

The Working Group on the Status of Palestinian Women Citizens of Israel February 2005

NGO Alternative Pre-Sessional Report on Israel's Implementation of the United Nations Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW)

On 21 January 2005, the Working Group on the Status of Palestinian Women Citizens of Israel, a coalition of women's rights and human rights organizations, submitted an "Alternative" report to the pre-sessional task force of the UN Committee on the Elimination of All Forms of Discrimination Against Women on Israel's implementation of the UN Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW). The CEDAW is the first international human rights treaty devoted to the rights of women. It has been ratified by 178 countries, including Israel, which ratified it in 1991.

The Convention guarantees the right of women to enjoy all the economic, social, cultural, civil and political rights enshrined in all international human rights treaties, on an equal basis with men. According to the Convention, discrimination against women represents a violation of the principles of equality and human dignity, and is considered an obstacle to the participation of women, on an equal footing with men, in the political, social, economic and cultural life of their country; impedes the development and prosperity of society and the family; and increases the difficulty of achieving the complete development of women's capacity.

The Convention obliges all State Parties to take appropriate measures, legislative and non-legislative, to prohibit all forms of discrimination against women, to guarantee their complete development and advancement, and enable them to enjoy their fundamental freedoms and personal human rights.

The UN Committee for the Elimination of Discrimination Against Women was established in accordance with the Convention in order to examine the progress achieved in the implementation of this treaty. Therefore, the Convention obliges all State Parties to present a detailed report on what legislative, judicial, administrative and other measures they have taken in order to comply with the treaty, as well as any progress achieved in this regard, within a period of one year of ratifying the Convention and thereafter at least every four years, or whenever the Committee demands it.

Although ratified by Israel, the provisions of the CEDAW are not formally incorporated into Israeli domestic law. Furthermore, Israel has made two reservations to the Convention: to Article 7(b), which concerns the appointment of women to serve as judges of religious courts; and Article 16, which concerns personal status laws.

Israel's Third Periodic Report, which was submitted in 2001, will be reviewed by the UN Committee in July 2005. The Committee affords human rights and women's organizations the opportunity to submit alternative reports, to give a clearer picture of the position of women in each country under review.

Due to the lack of attention given to the situation of Palestinian women citizens of Israel - who are discriminated against due to their nationality, as women in general, and as women in Palestinian society - in Israel's report, the Working Group on the Status of Palestinian Women Citizens of Israel ("the Working Group") has submitted a parallel NGO report in order to highlight the status of Palestinian women citizens of the state.

The members of the Working Group are:

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

A representative of the Working Group, Attorney Sonia Boulos, participated in an NGO meeting with the pre-sessional task force on Israel, held at the UN in New York on 31 January 2005. Ms. Maha Abu Dia-

Shamas also participated in the meeting as a representative of three Palestinian women's rights and human rights organizations in the 1967 Occupied Palestinian Territories: The Women's Centre for Legal Aid & Counselling, Al-Haq, and the Al-Mezan Center for Human Rights. No other Israeli or Palestinian women's rights or human rights organizations submitted reports or participated in the meeting.

After giving a summary of the Working Group's report, the Committee members asked numerous questions about the main points presented. One of the members expressed her condemnation of the existence of unrecognized Arab villages, and asked how the issue impacts upon the health and education of the Palestinian Bedouin women who live in these villages in the Naqab (Negev). In light of the data presented in the Working Group's report, which indicate the existence of a large gap between the position of Palestinian and Jewish women in Israel in most areas of life, one of the Committee's members wondered about the reasons which prevent Palestinian women from enjoying the same rights as those enjoyed by Jewish women, particularly given that Israel's report emphasizes the state's enlightened laws regarding women's rights. A further question was raised about the role of the courts in Israel in anchoring some of the state's discriminatory policies and practices against Palestinian citizens of Israel, including Palestinian women. The Committee is expected to publish shortly a *List of Issues* containing questions for the State of Israel, which raise the Committee's concern regarding the position of women.

Some of the main findings of the Working Group's Pre-Sessional Report include:

Articles 1 and 2: Definition of Discrimination and Obligation to Eliminate Discrimination

- There is no written constitution, basic law or ordinary statute that explicitly guarantees the right of equality for Palestinian citizens of Israel. This particularly prevents Palestinian women citizens of Israel, who face discrimination both as members of the national minority and as women, from attaining equal rights.
- Ordinary statutes that protect the right of equality for women, such as a 2000 amendment to the Women's Equal Rights Law-1951, and the 1993 and 2000 amendments to the Government Companies Law-1975, are not effectively implemented in the case of Palestinian women citizens.

Article 4: Acceleration of Equality between Men and Women

- Although Palestinian citizens of Israel comprise almost 20% of the population, they accounted for only 5.5% of the civil service workforce in 2003, and the percentage of Palestinian women employed in the civil service fell to 1.7% of the total, down from 2% in the previous years.
- In 2004, just 1.3% of sitting board members of government companies were Palestinian women citizens of Israel.

Article 5: Sex Roles and Stereotyping

- Since the October 2000 events, Palestinian women tend not to report cases of domestic violence to the police, whom they view as adversaries rather than protectors. Before October 2000, 38% of women seeking help at the Crisis Center operation by Women Against Violence (WAV) reported cases to the police. After October 2000, this percentage dropped to only 12%.
- Between 1984 and 2000, there were 58 documented cases of so-called "honor" killings. In 5 out of 25 investigated cases, the victims has sought help from police or state agencies, which either ignored their complaints or sent them back to their families, and to their deaths.
- Due to budget cuts, social workers who work with young women and who individually can handle 50 cases properly are now faced with caseloads of over 100 clients each.
- State subsidies to the 10 Crisis Centers have decreased from NIS 2.4 million (US \$550K) in 2002, to NIS 1.6 million (US \$366K) in 2004.

Article 7: Political and Public Life

- As of December 2003, women constituted 40.9% of the judiciary as a whole. Of these women, 198 (80.2%) are Jewish and 6 (2.4%) are Palestinian women citizens of Israel.

Article 9: Nationality

- Thousands of Palestinian women citizens 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, 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 and 2005.*

Article 10: Education

- Palestinian women citizens of Israel had the highest illiteracy rate - 14.7% - among all population groups in Israel in 2003. This compares with 4.5% for Jewish women, 6.2% for Palestinian men, and 2.5% for Jewish men.
- Palestinian women citizens of Israel had the lowest median educational level - 10.9 years - compared with 11.2 years for Palestinian men, and 12.6 years among the Jewish population in 2003.
- The percentage of Palestinian women citizens of Israel who did not attend school (9.9%) was triple that of the Jewish women citizens (3.3%) in 2003.
- The percentage of Palestinian girls who dropped out of school in grade nine (9.5%) was almost three times greater than the percentage of Jewish girls (3.6%) in 2003.
- According to the Ministry of Education, 60% or more of the school textbooks provided for Palestinian schools include wide use of gender stereotypes.
- Just 32.7% of Palestinian women citizens of Israel met university entrance requirements, as compared with 52.5% of Jewish women in 2002, a gap of 20%.
- Fewer Palestinian women citizens of Israel receive a university education than other population groups in Israel: e.g., 7.1% received 16 or more years of schooling, compared with 19.0% of Jewish women in 2003.

Article 11: Employment

- The percentage of Palestinian women citizens participating in the workforce has only marginally increased (from 22.3% in 1998 to 22.9% in 2001) while the percentage of Jewish women participating in the workforce has increased from 51% in 1998 to 77.3% in 2001.
- In 2001, Palestinian women citizens earned below the average wage of all women (NIS 5,835) and far below the average wage of all Israelis (NIS 7,604).

Article 12: Health

- Palestinian women citizens are less likely to receive appropriate diagnostic testing for women's health issues than their Jewish counterparts. In the EUROHIS survey, only 31% of all Palestinian women citizens reported having been screened for breast cancer at least once, compared to 49.5% of Jewish women; while 11% of Palestinian women citizens reported having been screened for cervical cancer (PAP smears) at least once, compared to 58% of Jewish women.
- In 2003, the rate of infant mortality for Palestinians was 8.63% compared to 3.63% for the Jewish community.
- In 2002, there were 354 childbirths by Palestinian girls between the ages of 16-17. There were 93 childbirths by Jewish girls of the same ages. Between the ages of 17-18, there were 840 childbirths by Palestinian girls and 351 by Jewish girls.

Article 13: Social and Economic Benefits

- Economic policy in recent years has led to major budget cuts in the welfare domain, and according to Israel's Report, 73% of all recipients of long-term care benefits are women.
- In 2002, 15,500 workers out of a total of 45,000 lost their jobs in the textile industry. Most of these workers were Palestinian women citizens and 84% of the female workers made redundant in the textile industry cannot find new employment.

Article 14: Rural Women

- Since May 2001, 117 Arab Bedouin homes have been demolished in the Naqab and demolition orders have been issued for at least 22,000 additional homes. These demolitions occur in the unrecognized villages, the recently recognized 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 houses. The impact of these house demolitions are harsh on Arab Bedouin women whose connection to the home is considerable since it is within the private space that they provide for the needs of their family.
- Until 2001, no health clinics existed in the unrecognized villages. Only after Supreme Court action, begun in December 1997, were six mother and child clinics opened, each with a physician and nurse.
- Only ambulances from the central station of Beer el-Sabe (Beer Sheva) or Rahat are routed to enter an Arab Bedouin recognized village. All the neighboring Jewish localities have an ambulance serving their community. No ambulances will serve unrecognized villages since Magen David Adam (the state emergency service) has a policy of non-entry into these villages.
- The infant mortality rate among the Arab Bedouin community is 17.4 per 1,000 births, compared with 6.3 per 1,000 births in the Jewish community in the Naqab.

- Due to lack of water infrastructure in Arab Bedouin communities, in August of every year, about 16,000 Bedouin children are admitted to Sorokka Hospital in the Naqab with diarrhea, compared with only 5,000 Jewish children.
- The rate of severe birth defects among Bedouin living near Ramat Hovav Industrial Complex (which has been operating for 25 years and contains 17 chemical plants) is almost twice that of Bedouin living elsewhere. The cancer rate in Beer el-Sabe (12km away) is up to double that of the national average.
- In 2002, only 1,819 women living in the recognized Arab Bedouin localities were employed, or approximately 13% of working age women in these localities.

Article 16: Marriage and Family Law

- Even though the minimum age of marriage in Israel is 17, in 2001, 113 Palestinian girls were married by the age of 16, compared to 24 Jewish girls. 1,272 Palestinian girls were married by the age of 17, compared to 314 Jewish girls.
- In 2004, Bill #2470 was introduced that broadened the definition of polygamy in the Penal Code. A divorced person who remarried could be prosecuted for polygamy if: 1. he/she is still living with the former spouse 2. he/she shares a household with the former spouse 3. he/she lives close to the former spouse. This bill threatens many divorced Arab Bedouin women, who tend to live near their former husbands, by denying them their single mothers' benefits, even if they have an official divorce decree.

For more information on the Working Group's report and/or its members, please contact:

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