, and can have serious emotional and financial consequences for her dependents.

The law, however, is rarely enforced by the authorities. No published official statistics are available on the issue. It should be noted that Israel's 3rd Periodic Report to the CEDAW Committee did not present any governmental statistics on polygamy; instead, it relied on statistics gathered by a non governmental organization.

Polygamy is still widespread within the Palestinian Bedouin community in the Naqab (Negev) in the south of Israel. Studies indicate that at least 30% of Palestinian Bedouin women living in the Naqab are in a polygamous marriage. For example, one study revealed that almost 36% of women who visited health clinics operated by government Sick Funds in the Naqab reported that they were in a polygamous marriage.⁶ Similarly a more recent study on polygamous marriages among the Bedouin community in the Naqab revealed, from the sample group of 352 Palestinian Bedouin women, 235 (67%) were in a monogamous marriage and 117 (33%) in a polygamous marriage.⁷

The latter study revealed that women in polygamous marriages display significantly higher levels of psychological distress than their counterparts in monogamous marriages, and suffer higher rates of psychological disorders. The data from the study further revealed many significant socioeconomic gaps between women in polygamous and monogamous marriages. Women in monogamous marriages tended

³ 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).

⁴ Ibid.

⁵ Ibid.

⁶ Wartzberger, R. (2001) *Marriages Among Relatives and Polygamy*, Knesset Research Center. March.

⁷ Al-Krenawi, A. and Graham, J.R. "A Comparison of Family Functioning, Life and Marital Satisfaction, and Mental Health of Women in Polygamous and Monogamous Marriages," *The International Journal of Social Psychiatry*. (forthcoming 2005).

to be younger and more highly educated, and reported a higher economic status. Women in polygamous families were found to have lower levels of education than those of monogamous families

The researchers concluded that improving a community's ability to address social problems resulting from polygamy, by disseminating information regarding the difficulties associated with polygamy, is a very effective strategy. Therefore, the study called on public policy makers and social service providers to raise public awareness of the significance of monogamous family structures for promoting women's well being.

Empowering women who are or could fall victims of polygamy is a crucial step in combating polygamy. The empowerment of women could be achieved primarily through various educational programs for women, but also for families as a whole.

However, no governmental educational programs, or any programs involving social service providers, with the aim of raising awareness of the harmful effects of polygamous marriages on families, were found by the Working Group.

In fact, the Israeli government has attempted to adopt measures to "punish" women in polygamous marriages. For example, a bill was introduced in 2004 which broadened the definition of polygamy in the Penal Code.⁸ According to this bill, a divorced person who remarries can be prosecuted for polygamy if: (1) he/she is still living with a former spouse; (2) he/she shares a household with a former spouse; or (3) he/she lives close to a former spouse. Due to the unique social structure of Bedouin communities, divorced Bedouin women tend to live in the same neighbourhood as their former husbands and are thus unjustly affected by these criteria.

At a hearing held by the Parliamentary Committee for the Advancement of Women to discuss the bill, a representative of the National Insurance Institute (NII) acknowledged that the NII already denies many divorced Palestinian Bedouin women of their right to receive single mothers' benefits simply because they still live close to their former spouse. The representative further stated that the bill would be a very useful tool in the pursuit of the NII policy of limiting the number of divorced Bedouin women entitled to receive these benefits.⁹ Thus, polygamy was addressed only in the context of divorced women's entitlement to benefits from the NII.

In a separate hearing held in the Labour, Social Affairs and Health Parliamentary Committee, the Director of the Population Administration Department stated that in 2002 the Ministry of Interior had prepared a report on polygamy.¹⁰ He further spoke of cases in which polygamous marriages produced a high number of children and described polygamy as a means employed by Palestinians to drain funds from the NII. The report made no mention of the issue of polygamy as it relates to women's rights.

This response was prepared by Kayan: A Feminist Organization and Women Against Violence (WAV)

⁸ Bill # 2470.

⁹ The hearing was held on 6 July 2004. The protocol of the meeting is available in Hebrew at: <http://www.knesset.gov.il/protocols/data/rf/maamad/2004-07-06.rtf>

¹⁰ The hearing was held on 9 March 2004. The protocol of the meeting is available in Hebrew at: <http://www.knesset.gov.il/protocols/data/html/avoda/2004-03-09.html>

II. Violence against women

Question #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. Budgetary allocations for shelters and centres for treatment and prevention of domestic violence

The proposed budget cuts for Israel in fiscal year 2005 amounts to NIS 6.3 billion. In addition to 7 budget cuts made since 2001, total budget cuts since 2001 equal NIS 60 billion, or, about 35% of Israel's operating budget for 2005 (NIS 170.3 billion).¹¹

The 2005 budget allocations for shelters for battered women and centres for the treatment of domestic violence remain the same as in 2004. With respect to the latter however, these centres will be providing more services. In 2004, services for girls in distress were reduced by 1/3 in 2004 and this allocation remains the same in 2005. The 2005 allocation for rape crisis centres is to be 20% larger than that for 2004.¹² Reductions in budgets for social services also mean social workers are forced to handle more cases than before with the result that cases can be dealt with improperly. Presently, the ratio of social workers to girls is 1:100. In order for social workers to handle cases properly, the number of girls per social work must be cut in half to 1:50.

2. Changes in how budgets for women's shelters are calculated mean less money for women's shelters operating the same amount of services

The costs for running a women's shelter- including salaries for staff, costs of legal representation, food, supplies, shelter maintenance, and all other incidental fees- is calculated by the Ministry of Welfare based on the size of the shelter. For a small shelter which has the capacity to hold between 6-8 women, the costs for housing a woman and her two children is NIS 13,896/month (USD 61,142). For two women and her children in a medium-sized shelter housing 10-12 women, the cost is NIS 11,063/month (USD 48,677). For two women and her children in a large shelter housing 13-15 women, the cost is NIS 9,995 NIS/month (USD 43,978).

The Ministry of Welfare distributed funds to shelters based on these figures. In cases where shelters were not filled to capacity however, the Ministry gave 100% of funds for actual residents and their children and 80% of the costs for each absent spot in the shelter ('unoccupied capacity'). Thus, for example, a medium-sized shelter with a capacity of 11 but only housing 5 women and children would receive NIS 55,315 plus NIS 53,102 (80% of NIS 66,378), totalling NIS 108,417/month (USD 477,034).¹³

In January 2005, the Family and Individuals Department in the Welfare Ministry, which is responsible for supervising women's shelters in Israel, held a meeting with the Forum of Battered Women's Shelters Directors. In this meeting, Yael Harmel, the head of this department, announced that the Ministry was considering the possibility of changing how monthly payments are calculated for shelters. In February 2005, the Ministry confirmed the change. Based on this decision, shelters not filled to capacity would receive 100% of funds for actual residents and their children. However, the Ministry would pay for no more than 80% of full capacity. So, for example, the medium-sized shelter described above is only permitted to receive funds up to 8.8 women (80% of 11). The shelter would receive NIS 55,315/month as before for its 3 residents but only NIS 42,309 (5.8 x 11,063) for the 'unoccupied capacity,' totalling NIS

¹¹ Swirski, B. (2004) *A Gender Perspective on the Proposed Budget for the State of Israel: 2005 Fiscal Year*. December. See <http://www.adva.org>.

¹² Ibid.

¹³ This system of allocation was described in a report written by the Ministry's "staff for examining women's shelters" which was an inserted as an appendix to the 1999 agreement between shelters and the Ministry of Welfare.

97,624/month (USD 429,545), or a difference of NIS 10,793/month (USD 47,489). The differences in funding are more severe with the large shelters. Shelters which are not fully occupied are expected to run on even less funds even though the costs associated with running the shelter remain the same.

As of May 2005, the Forum of Battered Women's Shelters Directors and NGOs running these shelters are lobbying to change this method of calculation to the previous system.

3. The lack of secured shelters and hostels for Palestinian teenage girls at risk

- In May 2003, the Ministry of Social Affairs closed the only state-funded secured shelter serving Palestinian teenagers girls in danger of physical abuse; those who were judged by the courts to be a threat to themselves or others and need protection; and as an alternative to incarceration for juvenile offenders. The Ministry did not initiate a comparable service option to meet the needs of Palestinian teenage girls, and many of the shelter's residents were left with nowhere to go. It should be noted that the Ministry funds secured shelters for Jewish teenaged girls, for Jewish teenaged boys, and for Palestinian teenaged boys. The Ministry's policy violates the rule of law: under Israeli law, appropriate alternatives must be made available to the courts for teenagers at risk. The lack of a secured shelter for young Arab women leaves them with almost no options. They are either assigned to a shelter for Jewish youth (which operate at full capacity and have long waiting lists), imprisoned, or forced to live on the streets. All these options present a range of intractable problems.

In October 2003, Adalah filed a petition to the Supreme Court on behalf of itself and 3 feminist organizations: Women Against Violence (WAV), Assiwar, and Kayan.¹⁴ Although the Ministry informed the court that it would open a shelter by June 2004, it asked the court to postpone the opening several times, without providing for the many young women currently in dire need of the shelter, whose situation will only deteriorate further without the necessary services and facilities.

At a hearing held in February 2005, the Supreme Court issued an *order nisi* demanding that the Minister explain within 30 days why they could not open a secure shelter for young Arab women at risk by 1 June 2005.

- In September 2004, the Ministry of Social Affairs closed the only state-funded hostel for Palestinian teenagers at risk.¹⁵ The hostel served Palestinian teenager girls who also needed to be removed from their homes or environment, which posed a risk on their physical integrity and mental health. Unlike the secured shelter, the hostel is a more open space and residents are able to work or study outside the hostel. This is attributed to the fact that girls at risk who were referred to the hostel were diagnosed at an earlier stage of distress, versus those referred to the secured shelter.

In February 2005, ACRI submitted a pre-petition to the Ministry of Social Affairs, demanding the re-opening of the shelter. In its response to the pre-petition, the Ministry stated that Palestinian teenage girls are usually diagnosed at later stages of distress, therefore, they need to be referred to a more secure and closed shelter.

It should be emphasized that the late diagnosis of young teenagers at risk is a result of the lack of social workers who can diagnose these girls at an early stage. Instead of hiring more personnel to improve the chances of helping these girls before their situation deteriorates, the Ministry chose to close the hostel and wait for their situations to deteriorate further so they could meet the criteria of entering a closed shelter, which the Ministry has not re-opened as of May 2005.

¹⁴ H.C. 9111/03, *Women against Violence, et. al. v. Minister of Labour and Social Affairs*, (case pending).

¹⁵ There is one other hostel for Palestinian teenagers at risk located in Jerusalem but it only serves the local community.

4. Inappropriate solution for women and young women in distress since the closing of the Amirim Shelter

In the Working Group's previous report, it was disclosed that in 2003 and 2004, three care and protective facilities for Palestinian women and young women were closed by the state. In December 2004, the Ministry closed the Amirim shelter (for Jewish and Palestinian women and young women who are pregnant and in danger). These women were directed to the existing shelters, which were not equipped or prepared to deal with such high risk cases. No official notice or reason for the closure was given at the time.

In a memorandum issued by the Ministry of Welfare to the welfare offices informing them of alternative services for the women in the Amirim shelter, it states that the reason for the closure was due to the high costs of running the shelter while occupancy was low.¹⁶ The memorandum also outlines the solution for these women, which is to develop a system of hosting families who could deal with young women in advanced pregnancies outside marriage who could not stay in their communities. The memorandum also states that the Ministry "is taking into consideration the changes in social norms regarding pregnancy outside marriage and that it is more accepted and normal to raise children in single parent homes...from our experience, we believe it is possible to send the young woman to her family and the community with the child. The option of adoption is considered where there is no other alternative for the mother."¹⁷

While the Ministry does take into account changing social norms regarding single mothers, it does not take into account the specific social norms of the Palestinian community which does not accept women who become pregnant outside of marriage. In research conducted by Women Against Violence in 2005, 42% of Palestinian citizens of Israel still justify "honour" killings.¹⁸ Within this context, it is impossible for Arab women to be hosted by Arab families while using Jewish families puts them into awkward and uncomfortable situations due to the differences in language and culture. This solution puts the lives of Palestinian young women who become pregnant outside of marriage at great risk by not taking into consideration their needs. These women can find refuge only in the young women's shelter which does not have the professional expertise to deal with their cases.

This response was prepared by Women Against Violence (WAV)

¹⁶ Memorandum received by Women Against Violence on 1 February 2005.

¹⁷ Ibid.

¹⁸ Research conducted by Women Against Violence from January 2005-May 2005 on the 'Opinions and positions of the Palestinian community towards women's rights.' (forthcoming publication).

III. Participation in public life and decision-making

Question #13: The report notes that Arab women have significant lower levels of participation in all spheres of public life and decision-making- the judiciary, the legislature, law enforcement, the 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. The Judiciary

As Table 1 reveals, of the 532 judges practicing in Israel's courts, 259 or 48.7% are women, distributed throughout all levels of the judicial system, from local Magistrate courts to the Supreme Court. The table also shows however, a huge disparity between the numbers of Palestinian (5) and Jewish (254) female judges. Thus, less than 1% of judges in Israel are Palestinian women. To put this figure in context, the Palestinian minority in Israel as a whole comprises almost 20% of the population, and Palestinian women approximately half of that figure. Table 1 also indicates an absence of Palestinian women judges above the level of the Magistrate Courts (trial courts). Furthermore, there is no Palestinian member among the nine members of the Judges' Nominations Committee, (the President and two other Justices of the Supreme Court, the Minister of Justice and one other Minister, two Members of Knesset and two representatives of the Israel Bar Association).

Table 1: Number of female judges by population group and court¹⁹

	Magistrate Courts	District Courts	District Labour Courts	National Labour Court	Supreme Court	All Courts (Total)
Jewish Women	163	50	32	4	5	254
Palestinian Women	4	0	1	0	0	5
Total	346	121	45	8	12	532

Measures taken to increase the active participation of Palestinian women in the Judiciary

No information was found on any such measures adopted by the Israeli government in fulfillment of its obligations under Articles 4 and 7 of the CEDAW.

2. The Legislature

As Table 2 reveals, there are no Palestinian women Members of Knesset (MKs) in the current Israeli parliament, which has a total of 120 MKs. Throughout the history of the Knesset, in fact, there has been **only one Palestinian woman** MK, Ms. Hussniya Jabara, who became an elected representative of the Meretz Party in the 15th Knesset from May 1999.²⁰

Table 2: Number of female MKs in the current Knesset (Knesset 16) by population group²¹

	Jewish Women MKs	Palestinian women MKs
Knesset Number 16	18	0

¹⁹ Letter of 18 May 2005 to Adalah from the Section of Research, Reporting and Evaluation, Department of Administration, Methodology and Computerization, the Courts' Administration, Ministry of Justice (Hebrew).

²⁰ http://www.knesset.gov.il/mk/heb/mk.asp?mk_individual_id_t=199 (Hebrew).

²¹ http://www.knesset.gov.il/mk/heb/mkindex_current.asp?view=3 (Hebrew).

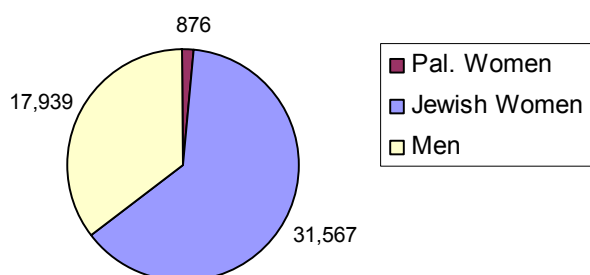
Measures taken to increase the active participation of Palestinian women in the Legislature

No information was found on any such measures adopted by the Israeli government in fulfilment of its obligations under Articles 4 and 7 of the CEDAW.

3. The Civil Service

As Chart 1²² demonstrates, whilst the total number of women employed in the Israeli civil service is greater than the total number of men, Palestinian women make up only a small proportions of civil service employees. In 2003, the percentage of Palestinian women actually *fell* from 2% in 2001-2002 to 1.7% of total employees in the civil service. By contrast, Jewish women made up 62% of the civil service workforce in 2001-2002, climbing to 64.4% in 2003. Under-representation in the civil service extends to encompass the Palestinian minority in Israel as a whole, with Palestinian citizens, men and women, making up just 5.5% of civil service employees in 2003²³ (distributed as 1922 men and 876 women).²⁴

Chart 1: Number and proportion of Palestinian and Jewish women employed in the Civil Service, in 2003



The representation of Palestinian women on the Boards of Directors of Israeli government companies falls short even of their representation in the civil service, as shown in Chart 2.²⁵ There was no increase in the representation of Palestinian women citizens of Israel between 1994 and 2001, which remained static at just 1%.²⁶ By contrast, during this period, the representation of Jewish women increased from 7% to almost 37%.²⁷ In 2004, Jewish women citizens of Israel accounted for almost 36% of the sitting board members of government companies, and Palestinian women just 1.3%.²⁸ The absence of Palestinian women from the boards of government companies reflects the under-representation of Palestinian citizens of Israel as a whole, who made up 6.9% of total board members in 2004.²⁹

²² Yackov Berger, Report of the Knesset Constitution, Law and Justice Committee, "Fair Representation among State Service Workers," May 2004 (Hebrew).

²³ Ibid.

²⁴ State of Israel Civil Service Commission, *The Fair Representation of Arabs including Druze and Circassians in the Civil Service 2003*, November 2004.

²⁵ Data from a telephone interview by Adalah with Mr. Zohar Sher, Deputy Director of the Government Companies Authority on 12 October 2004. According to Mr. Sher, the figures noted are based on a check/report dated 22 September 2004.

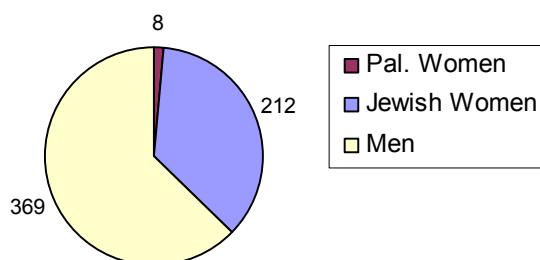
²⁶ The Office of the Prime Minister, *Report on Government Companies Activities 2000, 2001*, and correspondence between Adalah and the Office of the Prime Minister and the Government Companies Authority, re. *H.C. 10026/01, Adalah v. The Prime Minister, et. al.*

²⁷ Ibid.

²⁸ Telephone interview by Adalah with Mr. Zohar Sher, Deputy Director of the Government Companies Authority on 12 October 2004. According to Mr. Sher, the figures noted are based on a check/report dated 22 September 2004.

²⁹ Ibid.

Chart 2: Number and proportion of Jewish and Palestinian women on the Boards of Directors of government companies, 2004



Measures taken to increase the active participation of Palestinian women in the Civil Service / Boards of government companies

- *The Civil Service:* Despite a 2000 Amendment to the Civil Service Law (Appointments) (1959), which states that, "Fair representation will be granted among all ranks and professions of all civil service employees, in every ministry and affiliated institution and in accordance with the circumstances, to both sexes, people with disabilities and of the Arab population including Druze and Circassian," the above figures attest that the law and the amendment to it have not been implemented.
- *Boards of Directors of Government Companies:* Despite a 1993 Amendment to the Government Companies Law (1974), which states that, "Fair representation will be granted to both sexes in the composition of government companies' boards of directors," and despite a 2000 Amendment to the same law, which states that, "On the board of directors of governmental companies, fair representation will be given to the Arab population," the above figures demonstrate that this law and the amendments to it have not been implemented.

In April 2003, the Supreme Court dismissed a petition³⁰ demanding equal representation for Palestinian citizens of Israel, both women and men, on the Boards of Directors of government companies, in accordance with the 1993 and 2000 amendments to the Government Companies Law. The petition was filed in response to the lack of progress made in increasing the level of Palestinian participation on the boards following the passage of the amendments to the law. The Court, however, accepted as sufficient the state's commitment to improve efforts to appoint Palestinian citizens of Israel to the Boards of Directors of government companies,³¹ and accepted the state's argument that this process would require considerable time and effort, despite its failure to provide any time-line. Unless Israel acts to fully implement the legislation enacted by the Knesset regarding equal representation in the civil service and on the Boards of Directors of government companies, in fulfilment of its obligations under Articles 4 and 7 of the CEDAW, Palestinian citizens, men and women alike, will continue to be under-represented in these fields, and their ability to participate in the public life of the country will remain greatly restricted.

The state claims to reserve a limited number of civil service positions for Palestinian citizens of Israel (allocated according to the following divisions: Bedouin, Arab and Druze). Positions are not reserved specifically for Palestinian women. In 2003, the total number of positions reserved for Palestinian citizens was 36.5. Out of these positions, 6 Arabs were employed, and 30.5 positions remained in the bidding process.³² Even if all of the 36.5 positions reserved for Palestinian citizens were to be filled, the small numbers involved would do little to redress the imbalance in the representation of Palestinians, both men and women, in the Israeli civil service.

³⁰ H.C. 10026/01, *Adalah v. The Prime Minister, et. al.*, decision delivered 2 April 2003.

³¹ In response to Adalah's request for additional information regarding the question of what measures the state is taking to fulfill its duty under the Law, the State responded on 1 July 2002 that: "The ministers work in different ways in order to find and appoint Arab candidates, *inter alia*, by getting proposals [recommendations] from different people, personal or professional friendships for example from field visits and meeting with Arab representatives, and direct approach to representative bodies related to "non-Jewish" candidates" (Hebrew).

³² State of Israel Civil Service Commission, *The Fair Representation of Arabs including Druze and Circassians in the Civil Service 2003*, November 2004.

4. The Private Sector

Note: No official data was found regarding the participation of Palestinian and Jewish women in the private sector specifically. The data presented below refers to participation in the civilian labour force.

As Table 3, below, demonstrates, Palestinian women citizens of Israel participate in the civilian labour force at a significantly lower rate (17.3%) than Jewish women (54.6%), Jewish men (59.8%), or Palestinian men (60.3%). Indeed, while the engagement of Jewish men in the civilian labour force exceeds that of Jewish women by just 5.2%, the gap between Palestinian women and Palestinian men grows to 43.0%; the gap between the percentages of Palestinian and Jewish women citizens of Israel in the civilian labour is as wide as 37.3%. The rate at which Palestinian women participate in the private sector is obviously 17.3% less those women employed in the public sector.

Table 3: Percentage of civilian labour force of total population aged 15+ in 2003³³

Women			Men		
Jewish	Arab	Total	Jewish	Arab	Total
54.6	17.3	49.1	59.8	60.3	60.1

Measures taken to increase the active participation of Palestinian women in the Private Sector

No information was found on any such measures adopted by the Israeli government in fulfilment of its obligations under Articles 4 and 7 of the CEDAW. The need to boost the number of Palestinian women citizens of Israel has, however, been identified by civil society organizations in Israel. The Women's Unit of the Center for Arab-Jewish Economic Development (CJAED),³⁴ for example, operates an "Entrepreneurship Training Program", which offers business advice and training, with the aim of redressing the under-representation of Palestinian women in the private sector labour force.

This response was prepared by Adalah – The Legal Center for Arab Minority Rights in Israel

³³ CBS, Statistical Abstract of Israel 2004, Table 12.1.

³⁴ For more information visit: <http://www.cjaed.org.il>

IV. Education and stereotypes

Question 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.

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.³⁵ 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 centre piece 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.³⁶

This response was prepared by Al-Tufula: Pedagogical Center and Multipurpose Women's Center

³⁵ Report of Committee to Examine Gender Stereotypes in School Textbooks in the Educational System in Israel, March 2002, pp.27-28. (Hebrew).

³⁶ The only such project to be implemented in Palestinian schools was initiated by the Al-Tufula Centre. The centre developed a pilot project to work with children in elementary schools, their families and teachers. The Ministry of Education did not fund this pilot.

Question 16: The report provides some disaggregated data and makes reference to the significantly lower levels of educational achievements among Arab women and girls, and the extremely low proportion of Arab women among 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 the inclusion of Arab women as members of the academic staff at universities. Please provide such information and information on the impact of such programmes in relation to their stated goals.

1. 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."³⁷ 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 totalled on average NIS 534 per student for Palestinians, compared with NIS 1,779 per Jewish student.³⁸ Thus, while the 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 schools³⁹, crowded classrooms⁴⁰, 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.

2. 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.⁴¹ 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

³⁷ Human Rights Watch, *Second Class: Discrimination against Palestinian Children in Israel's Schools*, 2001, p.49.

³⁸ 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.

³⁹ 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.

⁴⁰ 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.

⁴¹ CBS, *Children in Kindergartens and Day Care Centres - 2001/02*, Press Release 4 August 2004 (Hebrew).

education, in accordance with the Compulsory Education Law.⁴² 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.⁴³

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.⁴⁴ 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 labour force. Their low rate of engagement in the labour force impacts negatively on Palestinian women's standard of living and degree of independence.

3. High School Programs

The Ministry of Education'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 counselling services, tutoring services and computer services. For example, despite the figures detailed above, only 15.3% of the number of counsellors 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.⁴⁵

4. 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

⁴² 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.

⁴³ CBS, Children in Kindergartens and Day Care Centers - 2001/02, Press Release 4 August 2004 (Hebrew).

⁴⁴ CBS, Statistical Abstract of Israel 2004, Table 12.1.

⁴⁵ Annual Report 51B of the State Comptroller, 2000, p.10.

63.0%⁴⁶), 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.⁴⁷

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.⁴⁸

5. 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 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.

This response was prepared by Al-Tufula: Pedagogical Center and Multipurpose Women's Center

⁴⁶ CBS, Statistical Abstract of Israel 2003, Table 8.21.

⁴⁷ Ibid.

⁴⁸ CBS, Statistical Abstract of Israel 2003, Table 8.3; CBS, Statistical Abstract of Israel 2004, Table 8.3.

V. Employment and economic empowerment

Question 17: The report does not include data on the rate of poverty among 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.⁴⁹

As a whole, Israel's economic development in the past decade is comparable to that of most industrialised nations in Europe and North America: recession (in 2001-2003), a 'cheap' migrant labour force, outsourcing of production to low-wage and low-tax countries (particularly Egypt and Jordan) and cuts in public spending. As in the United States, Israeli society is characterised by large gaps between the wealthy and the poor; however, unlike the U.S., Israel is a welfare state in the European tradition and acknowledges its duty to guarantee sufficient means of subsistence to all of its residents and citizens.

As the most marginalised group in Israeli society, Palestinian women citizens are highly dependent on the public social assistance and safety net systems. However, the State of Israel fails to:

1. Grant Palestinian women citizens of Israel appropriate access to the state's social safety net
2. Assist Palestinian women citizens of Israel to become self-sufficient through community development, educational opportunities and affirmative action

The problems faced by Palestinian women citizens of Israel are of a structural nature and not only attributable to the current economic policy. They suffer from discrimination on multiple levels and are disadvantaged on grounds of being women, being members of a national, ethnic, linguistic and religious minority, and being part of a patriarchal society.

The following structural problems contribute to the harsh economic situation of the majority of Arab women and their dependence on social assistance and income benefits:

1. Palestinian women citizens of Israel have the lowest level of educational attainment in Israeli society

Years of Education	Percentage of the overall female Arab population	Percentage of the overall female Jewish population
0	9.88	3.23
1-4	4.83	1.23
5-8	19.88	7.22
8-10	16.31	9.05
11-12	30.09	35.79
13-15	11.6	23.94
16+	7.05	18.93
Unknown	0.37	0.6

Source of data: CBS *Labour Force Survey 2003*, collected by Galilee Society Rikaz - Databank for the Palestinian minority in Israel

2. Arab communities lack infrastructure in terms of industry, trade and transport

In 2000, the Israeli government took the decision to launch a development plan for the Arab community and allocated NIS 4 billion to this Four-Year-Plan. Up to date, this plan has not been implemented. In the

⁴⁹ The Working Group on the Status of Palestinian Women Citizens of Israel focus on issues related to Palestinian women citizens of Israel only.

past years, the Arab population, which makes up almost 20% of the country's citizens, received less than 5% of the overall development budget.

The Ministry of Interior did not earmark any resources to fund infrastructure projects for the Arab Local Councils in the past years, and the Ministry of Industry and Trade has so far not developed one of the promised 16 industrial zones in the Arab sector. Also the Ministries of Agriculture and Health did not fund any development projects in Arab villages.

Contrary to its own decision in 2000, the Israeli government does not invest in developing the Arab communities; the recently passed Budget 2005 allocated about 3% of the development budget to Arab citizens.

3. Palestinian women citizens of Israel are confronted with discriminatory legislation and practices in the welfare domain, which complicate their access to the state's safety net system:

- The "property clause"

Article 10a of the *National Insurance Law- 1982* stipulates that income benefit and income supplement payments are subject to reductions in case the recipient owns real estate. In practice, only Palestinian citizens are affected by this provision due to social structures and the fact that Jewish Israelis generally live on leased state land. In many cases, the property does not yield any income or is not even accessible to the official owner. No statistics are available as to how many people are affected by the property clause.

- Job Refusers

A disproportionately high number of Palestinian women citizens are affected by this policy of the Israeli employment bureau. Oftentimes, Palestinian women citizens are sent to a job opening and registered as work refusers even though the employer decided not to take them on. Being a "refuser" means that the transfer payments are cut for two months, leaving the recipient without any income. No exact figures are available to prove how many Palestinian women citizens were unjustly deprived of their benefits.

- Driving cars

A new economic police unit operating in the Nazareth district caught a large number of job-seekers driving (*sic*) a car. As a consequence, these people are now required to return all transfer payments they ever received to the National Insurance Institute, in some cases adding up to NIS 100,000 (more than US\$ 20,000). Predominantly Arab citizens are affected and a large number of them are women. It should be noted here that the law and regulation refers to driving and owning a car and that most Arab villages are not served by the public transport infrastructure.⁵⁰

- Lack of vocational training for former textile workers

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.

4. Instead of dedicating specific attention and resources to Palestinian women citizens as the most marginalised group of society, Israel took measures that further exacerbated their economic situation. The following examples of Israel's economic policy contributed to the deterioration:

⁵⁰A Supreme Court petition was filed by Adalah and *Sawt el-Amel* seeking the cancellation of the law and the regulation in November 2004. See H.C. 10662/04, *Salah Hassan, et. al. v. The National Insurance Institute, et. al.* (case pending).

- The extension of the qualifying period for unemployment benefit and reduction of period out of which this period may be accumulated (*Emergency Economy Law-2002*); this change pushed more Palestinian women citizens into income support, since a large number of Palestinian women citizens are in and out of work and not long-term employees.
- 30% reduction in rate of unemployment benefits paid to participants in vocational training (*Emergency Economy Law-2002*).
- Various reductions in child allowances (*Emergency Economy Law-2002; Economy Recovery Law-2003; Economic Policy Law-2004*)
- Reductions in income benefit rates (*Economy Arrangements Laws-2002 and 2003*)⁵¹

5. All the above mentioned factors contribute to a disproportionately high poverty rate among Palestinian women citizens of Israel.

Interestingly, the state does not publish any sex disaggregated data figures about women in general or Palestinian women in particular, so the table below must be read under the assumption that approximately half of the overall population are women.

The table also shows that, although the number of poor people before transfer payments from the National Insurance Institute dropped slightly in 2003, the number of poor people after receiving transfer payments and direct taxation rose. The statistics further prove that the safety net does not work for Arabs, since the poverty reduction rate after transfer payments is 15.4% as opposed to 42.2% among the Jewish population.

Table 2: Poverty Among Arabs and Jews, 2002 and 2003							
		Arabs			Jews		
		Poverty reduction from transfer payments (after direct taxes) (%)	After transfer payments and direct taxes	Before transfer payments and direct taxes	Poverty reduction from transfer payments (after direct taxes)	After transfer payments and direct taxes	Before transfer payments and direct taxes
2002	Families		87,300	108,500		237,800	504,500
	Persons		455,900	566,400		756,100	1,387,600
	Children		241,900	287,600		314,500	472,500
Incidence of poverty (%)	Families	19.5	44.7	55.6	52.8	14.5	30.8
	Persons	19.5	46.8	58.2	45.3	14.9	27.3
	Children	15.9	54.4	64.7	33.4	20.4	30.7
2003	Arabs			Jews			
		Poverty	After	Before	Poverty	After	Before

⁵¹National Insurance Institute (2004) *Annual Survey 2002-2003*. Ed. Achdut, Leah (ed). April.

		reduction from transfer payments (after direct taxes) (%)	transfer payments and direct taxes	transfer payments and direct taxes	reduction from transfer payments (after direct taxes)	transfer payments and direct taxes	transfer payments and direct taxes
The poor population	Families		96,000	114,000		260,300	509,700
	Persons		483,800	572,100		843,000	1,453,300
	Children		247,300	282,900		343,800	504,700
Incidence of poverty (%)	Families	15.9	46.6	55.4	49.0	15.7	30.8
	Persons	15.4	48.3	57.1	42.2	16.3	28.2
	Children	12.6	54.3	62.1	31.8	22.1	32.4

Note: The statistics exclude residents from East Jerusalem.
 Note: The original statistics use the terms Jews vs. Non-Jews. As Israel's non-Jewish population is overwhelmingly Palestinian Arab, the Working Group prefers this inclusive definition to the exclusive one.

Source: National Insurance Institute (2005) Annual Report 2004.⁵²

6. In light of these facts, the Working Group would like to put forward the following recommendations to be suggested to the State of Israel:

Short term:

- Make the social assistance and safety net more accessible to Palestinian women citizens by:
 - a. Amending discriminatory legislation and provisions such as Article 10a. of the National Insurance Law (1982)
 - b. Discouraging the abuse of the "refusal to work" stamp with Palestinian women citizens
- Provide vocational training and other government support programs (e.g., incentives for small businesses, Palestinian women entrepreneurs, etc.) for long-term unemployed Palestinian women citizens, who have lost their jobs in the textile industry and other fields of employment and have not yet been able to find new employment

Long term:

- Embark on major development projects for the Arab community by
 - a. Increasing educational opportunities for Palestinian girls and women
 - b. Improving the industrial infrastructure
 - c. Connecting Arab villages to the public transport system
- Combat racism against the Arab minority and discrimination against women at the work place

⁵² These statistics were not available during preparation for the 'NGO Alternative Pre-Sessional Report on Israel's Implementation of the United Nations Convention on the Elimination of all Forms of Discrimination Against Women (UN CEDAW)' submitted in January 2005 to the Pre-Sessional Working Group.

In the long run, the social safety net should become a dignified last resort for Palestinian women citizens of Israel

Sources Consulted:

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This response was prepared by the The Arab Association for Human Rights (HRA).

Question 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. The percentage of participants in civilian labour force in 2003

Table 1: Percentage of Civilian Labour Force of Total Population Aged 15+ in 2003

Women			Men		
Jewish	Arab	Total	Jewish	Arab	Total
54.6	17.3	49.1	59.8	60.3	60.1

Source: Central Bureau of Statistics (CBS), Statistical Year Book, 2004.

Table 2: The Participation of Women in Civilian Labour Force According to Years of Education, 2001

	0-4	5-8	9-12	13-5	16+
Arab	2.5	8.5	15.9	40.6	74.6
Jewish	8.9	31.8	48.5	64.9	78.4

Source: Central Bureau of Statistics (CBS), Man power surveys, Publication No. 1199, April 2003

2. Measures to increase the participation of Palestinian women in the labour force

When addressing the percentage of Palestinian women in the labour force, Israel claims in its 3rd periodic report that:

"Among the main reasons for this specific situation are traditional attitude taken within the Arab community towards the role of women, and the reluctance and lack of support from the husbands and families to women that leave their homes. Furthermore, 90% of the small workplaces are located far from the Arab settlements and there remains a lack of services for working women, such as transportation, day-care services, and kindergartens."⁵³

Most of these enumerated factors that negatively affect the integration of Palestinian women in the labour force -according to Israel's own admission- fall clearly under the state's responsibility. Other factors that are not addressed by Israel's 3rd report and that lead to the under-representation of Palestinian women in the labour force, such as education and professional training, also fall under the responsibility of the state.

There are several measures that should be taken by the state, in order to increase the participation of Palestinian women. Nevertheless, the state is adopting counter measures that may even make the situation worse. These counter measures include:

- **Lack of adequate budget allocations for developing industrial zones in Palestinian towns and villages:** The lack of industrial zones in Palestinian towns and villages is a key causal factor of the under-representation of Palestinian women in the labour force, since it significantly decreases job offers available inside these towns and villages. The lack of frequent public transportation in Palestinian villages and the conservative society in which Palestinian women live curtail women's mobility and ability to work outside their village. Only 3.2% of the industrial zones supported by the Ministry of Industry, Trade and Labour are located in Palestinian localities.⁵⁴ In 2004, the Ministry of Industry, Trade and Labour allocated approximately 139 million NIS for the

⁵³ Israel's 3rd Periodic Report, p. 136-7.

⁵⁴ Sikkuy. *Annual Report 2003*. Available at: <http://www.sikkuy.org.il/2003/2003.html>

development of new industrial zones. The share of Palestinian towns and villages stood at 14 million NIS, which constitutes only 10% of the budget designated for the development new industrial zones⁵⁵.

- **Lack of 'Headquarters' to support medium and small businesses in Palestinian towns:** Due to the lack of employment opportunities inside Palestinian villages, starting a small or medium-sized business could be a very convenient solution for women. Not only are they innovative, flexible, and quick to set up at low cost and with dispersed risk, they are also likely to provide an appropriate solution to problems of employment in peripheral areas. However, small and medium-sized businesses suffer from barriers such as lack of knowledge of financing and management skills and lack of access to information and problems of bureaucracy, which impedes their ability to cope in the free market and hinders their development and their potential. In order to support small and medium businesses and to remove these barriers, the Ministry of Industry, Trade and Labour established the Israel Small and Medium Enterprises Authority.

This Authority operates 30 headquarters in Israel. These headquarters offer counselling and support for new small or medium businesses. Only 3 out of the 30 headquarters operate in Palestinian towns. In 2004, the Ministry allocated 4.2 million NIS for these 3 headquarters. This amount constitutes only 10% of the budget allocated for the 30 headquarters.⁵⁶

- **Lack of new day-care centres for Palestinian children:** The establishment of day-care centres has facilitated the participation of women in the labour force worldwide. According to the Ministry of Social Affairs, of the 1,600 day-care centres in Israel for children aged 0-3, only 25 centres operate in Palestinian villages.⁵⁷ Out of approximately 80 thousand children aged 0-3 attending publicly subsidized day-care centres or house nurseries, only 4,200 of them are Palestinian children, the majority of whom attend house nurseries. Although Palestinian children constitute 26% of the total number of children, aged 0-3, in Israel, they constitute only 5.25% of the children attending subsidized day-care centres and house care programs.⁵⁸ The lack of day-care centres in Palestinian towns and villages makes it almost impossible for many women to participate in the labour force.

The majority of the subsidized day-care centres in Israel are operated by women's organizations, which also provide all of the facilities, including buildings. In addition, according to the Ministry of Housing internal regulations, the Ministry must build one day-care centre per 1,650 housing units. In the national priority areas, the Ministry built one day-care centre per 1,300 housing units.⁵⁹

The Ministry adopted a plan of work to build new day-care centres for 1999-2003. By the end of January 2004, the Ministry of Housing successfully constructed 109 day-care centres.⁶⁰ Only 16 out of the 109 day-care centres are constructed in Palestinian towns and villages.⁶¹ The 16 day-care centres are far from filling the existing gap between Jewish and Arab children attending them.

- **Lack of adequate budget allocations for professional training:** The Ministry of Industry, Trade and Labour has published conflicting information about the percentage of Palestinian women participating in professional training programmes. For example, according to a memorandum sent

⁵⁵ Sikkuy. *Annual Report 2004*, p. 50. Available at: <http://www.sikkuy.org.il/2004/taasuka.pdf>

⁵⁶ Ibid, p.51.

⁵⁷ This information was requested by the Association for Civil Rights in Israel in accordance with the Freedom of Information Act (1998) and cited in Boulos, S. (2003, July) *The Integration of Palestinian Women in the Israeli Labor Market: Obstacles and Suggestions for Solution*, Haifa: The Association of Civil Rights in Israel.

⁵⁸ As cited in Boulos, S. (2003, July) *The Integration of Palestinian Women in the Israeli Labor Market: Obstacles and Suggestions for Solution*, Haifa: The Association of Civil Rights in Israel.

⁵⁹ This information was obtained in June 2004 after a request by the Association for Civil Rights in Israel in accordance with the Freedom of Information Act (1998).

⁶⁰ Ibid

⁶¹ Ibid.

by the Ministry to Adva centre, the percentage of Palestinian women participating in professional training classes has increased over the past years from 12% in 2001 to 26% in 2005.⁶² However, in response to a formal request submitted by the Association for Civil Right in Israel (ACRI), in accordance to the Freedom of Information Act (1998), the Ministry wrote that the percentage of Palestinian women who participated in professional training classes in 2001-2002 was 6%.⁶³

In any case, since 1995, the Ministry of Industry, Trade and Labour has gradually cut budgets designated for professional training classes. In 1995, the Ministry allocated 173.8 million NIS for professional training classes; in 2005, it allocated only 91.8 million NIS for professional training classes.⁶⁴ As a result, the total number of participants has dropped. For example, in 2002, 1007 unemployed Palestinians participated in professional training classes. In 2003, the number dropped to 384.⁶⁵

This response was prepared by Kayan: A Feminist Organization

⁶² As cited in Swirsky, B. (2004) *The Proposed Budget for 2005: a Gender Perspective*. Adva Centre, p.10.

⁶³ As cited in Boulos, S. (2003) *The Integration of Palestinian Women in the Israeli Labour Market: Obstacles and Suggestions for Solution*, Haifa: The Association of Civil Rights in Israel. July.

⁶⁴ Supra, note 11, p. 10

⁶⁵ Sikkuy. *Annual Report 2003-2004*, p. 52.

V. Health

Question 21: Please provide updated and sex-disaggregated data on health indicators, such as rates of infant mortality; low birth weights; maternal mortality; immunizations' and overall life expectancy among Jewish and non-Jewish populations, as well as the prevalence of diseases, including depression, among 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. Data on Health Indicators Among Jewish and Palestinian Citizens of Israel

Note: Adalah and Kayan, on behalf of the Working Group on the Status of Palestinian Women Citizens in Israel (the Working Group) encountered difficulties in locating relevant statistics from official government sources in order to prepare its response to the Committee's Question 21. During the course of its research, it was found that in many cases **official data on health indicators disaggregated according to gender and population group are not available**. Where such information was located, it is set out below. Where sex-disaggregated data among Jewish and Palestinian citizens of Israel were not made available, data disaggregated by gender *or* population group were used instead.

Palestinian women citizens of Israel constitute a distinct sub-group within Israeli society, subject to **compound discrimination** on the basis of both their gender and their national belonging. The lack of official statistics in the field of health which combine an ethnic with a gender breakdown therefore perpetuates the compound discrimination faced by Palestinian women citizens of Israel, by hampering the identification of the specific health issues (rates of disease, rates of death and survival, levels of treatment, etc.) which affect this particular group, and thus allowing them to persist.

Infant Mortality

In 2003, the rate of infant mortality among Palestinian citizens of Israel was more than two times greater (8.36 per 1,000 live births) than that among Jewish citizens (3.63 per 1,000 live births) (*see Table 1*). The 2:1 ratio between the rates of infant mortalities between the two population groups has remained largely unchanged over time, as Table 2 reveals. Table 3 shows that female babies account for approximately the same percentage of infant mortalities in both population groups.

Table 1: *Rate of infant mortality by population group, 2003⁶⁶

	Total Live Births	Total Deaths	* Rate
Jews and others	103,855	377	3.6
Palestinians	40,770	341	8.4

* Rate per 1,000 live births

Table 2: *Rate of infant mortality by population group, 1990-2000⁶⁷

	1990-1994	1993-1997	1998-2000
Jews	6.8	5.5	4.4
Palestinians	13.5	10.3	8.8

*Rates per 1,000 live births

⁶⁶ Ministry of Health, *Report on Infant Mortality in Israel*, 2003 (Hebrew).

⁶⁷ Central Bureau of Statistics, *Statistical Abstract of Israel 2004*, No.55, Table 3.29.

Table 3: Infant mortality by population group and sex, 2003⁶⁸

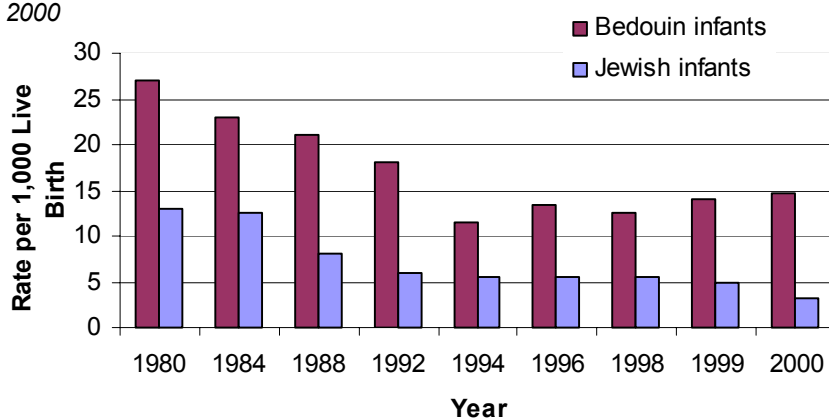
	Population Group	
	Jews and others	Palestinians
	%	%
Male	54.1	53.7
Female	45.1	46.3
* Total	100.0	100.0

* Includes unknown sex

Birth defects caused 3.8% of all deaths among the Palestinian citizens of Israel in 1999, compared with just 0.4% among the Jewish population. In the same year, pre-natal causes accounted for 3.4% of all deaths among Palestinians, compared with 0.6% among Jews.⁶⁹

Within the Palestinian population in Israel as a whole, the Palestinian Bedouin in the Naqab (Negev) in the south of Israel suffer from the highest incidence of infant mortality. A further breakdown of the statistics reveals that in 2000, **the rate among the Palestinian Bedouin population in particular was almost four times higher, at 14.7 per 1,000 live births, than among the Jewish population, 3.9 per 1,000 live births** (see Chart 1, below).⁷⁰ The data also indicates an **upward trend** in the infant mortality rate among the Palestinian Bedouin community in the Naqab in recent years. Among the reasons for the high level of infant mortality among the Bedouin in the Naqab and the gap between the Bedouin and Jewish populations there, are a higher incidence of congenital defects, as well premature births and infectious diseases.⁷¹ Palestinian Bedouin women's substandard access to pre-natal health services and hospitals means that complications encountered prior to and during the birthing process are less likely to receive necessary medical attention.⁷²

Chart 1: Infant Mortality in the Negev by Population Group, 1980-2000



⁶⁸ Ministry of Health, *Report on Infant Mortality in Israel*, 2003 (Hebrew).

⁶⁹ Israel Center for Disease Control, under the auspices of the European Health Interview Surveys (EUROHIS), *Survey of National Health in Israel: Model A, Women's Health*, 2004 (Hebrew).

⁷⁰ Physicians for Human Rights, *No Man's Land: Health in the Unrecognized Villages of the Negev*, July 2003.

⁷¹ Prof. Yona Amitai, Ministry of Health, *Mortality of Babies in Israel for 2000* (Hebrew). (Source: Physicians for Human Rights, *No Man's Land: Health in the Unrecognized Villages of the Negev*, July 2003.)

⁷² The infant mortality rate in 2003 among the Palestinian Bedouin community was 13.3 per 1,000 live births. Source: I. Shoham Vardi (2002) "The Death of Bedouin Babies in the Negev, 1990-2002" Beer Sheva: Ben Gurion University; unpublished conference paper (Hebrew). See also Physicians for Human Rights, *No Man's Land: Health in the Unrecognized Villages of the Negev*, July 2003 (Hebrew).

Low Birth Weight

As Table 4, below, reveals, whilst significant differences do not exist between the rates at which Palestinian and Jewish babies are born at low birth weights, defined as 1,500 grams or under, the mortality rate for such babies is significantly higher among Palestinian babies.

Table 4: Birth and death *rates of babies born weighing less than 1,500 grams, 2002-2003⁷³

Weight at birth (grams)	Jews		Palestinians	
	Rate of births	Rate of deaths (adjusted)	Rate of births	Rate of deaths (adjusted)
<750	1.81	712.8	1.74	802.8
751-1,000	2.13	203.6	2.65	296.3
1,001-1,250	2.93	52.6	3.89	88.1
1,251-1,500	4.36	39.7	3.75	98.0

* Rates per 1,000 live births

Maternal Mortality

According to figures from the Israeli Central Bureau of Statistics, 3 Jewish and 2 Palestinian women died of obstetric causes in the year 2000.⁷⁴

Immunizations

The rate of vaccinations among children in Israel is high, and that among Palestinian children as a whole (94%) slightly higher the rate among Jewish children (92%), with a lower rate among Palestinian Bedouin children (90%).⁷⁵ The lower rate among Jewish children can be explained by the objection of some Jewish groups to vaccinations for religious reasons.⁷⁶

Overall Life Expectancy

As Table 5 demonstrates, the average life expectancy among Palestinian women citizens of Israel (77.9 years) is four years lower than the average life expectancy among Jewish women (81.9 years). Between 1971 and 2002, life expectancy increased by 6.2 years among Palestinian men and by 6 years among Palestinian women. In comparison, it increased by 7.5 years among Jewish men and 8.1 years among Jewish women. Chart 2,⁷⁷ below, further reveals that, whilst the life expectancies of Jewish and Palestinian women is rising among both groups over time, the gap between the two groups has not narrowed, and has in fact grown in recent years.

Table 5: Life expectancy in years by sex and ethnicity, 2002⁷⁸

	Jewish	Palestinian
Men	78.1	74.7
Women	81.9	77.9

⁷³ The Ministry of Health of Israel, http://www.health.gov.il/Download/pages/tables_tmuta2003.doc (Hebrew).

⁷⁴ Central Bureau of Statistics, *Statistical Abstract of Israel 2004*, No.55, Table 3.27.

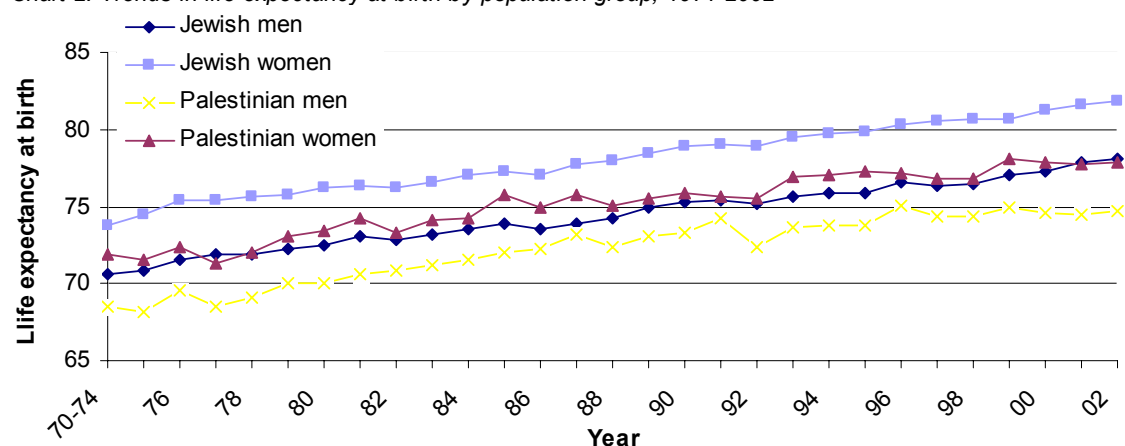
⁷⁵ The Knesset Research and Information Center, *The Status of Arab Children in Israel (Education, Welfare and Health)*, February 2004 (Hebrew).

⁷⁶ Professor Yonah Amity, Director of the Division of Mother and Child, Ministry of Health, in *The Knesset Research and Information Center, The Status of Arab Children in Israel (Education, Welfare and Health)*, February 2004 (Hebrew).

⁷⁷ Israel Center for Disease Control, Ministry of Health, *The Health Condition of Women in the Arab Population in Israel, 2004* (Hebrew).

⁷⁸ Ibid.

Chart 2: Trends in life expectancy at birth by population group, 1971-2002



2. Data on the Prevalence of Diseases Among Jewish and Palestinian Citizens of Israel

The five leading causes of death are identical for Palestinian and Jewish women citizens of Israel, although the percentages of women who die from the various causes differ (see Table 6). As the data indicates, in 1999 a greater percentage of deaths among Palestinian women resulted from heart disease, diabetes and external injuries than of deaths among Jewish women, of whom a greater percentage died from tumors (cancer). The same percentage of deaths among Palestinian and Jewish women were due to strokes.

Table 6: The five leading causes of death among women in Israel in 1999 per population group⁷⁹

Cause of Death	Jewish women	Palestinian women
Heart diseases	22.1%	22.6%
Tumors	24.1%	13.0%
Diabetes	6.6%	9.6%
Stroke	6.8%	6.8%
External injuries	3.7%	4.5%

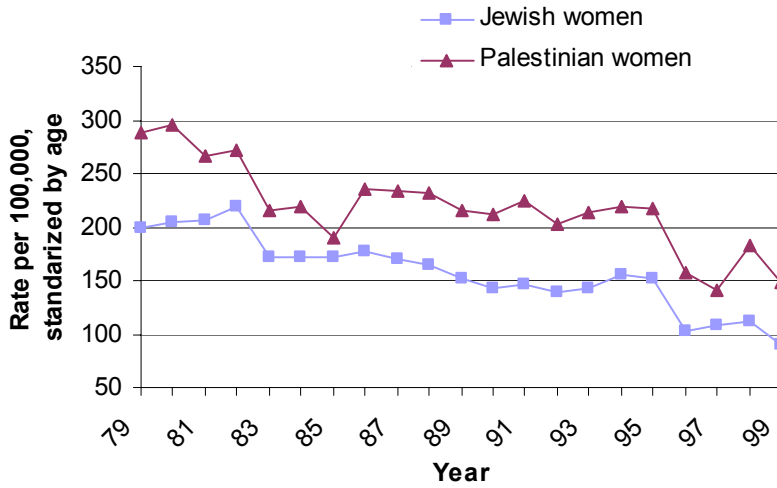
Heart Disease

Heart disease constitutes the leading cause of death among both Palestinian and Jewish women citizens of Israel, accounting for approximately 22% of all deaths among these groups. Although recent official statistics on the incidence, survival and death rates for heart disease for Palestinian and Jewish women were not readily available, the existing data does show that the rate of mortality from heart disease among Palestinian women is higher than among Jewish women (see Chart 3⁸⁰, below). The data also reveals that Palestinian women have consistently suffered from a higher rate of mortality from heart disease than Jewish women over time, with the gap between the two groups not being closed.

⁷⁹ Ibid.

⁸⁰ Ibid.

Chart 3: Trends in age-adjusted mortality from heart disease in Israel, 1979-1999



Obesity, as defined by a Body Mass Index (BMI) rate of 30 or above, is a major cause of heart disease, and a more prevalent health concern among Palestinian than Jewish women, as shown on Chart 4,⁸¹ below. The data exposes a particularly wide gap in the 55-64 and 65+ age groups, with over double the number of Palestinian women as Jewish women at these ages being classified as obese.

Chart 4: BMI = or > 30 (%) by age and population group, 2003

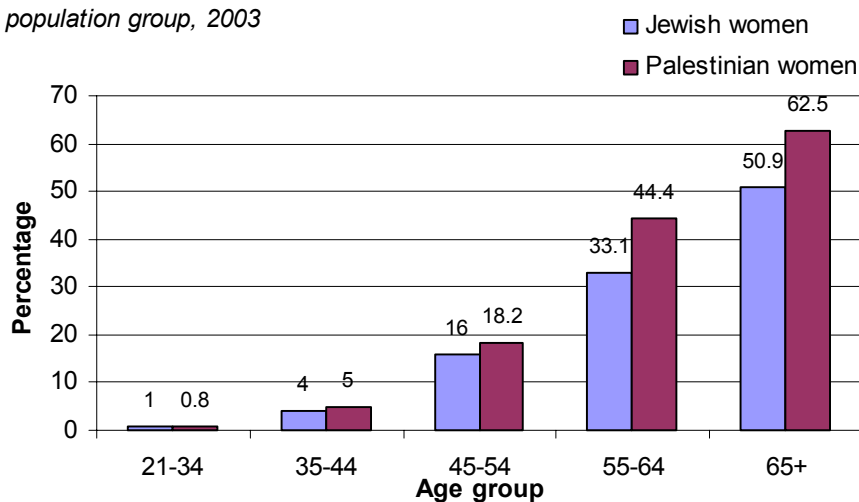


In addition, as Chart 5⁸² below illustrates, Palestinian women suffer from higher rates of hypertension, a further major cause of heart disease, than Jewish women in all age groups from 35 years of age and over.

⁸¹ Israel Center for Disease Control, under the auspices of the European Health Interview Surveys (EUROHIS), *Survey of National Health in Israel: Model A, Women's Health, 2004* (Hebrew).

⁸² Ibid.

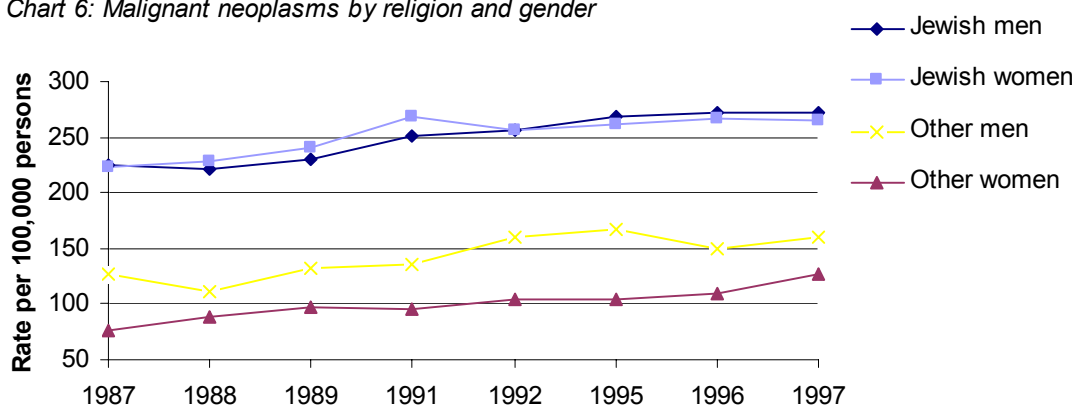
Chart 5: Percentage of incidence of Hypertension by age and population group, 2003



Tumors

Jewish women are affected by cancers at a far higher rate than are Palestinian women citizens of Israel (“other women” in the chart), as Chart 6⁸³ below reveals. Palestinian women who are diagnosed with cancer, however, suffer from a higher rate of mortality from cancers than their Jewish counterparts, which could be partially explained by later detection of cancer among Palestinian women.⁸⁴

Chart 6: Malignant neoplasms by religion and gender



Breast cancer, the most common form of cancer among both Palestinian and Jewish women in Israel, provides an example of this pattern. While Jewish women suffer from breast cancer at a significantly higher rate than Palestinian women – 92.9 per 100,000 women compared with 35.8 per 100,000 women⁸⁵ – the survival rate among Palestinian women diagnosed with breast cancer is far lower than that among Jewish women, as detailed in Table 7,⁸⁶ below. Table 7 reveals that the occurrence and death rates among Palestinian women diagnosed with breast cancer are almost equal, whereas among Jewish women the death rate is significantly lower than the occurrence rate. The significantly higher death rate

⁸³ Israel Cancer Registry, Ministry of Health: <http://www.health.gov.il/download/docs/units/meida/hi2001/124-126.pdf>

⁸⁴ Y. Ashkenazi and R. Gross, Myers-JDC-Brookdale Institute, *The State of Women's Health in Israel*, October 2003.

⁸⁵ At age-adjusted rates. Source: Israel's Center for Disease Control, Ministry of Health, *The Health Condition of Women in the Arab Population in Israel*, 2004 (Hebrew).

⁸⁶ The Ministry of Health, *Health in Israel in 2001*, 2001 (Hebrew).

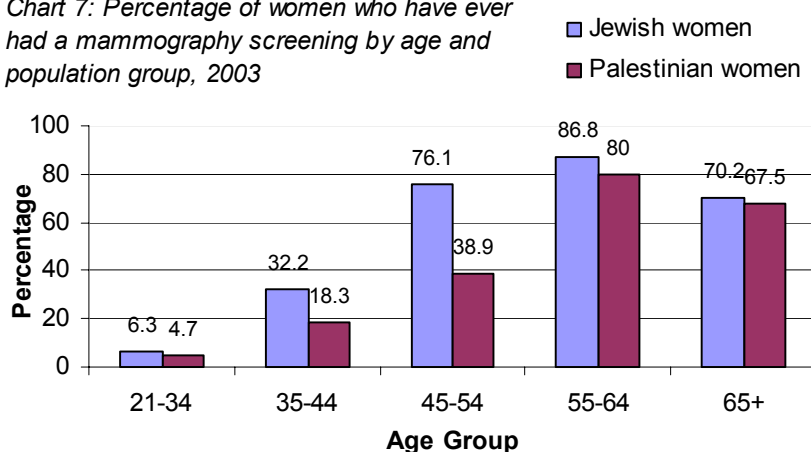
among Palestinian women diagnosed with breast cancer can be ascribed to the lower rate at which Palestinian women undergo mammography screenings, as Chart 7,⁸⁷ below, demonstrates.

Table 7: Occurrence and death rates of breast cancer among Palestinian and Jewish Women

Year	*Occurrence Rate			*Death Rate
	1995	1996	1997	1995-1997
Jewish	84.9	83.8	87.9	48.9
Palestinian	23.2	26.2	33.5	29.1

* Rates per 1,000 women

Chart 7: Percentage of women who have ever had a mammography screening by age and population group, 2003



Palestinian and Jewish women citizens of Israel are affected at similar rates by cervical cancer, with an age-adjusted rate of 9.2 per 100,000 individuals among Palestinian women, compared with 10.2 per 100,000 individuals among Jewish women in 2000.⁸⁸ However, as Chart 8⁸⁹ reveals, the percentage of Jewish women who have ever taken a PAP smear screening is significantly higher than the percentage of Palestinian women in all age groups. The gap is widest in the 35-44 and 45-54 age groups (57% and 51.5% respectively). Even in the 65+ age group, in which the highest percentage of Palestinian women have taken a PAP smear screening, less than a quarter (22.5%) have done so. Adjusting the statistics for age reveals that 12.1% of Palestinian women have had a PAP smear screening, compared with 56.4% of Jewish women. The percentage of Palestinian Bedouin women in the Naqab who have ever had a PAP smear falls drastically to only 6%.⁹⁰

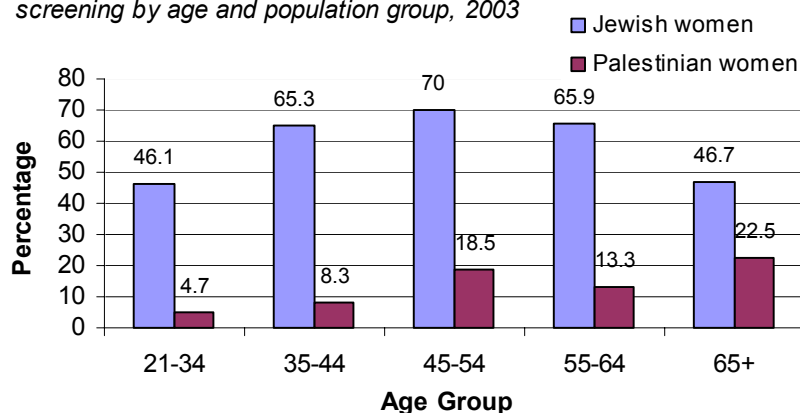
⁸⁷ Israel Center for Disease Control, under the auspices of the European Health Interview Surveys (EUROHIS), *Survey of National Health in Israel: Model A, Women's Health, 2004* (Hebrew).

⁸⁸ Israel Center for Disease Control, Ministry of Health, *The Health Condition of Women in the Arab Population in Israel, 2004* (Hebrew).

⁸⁹ Israel Center for Disease Control, under the auspices of the European Health Interview Surveys (EUROHIS), *Survey of National Health in Israel: Model A, Women's Health, 2004* (Hebrew).

⁹⁰ Julie Cwikel et al, "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), 2003, pp. 240-257; Sage Publishers.

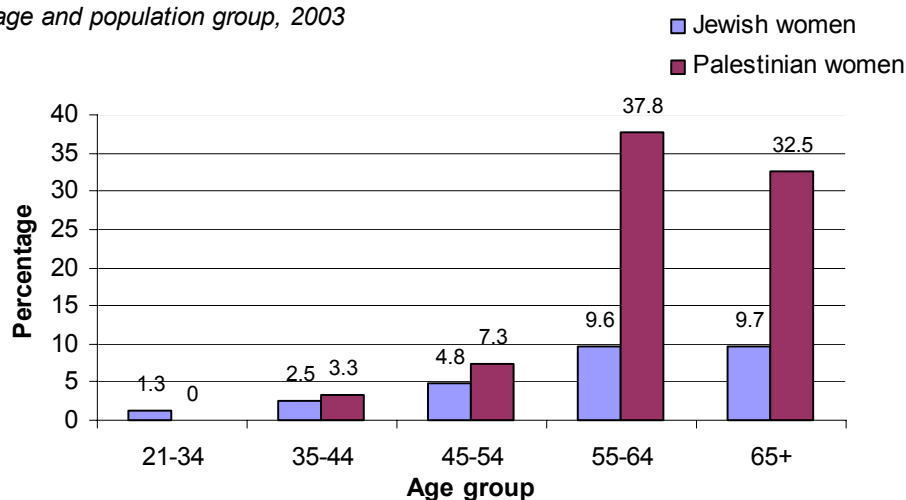
Chart 8: Percentage of women who have ever had a PAP smear screening by age and population group, 2003



Diabetes

As Chart 10⁹¹ below illustrates, Palestinian women suffer from higher rates of diabetes than Jewish women in all age groups from 35 years and over, particularly in the 55-64 and 64+ age groups. According to the age adjusted rates, the percentage of diabetes incidence among Palestinian women (21.1%) is over two-and-a-half times higher than that among Jewish women (4.6%).⁹²

Chart 10: Percentage of diabetes incidence among women by age and population group, 2003



Strokes

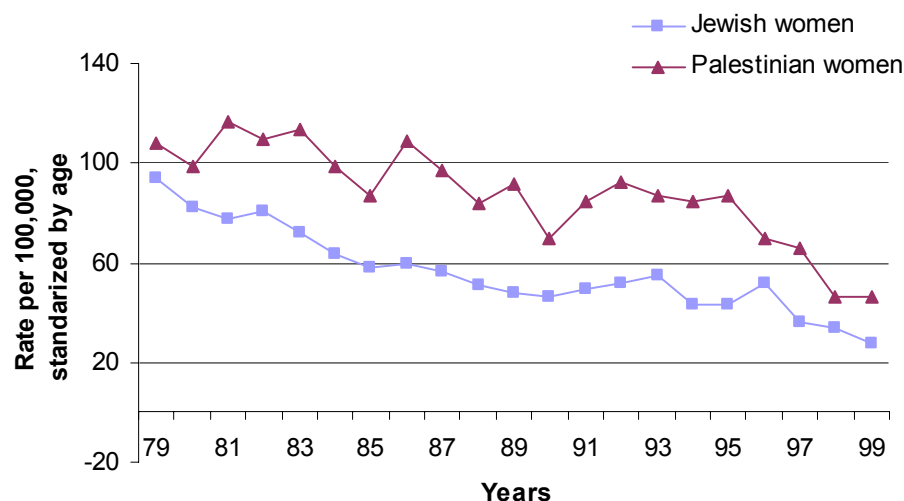
As Chart 11⁹³ reveals, Palestinian women citizens of Israel suffer from a higher rate of mortality from strokes than do Jewish women. Despite the downwards trend in the rates of mortality from strokes among women in both population groups, there is a persistent trend of more Palestinian women dying from strokes than their Jewish counterparts.

⁹¹ Israel Center for Disease Control, under the auspices of the European Health Interview Surveys (EUROHIS), *Survey of National Health in Israel: Model A, Women's Health*, 2004 (Hebrew).

⁹² Ibid.

⁹³ Israel Center for Disease Control, Ministry of Health, *The Health Condition of Women in the Arab Population in Israel*, 2004 (Hebrew).

Chart 11: Trends in age-adjusted mortality from cerebrovascular disease (strokes), 1979-1999



Depression

As Table 8 reveals, of women suffering from depression, Palestinian women suffer from relatively higher rates of medium and high states of depression than do Jewish women. Findings from a report from 2003 indicate that 31% of Palestinian Bedouin women in the Naqab in the south of Israel suffer from depression.⁹⁴ Further, as Table 9 shows, the rate women who describe themselves as highly depressed but have never consulted a physician is 11% higher among Palestinian than Jewish women.⁹⁵

Table 8: * State of depression among women, 1998⁹⁶

	Low state of depression	Medium state of depression	High state of depression
Jewish women	41%	24%	34%
Palestinian women	24%	32%	45%

* p<0.05

Table 9: Percentage of highly depressed women who never consulted a physician, 1998⁹⁷

Jewish women	28%
Palestinian women	39%

3. The Health of Palestinian Women Citizens of Israel

Under Article 12 of the CEDAW, Israel is obligated to "take all appropriate measures to eliminate discrimination against women in the field of health care ..." General Recommendation No. 24 made by the Committee on the Elimination of Discrimination against Women further states in paragraph 6 that, "special attention should be given to the health needs and rights of women belonging to vulnerable and disadvantaged groups, such as migrant women, refugee and internally displaced women, the girl child and

⁹⁴ Julie Cwikel et al, "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), 2003, pp. 240-257; Sage Publishers (Hebrew).

⁹⁵ A major report published the Ministry of Health in 2003 entitled "Mental Health in Israel" fails to provide disaggregated statistics for the incidence of mental health problems in Israel for both gender and populations group.

⁹⁶ R. Gross and S. Brammli-Greenberg, *The Health and Welfare of Women in Israel: Findings from a National Survey*, Myers-JDC-Brookdale Institute, 2000.

⁹⁷ Ibid.

older women, women in prostitution, *indigenous women* and women with physical or mental disabilities” [emphasis added]. Paragraph 29 urges that, “States parties should implement a comprehensive national strategy to promote women’s health throughout their lifespan. This will include interventions aimed at both the prevention and treatment of diseases and conditions affecting women ... and will ensure universal access for all women to a full range of high-quality and affordable health care ...”

The data presented above reveals that, whilst the levels of health according to certain main indicators, including life expectancy and the rate of giving birth to live infants, is improving for women across the population groups in Israel, Israel is failing to close the entrenched gaps which exist between the standards of health care, both preventative care and remedial treatment, received by Palestinian and Jewish women citizens of Israel, some of which are in fact widening. Many factors lead to Jewish women’s enjoyment of superior access to health services and treatment than Palestinian women:

- *Lack of Mobility*: Nazareth (population c.60,000) in the north, is the only Palestinian town in Israel in which there are hospitals. The three hospitals which do operate in Nazareth, however, are all private. Palestinians served by governmental hospitals and/or living outside of Nazareth must therefore travel to hospitals located in Jewish or mixed towns and cities. The limited provision of public transportation to and from Palestinian towns and villages exacerbates the problem. In this context, social obstacles within Palestinian society in general, and Palestinian Bedouin society in particular, including negative attitudes towards women travelling un-chaperoned to health care facilities, may stand between many Palestinian women and effective access to health care. The problem of mobility is particularly acute among the Palestinian Bedouin communities in the unrecognized and recognized villages in the Naqab (Negev), where villages lacking health care services are often located at a distance from main roads, most women do not drive, and travel beyond the local area to receive treatment is unavoidable.⁹⁸
- *Shortage of Palestinian Women Doctors*: As a result of the relatively low number of Palestinian women physicians in hospitals and health clinics in Israel, very few Palestinian women have a permanent female physician in comparison to their Jewish counterparts: just 8% compared to 51% in 1998.⁹⁹ Therefore, a greater number of Palestinian women, who, due to social norms regarding modesty within Palestinian society may feel uncomfortable in approaching male physicians regarding certain health problems, remain undiagnosed and untreated compared to Jewish women.¹⁰⁰ 57% of Palestinian women who needed treatment but did not receive it in 1998 cited the non-consultation of a specialist as a reason.¹⁰¹
- *Language Barrier*: Even when able to travel and receive medical care, Palestinian women citizens of Israel, particularly older women and those with lower levels of education who cannot communicate in Hebrew, can face an additional complication in accessing health care, in the form

⁹⁸ In 37 of the 46 Bedouin villages which are not recognized by the state there are currently no medical services. There is no pharmacy in any of the unrecognized villages, and a dearth of pharmacies even in the recognized Palestinian Bedouin towns in the Naqab (Source: Physicians for Human Rights, *No Man’s Land: Health in the Unrecognized Villages of the Negev*, July 2003). As a result of the lack of health services and of access to health services among Palestinian Bedouin towns and villages in the Naqab, both recognized and unrecognized by the state, Adalah – The Legal Center for Arab Minority Rights in Israel, filed two petitions to the Supreme Court of Israel demanding health services for Palestinian Bedouin citizens of Israel. In H.C. 7115/97, *Adalah, et. al. v. Ministry of Health, et. al.*, filed in 1997, Adalah demanded on behalf of the petitioners the establishment of 12 mother and child health clinics in unrecognized villages whose inhabitants had to travel for long distances in the desert to access health care facilities. In 1999, the Court ordered the Ministry of Health to establish six clinics and provide public transportation to existing ones. The process for establishing the clinics where none previously existed was finally begun in 2000, after the filing of a motion for contempt against the Ministry. In H.C. 786/04, *Ahlan el-Sana, et. al. v. Ministry of Health, et. al.*, filed in 2004, Adalah demanded on behalf of the petitioners the operation of two family health clinics to serve the 22,000 inhabitants of two recognized towns and neighboring unrecognized villages in the Naqab. Later in 2004, the state acknowledged that the family health care provided for the towns’ residents was substandard, and committed that the Ministry of Health would allocate healthcare positions in order to enable the operation an additional family health clinic in each town.

⁹⁹ R. Gross and S. Brammli-Greenberg, *The Health and Welfare of Women in Israel: Findings from a National Survey*, Myers-JDC-Brookdale Institute, 2000.

¹⁰⁰ E. Elnekave and R. Gross, “The Healthcare Experiences of Arab Israeli Women in a Reformed Healthcare”, in *Health Policy* 69 (2004) 101-116.

¹⁰¹ R. Gross and S. Brammli-Greenberg, *The Health and Welfare of Women in Israel: Findings from a National Survey*, Myers-JDC-Brookdale Institute, 2000.

of a language barrier. Since much medical care depends on clear communication between doctors and patients, this barrier can have serious repercussions for healthcare. Recently conducted research reveals that Palestinian women citizens have lower levels of appreciation for their physicians than Jewish women; language barriers contribute to this lack of appreciation.¹⁰²

- *Gaps in knowledge:* Poorer levels of health awareness among Palestinian women citizens in combination with a lack of necessary local health services for securing early prognosis result in their being less likely to receive appropriate diagnostic testing for health issues than their Jewish counterparts; in 2003 only 17.3% of Palestinian women, for example, reported visiting a gynecologist at least once a year, compared with 50.3% of Jewish women.¹⁰³
- *Economic Circumstances:* All sick funds in Israel offer supplementary health insurance plans for additional monthly fees which cover treatments and drugs not available in the basic health service. Of the total of 46% of women covered by supplementary health insurance in 1998, a significant gap exists between the percentages of Palestinian women (14%) and Jewish women (55%) who purchased such insurance. This gap is reflective of the gap between the socioeconomic status of Palestinian and Jewish citizens of Israel.¹⁰⁴

It is the obligation of Israel, as a State Party to the CEDAW, to adopt measures designed to eliminate the discrimination in access to suitable health care faced by Palestinian women citizens of Israel, not only in relation to men, but also in relation to Jewish women.

This response was prepared by Adalah – The Legal Center for Arab Minority Rights in Israel and Kayan: A Feminist Organization

¹⁰² Ibid.

¹⁰³ Israel Center for Disease Control, under the auspices of the European Health Interview Surveys (EUROHIS), *Survey of National Health in Israel: Model A, Women's Health*, 2004 (Hebrew).

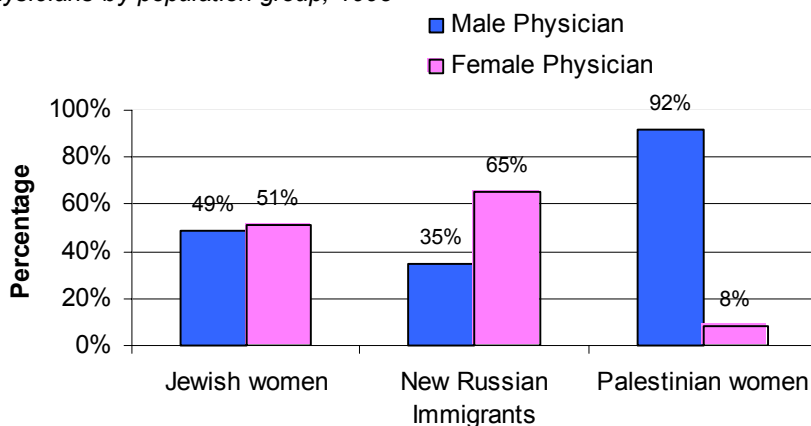
¹⁰⁴ R. Gross and S. Brammli-Greenberg, *The Health and Welfare of Women in Israel: Findings from a National Survey*, Myers-JDC-Brookdale Institute, 2000.

Question 24: The report states (p.155) that “an astoundingly low percentage of Arab 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. 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. Palestinian Women Citizens of Israel and Female Physicians

As Chart 1¹⁰⁵ demonstrates, the percentage of Palestinian women who have a permanent female physician is extremely low (8%) in comparison to their Jewish counterparts (51%), as well as newly-immigrated Russian women (65%).

Chart 1: Percentages of women with permanent male and female physicians by population group, 1998



The situation is even more severe among Palestinian Bedouin women in the Naqab, with only 1 female Palestinian doctor among the 177 doctors operating in the region.¹⁰⁶ As a result of social norms within Palestinian society, Palestinian women may feel uncomfortable in approaching male physicians regarding certain health problems. In addition, the elderly and poorly educated may be unable to communicate effectively with non-Arabic speaking physicians. As a result of the shortage of female Palestinian physicians, therefore, a greater number of the health needs of Palestinian women remain unmet in comparison with Jewish women. According to a recent survey, 57% of Palestinian women who did not receive needed treatment cited the non-consultation of a specialist as a reason, as Table 1,¹⁰⁷ below, reveals. The table also indicates that even the needs of newly-immigrated Russian women are met more effectively than those of Palestinian women citizens of Israel.

¹⁰⁵ R. Gross and S. Brammli-Greenberg. (2000) *The Health and Welfare of Women in Israel: Findings from a National Survey*, JDC-Brookdale Institute.

¹⁰⁶ Julie Cwikel et al, “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), 2003, pp. 240-257; Sage Publishers (Hebrew).

¹⁰⁷ *Supra*, note 102.

Table 1: Unmet health needs among women by population group and reason, 1998

	Needed treatment but did not receive it	Needed a drug but did not buy it due to financial difficulties	Needed a specialist but did not consult with him or her	Sick funds refused to cover expenses of a test or treatment
Jewish	12%	14%	18%	26%
New Russian immigrants	11%	15%	21%	12%
Palestinian	41%	29%	57%	31%

Health care professionals participating in a National Seminar jointly held by the Myers-JDC-Brookdale Institute and Women Against Violence held in Haifa in January 2005 on the subject of "Arab Women and Girls in Israel: Obstacles, Opportunities & Strategies for Change in Health, Education & Employment," stressed the need to train more Palestinian women physicians.¹⁰⁸

2. Palestinian Women Citizens of Israel in Tertiary Education

Palestinians in general, both men and women, are dramatically under-represented in tertiary education in Israel. 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.¹⁰⁹ Despite these figures, no steps are being taken by Israel to increase the numbers of Palestinians of both sexes 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%¹¹⁰), 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.¹¹¹ 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 the age of 18.

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.¹¹²

¹⁰⁸ http://brookdale-en1.pionet.com/files/word-documents/Arab_Women's_conference310105.doc

¹⁰⁹ CBS, Statistical Abstract of Israel 2004, Table 8.42.

¹¹⁰ CBS, Statistical Abstract of Israel 2003, Table 8.21.

¹¹¹ Ibid.

¹¹² CBS, Statistical Abstract of Israel 2003, Table 8.3; CBS, Statistical Abstract of Israel 2004, Table 8.3.

Official statistical information regarding the number or percentages of **Palestinian women citizens of Israel who study medicine in Israeli universities** was not located. However, data disaggregated according to sex and data disaggregated according to population group on this subject does reveal that:

- Whilst in 2002/2003 50.8% of first degree medical students were women, the combined percentage of *male and female* first degree Palestinian medical students was just 9.1%.
- At the level of second degrees in the field of medicine, the total percentage of female students rose to 51.2%, while the total percentage of Palestinian students fell to 8.1%.
- For third degrees in medicine, 66.2% of all students were female, and just 4.8% Palestinians.¹¹³

Clearly, even if we assume (in the absence of sex-disaggregated data for Palestinian citizens of Israel who study medicine) that Palestinian women make up 50% of all Palestinian medical students, their representation in the medical profession would fall significantly below their proportion of the population at all degree levels, and increasingly so at higher degree levels.

No information was found about any measures taken by the Israeli government to increase the number of Palestinian women citizens of Israel in medicine or the health sciences, in fulfilment of its obligations under Article 12 of the CEDAW.

This response was prepared by Adalah – The Legal Center for Arab Minority Rights in Israel and Kayan: A Feminist Organization

¹¹³ CBS, Statistical Abstract of Israel 2004, Table 8.42.

VI. Rural and vulnerable women

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

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 138,000.¹¹⁴ 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 Villages (RCUV),¹¹⁵ 121 Arab Bedouin homes have been demolished in the Negev since May 2001. Demolition orders have been issued for at least 22,000 additional homes.¹¹⁶ 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. Since demolitions are scheduled at hours when the men are usually out of the home, the majority of those who personally experience firsthand forcible eviction and their home's demolition are Bedouin women and children. Further, since most Bedouin women do not work outside of the home, taking care of the home and household is their primary role and responsibility, and the loss of this role is felt acutely. Practically it is the women who have to endure more the awkward realities of living with her husband's relatives and within another woman's sphere while alternative accommodation is found. As a consequence, women will often take the initiative and responsibility for rebuilding the family home, selling off her wedding gold (i.e.

¹¹⁴ Israel Central Bureau of Statistics. (2004) 2002 Statistical Yearbook of the Bedouin. Beer Sheva: Ben Gurion University.

¹¹⁵ Regional Council of the Unrecognized Villages (2005) List of House Demolitions in the Unrecognised Villages in the Negev, 30.04.05, unpublished paper.

¹¹⁶ Regional Council of the Unrecognized Villages and Arab Association of Human Rights (2003) The Unrecognized Villages in the Negev: Update 2003, Nazareth.

her independent private resources) in order to build a small room for them. Women can also pay the price of the increased tension in the family due to increased domestic violence,¹¹⁷ in a context where it is much harder for her to turn for help to the authorities. While women have no official representative role in any of the official committees that work to defend against house demolitions, such as the RCUV, there have been a number of cases where Bedouin women have actively resisted demolitions and even once successfully prevented their home being demolished.¹¹⁸

Planning

Plans to “modernise” the living conditions of Arab Bedouins have been devised with no community consultation and are 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 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.¹¹⁹

Transport

One bus once a day serves only one of the seven recognized Arab Bedouin localities, a line between Rahat, the largest Arab Bedouin town, and Beer Sheva. No other Bedouin community is linked to a metropolitan centre. This complete lack of public transportation severely minimizes the ability of Arab Bedouin women to realize basic rights such as to education, health, or employment opportunities. Many Bedouin women cannot go to Beer Sheva to the only existing regional hospital, for blood tests, for social security, to the Ministry of the Interior, or for any other errands unless they are taken by a male relative. Accordingly, this lack of public transportation exacerbates other restricting factors on Arab Bedouin women’s movement.

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 1994 no primary health clinics existed in the unrecognized villages. In 2005, following the *National Health Insurance Law-1995* and an Adalah petition to the Israeli High Court initiated

¹¹⁷ While no study has formally looked at the relationship between house demolitions and domestic violence, Cwikel et al’s (2003) survey of Bedouin women’s health found that 48% of Bedouin women report being exposed to violence, 45% to repeated bouts of violence, and 31% reported experiencing domestic violence in the past year. Women living in unrecognized villages were much less likely to report this violence. See: 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

¹¹⁸ In the unrecognized village of Im Al-Hiran in February 2005 the women of the Abu Al-Qiyan family successfully prevented a house demolition by holding hands and forming a protective ring around the house for over 5 hours until the bulldozers left.: RCUV Field Survey.

¹¹⁹ Fenster, T. (1997, Nov) “Gender and Space Construction” *Gender Institute Discussion Paper Series*, London: London School of Economics.

in 2000 were 10 primary clinics in the unrecognized villages established. About 35 villages still remain without any clinics. Similarly, only after Supreme Court action began in December 1997 were six Mother and Child clinics opened, each with a physician and nurse.¹²⁰ None of the clinics hold medicine that requires electricity to be kept refrigerated, and only have a drugs room which cannot and does not store most medicine. There is no pharmacy in any of the unrecognized villages.

The clinics that are available¹²¹ 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 few of the medical staff serving in the 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.¹²²

Access to health centres and emergency services is also impeded by the lack of adequate ambulance services for the Arab Bedouin community. While there are over 20 ambulances in the Beer Sheva district only 2 Arab Bedouin localities, Rahat and Kseifa, have MADA (Magen David Adom, or red Star of David) stations. Generally, ambulances refrain from entering into the unrecognized villages. This is considered to be due to lack of access roads, street names and sign posted entrances to the villages. The effect of this policy is that there is no real possibility to receive emergency service in an unrecognized village, since it takes an average of 45 minutes to meet an ambulance at an arranged meeting point on one of the main roads.¹²³

Infant Mortality

The denial of such services has several severe effects on Arab Bedouin women. The infant mortality rate in 2003 among the Bedouin community was 13.3 per 1,000 live births, compared with 5 per 1,000 live births in the 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.¹²⁴ Outside of the winter months, three times more Bedouin children than Jewish children are hospitalised with infectious diseases.¹²⁵ About 90% of the children hospitalised each year in the Sorroka regional hospital in Beer Sheva are Bedouin.

Mental Health

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.¹²⁶ Despite this, there is a real lack of mental health services available for Bedouin women in Arabic.¹²⁷

¹²⁰ H.C. 7115/97, *Adalah, et al. v. Ministry of Health, et al.*

¹²¹ At present, there is a primary health clinic in Al-Sayyid, and a primary health and mother and child clinic in Um Batin, Abu Qwaider, Abu Qreinat, Al-Atrash, Al-Asam, Qasr Al-Sir unrecognized villages. In the recognized Bedouin localities, there are as follows: Rahat – 6 clinics, 1 night clinic, 2 pharmacies, 6 mother and child clinics; Hora – 4 clinics, 1 pharmacy, 3 mother and child clinics; Kseifa – 3 clinics, 1 night clinic, 1 pharmacy, 1 mother and child clinic; Laqiyya – 2 clinics, 1 pharmacy, 2 mother and child clinics; Arara – 3 clinics, 1 night clinic, 1 pharmacy, 2 mother and child clinics; Shqib Al-Salam – 1 clinic, 1 pharmacy, 1 mother and child clinic; Tel Al-Saba – 1 clinic, 1 pharmacy, 1 mother and child clinic; there are also 4 mother and child clinics in the Jewish localities of Dimona, Arad, Mitzpe Ramon and Yeroham that serve the Bedouin community.

¹²² 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.

¹²³ Almi, O. (2003) *No Man's Land: Health in the Unrecognized Villages of the Negev*, Tel Aviv: Physicians for Human Rights.

¹²⁴ Shoham Vardi, I. (2002) "The Death of Bedouin Babies in the Negev, 1990-2002" Beer Sheva: Ben Gurion University; unpublished conference paper.

¹²⁵ 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.

¹²⁶ *Supra*, Note 115.

¹²⁷ According to Physicians for Human Rights, at present there is only one Arabic-speaking psychiatrist and one mental health specialist in the Negev, neither of whom are women. No services are offered to women after house demolitions.

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. While some villages have a number of pipelines, others, such as Wadi Al-Mshash and Tel Arad, have none. 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.¹²⁸ While the Bedouin Development Authority admits that current arrangements for obtaining drinking water are inadequate, its Water Commissioner often times offers applicants access to drinking water only if they relocate.¹²⁹

This absence of water infrastructure in unrecognized Arab Bedouin communities affects the health of Arab Bedouin women and their children. Low water consumption leads to health risks from dehydration and diarrhoea. The most recent academic study (1998) detailed that 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.¹³⁰ While field reports suggest that the situation has improved since then, the article does go on to link directly the lack of safe drinking water to infant deaths in the unrecognized villages.¹³¹

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 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. This is only due to an injunction issued by the Supreme Court, in response to a petition filed by Adalah and human rights organizations, prohibiting this practice.¹³² 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.¹³³ While the Ministry of Interior is responsible for refuse collection in non-municipal areas, it does not collect refuse in unrecognized villages. Consequently, refuse must be burned. About 64% of home accidents among Bedouin citizens result from burns.¹³⁴ Since Bedouin women and young children spend the most time at home, these environmental risks have a disproportionate effect on them.

¹²⁸In Feb. 2003, the Supreme Court dismissed a petition, brought by Adalah, challenging the government's policy of denying clean and accessible water to the unrecognized villages. The State claimed 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).

¹²⁹A new petition has just been submitted by Adalah to the Haifa District Court challenging the policy of the Water Commissioner on behalf of 5 unrecognized villages who had their requests for water dismissed. See DCH Appeal 609/05, Abdallah Abu Msaed et al v. Water Commissioner

¹³⁰Levy et al (1998)

¹³¹Supra, Note 115, p. 33

¹³²H.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. Spraying was halted only after the High Court gave the petitioners an injunction in March 2004.

¹³³Supra, Note 116.

¹³⁴Supra, Note 6.

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.¹³⁵

According to a recent 3-year Ministry of Health study, conducted by Prof. Batia Sarov, and only released to the public following a Supreme Court petition by the Ramat Negev Regional council, the rate of severe birth defects among Bedouin living near Ramat Hovav is almost twice that of Bedouin who live elsewhere. 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. Moreover, no health services are provided for such an at-risk community.

3. Economics & Employment

According to National Insurance Institute (NII) statistics, 60% of children in Bedouin recognised localities live under the poverty line,¹³⁶ and Bedouin localities make up 6 out of the 7 poorest localities in the country.¹³⁷ The unemployment rates in Bedouin localities are the highest in the country.¹³⁸ Recent budget cutbacks and reductions in social services and child benefits have caused a real strain in Bedouin society. Social services report a significant increase in the numbers of parents requesting help with paying for schoolbooks and equipment, and within the last 18 months free food has started to be provided to children in a number of Bedouin schools.¹³⁹ It should be reiterated that these cutbacks come within the context of ongoing restrictions on Bedouin access to their traditional lands and pastures, limited access to water resources, the ongoing actions of the Green Patrol, and the actions of crop destruction mentioned earlier, all of which continue to disrupt Bedouin agriculture and pastoralism.

In 2002, according to the NII, only 1,819 women living in the recognised Arab Bedouin localities were employed, or approximately 13% of working age women in these localities.¹⁴⁰ 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.¹⁴¹ While the lack of transportation and social attitudes limit Arab Bedouin women's ability to look for work outside of the community, the lack of employment opportunities within Bedouin localities is a significant factor in these

¹³⁵ Ibid.

¹³⁶ See: Knesset Study Day (2004) Arab Education in the Negev in the Shadow of Poverty, position papers presented by: Regional Council for Unrecognised Villages in the Negev, Youth Forum in the Negev, Central Committee for the Parents of Children with Special Needs in the Negev, Union of NGOs, Parents Committee to Improve the Educational Situation in the Negev, Association for the Advancement of Women's Education in the Negev, Shatil, Jerusalem

¹³⁷ For instance, the average car ownership in Bedouin localities is 38-64 per 1,000 inhabitants. This compares to a national average of 224 cars per 1,000 inhabitants, and an average for Tel Aviv of 458 cars per 1,000 inhabitants. [ibid]

¹³⁸ For instance in the latest data, aggregated by locality, in September 2004, Kseifa had an official unemployment rate of 27.0% [ibid]

¹³⁹ A recent *Haaretz* malnutrition survey into child obesity in the Negev undertaken by the Daniel Avraham Centre for Health and Nutrition, Ben Gurion University, Beer Sheva found that from a sample of 791 1st grade pupils in the Negev, 48% of Arab children in the Negev regularly attend school without any lunch, compared to 17% of Jewish children, and that the prevalence of malnutrition was 2.4 times higher in the unrecognized villages than in the Bedouin recognized villages. Obesity was only found to be a problem among 2% of Bedouin children. For media reports of survey, see: Akhbar Al-Naqab, 14 February 2005.

¹⁴⁰ Statistical Yearbook of the Bedouin, Ben Gurion University (2004), Tables IV/2, II/5. Working age defined as 18-64. Other surveys have found that 91.4% of women in Rahat, the largest Bedouin town do not work, and an average of 90% of women in the unrecognized villages. See: Cwikel, J. et al (2003)

¹⁴¹ Statistical Yearbook of the Bedouin, Ben Gurion University (2004), Table IV/2. The average income for a Bedouin family is 38% that of the income for an average Israeli family.

statistics. Only two Bedouin localities have industrial zones, and there is no state investment in either of them. This lack of opportunities means that while educated Bedouin women are able to work in traditionally “feminine” public sector careers, as teachers, nurses or social workers, and has led to the growth of women’s employment in local Bedouin NGOs¹⁴², uneducated women, for instance, agricultural day labourers, are often vulnerable to exploitation.¹⁴³ A lack of implementation or follow up on employment laws in Arab localities, such as the minimum wage law, and the women’s frequent lack of awareness of their rights, means that employers are able to maintain this situation of exploitation. Outside of the health, educational and social services departments, very few Arab Bedouin women are employed by local authorities, and almost none by Ministries or government companies.

4. Vocational Training for Unemployed Women

Presently, 2,108 Bedouin women are registered as “seeking work.”¹⁴⁴ 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 childminders in daycare centres, which do not even exist in the Bedouin community. Other vocational training, such as in hairdressing and photography, which do lead to more employment opportunities, are currently offered by local women’s NGOs but do not receive government funding.

5. 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.

This response was prepared by Maan: the Union of Bedouin Women's Organizations in the Negev.

¹⁴² At present, over 200 Bedouin women are employed by local NGOs, making NGOs a very significant employer for Arab Bedouin women. The reason for this significance is that associations are one of the few work opportunities available locally, because they are focused on changing Bedouin society and women’s status within it, and because in most cases they have a better understanding to provide work opportunities appropriate to Arab women’s situation and capacities.

¹⁴³ Field Interviews with Arab women agricultural laborers (May 2005), on file with Sidreh Association, Laqiyya

¹⁴⁴ Field Interviews with Arab women’s NGOs (May2005), on file with Sidreh Association, Laqiyya

Question #26: The report notes (p.164) that Bedouin girls leave school at an early age owing to financial constraints. Has the State party considered instituting scholarship programmes for Bedouin and immigrant girls in order to address the lack of resources among these communities? If not, what other programmes are in place to promote Bedouin and immigrant girls' participation in the educational sector?

1. Education Policy in the Negev

The economic issue is not the main impediment against Bedouin girls continuing their education. Rather it is environmental conditions that form the main barrier. These include the distance from school, the fact that no schools are provided nearby, and fear for the girls from boys of other families.

Education is an essential concern for all minorities and peoples who want to develop and demand their rights and defend themselves. Unfortunately, over the decades, the state has followed a policy of neglect and denying the Negev Arabs educational opportunities.¹⁴⁵ Despite the passing of the *Compulsory Education Law-1949* which makes the state responsible for providing free and compulsory education to all its citizens. No schools were built in the Negev until the 60s, and the first schools were elementary schools built next to the areas of influential sheikhs.¹⁴⁶

Even today, the land struggle between the State and the Bedouin continues to underpin educational policy in the Negev.¹⁴⁷ The State continues to use the same methods in the education system to take control of the land from the Bedouin. It denies educational services in the unrecognised villages as a means of pressure on them to move to the planned localities. For instance, the unrecognised villages, which are home to over 70,000 residents, do not contain a single high school, so that the residents are forced to go out of their village in search of schooling. There are elementary schools, but they are built in temporary buildings without many of the standard facilities.¹⁴⁸ Conditions are so difficult that on rainy days in winter the majority of pupils do not attend. Similarly, the *Compulsory Education Law* is not enforced in the unrecognised villages and kindergartens are not established for the 3-4 year old age group. This policy has a negative impact on the education of girls in the unrecognised villages.

In the planned villages, there are elementary and high schools, and recently community centres have been established to take up a role in non-formal education. However, the auxiliary services in these schools are often limited. For example, the Shahr enrichment project, which aims to improve the educational achievement of weak students who come from disadvantaged backgrounds. This project is not implemented equally in Arab and Jewish schools. As a result of this disparity, Adalah filed a petition to the Supreme Court.¹⁴⁹

Despite the presence of high schools in the recognised villages, many services are not provided to these schools, in comparison to what is provided to Jewish schools. One important position is the educational psychologist. A lack of educational psychologists mean that many pupils in need of help do not receive it. There is a disparity in how the Ministry of Education provides these services to Arab and Jewish schools, as seen from the following table:¹⁵⁰

¹⁴⁵ Al-Haj, Majd (1994) Arab Education System in Israel: Problems and Objectives, Flossheimer Institute for Political Studies

¹⁴⁶ *ibid*

¹⁴⁷ Follow Up Committee for Arab Education (2004) *Qadaya Al-Ta'lim Al-Arabi* (Issues of Arab Education), Nazareth: April 2004

¹⁴⁸ Katz, Yaakov (1998) Ministerial Committee to Investigate Bedouin Education System in the Negev, Report prepared under the instruction of the Minister of Education and Sport, Zavulun Hammer, Ministry of Education, 16/01/75

¹⁴⁹ HC 2814/97, Follow Up Committee for Arab Education et al v. Ministry of Education

For www.adalah.org¹⁵⁰ Petition filed by Adalah for more details, HC 4177/04 Yousef Abu Ubayad et al v. Ministry of Education. more details:

Table 1: No. of social specialist positions vs. provided, based on locality

Locality	Number of positions needed for Social Specialists	Number of Positions Provided in Reality
Rahat (Arab)	18.8	6.0
Hora (Arab)	4.4	1.3
Ofakim (Jewish)	8.9	7.4
Dimona (Jewish)	12.0	9.2

2. Budgets

Despite the fact that Arabs form approximately 20% of the State's total population, their proportion of the State's development budgets for 2005 is only 3%.¹⁵¹ Similarly, the Arab sector's share of the Education budget for 2005 is NIS 39.2 million. No budget has been set aside for building or renovating classrooms, even though there was a proposal from the Ministry to build 470 classrooms during 2005.¹⁵²

3. Bagrut Passrates

The most recent results of the Bagrut show that the Bagrut results among Bedouin students are low. According to the Follow Up Committee, the Bagrut passrate is 13% in the Bedouin sector, 33% in the Arab sector as a whole, and 56% in the Jewish sector. The national average is 42%.¹⁵³ Press reports of Ministry of Education statistics released in May 2005, stated that in the Arab education system the proportion of those receiving Bagrut certificates in 2004 was less than in 2003, while among the Jewish sector there was a rise of 1.4% over the same period.¹⁵⁴ The Bedouin education system has seen a recent drop in Bagrut passrates. In 2002, 622 Bedouin students passed their Bagrut. In 2003, 665 students passed, but in 2004 only 618 students passed.

4. Drop Outs

Drop out rates for Bedouin girls are high, and the drop out issue is one of the main concerns of the Bedouin education system. According to research done by Adalah the drop out rates in the Arab education system is double that of the Jewish sector.¹⁵⁵

Table 2: Drop-out rates in the Arab vs. Jewish sector (academic years 1995/6-2000/1)

Class	1995/96	1996/97	1999/00	2000/01
National Drop Out Rate	7.2	7.7	5.7 (6.9)	5.8 (7.0)
Jewish Education System	6.5	6.6	4.9 (5.8)	4.9 (6.0)
9th Grade	7.8	7.2	5.3	6.0
10th Grade	5.5	6.2	5.5	5.4
11th Grade	6.2	6.4	6.8	6.5
12th Grade			1.5	1.5
Arab Education System	10.7	13.1	9.8 (11.9)	10.0 (12.0)
9th Grade	13.3	14.8	14.7	14.5
10th Grade	10.5	13.7	11.2	12.3
11th Grade	7.7	10.6	9.0	8.5
12th Grade			1.7	2.1

¹⁵¹ Arab Association for Human Rights (Weekly Press Review)

¹⁵² Ibid

¹⁵³ Follow Up Committee for Arab Education, May 2005. The Follow Up Committee for Arab Education observe that exact and precise information on Bagrut pass rates is elusive due to various incentives among individual schools, councils and the Ministry to overstate local achievements.

¹⁵⁴ See: Al-Sinnara, Al-Ittihad, 31 March 2005

¹⁵⁵ See: HC 6671/03 *Munjd Abu Ghanem et al v. Ministry of Education*. Petition filed by Adalah

In particular, there is a problem in the unrecognised villages. A recent petition¹⁵⁶ submitted by Adalah observes that in some villages there is a drop out rate of up to 77% among girls.¹⁵⁷ The seriousness with which the State takes this issue can be seen by the number of truancy officers employed by the Ministry of Education in the Bedouin sector.

5. Further Education

The first Bedouin girl to graduate from university was in 1995. In recent years, there has been an increase in the number of girls graduating from colleges of further education in the Negev. However, as the below table demonstrates, these numbers are still in real and comparative terms limited. According to the Yearbooks of the different institutions of further education in the Negev, the following Bedouin women have graduated from their institutions since 1995.¹⁵⁸

Table 3: Bedouin women graduates of higher education institutions (1995-2003)

Year	Ben Gurion University	Kaye College	Sapir College	Technological College	Total
1995	1	6	-	-	7
1996	-	11	-	-	11
1997	2	21	-	-	23
1998	5	40	-	-	45
1999	5	29	-	2	36
2000	5	37	1	1	44
2001	15	50	1	2	68
2002	13	61	1	1	76
2003	20	13	-	-	33
Total	66	268	3	6	343

6. Adult Literacy

Current field surveys¹⁵⁹ among women in the Negev have found that in any average unrecognised village approximately 85% of Bedouin women over the age of 30 are illiterate. Due to these high rates, there is a special unit for adult literacy for Bedouin women in the Southern Department of the Ministry of Education. Since the 1990s this Unit has been working in the recognised villages.¹⁶⁰ Similarly, women seeking work in recognised localities are also sent to complete their high school education by the Ministry of Labour. Since 2000, these literacy classes have gone on to Bagrut level. The overwhelming majority of this literacy work is focused on the city of Rahat, since there is a school for adult literacy run jointly by the Ministry of Education, Ministry of Labour and Rahat Municipality.

¹⁵⁶ See: *HC 2848/05 Fatimah Abu Sabila et al v. Ministry of Education et al* (case pending)

¹⁵⁷ See: Abu Medeghem, Salim (2005) *Adalah Petitions Supreme Court: Denial of Arab Bedouin Girls' Right to an Education in Unrecognised Villages in the Naqab*, Adalah's Newsletter, Vol 11, March 2005

¹⁵⁸ Sources: List of Recipients of Degrees, Ben Gurion University, 1995, 1996, 1997, 1998, 1999, 2000, 2001, 2002, 2003; Graduate List, Kaye College (unpublished paper); Graduate List, Office of the Dean, Sapir College; Graduate List, Office of the Dean, Technological College

¹⁵⁹ Prior to opening a course in any new village, Sidreh, the main provider of literacy courses in the unrecognized villages, conducts a survey of the educational level and needs of women in the village

¹⁶⁰ This Unit operates two classes in Hora, two in Tel Sheva, one class in Kseifa community center, on 6 hour class in Laqiyya, and in Rahat a complete school. Official statistics of the Ministry of Education list a more extensive range of activities than exist in the field.

Table 4: Bedouin women Graduates of Literacy Courses, Adult High School, Rahat

Class	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005
Elementary	68	54	62	36	50	52	80	64	62	45
10 th Grade	43	36	42	18	44	40	52	26	22	-
High School	84	44	52	24	52	48	56	26	22	46
Bagrut	-	-	-	-	16	14	22	12	16	16
Total	195	134	156	78	162	154	210	128	122	107

In the unrecognised villages, the Ministry of Education has funded adult literacy courses only since 2002, via the Arab women's group Sidreh. They partially fund 6 classes¹⁶¹, and have just started to partially fund the first Bagrut class in an unrecognised village.¹⁶² The study conditions are tough, since women often have to learn in tin storerooms, which reflect both hot and cold weather extremes, and with their young children by their sides, since there are no frames in which to leave them. Nonetheless, there are, however, many more women who would wish to study for their Bagrut certificate, but budgets are not available. At present, the only body teaching adult literacy in the unrecognised villages is the Sidreh women's association, which does not cover all the villages' needs.

Table 5: Bedouin women Graduates of Literacy Courses, Sidreh Women's Association

Year	Participants ¹⁶³
2000	202
2001	315
2002	298
2003	300
2004	325
2005	280
Total	1,720

This response was prepared by Maan: the Union of Bedouin Women's Organizations in the Negev.

¹⁶¹ The Ministry provides 50% of the funding for 6 classes. With additional contributions from private foundations, the Association operates 16 classes, 10 of which are in unrecognized villages.

¹⁶² There is one group studying for the Bagrut in the unrecognized village of Qasr Al-Sirr. The Ministry covers 30% of its costs. The remainder of the costs are covered by private foundations.

¹⁶³ Each course is for 8 hours a week, there are 10-16 groups each year, number of participants vary from 20-30.

VII. Family and personal law

Question #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.

1. Israel's Reservation to Article 16

Along with 6 other countries (Algeria, Bahrain, Egypt, Iraq, and Morocco) Israel has entered a reservation to Article 2 and Article 16 of the CEDAW as follows:

"1. The State of Israel hereby expresses its reservation with regard to article 7 (b) of the Convention concerning the appointment of women to serve as judges of religious courts where this is prohibited by the laws of any of the religious communities in Israel. Otherwise, the said article is fully implemented in Israel, in view of the fact that women take a prominent part in all aspect of public life.

2. The State of Israel hereby expresses its reservation with regard to article 16 of the Convention, to the extent that the laws on personal status which are binding on the various religious communities in Israel do not conform with the provisions of that article."

The reservation is due to the incompatibility of these religious legal codes to Israel's legal system, in which all personal status law is regulated exclusively by a number of religious legal codes (Jewish, Christian, Muslim, or Druze), while marriage and divorce are regulated under the exclusive jurisdiction of religious courts.

The reservation was made due to, and despite the fact that many of the laws and procedures of these religious legal codes, which are upheld by religious courts and civil courts alike, stand in violation of the equal rights of men and women to enter into marriage, to freely choose spouses, and of their equal rights upon the dissolution of marriage including redistribution of assets, and in matters relating to their children.

The reservation to Article 16 defeats the object and purpose of CEDAW, since it maintains the supremacy of religious laws without regard to whether religious laws applied in courts discriminate against women. Hence, it excludes from the scope of CEDAW the main arena where women and men are traditionally unequal and where women tend to need the greatest protection.

2. Personal Status Laws Applicable to Palestinian Women

Article 51 of *The Palestinian Order in Council (POC)-1992*, which was enacted by the British Mandate and is still applicable under Israeli, defines personal status as follows:

"Matters of personal jurisdiction status mean suits regarding marriage or divorce, alimony, maintenance, guardianship, paternity of minors..."¹⁶⁴

Matters of personal status fall under the jurisdiction of two court systems: religious courts and civil family courts. Both courts have concurrent jurisdiction over personal status law, except marriage and divorce, **which remained under the exclusive jurisdiction of religious courts.**

¹⁶⁴ Unofficial translation of the Working Group on the Status of Palestinian Women Citizens of Israel.

Religious courts were established according to Article 15(a) of the POC, which stipulates that all recognized religious communities in Israel shall have their own religious courts: the Rabbinical courts for Jewish citizens, and Muslim, Christian and Druze courts for Palestinian citizens of Israel.

Prior to 1995, civil courts within the civil judicial system exercised concurrent jurisdiction over personal status matters (except marriage and divorce). This was changed by enactment of *The Family Court Law-1995*. The family court law established new family law division within the magistrate courts. The newly established family courts are responsible for all personal status matters under the jurisdiction of civil court system. The establishment of family-courts system did not affect the split between religious and civil courts.

It should be emphasized that all personal status issues, whether pursued in civil family courts or in religious courts are determined according to the religious affiliations of the parties. This state of affairs prevents couples from different faiths to marry, since no civil alternative exists.¹⁶⁵

Until 2001, Parliamentary legislation left personal status issues affecting the Palestinian community subject to the authority of religious courts due to the perception that these issues were based within Palestinian "traditional" mores and culture.¹⁶⁶ For example, personal status issues relating to Moslems were regulated in Article 52 of the POC, which stipulates:

"Moslem religious courts shall have exclusive jurisdiction in matters of personal status of Moslems who are Israeli citizens or foreigners who, under the law of their nationality, are subject in such matters to the jurisdiction of Moslem religious courts in accordance with the provisions of the law of procedure of Moslem religious courts of the 25th of October, 1333 A.H. as amended by any ordinance or rules..."¹⁶⁷

In 2001, a campaign spearheaded by the Working Group for Equality in Personal Status Issues, a coalition of several women's and human rights organizations, culminated in the passage of the *Amendment to the Law of Family Courts-2001*.

This amendment enabled family courts to exercise jurisdiction over personal status issues (except marriage and divorce) even when the litigants belong to a religious community, in which its religious courts were granted exclusive jurisdiction over all personal status issues in the POC. As a result, Muslim and Christian women the same access as their Jewish and Druze counterparts to Family Courts, for all personal status issues, except marriage and divorce.

The amendment has guaranteed access to a court system more sensitive to the needs of women, and more favourable to promoting the principle of equality between men and women, even when applying religious laws.

Though each religious canon may differ on specific issues of personal status, all reflect discriminatory and patriarchal positions on the rights of women, a fact that wholly precludes the possibility of equality between men and women in these issues.

3. Civil Laws that Override Religious Laws

The Knesset may enact civil laws that are binding on family and religious courts. Civil laws have primacy in family and religious courts; in cases of conflict, civil law must be applied. One such law is the *Inheritance Law-1965*, which mandates that men and women be afforded equal inheritance rights. Both

¹⁶⁵ Couples who seek to marry in these ways must do so outside of the country and return (a viable solution, as Israel does recognize marriages officiated outside of its borders, though this option still leaves the couple under religious jurisdiction for all other considerations pertaining to their marriage, certainly in the event of its dissolution.)

¹⁶⁶ Prior to 2001, Muslims could use only *Shari'a* courts for personal status matters. Druze and Jews could choose between the Family Court and religious court for all issues except for marriage and divorce. Christians could choose between the Family Court and religious court for all issues except for marriage, divorce, and maintenance.

¹⁶⁷ Unofficial translation of the Working Group on the Status of Palestinian Women Citizens of Israel.

civil family courts and religious courts are bound to apply the Inheritance Law even when religious laws mandate otherwise.

4. Civil Laws that Preserve Long Standing Cultural Practices that Discriminate Against Women

The Knesset had also enacted civil laws that preserve long-standing practices and norms that discriminate against women. For example, the main civil law, the *Women's Equal Rights Act-1951*, which guarantees equality for women and men, contains a provision, which states that the law does not apply to matters relating to marriage and divorce. This law also excludes from its scope the right of women to serve as judges in religious courts. Similarly, *the Family Law Amendment (Maintenance)-1959*, a civil law which regulates maintenance and child support matters, is not applicable to married couples whose personal status issues fall within the jurisdiction of family and religious courts; this law only applies to couples belonging to unrecognized religious community or to mixed marriage. A 1981 amendment to the law provides that both parents are obligated to support their children (relative to each parent's income), even if the children are not entitled to support according to their own religion. Such an amendment was not introduced in order to insure that women would still be entitled to maintenance, even when their religion denies them such right.

In effect, the impact of these laws in ensuring equality is minimal to nil, since religious and family courts continue to apply religious laws whether or not these laws discriminate against women.

5. The Attitudes of Religious and Civil Family Courts in Interpreting Civil Laws

Even when civil laws override religious laws, the implementation of civil laws by religious and family courts is inconsistent. This is clear in cases of child custody. According to Israeli law all courts establishing custody must determine the issue according to two main criteria: the best interest of the child, and the equal rights of the two parents to custody over the child. In order to determine the best interest of the child, judges serving in family courts order a report of a specialized social worker working in family counselling units¹⁶⁸ within the family court. The report must detail the particular circumstances regarding the welfare of the child.

These family counselling units are not available in religious courts; therefore, religious courts do not request such reports on a regular basis. Even when such reports are in fact ordered, the religious courts' judges do not properly consider such reports and rely mainly on religious norms.

Such religious norms are discriminatory against women. In a recent decision of the *Shari'a* Court of Appeals, a Jaffa man was granted exclusive legal guardianship over his children (his exclusive right according to *Shari'a* law), despite their otherwise being under the full care of their mother, to whom such status was denied.¹⁶⁹ Though it was the mother who would continue to raise, educate and otherwise care for her children alone, official guardianship was nonetheless denied her (and with this, her ability to take decisions regarding her children's welfare and future), simply due to her being a woman. Even though the state's *Capacity and Guardianship Law-1962* places the best interests of the child above all other considerations,¹⁷⁰ and though the principle of the equal rights of women apply with equal force in religious courts,¹⁷¹ such decisions are still very much the norm.

¹⁶⁸ These family counseling units were established in accordance with the Family Courts Law (1995) and are composed mainly 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.

¹⁶⁹ See HCJ 4018/05, *Doe, et al. vs. the Shari'a Court of Appeals, et al.* the case is still pending

¹⁷⁰ See HCJ 1842/92 *Naomi Blaugrund vs. the High Rabbinate Court*, d. §46 (3), 423

¹⁷¹ See HCJ 1000/92 *Chava Bavli vs. the High Rabbinate Court*, d. §48 (2), 221. See also: *Capacity and Guardianship Law-1962*, Art. 79.

6. The Lack of a Mechanism Compelling Religious Courts to Report Violations of Criminal Law and the Lack of Transparency

Religious courts in Israel thus operate as quasi-autonomous institutions. Such status poses grave consequences for the welfare of Palestinian women citizens of Israel. There is currently no formal mechanism compelling *Shari'a* courts to inform the proper authorities regarding polygamy, child marriages, and the *Talaq Ta'asufi* (the power of unconditional, unilateral divorce given the husband), all of which are explicitly prohibited by the *Penal Code-1977*.¹⁷² There is even no requirement that religious courts publish or publicize their decisions. In a recent appeal to the Supreme Court¹⁷³, the *Shari'a* Courts Authority exercised its claim to exclusive right over permitting the publicizing of previous rulings as well as its right to substantively censor the content of those rulings prior to their being made available to the public for scrutiny. The publicity of court rulings, a cornerstone of the justice system in any democracy, is here left to the exclusive discretion of functionaries of the court itself.

7. The Ban on Family Unification

As a result of the racist and discriminatory *Nationality and Entry into Israel Law (Temporary Order)-2003*, extended 2004 and 2005, thousands of Palestinian women citizens of Israel and their families suffer from the harsh consequences of being separated from their husbands and/or children, who are residents of the 1967 Occupied Palestinian Territories (OPTs), on the basis of their nationality and the nationality of their spouses. The law, similar to a previous cabinet decision in force since 12 May 2002, bars Palestinians from the 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. Such legislation violates the principle of equality in the choice of spouses and seriously endangers the future of any union between an Israeli citizen and a Palestinian. It also discriminates on the basis of ethnic origin, and undermines the right to family life and the right to choose a spouse freely, without any state intervention.

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 on 4 August 2003¹⁷⁴. 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 twice, as mentioned earlier.

This response was prepared by the Working Group on Equality in Personal Status Issue

¹⁷² This information was provided by advocate Naheda Shehadeh, a member of the Working Group on Equality in Personal Status Law, during a study day held 9 April 2005.

¹⁷³ See HCJ 5335/04, *Abou Ramadan, et al. vs. the President of the Shar'ia Court of Appeals, et al.*, the case is still pending.

¹⁷⁴ See HCJ 7052/03, *Adalah, et. al. v. Minister of Interior and the Attorney General*, the case is still pending.

Question No. 29: the report states (pp. 183 and 186) that, although the minimum age for marriage is 17, the prevalence of underage marriage, both via petition and without approval, remains high. Please explain why the law prohibiting underage marriage is not better enforced

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 Committee for the Rights of the Child (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, in accordance with this law, a large portion of marriages occur between the ages of 17 and 18. 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.¹⁷⁵

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. It should be emphasized that most religious laws sanction the marriage of a minor under the age of 17.

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.¹⁷⁶ 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 2003 the police investigated only 4 cases of child marriage. In 2004, they do not investigate any cases. She further stated that the police force feels uncomfortable barging into a wedding ceremony to prevent it from happening. This statement proves that the authorities do not perceive the gravity and harsh impact of such marriages on the physical and mental health of the child, and hence do not consider people who break the law as offenders. In fact, this statement shows empathy toward them.

The National Council of the Child and Working Group on Equality in Personal Status Issues promoted a bill to raise the minimum age of marriage to 18. The Chair of the Parliamentary Committee on the Rights of the Child supported the bill and even proposed it to the Knesset. In February 2005, in the wake of the Chair’s appointment as Deputy-Minister of Education, the National Council for the Child and the Working Group were forced to make contact with various Knesset members regarding the continuation of the work of promoting the bill that the previous chair had penned the year earlier. At the same time, pressure from religious parties to block the bill threatens all efforts to amend the law.

This response was prepared by the Working Group on Equality in Personal Status Issues

¹⁷⁵The National Council for the Child. (2003) *The State of the Child in Israel*. Jerusalem.

¹⁷⁶*Ibid.*

IX. Nationality (Article 9): Proposed Concluding Observations

In its NGO Report submitted to the UN CEDAW in January 2005, Adalah on behalf of the Working Group provided information under Article 9: Nationality, drawing the Committee's attention to *The Nationality and Entry into Law (Temporary Order) – 2003* (see overleaf). This racist law totally bars Palestinians from the West Bank and Gaza Strip married to Israeli citizens – overwhelming Palestinian citizens of Israel – from obtaining any residency or citizenship status in Israel, and is particularly damaging to Palestinian women on both sides of the Green Line.

In its List of Issues posed to Israel [CEDAW/PSWG/2005/II/CRP.1/Add.7] dated 5 February 2005, the Committee did not raise questions for the state concerning this Law or other discriminatory family unification policies.

The Working Group wishes to call upon the Committee to **urge Israel to revoke the *Nationality and Entry into Law (Temporary Order) – 2003*, and review its family unification policies.**

The Working Group wishes to alert the Committee once again to concerns raised by other UN human rights treaty bodies regarding this Law:

- **The UN Human Rights Committee**, Concluding Observations on Israel, 2003 [CCPR/CO/78/ISR], paragraph 21:
“The State party should revoke the Nationality and Entry into Israel Law (Temporary Order) of 31 July 2003, which raises serious issues under articles 17, 23 and 26 of the Covenant. The State party should reconsider its policy with a view to facilitating family reunification of all citizens and permanent residents. It should provide detailed statistics on this issue, covering the period since the examination of the initial report.”
- **The UN Committee on the Elimination of Racial Discrimination**, Decision 1(63), 2003 [CERD/C/63/MISC.11/REV.1]:
“The Nationality and Entry into Israel Law (Temporary Order) [enacted] on 31 July 2003 raises serious issues under the International Convention on the Elimination of all Forms of Racial Discrimination. The State party should revoke this law, and reconsider its policy with a view to facilitating family unification on a non-discriminatory basis. It should provide detailed information on this issue in its next periodic report.”
- **The UN Committee on the Elimination of Racial Discrimination**, Decision 2(65), 2004 [CERD/C/65Dec.2]:
“The Committee recalls that in its decision 1 (63), it called for the revocation of Israel's Temporary Suspension Order of May 2002, enacted into law as the Nationality and Entry into Israel Law (Temporary Order) on 31 July 2003, which suspended, for a renewable one-year period, the possibility of family reunification, subject to limited and discretionary exceptions, in cases of marriage between an Israeli citizen and a person residing in the West Bank or Gaza.”

Further, **the European Parliament**, in its Resolution on Human Rights in the World in 2002 and European Union's Human Rights Policy (2002/2011(INI)), paragraph 40, stated that it:

“Condemns the approval by the Knesset of a draft law prohibiting Palestinians from obtaining Israeli citizenship by marriage; calls on the Israeli government not to ratify or apply this discriminatory and racist law.”

The Working Group also wishes to emphasize that international human rights organizations including the **International Federation for Human Rights (FIDH)**, **Amnesty International**, **Human Rights Watch** and the **International Commission of Jurists**; and Palestinian and Israeli human rights organizations and legal academics have all called upon Israel to revoke the Law.

This response was prepared by Adalah – The Legal Center for Arab Minority Rights in Israel

Nationality (Article 9): Background¹⁷⁷

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 related to Article 9, and kindly asks the United Nations Committee on the Elimination of Discrimination against Women to inquire about the related questions:

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

¹⁷⁷ This section is taken from the NGO Alternative Pre-Sessional Report on Israel's Implementation of the United Nations Convention on the Elimination of all Forms of Discrimination Against Women (UN CEDAW) submitted in January 2005 to the Pre-Sessional Working Group.

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.

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

Annex I: 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: Pedagogical Center 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.

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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.

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Maan: the Union of Bedouin Women's Organizations in the Negev

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.

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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

Members of the Working Group

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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