



**Convention on the Elimination
of All Forms of Discrimination
against Women**

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**Committee on the Elimination of Discrimination
against Women**
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Summary record of the 685th meeting

Held at Headquarters, New York, on Wednesday, 6 July 2005, at 10 a.m.

Chairperson: Ms. Manolo

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05-40871 (E)

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The meeting was called to order at 10.10 a.m.

Consideration of reports submitted by States parties under article 18 of the Convention *(continued)*

Third periodic report of Israel (CEDAW/C/ISR/3; CEDAW/PSWG/2005/II/CRP.1/Add.7, CEDAW/PSWG/2005/II/CRP.2/Add.7)

1. *At the invitation of the Chairperson, the representatives of Israel took places at the Committee table.*

2. **The Chairperson** said that the Israeli Government had submitted an updated report too late for translation in time for the current session; therefore the Committee would base its discussion on the third periodic report contained in document CEDAW/C/ISR/3. She drew attention to an error on the cover page of the responses to the list of issues, in document CEDAW/PSWG/2005/II/CRP.2/Add.7: the title of the report was the third periodic report, not the combined fourth and fifth periodic reports. A corrigendum would be published.

3. **Ms. Matias** (Israel) said that the third periodic report and its updates were the outcome of a broad collaborative effort carried out by various Israeli ministries and bodies, to parts of which NGOs had contributed. The third periodic report elaborated in detail on a broad range of issues relevant to the advancement of women. The status of women in Israel was regularly on the agenda of all Government offices. Indeed, equality had been enshrined in the Declaration of Independence, and an Equal Rights for Women Law had been in existence since 1951. Although the Government was always moving forward, much remained to be done. When the Ministries did not initiate actions on their own, the Israeli public and NGOs reminded them of the issues. Israeli society was open and dynamic, with an active media and a court system that was working to remedy wrongs. Israel's accession to the Convention, accompanied by the obligation to submit reports to the Committee, added an important layer to Israel's ongoing efforts in the area of women's rights.

4. Israel had been plagued by terrorist attacks for four years, and Israeli women lived in daily dread of the next one. It was impossible to describe what it was like constantly to fear for the lives of one's children. Change, however, was in the air. The Palestinians had

elected a new leader who had declared his commitment to the peace process, and, in an attempt to break the stalemate, Israel had unilaterally decided to disengage from Gaza and the West Bank. It was hoped that the new Palestinian leadership would provide for Palestinian women the equality, peace and freedom they deserved and that Palestinian and Israeli women alike would experience happiness. Women had participated in the governance of Israel since its founding. They were a vibrant, lively, vocal and integral part of every aspect of Israeli society and shaped that society as much as did men. Although Israeli society was relatively progressive with regard to equality issues, more must be done for all women of Israel, but especially for women from the more vulnerable sectors of society. Israel had carefully studied the Committee's concluding comments on its combined initial and second reports and had taken measures to advance the promotion of women accordingly. In many areas, dramatic improvements had taken place. Her delegation looked forward to discussing those changes with the Committee.

5. All branches of Government had made a concerted effort to promote equality between men and women, as well as between Jews and non-Jews of all ethnic and religious backgrounds, and were striving to promote the rights of all Israeli women in accordance with the provisions of the Convention. Recent legislation, which was increasingly wide-ranging and radical in its underlying precepts, should be seen as an ensemble, in order to assess its effect on Israeli society. The law establishing the Authority for the Advancement of Women (1998), the revised Women's Equal Rights Law (2000), the Prevention of Sexual Harassment Law (1998), the Prevention of Stalking Law (2001) and the Victims Rights Law (2001) along with its regulations (2002) all complemented one another, offering a complete transformation of gender power and relationships and signalling a new conception of gender. The general trend against all forms of discrimination included: the Prohibition of Discrimination in Products, Services and Entry into Places of Entertainment and Public Places Law (2000), which applied to private persons as well as to the State; the Limitations on the Return of a Sex Offender to the Surroundings of the Victim of the Offence Law (2004); the amendment to the Employment of Women Law (2004), which granted maternity leave to men as well as women; and the Public Tender Law (2003), giving preference to businesses controlled by women.

Subsequent legislation relating to women had focused on implementation, including, for example, laws obliging police and educators to provide information to victims of domestic violence on programmes available to them. An additional law had set new instructions for halting criminal investigations at the request of the complainant in cases of domestic violence, offering treatment as an alternative.

6. Israeli courts had continued to play a crucial role in promoting women's rights. Two recent Supreme Court decisions applied affirmative action to sports budget allocations for women and determined that women must have the same rights as men in retirement arrangements. An important decision of the Family Court had ordered a husband to pay his wife punitive damages for abuse, scorn, humiliation and enslavement. The Government had also taken measures to eliminate discrimination against women. Examples included adding a provision to tender announcements related to affirmative action for women, establishing educational programmes on affirmative action for members of tender committees and introducing a programme to integrate single parents into the labour market.

7. Most women's rights issues required the comprehensive and combined efforts of all relevant bodies. For example, the legislative, judicial and executive branches had worked together, in cooperation with civil society, to combat trafficking in women. In 2000, the Israeli legislature had amended the Penal Code to include a prohibition against trafficking in persons for the purpose of prostitution. The Parliamentary Investigative Committee on Trafficking in Persons had been created to deal with the problems of victims, with oversight powers with respect to government agencies, and the ability to consult high-ranking officials to resolve issues. Mandatory minimum prison terms had been instituted; victims were now permitted to testify in the absence of the accused; and Israeli courts could try citizens who trafficked in other countries even if such activity was not a crime in those countries.

8. Police efforts at enforcement and prosecution had been increasing, and prosecutors of the State Attorney's Office had been battling to interpret broadly the anti-trafficking statute and to maximize sentences. In addition, the judiciary was interpreting the law in accordance with the spirit of relevant international agreements. An inter-ministerial committee had been

appointed to evaluate the issue and to submit recommendations on ways of combating it; most of those recommendations had already been implemented. Tougher guidelines had been issued for shutting down places of prostitution. Furthermore, a shelter had been established offering medical and psychological treatment and legal aid, and safe return was arranged by international law-enforcement agencies, NGOs and the International Organization for Migration (IOM), with the aim of initiating the rehabilitation process.

9. In the concluding comments to the combined initial and second reports of Israel, the Committee had raised a number of concerns. In response to allegations of discrimination against women in the leadership of the Israeli Defence Forces, more high-ranking positions had been opened for women, and efforts had been made to change attitudes regarding the role of women in the military. Young women serving as combatants were no longer a rare occurrence; adding a personal note, she said that her own daughter had served in that capacity. The women's corps had been abolished in 2001, and a special body had been created with a mandate to advance the status of women in the military and in Israeli society.

10. In response to the comment that an overall plan was lacking for the implementation of the Convention and the Beijing Declaration and Platform for Action, the Government had created the Authority for the Advancement of the Status of Women in 1998, vested with advisory powers and authorized to make recommendations to the Government as well as to supervise the gender policies of governmental bodies. Its functions included coordinating the activities of governmental and non-governmental actors, designing policies, and processing complaints from women whose rights had been violated. In addition, the Knesset Committee for the Advancement of the Status of Women was a focal point for women's issues in Israel and served as a public forum for the discussion and resolution of problems related to women. It maintained close contacts with various NGOs and heard the views of women in senior positions in business and academia.

11. Women's representation in political life had progressed in all fields, although a gap between men and women still existed in certain areas. She, as a Deputy Attorney General, often advised the Government on sensitive and complex issues related to the Middle East peace process, a subject of concern to

the Committee. The Knesset currently had 18 women members, or 15 per cent of its membership, one of whom was Deputy Knesset Speaker; others were heads or sub-heads of committees. Three women were Ministers: of Justice, Education and Communications. Four were Deputy Ministers. Five were Directors General of Ministries.

12. In response to a comment concerning advertisements for sex services, she said that the Penal Code had been amended to prohibit the advertisement of prostitution, and that recently convictions had been handed down against the head of a newspaper network, the director of a newspaper, and the director of that newspaper's advertising section.

13. As to the Committee's comment asking for special measures to be taken to close the gap between Arab and Jewish schools and to address the higher drop-out rates among Arab and Bedouin young women, she said that the Ministry of Education, Culture and Sports had taken steps to increase attendance and prevent dropouts in all sectors. In recent years, there had been a large increase in the number of Bedouin students who had taken matriculation exams and earned a baccalaureate. More Bedouin women than men were studying for a bachelor's degree. In three Be'er Sheva colleges, most students were Bedouins, and higher-education scholarships were granted to Bedouin students.

14. Lastly, she said that her delegation was comprised of high-ranking officials from the relevant Israel Ministries, and that she and they looked forward to a constructive and fruitful dialogue.

15. **Ms. Pimentel** said that the Israeli delegation's assessment that more remained to be done to advance the rights of women was positive. However, she wondered why the information comparing the situation of Jewish women and non-Jewish women in the responses to the Committee's list of issues and questions and the delegation's oral presentation were not reflected in the data on that subject. Recalling the Committee's view that Israel was responsible under international law for the application of the Convention in the occupied Palestinian territories, she expressed concern about violations of humanitarian law in general and the Convention in particular in those territories. It appeared that the specific vulnerability of Palestinian women was being neglected.

16. More must be done to protect certain vulnerable groups, such as single mothers and immigrant women. According to Amnesty International, they were the most frequent victims of sexual harassment, especially in the workplace. Women's rights NGOs supported that view, calling for the establishment of an independent equal employment opportunities commission. She wondered if any steps had been taken to set up such a commission.

17. **Ms. Šimonović**, recalling that, in its previous concluding comments, the Committee had recommended that the right to equality and the prohibition of both direct and indirect discrimination against women should be reflected in the Basic Laws, said that she wondered if the equality law amendment adopted in 2000 defined gender discrimination in the same way as the Convention, and whether there were plans to include gender equality in a basic law or in the new constitution which was apparently under discussion.

18. Noting that the Convention was not directly applicable as an international human rights treaty, she wondered how Israel ensured that its national implementing laws were compatible with the Convention and how it enforced them in all the areas under its jurisdiction. She also wished to know how NGOs and the newly established Authority for the Advancement of Women in Israel had been consulted during the drafting of the country's report to the Committee.

19. **Ms. Zou Xiaoqiao** said that, because the basis of the Convention was the elimination of all forms of discrimination against women, she was interested to know what national measures had been taken in that regard — especially for Arab and Palestinian women — in the fields of employment, access to health care and participation in political life. She also wished to know whether the Authority for the Advancement of Women was a national organization, whether it had been involved in the drafting of the report to the Committee, and who was in charge of it.

20. **Ms. Gaspard** questioned the justification of Israel's reservation to article 16 of the Convention as unavoidable on the grounds that the religious fabric of its society was complex. Israel was not the only country with a complex society. Rule-of-law problems would result from giving individuals specific rights connected with their religion or community, with

women paying the price through not having equal treatment in civil law.

21. Although Israel had indicated that its reservations to articles 7 (b) and 16 of the Convention could not currently be withdrawn, she wondered whether it had debated or attempted secularization of the law in the areas affected, to establish equal rights for women, as enshrined in the Charter of the United Nations, the Universal Declaration of Human Rights and the Convention itself.

22. Although the mechanism for advancing women's rights had been described, she wondered what status and influence it had in the governmental structure.

23. **Ms. Tavares da Silva** expressed her concern that despite new legislation to combat violence against women, investigations could be halted at the complainant's request. She asked which crimes withdrawals of complaints applied to, and whether victims were pressured to withdraw such complaints.

24. She had noted the inconsistent estimates of the number of victims of trafficking provided by the police, the Parliamentary Investigative Committee on Trafficking of Women, and NGOs. Knowledge of the extent of the phenomenon seemed unclear. Other sources had reported serious violations of human rights, including rape, debt bondage, sexual exploitation — especially of women from the countries of the former Soviet Union — and commercial exploitation — especially of Ethiopian women.

25. She wondered whether Israeli legislation against trafficking met the requirements of the Palermo Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime, by covering modern slavery. Recalling that the report of Israel had mentioned assistance to victims in the form of legal aid and shelters, she wondered what effect it had had, and whether the phenomenon had decreased.

26. **Ms. Gabr** asked whether the NGOs consulted in the drafting of the report of Israel had included Arab NGOs, and noted that the observations made by Israel's very active civil society organizations often differed from those in the report of Israel and the responses to the Committee's list of issues and questions.

27. A definition of discrimination was central to implementation of the Convention and to equality in a society such as Israel's, with its different creeds and religions. Unfortunately, discrimination was still present in education, political life, employment and health care. She wondered what steps were being taken to address it.

28. **Ms. Shin**, recalling that the Convention did not permit reservations incompatible with its object and purpose, said that Israel's reservation to article 16 in particular stood in the way of implementation of the Convention and that the Beijing Platform for Action called for all reservations to be withdrawn. She hoped that the Government would bear that appeal in mind.

29. In its responses to the Committee's list of issues and questions, Israel had explained repeatedly that the Convention applied only in its territory, not in the West Bank and the Gaza Strip. She was doubtful about that justification, which had not been invoked in Israel's 1997 report, and pointed out that the actions of the Israeli forces affected every aspect of the lives of Palestinian women in the West Bank and the Gaza Strip. She hoped that Israel would change its position.

30. Noting that a study of 1,000 cases of domestic violence had revealed low numbers of prosecutions and convictions and had resulted in few jail sentences, she wondered what effects legislative changes had had, and whether the Department for Pardons in the Ministry of Justice had exerted any influence.

31. **Ms. Matias** (Israel) indicated that Ms. Ruth Halperin Kaddari, who had compiled Israel's third periodic report, had been forced by ill health to withdraw from the delegation that had travelled to New York. As a result, some replies to the experts' questions might have to be supplied in writing.

32. **Ms. Briskman Gomelski** (Israel) said that although the Basic Laws did not proclaim the right to equality, they referred to the right to dignity, which the Supreme Court and lower courts had interpreted as including gender equality. That situation was not ideal, but decisions of the courts had ensured, in practice, that the legal system upheld the right to equality.

33. The Israeli Constitution, Law and Justice Knesset Committee was debating a draft constitution, some versions of which referred to the right to equality. The outcome of the debate depended on political and social circumstances and was difficult to predict.

34. As Israel had indicated in its responses to the list of issues and questions, its reservation to article 16 of the Convention, which related to personal law, was impossible to withdraw because of the structure of Israeli society and politics. Religious law undeniably discriminated against women, but legislation had been enacted to try and mitigate its effects, for example, by allowing rabbinical courts to impose prison sentences on men who refused to grant divorces to their wives.

35. Israeli legislation currently defined trafficking only in terms of prostitution, but the Government and the legislator would propose bills to broaden its definition.

36. **Ms. Ziv** (Israel) said that, since Israel's previous report, the scope of the Prevention of Sexual Harassment Law had been broadened to include persons performing their national service and some persons in education.

37. Women victims were informed of their right to be interviewed by a female sex crime investigator. The police in fact assigned a female investigator to such cases as a matter of policy whenever possible. Questioning respected the victim's privacy and dignity and was confined to matters relevant to the investigation, and the victim, with her consent, was placed in contact with support centres.

38. Since Israel's previous report to the Committee, 188 sexual harassment investigations had been opened, but 141 had been closed for a variety of reasons including lack of evidence or the absence of any way to identify the offender.

39. **Ms. Pliel-Trossman** (Israel) said that the shelter for trafficking victims had been opened on 15 February 2004 under her personal supervision and that of the Ministry of Social Affairs. It was operated by a non-profit association called Keshet, and decisions on policy and practice were taken by a steering committee composed of the shelter director and representatives of the Ministry of Social Affairs, the Ministry of Health, the Ministry of Public Security, the Ministry of Justice, the police and Keshet. With the help of legal services, women could institute various proceedings while they were in the shelter. The Ministry of Public Security was in charge of protecting them and accompanying them to court. The 45 women staying in the shelter (its capacity was 50 women) ranged from 18 to 27 years of age and were mainly from Ukraine, the Russian Federation, Uzbekistan and Moldova. They had come

to the shelter of their own free will. The shelter helped trafficking victims to overcome their trauma in a secure and healing environment. Most of the women had turned to prostitution in order to provide for impoverished families in their countries of origin. Women in the shelter were entitled to hold work permits and were offered training in such areas as professional makeup artistry, manicure and pedicure techniques, English and computer skills in order to broaden their employment opportunities in Israel and at home. They could also take enrichment courses (aerobics, therapeutic techniques and handicrafts). With the help of the shelter's staff, 68 per cent of them had already found employment in restaurants, cosmetics shops and bakeries, enabling them to continue supporting their families in their countries of origin and, at the same time, to acquire a sense of dignity and self-reliance. Numerous other initiatives — shelters for battered women, rape crises centres, multidisciplinary treatment centres for sexually abused women, domestic violence hotlines for both men and women, and 16 centres for the prevention and treatment of domestic violence — were run by NGOs and financed by the Ministry of Social Affairs.

40. **Ms. Tene** (Israel) assured Committee members that trafficking victims were not pressured into signing confessions but rather were allowed to stay in Israel and live in the best possible conditions. Discrepancies between trafficking statistics provided by the police and those provided by the Knesset committees could be explained by the fact that the latter also included estimates by NGOs. As for the question on trafficking in Ethiopian women, a number of claims had been submitted to the Labour Court with regard to incidents that had taken place in the mid-1990s. Specific information on those cases could no longer be traced; however, the authorities were open to receiving and examining any further details that could be provided.

41. Input had been sought from a total of 23 NGOs, including Arab NGOs, in drafting the periodic reports. Those organizations had included, inter alia, Amnesty Israel, the Association for Civil Rights in Israel, the Women's Democratic Movement, the Association of Bedouin Women, the National Religious Women's Organization and the Family Centre for the Advancement of Arab Women. Not all the organizations contacted had replied but any information provided had been included in the report.

42. The Authority for the Advancement of Women in Israel had played a key role in drafting the report and in providing responses to the list of issues. The Knesset women's committees had also provided significant input. The Authority had trained 1,000 community leaders to promote the advancement of women and sponsored financial empowerment projects for women. It had distributed 150,000 copies of its booklet on women's rights in the workplace and 90,000 leaflets on domestic violence in Hebrew, Arabic and Russian. It regularly urged local authorities to appoint advisers on women's issues, and it provided training and organized follow-up conferences and seminars for those advisers. The Authority also worked with women's NGOs to promote women's health and well-being and to combat violence, and it forwarded women's complaints to the relevant Government entities. A special project adviser for the Arab sector had been appointed.

43. **Ms. Matias** (Israel) added that, while serious consideration was given to all input by NGOs, only official government data were contained in the report.

44. The pressure created by a woman's right to withdraw complaints of domestic violence was a very sensitive issue. Her Ministry was often reluctant to accede to requests for withdrawal, which could have been made under coercion. Also, studies had shown that men who had committed acts of violence were prone to relapses. On occasion, complaints were withdrawn on the recommendation of a social worker. The delegation would be grateful for any suggestions from Committee members in that area.

45. As for the applicability of the Convention in the West Bank and the Gaza Strip — a question that arose in every human rights treaty body — she had with her a legal brief that she could either read out or distribute to Committee members, at the Chairperson's discretion. There were a number of aspects to consider. From a legal perspective, Israel's position was that the jurisdiction of the Convention extended to Israel only and not to other territories, even if they were temporarily under its control. In any case, issues relating to health, education and employment and other areas covered by the Convention were now under the jurisdiction of the Palestinian Authority, which was given \$1 billion every year by the international community to deal with them. Thus, because both the health and education sectors were controlled by the Palestinian Authority, the Israeli authorities had been powerless to stop the Palestinians from issuing school

textbooks with illustrations of children dressed up as terrorists and had been unable to help build a much-needed hospital in the Gaza Strip following World Bank reports that the funds designated for that purpose were being diverted by corrupt members of the Palestinian Authority during the previous administration.

46. Israel was not shying away from its responsibilities in matters that came under its control, for example, the situation at border crossings, which affected many Palestinian women. She was currently working with representatives of the World Bank, and of the Palestinians, to improve that situation; however, the reality was that whenever restrictions were relaxed, terrorist incidents increased. Ultimately, the quality of life for the Palestinians would be vastly improved by the disengagement process initiated by the Israeli Prime Minister, under which all Israelis were being evacuated from the Gaza Strip, and by the good will of the new Palestinian leadership, which seemed intent on using international funding for its intended purposes.

47. She referred Committee members to her country's third periodic report and the responses given to the list of issues, and to the additional information submitted by Israel in June 2005. There were no set or straightforward answers to many of those issues, which the delegation hoped would be addressed in the course of its dialogue with the Committee.

48. **Ms. Ziv** (Israel), speaking as Chief Police Superintendent, said that the police handled cases of domestic violence on a priority basis and with due severity. Currently 7 per cent of the complaints had been processed; close to 93 per cent were still under investigation. Such cases were often difficult to prove beyond a reasonable doubt in court. Under an amendment to the Victims of Offences Rights Law, the police had launched a nationwide computerized call centre to provide crime victims with information on their assailants' status with respect to the police, prosecution and the Prison Service. In 2002, the police had designated regional offence victims' officers in charge of contact with victims of crimes in each respective region, under the supervision of the Department for Pardons in the Ministry of Justice, which had integrated the basic principles of the Law into its activities (CEDAW/PSWG/2005/II/CRP.2/Add.7, para. 5 (4)). An amendment to the Prevention of Violence in the Family Law dealt with the possession of firearms under a protective injunction. Under

another amendment to that same Law, professionals who treated domestic violence victims were required to report those cases and not to rely solely on the spouse's account of what had happened. The Law was fully applied.

49. **The Chairperson** invited Committee members to pose questions on articles 1 to 6.

Articles 1 to 6

50. **Ms. Dairiam** welcomed the delegation's statement that it had not relinquished all its responsibilities in the occupied Palestinian territories. That statement, however, seemed to be in direct contradiction with paragraph 5 of the response to question 1 of the list of issues, alleging that the law of armed conflict was the only applicable regime in the West Bank and the Gaza Strip. Even if Israel had transferred jurisdiction over health, education and other Convention-related matters to the Palestinian Authority, it — and not the Palestinian Authority — was a State party to the Convention, and, as such, was answerable for the situation in the Palestinian territories; the Committee would not be engaging in a dialogue with the Palestinian Authority. Therefore, she would be grateful for information on how the Israeli Government monitored the implementation of the Convention in the occupied territories. Was assistance provided to pregnant Palestinian women forced to wait on long lines at border checkpoints? Were they taken to hospitals, if necessary, and were efforts made to prevent unsafe deliveries?

51. **Mr. Flinterman** enquired about parliamentary mechanisms to monitor the compatibility of national law with the provisions of the Convention. Perhaps that was the role of the Knesset Committee for the Advancement of the Status of Women. He sought assurances that the organs of the executive, legislative and judicial branches were fully aware of the Convention and that the latter's principles were reflected in the abundant legislation recently adopted, including, for example, the 1998 Prevention of Sexual Harassment Law. Did the Authority for the Advancement of Women strive to raise awareness of the Convention among both Government officials and the general public? Could attorneys allude to provisions of the Convention in court proceedings and encourage the judiciary to interpret national law in that spirit, and were training programmes on the Convention offered to judges?

52. Perhaps the delegation could explain Israel's hesitation to ratify the Optional Protocol to the Convention, when it clearly understood the importance of complaint procedures and had a mechanism in place at the national level.

53. Lastly, he, too, was concerned about the applicability of the Convention in the occupied Palestinian territories. He expressed regret that the views of the Israeli Government in that regard were diametrically opposed to those of the Committee, other treaty bodies and the advisory opinion of the International Court of Justice issued one year earlier.

54. **Ms. Coker-Appiah** cautioned that legislation and policy alone would not be effective without the backing of sufficient resources. She noted that, of the 49 shelters available to female victims of violence, only two were designated for Arab women. Why had the only State-funded shelter for Palestinian girls been closed down, leaving them no alternative but to live on the street or be imprisoned? What provisions had been made for them? Unlike the statistics in other areas, the data on sexual violence was not disaggregated by ethnicity. How did Israel ensure that both Jewish and Arab female crime victims were provided with adequate treatment and support? In future, all statistics provided by the State party should be disaggregated by sex, ethnicity and religion.

55. **Ms. Patten** requested details on the impact of the 2000 amendment to the Women's Equal Rights Law and wondered whether vague language such as "adequate representation" accounted for its poor implementation and whether there had been any judicial interpretation of "adequate representation"? She asked whether the State party envisaged measures to make its affirmative action programme more effective.

56. Noting the high incidence of domestic violence in Israel, she sought the delegation's views on the limited grounds for issuing protective injunctions (even with the addition of the two new grounds outlined on page 32 of the report). It would be useful to have data on the number of protective injunctions issued since the amendment was enacted, and to know whether magistrates and judges were given training in the area of domestic violence. Noting that women were not allowed to serve as judges in the religious courts (an alternative to the civil courts for ultra-orthodox Jews), she asked how Israel could ensure that the male judges

in the religious courts were not merely perpetrating discrimination against the very women turning to them for help. Were religious judges given training in the provisions of the Convention? Perhaps the delegation could describe how women's access to justice was guaranteed in Israel, and could indicate the systems of legal aid that were in place.

57. **Ms. Bokpe-Gnacadjia** stressed that, as a State party to the Convention on the Elimination of All Forms of Discrimination against Women, Israel was responsible for implementing the Convention throughout its territory in all circumstances and must introduce legislation to criminalize all forms of violence against women, without distinction.

58. She asked for further clarification about the place of the Convention in Israel's domestic legal order and pointed out that efforts to implement it were undermined by the fact that the right to non-discrimination was not constitutionally recognized. Furthermore, according to the report, legislation adopted before 1992 was immune to any kind of review. Was that the reason why the recent amendments to the Women's Equal Rights Law of 1951 were so limited in nature and why that Law still contained a number of discriminatory provisions?

59. Lastly, she was concerned at the continuing unwillingness of the Israeli Government to lift its reservations to the Convention. The social fabric of many countries was extremely complex, but discriminatory attitudes stemming from religious and cultural traditions were not a legitimate excuse for failure to implement the Convention.

60. **Ms. Morvai** said that it was obvious from the statistics provided in the report that Palestinian women were regarded as second-class citizens. Israeli judges, members of Parliament and company directors far outnumbered their Palestinian counterparts. Palestinian women living in illegal villages had their houses demolished, their drinking water and electricity supplies cut off.

61. While security concerns were the justification for the ill-treatment of Palestinians without Israeli citizenship, she wondered how the Israeli Government could justify such discrimination against those Palestinians in possession of Israeli citizenship, who accounted for 20 per cent of the national population. How could there be de facto equality among all citizens when Israel viewed itself as a Jewish State?

She asked whether Palestinian women were generally regarded as not good enough to play an equal role in society and, in that connection, stressed that her own experiences suggested otherwise.

62. **Ms. Arocha Domínguez** said that the Israeli Government's position that the Convention did not apply in the occupied territories was regrettable. The Committee and other human rights treaty monitoring bodies did not share that view and had, on various occasions, expressed their concern at Israel's failure to implement the relevant instruments in the West Bank and the Gaza Strip. Indeed, during the forty-ninth session of the Commission on the Status of Women, the Secretary-General of the United Nations had submitted a report which provided details of the deterioration in the situation of Palestinian women between 2000 and 2004.

63. It was unfortunate that the Israeli delegation had referred to Palestine only in the context of terrorism. There had been no mention of the suffering experienced by Palestinian women residing in the occupied territories, whose homes were routinely destroyed and whose movements were severely restricted. She stressed that the occupation was not a temporary situation but rather a large-scale operation that had affected the lives of more than two generations of women.

64. **Ms. Simms** said that, whereas the report focused primarily on cross-border trafficking and the underlying "push factor" of poverty in the Russian Federation, it would be of interest to learn what "pull factors" attracted Russian prostitutes to Israel and why so many Ethiopian women were quasi-enslaved. It was important to study the country's domestic landscape in order to ascertain why certain sections of the female population were vulnerable to abuses.

65. Referring to the bio-psycho-social treatment provided to victims of sexual abuse and domestic violence, she said that women could not fully recover from their ordeals until their abusers were imprisoned. In that connection, all Governments had a legal and moral obligation to educate women about the need to denounce the perpetrators of violence.

66. **The Chairperson**, speaking in her personal capacity, said that the Committee had received reliable information to the effect that female sex workers in Israel were treated as criminals, rather than victims, by the law enforcement authorities. She asked whether

that information was correct and, if so, whether the Israeli Government was taking any measures to protect those women.

67. **Ms. Matias** (Israel) agreed that Palestinian women did not deserve to be regarded as second-class citizens, but pointed out that the responsibility for their well-being and empowerment lay with the Palestinian Authority, which had established its own political and social structures and had assumed control of all aspects of life in the Palestinian territories. Israel had certain responsibilities under humanitarian law, particularly in respect of incidents in border zones that might affect Palestinians, and it stood ready to fulfil its commitments in that regard.

68. The Israeli Government simply did not have data on the situation of women in Palestine. But it had spent several months drafting the third periodic report and gathering additional, updated information on the situation in Israel. She was therefore deeply disappointed and disheartened to see that the discussion of the report had taken a political turn.

69. Although the Israeli Government was sensitive to the plight of Palestinian women, there was little it could do to improve their situation. In accordance with the new disengagement initiative, Israel was evacuating its citizens from the Gaza Strip and it would not be appropriate to interfere in areas that were now governed by the Palestinian Authority. While the international community, including the International Court of Justice, had repeatedly called on Israel to implement the provisions of various human rights treaties, it was very difficult to appreciate the full complexity of the situation on the ground. In that connection, she would circulate a paper detailing her country's official legal position. If Israel had not been the victim of terrorism, none of the political questions relating to Palestine raised by the Committee and the wider international community would need to be answered because the situation would be totally different.

70. **Ms. Pliel-Trossman** (Israel) acknowledged that legislation alone could not prevent violence against women. However, the Israeli Government was taking a number of additional measures to assist victims and it provided equal care for all women in distress, regardless of their religion.

71. There were currently 14 shelters for battered women in Israel, two of which were specifically geared

towards Arab women. The Ministry of Social Affairs had allocated a budget of NIS 17.5 million to fund the shelters, which were operated by a number of non-profit organizations. They provided a wide range of services, including legal aid, guidance on parenting skills, counselling and support groups, and provided a refuge for more than 700 women and 2,000 children every year.

72. To encourage more Arab women to report incidents of domestic violence and sexual abuse, a national hotline for battered women and children, offering services in Hebrew, Arabic, English, Russian and Amharic, had been established by the Ministry of Social Affairs. In addition, 11 rape crisis centres were currently in operation. Two of those centres catered specifically for Arab women and one was designed for the ultra-Orthodox community. The Arab centres had conducted awareness-raising seminars on sexual abuse and had organized training workshops for teachers, members of the medical profession, law enforcement officers and the general public.

73. As a result of the work carried out by the Inter-Ministerial Committee for the Treatment of Domestic Violence, social workers had been assigned to 11 police stations, two of which were located in mixed race cities. They were responsible for talking to victims of domestic violence and referring them to treatment centres. In addition, family-counselling units had been set up in the family courts. Sixty centres for the prevention and treatment of domestic violence had been established by the local authorities and were conducting awareness-raising campaigns with a view to encouraging victims to report incidents of violence to the social services. Fifteen of those centres were located in the Arab sector and one catered exclusively to Bedouin families. The Ministry of Social Affairs and the Ministry of Education, Culture and Sports had also launched a "respectful partnership" programme in high schools, with a view to preventing violence and identifying victims.

74. The Ministry of Social Affairs, through various subsidiary bodies, also operated a number of shelters for young women, including a hostel for young Arab women in eastern Jerusalem. It planned to open a second hostel, with facilities for 36 young women, in western Galilee. Unfortunately, two hostels for young Arab women had recently been closed down owing to low occupancy rates.

75. **Ms. Ziv** (Israel), replying to the question about training courses for police officers, recalled that a national investigative system focusing solely on domestic violence had been established in 1998. Newly recruited investigators attended a week-long preparatory course covering theory and practice and regular workshops on domestic violence and sex offences were organized for officers of all levels.

76. Following a request from the Victims of Crime Unit, the police behavioural sciences department had conducted a survey on police officers' attitudes towards battered women. The results had revealed a considerable improvement among police officers in general and an even greater improvement among domestic-violence investigators. The police force was showing an increased awareness of women's rights and had issued guidelines to ensure that those rights were protected. Police officers carried out risk assessments in cases where female victims claimed that their lives would be endangered if they returned to their countries of origin. Furthermore, officers involved in trafficking cases received special training and, in that connection, the police school for continuing education had recently held courses on organized crime and human trafficking.

77. Turning to the question of protective injunctions, she pointed out that the Prevention of Violence in the Family Law was a civil law, pursuant to which restraining orders could be issued in order to remove a violent offender from the home. When violence occurred between spouses, a restraining order could also be issued in the context of criminal proceedings. The number of arrests in such cases had increased significantly in recent years.

78. **Ms. Briskman Gomelski** (Israel) said that residents of the Palestinian territories who required urgent medical attention were permitted to pass through checkpoints, subject to the approval of the checkpoint commander, who was responsible for assessing the severity of the medical problem. It should be recalled that, in the past, bombs had been concealed in ambulances, and therefore the medical needs of patients had to be weighed against the need to ensure security. A number of cases concerning access to medical care had been brought before the Supreme Court by residents of the Palestinian territories.

The meeting rose at 1 p.m.