



**Convention on the Rights
of Persons with Disabilities**

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Committee on the Rights of Persons with Disabilities

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**Consideration of reports submitted by parties to
the Convention under article 35**

**Replies of Israel to the list of issues in relation to
its initial report^{*}, ^{**}**

[Date received: 2 May 2022]

* The present document is being issued without formal editing.

** The annexes to the present document may be accessed from the web page of the Committee.



Introduction

1. The compilation of this reply to the LOI was carried out by the Office of the Deputy Attorney General (International Law) at the Ministry of Justice (MOJ), in close cooperation with the Commission for Equal Rights of PWD at the MOJ (the “Commission”)*.

Article 1–4

Question 1

A. Incorporation of the Convention into Legislation

2. According to the Israeli legal system, international conventions do not apply directly, unless they were formally legislated. Therefore, the Convention is implemented through a wide range of legal instruments, including basic laws, laws, procedures, orders, regulations, municipal by-laws and court rulings.

3. Currently, the Ministry of Welfare and Social Affairs (MOWSA) is promoting a bill on the social services provided to PWD, in all areas, including living within the community. This bill is now in the legislative process.

4. Additionally, in 2020–2021, an amendment was drafted to the *Equal Rights for Persons with Disabilities Law 5758-1998 (Equal Rights Law: ERL)* which aims to improve the Commission’s enforcement powers. This bill is now in the legislative process.

5. As of December 2021, there is a body of 25 detailed Accessibility Regulations that have been published in official records, and nine sets in various stages of the statutory process. For details, see Question 7 (b).

B. Harmonization with the Convention Model of Disability

6. There are several legislative definitions of disability in Israel, in different laws. Since 2017, there has been no change in the legal status of these definitions.

7. In 2017, the MOWSA established a Disabilities Administration (the Administration) aimed at providing adjusted and effective services to PWD, in the spirit of the Convention. The core principles of the Administration are personalized services based on a person’s abilities, wishes and needs; the PWD is the main participant in decision-making; supportive resources; and innovation and creativity in offering solutions.

8. In order to make government services more accessible to PWD and enable them to better exhaust their rights, in 2020, Digital Israel and the Ministry of Digital Affairs, in collaboration with relevant governmental authorities, launched an innovative National Rights Directory in Hebrew and Arabic. The Directory enables PWD to digitally locate information on their rights (allowances, benefits, exemptions, services, etc.) as provided by public bodies.

9. Specifically, “dual disability” refers to situations in which a person has a combination of two or more types of disability. Receiving an evaluation of a “dual disability” allows better-tailored services, such as in the field of mental health rehabilitation or social services.

10. The “rehabilitative-ecological model” was introduced by the MOH as a basis for developing a new model of out-of-home treatment for persons with mental disabilities. The model focuses on the individual, her/his environment, and the interactions between them. The ecological model is a recognized means of treating persons with mental disabilities and others.

* Due to the stringent word limit, in general this Report does not include referrals to the GOI Initial Report (GOI-IR), although many of the subjects are detailed therein. Additionally, many of the issues are expanded upon in the Annex.

C. General Challenges

11. Regarding General Challenges in Para. 353(a)–(e), since 2017 there has been gradual improvement, such as in the perception of PWD in the society, as detailed in Annex. The State of Israel is working to promote measures aimed at mitigating these challenges, as shall be elaborated on in this Report. However, there is more to be done in order to find solutions to these challenges.

D. Non-application of the CRPD in the West Bank

12. Israel's position on the inapplicability of Human Rights Conventions beyond its territory has been presented at length to UN Human Rights Treaty Bodies on many occasions and remains unchanged (for example, see CAT/C/ISR/5, paras. 61–61). In accordance with Section 1 of the *Basic Law: Jerusalem, Capital of Israel* 1980-5740 and Section 1 of the *Golan Heights Law* 1981-5742, Israeli law applies to these regions, respectively.

E. Consultation with Disabled Persons Organizations (DPOs)

13. The GOI has taken many steps to consult with DPOs and civil society on the rights of PWD. The MOWSA Administration has established the “Breakthrough Partnership” Forum and other programs that emphasize partnership with PWD and DPOs, such as an Advisory Forum to the Administration, dialogue workshops for parents of PWD, and a collaborative academic and personal course. The MOH conducts public engagement processes and consultations on the drafting of regulations and policies in various formats, and civil society organizations are regularly included in relevant Councils. The Ministry of Defense (MOD) maintains dialogue and conducts negotiations with the Israel Defense Forces (IDF) Disabled Veterans Organization. The Ministry of Education (MOE) conducted many meetings with DPOs towards its Special Education reform, and includes a civil society representative in the Eligibility and Characterization Committee (Eligibility Committee) meetings. The Commission conducts discussions on a regular basis with its Advisory Committee on issues relating to the Convention, as do additional departments in the MOJ. The Prime Minister's Office conducts Inter-Sectoral Round Table discussions on various issues including the rights of PWD. The National Insurance Institute (NII) conducts round table discussions with DPOs, to promote exhaustion of rights and improve the services offered.

F. Israel's Reservation to the Convention and the Optional Protocol

14. Israel's reservation to Article 23 regarding personal status is reviewed periodically. At present, Israel maintains its position on this matter. This reservation stems from Israel's constitutional system and respect for religious pluralism, and the autonomy of Israel's religious communities in matters of personal status.

15. Additionally, despite periodic consideration of its position on the matter, Israel is currently not in a position to ratify the Optional Protocol to the Convention. Israel's legal system affords numerous opportunities, for individuals and groups alike, to seek remedies and redress for any alleged violations of their rights.

Article 5

Question 2

A. Equality and Non-Discrimination for Minorities

16. The right to equality is recognized as a “basic value” of the Israeli legal system. As such, the High Court of Justice ensures its interpretation is in accordance with the principle of equality.

The Arab Population

17. The rate of PWD in the Arab population is 22%. All services offered to PWD are offered to PWD in Arab population as well, although there are discrepancies in the rate of services utilized. For information on the MOWSA research aimed to improve services for Bedouin families of children with disabilities in the Negev, and the Commission and Ministry of Social Equality (MOSE) work in Arabic, see Annex.

MOJ Projects on Inclusion in the Periphery

18. The “Beacon of Rights” project launched by the MOJ and designed to make the Ministry’s services accessible to cities in the periphery, includes a unit dedicated to PWD.

19. The Commission works to emphasize the equal rights of PWD in the social and geographical periphery through activities, trainings and informational materials (including in Amharic and adapted to the ultra-Orthodox society). The Commission receives complaints from members of all social groups, and approximately 20% of enforcement actions take place in the periphery.

LGBTQ PWD

20. LGBTQ PWD may be doubly excluded, therefore dedicated actions are taken in order to promote inclusion: specific services are provided by the MOWSA for LGBTQ which offer mixed home-facilities apartments and the Commission included LGBTQ PWD in several awareness raising programs.

B. Reasonable Accommodation

21. Section 19F of the *ERL* addresses discrimination in relation to the provision of public services, the operation of public places and the supply of products.

22. The Commission receives hundreds of complaints each year addressing discrimination

23. The Commission filed 34 cases in the Reporting Period that dealt with discrimination in public services. In addition, accessibility legislation aims to enable reasonable adjustments in all areas of life. For elaboration, see Question 7.

C. Remedies and Redress

24. For enforcement mechanisms and remedies according to the *ERL*, see GOI-IR, paras. 63–71. In most of the aforementioned claims, a compensation of between 10,000–30,000 NIS (3,194–9,583 USD) was awarded.

25. Specifically, on equal access to banks, see Annex; on discrimination against PWD in insurance contracts, see Question 26 (c).

Article 6

Question 3

A. Gender Equality Legislation

26. As stipulated under Article 5, the right to equality is recognized as a “basic value” in the Israeli legal system. Specifically, the equal rights of women are anchored in the *Women’s Equal Rights Law 5711-1951* and in many other laws aimed at promoting gender equality in the workforce and encouraging the women participation.

27. Additionally, GR No. 3664 (2018), requests that in order to increase the exhaustion of insurance rights among women belonging to disadvantaged populations, including women

with disabilities, the Authority for the Advancement of the Status of Women should offer gender consultation services to the NII.

B. Discrimination against Women

Women's Health

28. The MOWSA operates the "Lilakh" program for women with intellectual disabilities, which aims to familiarize and assist women in navigating sexual and reproductive healthcare services and providers (such as breast cancer examinations) through specifically designed accessible information.

29. Tel Ha'Shomer hospital operates the "Eve Clinic" which focuses on mental health for women, and offers services for women experiencing hormonal changes due to, *inter alia*, menstruation, fertility treatments, pregnancy, post-partum, stillbirth and menopause.

Accessibility of Shelters for Victims of Domestic Violence

30. Section 75 of the *Equal Rights for Persons with Disabilities (Service Accessibility Adjustments) Regulations 5773-2013 (Service Accessibility Regulations)* stipulates that any social service provided, including shelters for women victims of domestic violence, should be accessible according to the standards in the Regulations. Women with disabilities referred to shelters are placed in an accessible shelter.

Article 7

Question 4

Education

31. In July 2018, the Amendment to the *Special Education Law (Amendment No. 11) 5758-1998 (Special Education Law)* entered into force. The Amendment emphasizes participation of the pupils and their parents in the eligibility evaluation process. For details, see Question 25 (a).

32. The MOE 'Quality-of-Life – Preparation for Life' program includes theoretical and experiential learning on the subject of self-representation, building skills towards making choices, solving problems, setting goals and increasing the pupil's awareness of their needs and desires.

The Children's and Youth Complaints Commission

33. The MOWSA Youth Complaints Commission, established in 2017, operates in accordance with Section 56 of the *Children Foster Care Law 5776-2016*. The Commissioner conducted a series of activities aimed at making the Youth Complaints Commission more accessible to all children, as well as children with disabilities. Regarding the Early Childhood Council, see CRC/C/ISR/5-6, para. 123.

Legal Aid for Children with Disabilities

34. Attorneys in the MOJ Legal Aid Administration (LAA) are specially trained to conduct dialogue with children with disabilities to explain the proceedings and encourage their participation.

35. The LAA assists children with disabilities in applying for residential frameworks, support services, and finding opportunities for them to express themselves in proceedings, including legislative proceedings, involving their interests and to exhaust their rights. For details, see CRC/C/ISR/5-6, paras. 39–40.

Question 5

36. The MOE, in collaboration with its Psychological Counseling Service (PCS), provides programs to children, including children with disabilities, aimed at increasing their well-being, including accompaniment in mainstream educational settings, emotional support groups run by psychologists or counselors, the “Metiva program” for treating children with behavioral challenges, and more. The MOH Mental Health Division ‘Hosen’ centers are another example of developing responses to mental health needs.

Article 8

Question 6

37. Statistics show that although challenges remain, activities to promote PWD have been largely successful in affecting change in Israeli society.

38. The Administration conducted campaigns and projects aimed at raising awareness, including a program aimed at changing attitudes towards PWD, cooperation with organizations, and establishing a family center which provides complementary social services to families of children with disabilities.

39. The Public Israeli Cooperation Broadcasting publishes a range of content that raises awareness towards PWD, including columns, podcasts, various news articles, and documentary and interview-based television, in Hebrew and Arabic. There are numerous televised programs in Arabic about and including persons with different types of disabilities.

40. The Commission, together with other Government Ministries and broadcasting networks has promoted many awareness-raising campaigns. The Commission invests many resources in activities intended to change attitudes and remove stigmas, stereotypes and prejudices towards all PWD.

41. Regarding hate crimes, PWD are not explicitly listed as a group legally protected from hate crimes or the crime of inciting racism (Sections 144b, 144f to the *Penal Law 5737-1977* (the *Penal Law*)). However, crimes calling for acts of violence or terrorism or praising such acts, specifically Section 144 (d) (2) to the *Penal Law* regarding incitement to violence may be applied to PWD.

Article 9

Question 7

.42 On the accessibility of Internet sites, see GOI-IR paras. 212–214, and Question 23.

A. Public Procurement

.43 Government activities, including in the field of procurement, are subject to the *Service Accessibility Regulations*. The Government Procurement Administration ensures that information systems purchased meet the requirements of these regulations.

B. Accessibility Regulations

44. The *ERL* stipulates those regulations must be promulgated in various areas of life that are under the purview of various Government Ministries.

45. Since 2017 the following Regulations have been promulgated:

(a) *Equal Rights for Persons with Disabilities Regulations (Accessibility Adjustments to A Service) (Amendment) 5778-2017* provide updated provisions regarding the accessibility of Internet services;

(b) *Equal Rights for Persons with Disabilities Regulations (Sensory Accessibility on Intercity Buses) 5778-2017* obligate inter-city public transportation vehicles to install accessible features;

(c) *Equal Rights for Persons with Disabilities Regulations (Individual Accessibility Adjustments for Pupils and Parents) 5778-2018* outline the rights and process for procuring adjustments for pupils;

(d) *Planning and Building Regulations (Making Accessibility Adjustments to a New Educational Institution) 5779-2018* obligate adjustments for new educational institutions;

(e) *The Equal Rights for Persons with Disabilities Regulations (Exemption due to Burden from Making Adjustments in a Public Place that is an Existing Building and in a Public Service) 5779-2019* add additional conditions by which a public place may receive an exemption if the financial burden of making it accessible is too high;

(f) *Rights of Persons with Disabilities Regulations (Accessibility to Emergency Services in Facilities for Persons with Disabilities) 5782-2021* require that facilities and services designated for PWD create plans for states of emergency.

46. On January 1, 2022, several Amendments to the *ERL* entered into force, extending the deadline to implement accessibility measures.

47. Other Regulations have yet to be finalized, and are in the process of being promulgated, as the GOI submitted to the High Court of Justice (HCJ) in a petition on this issue (H.C.J. 5833/08 *Access Israel v. The Minister of Transportation et. al.* (pending)), as detailed in Annex.

Implementation

48. The Commission enforces and promotes the implementation of the Accessibility Regulations through a variety of mechanisms. In the Reporting Period, 4,830 inspections were carried out, and approximately 8,500 inquiries were handled in the field of accessibility.

Article 10

Question 8

49. In early 2019, following several incidents in which PWD were injured or accidentally killed by law enforcement while suffering mental crises, inter-ministerial work was convened in order to consider, pursuant to DPOs' recommendations, establishing crisis teams.

50. Following the tragic death of Iyad Al-Halak, killed in an incident with law enforcement officials, in June 2020 the Office of the President designated an Inter-Ministerial Committee on Law Enforcement and Security Forces' Interactions with PWD.

51. The Committee identified various points of interface between PWD and law enforcement agencies (including the Police and IDF), and proposed alternatives and potential solutions. Some of the committee's recommendations have been implemented, such as Police trainings.

Police Proceedings

52. The Police have taken some steps in order to address PWD in its operations and commands, including establishing a procedure for treatment of persons with mental disabilities, amending internal procedures to include adjustments for PWD, establishing an Equality Administration and appointing disabilities content experts in every district. On Police training, see Question 13.

Demonstration

53. The right to demonstrate is a fundamental democratic right often utilized by PWD and strongly upheld within the State of Israel. For details, see CCPR/C/ISR/5, paras. 250–257.

Article 11**Question 9****A. Protection during Emergencies**

54. As noted in Question 7(b), regulations on accessibility during times of emergency were promulgated in 2021. These regulations require that services designated for PWD, including out-of-home care, geriatric or psychiatric hospitalization, housing services, rehabilitation, employment and education services, and day-to-day services, make plans for states of emergency, and that relevant MOH and MOD officials assess their readiness periodically. Further regulations are forthcoming.

B. IDF PWD Services Branch

55. The Home Front Command in the IDF is charged with preparing the public for emergency situations and includes a specialized branch for services for PWD in times of emergency. The Home Front Command conducts training sessions in MOWSA full-care facilities. Additionally, alerts to incoming rocket-fire are sent out through a series of mediums in order to ensure accessibility, including a new App that was developed.

Question 10**A. Protection in the West Bank**

56. See Question 1 (d).

B. Medical Personnel

57. The Police ensure the safety of medical personnel throughout the State, including in the Eastern Neighborhoods of Jerusalem (ENOJ). There are currently 12 ambulances, an intensive care unit, a first aid vehicle and approximately 50 medics, paramedics and doctors offering emergency care, and four more ambulance companies operating more than ten additional ambulances in ENOJ.

Question 11

58. The effects of the COVID-19 pandemic, especially the characteristics of the health restrictions, were especially challenging for PWD. In the initial stages of the pandemic, the Commission noted a number of cases in which there was insufficient consideration of the rights and needs of PWD, and over time, as a result of the Commission's work with the relevant Government Ministries, policies and regulations became more inclusive.

59. To the extent possible, services for PWD were continuously provided despite lockdown restrictions. Those services that were closed during the initial lockdown were reopened and remained open afterwards.

Measures taking PWD into Consideration

60. In the early stages of the pandemic, as emergency regulations were being promulgated, certain exemptions were made for PWD.

61. On July 23, 2020, the Knesset legislated the *Special Authorities to Combat the New Coronavirus (Temporary Provision) Law 5780-2020 (Special Authorities Law)*. Section 4 (b) requires that any emergency regulation promulgated pursuant to this law will take into consideration the rights and needs of the elderly, children and PWD, as well as the provisions of the *ERL*.

62. Specific guidelines took PWD into account during the periods of lockdown, and many exemptions were offered to PWD depending on their needs.

63. All Government Ministries made, and are still making efforts to ensure all information and services are accessible to PWD during COVID-19.

64. Additionally, several stimulus grants were introduced, to which PWD were eligible, in addition to disability allowances.

65. Specifically, noting the effects of the COVID-19 pandemic on the rights of PWD and in order to ensure consultation with PWD and organizations, inter-sectorial discussions were conducted as part of the Prime Minister's Office "Round Table" project. The discussions were co-chaired by the Commissioner and the CEO of Enosh – the Israeli Mental Health Association. The discussions focused on the challenges of the pandemic on PWD, and lacking services were highlighted and solutions sought. Recommendations for future emergencies were also outlined.

Article 12

Question 12

66. Measures were put in place in order to promote the legal capacity of PWD (para. 89, GOI-IR). In exceptional cases, a Court is authorized to declare a person legally incompetent under Section 8 of the *Legal Capacity and Guardianship Law 5722-1962*, utilized only in very rare circumstances. In 2021, only two persons were declared legally incompetent. In 2020, there were nine declarations; in 2019, there were three declarations; in 2018, there were three declarations; and in 2017, there were two declarations.

67. In the spirit of Amendment No. 18 to the *Legal Capacity and Guardianship Law* on alternatives for guardianship, declarations of incompetency have been minimized to a last resort, as indicated by the above data.

A. Supported Decision-Making

68. Since Amendment No. 18 entered into force and until October 2021, approximately 700 supporters of decision-making were appointed. The GOI allocated a special budget for disseminating information on supported decision-making, the MOJ produced a campaign and the Administrator General (AG) distributed resources including hundreds of lectures. The AG also conducts two mandatory training programs: for volunteer and professional supporters of decision-making in collaboration with academic institutes, and established a dedicated call center for complaints and inquiries on this issue. The MOH, MOJ and the Commission are also cooperating to train relevant professionals on the subject. Furthermore, The AG has established new internal procedures.

B. Measures to Eliminate Guardianship

The Inter-Ministerial Committee

69. As mentioned in GOI-IR, the Government established an inter-ministerial committee, which consulted with PWD and DPOs, in order to develop a multi-annual national program on guardianship and its alternatives (GR No. 2394 (2017)).

70. In February 2019, the committee published its national plan and recommendations, aimed to promote legislation adapted to the spirit of social change and equality of PWD. Since its recommendations were published, the Committee has been working intensively to promote their implementation.

71. For information on the pilot on supervision for personal and medical manners, see Annex.

Legal Representation

72. The LAA includes a special representation unit for legal competency and guardianship proceedings (paras. 104–106, GOI-IR).

73. While there is no legal requirement to represent everyone whose case is heard regarding her/his legal competency, there has been a significant increase in representation: In 2019, representation was provided in 4,514 proceedings; in 2018, in 3,213 proceedings; in 2017, in 2,634 proceedings. This increase indicates a higher awareness of the importance of legal capacity, in the spirit of the Convention. Although Amendment No. 18 does not include the obligation to hear the person to whom a guardian was appointed – such a hearing takes place in many cases. Since Amendment No. 18 entered into force, dozens of precedential rulings implemented both the Amendment and its spirit.

Article 13

Question 13

A. Legislative Amendments and New Regulations

74. On April 8, 2019, the *Investigation and Testimony Procedures (Adjustments for Persons with Mental or Intellectual Disabilities) Regulations 5779-2019* entered into force, regulating the appointment and specific trainings provided for the special investigators.

B. Training Programs

75. The Police, in collaboration with MOWSA and MOH, developed a five-day training course for the content experts. The course focuses on crisis situations and events involving PWD, which will provide them with the knowledge and tools that will enable officers in the field to identify a PWD and maintain their dignity in the course of police care. Additionally, the Police developed unique training sessions regarding PWD for officers and investigators.

76. The Institute of Legal Training for Attorneys and Legal Advisers in the MOJ regularly conducts seminars, courses and vocational training days attended by hundreds of legal practitioners, to raise awareness on human rights issues including those related to PWD.

77. The Institute of Advanced Judicial Studies for Judges holds lectures, seminars and courses for judges on various human rights issues and disabilities issues.

78. The Commission, jointly with the Civil Service Commission (CSC), held a unique 42 hours training for lawyers in the Civil Service on equal rights of PWD.

79. Additionally, the Public Defender's Office (PDO), LAA and the State Attorney's Office (SAO) in the MOJ, together with JDC, conducted a unique program aimed at making

legal services more accessible. The project received the Zero Project award for innovative solution in 2022.¹

C. Investigating Complaints

80. The Commission has a role of receiving complaints addressing discrimination and accessibility issues under the Law, and seeking to resolve them, as well as enforcing or filing civil lawsuits on behalf of the complainants. For information on other mechanisms see HRI/CORE/ISR/2008, paras. 160–64.

Article 14

Question 14

A. Complaints of Forced Hospitalization

81. In 2020, according to the MOH data, 5,117 requests for reexaminations of forced hospitalization were submitted on initial hospitalization orders, of which 4.9% were approved and 78.9% were denied. Furthermore, 2,163 requests for reexamination were submitted to extend hospitalization, of which 3.3% were approved and 66% were denied.

82. The LAA represents PWD in the vast majority of civil forced hospitalization proceedings. During 2021, in 12,428 cases LAA represented persons before psychiatric committees. Among the appeals that were filed to the courts on hospitalization decisions regarding adults, during the years 2019–2020, according to the LAA data, approximately 30% were fully or partially accepted and another 10% of requests to be released from hospitalization were approved in practice.

83. During the Reporting Period, the PDO filed 218 appeals on psychiatric committees' decisions regarding persons who are involved in criminal proceedings, of which 70 were accepted (a success rate of 32%).

B. Compulsory Assessment and Treatment Due to Serious Mental Health Grounds

84. According to MOH data in 2019, approximately 30% of hospitalizations in psychiatric hospitals are involuntary hospitalizations (ordered by a district psychiatrist or pursuant to a Court order). The MOH promotes various hospitalization alternatives, respite houses, in-patient services, inclusion staff, frameworks for early detection of patients at risk or in aggravated situations and more, etc., in order to reduce the rate of involuntary hospitalizations to the extent possible.

Restraints

85. In the Reporting Period, the use of restraints has significantly decreased. MOH and LAA data indicate a **70% decrease in the use of restraints**, which can be attributed to the following measures.

86. In April 2017, a steering committee on the issue of mechanical restraints recommended a series of measures based on meetings with relevant bodies and comparative research, aimed at significantly minimizing the use of restraints in Israel, with the eventual goal of abolishing the practice altogether.

¹ <https://zeroproject.org/view/project/de6b36c8-ad4a-ec11-8c62-000d3ab5a6d0>.

87. On April 1, 2018, the MOH Director General (DG) published Circular No. 10/2018, clarifying and minimizing the conditions under which it is permissible to use restraints, while establishing a detailed monitoring and reporting system.

C. Due Process for Persons with Intellectual Disabilities

88. Based on MOWSA data, since 2017, only one person was detained in the “locked residence” for approximately six months beyond the required time, and only until a suitable care facility was found for them. As a rule, both alternatives for arrest (such as the locked facility “Neve Menashe”) as well as imprisonment alternatives are applicable only for the time periods ruled by the Courts.

89. Additionally, the Prosecution’s policy is that as a rule, in the cases where the Diagnostic Committee decides treatment rather than imprisonment, the Prosecution will petition for treatment.

Question 15

90. For information regarding prisoner’s rights, see CAT/C/ISR/5, paras. 43–47 (access to health care) and paras. 48–50 (visitation); and CAT/C/ISR/6, paras. 87–89 (access to health care), para. 176 (rehabilitation) and paras. 23–25 (access to legal counsel).

91. The Israel Prison Service (IPS) has dedicated wards adapted for prisoners and detainees with disabilities.

92. The IPS records data regarding detainees in its facilities, however, the IPS does not record how many prisoners have disabilities. Adjustments and support are provided by relevant professionals according to the need that arises. Issues of access to medical care, visitation and access to legal counsel are regulated in the IPS ordinances and procedures without distinguishing between prisoners with or without disabilities.

Article 15

Question 16

A. Protection of PWD

93. For information on the limitations on the use of restraints see CAT/C/ISR/6, paras. 244–245; and Question 14 (b).

94. The PDO acts for preventing the binding of detainees and prisoners at hospitals, and over the years has led to a real change in this area. Furthermore, the PDO has been conducting formal visits at the arrest and imprisonment facilities nationwide, examining the conditions of prisoners including prisoners with disabilities. Official visits by visitors appointed by the Minister of Public Security (MOPS) include an annual visit at the Mental Health Center Facility of the IPS.

95. For information on the legislation anchoring medical treatment for detainees, see CAT/C/ISR/5, paras. 43–47; on the living conditions of prisoners see CAT/C/ISR/6, paras. 151–152; and on the medical treatment of prisoners in solitary confinement see CAT/C/ISR/6, para. 209.

B. Free and Informed Consent

96. The Inter-Ministerial Committee for Guardianship and Alternatives for Support and Protection of Adults, mentioned in Question 12, made a series of recommendations, including regarding informed consent.

97. On May 1, 2020, the MOH published a “Procedure of Informed Consent to Human Clinical Trials.” The procedure addresses different populations as well as different levels of urgency. For details see Annex.

C. Visibility of the Convention

98. On trainings for officials, see Question 13(b). For information on Police training, see CAT/C/ISR/6, paras. 123–124.

D. Complaint and Redress Mechanisms

99. Every prisoner or detainee under the authority of the IPS has access to the following complaint mechanisms: filing a complaint to the Director of the prison, petitioning the relevant District Court, filing a complaint to the Unit for Investigation of Wardens, filing a complaint to the Prisoners Complaint Ombudsman, or requesting a meeting in person with an official visitor appointed by the MOPS. For details, see CAT/C/ISR/5, paras. 225–228 and CAT/C/ISR/6, paras. 234–249.

Question 17

100. Every complaint or report of torture, ill-treatment or disproportionate use of force is investigated promptly by the relevant authorities. The Police and the Department for Investigation of Police Officers (DIPO) in the MOJ views instances of police officers’ ill-treatment and disproportionate use of force against detainees with the utmost severity. The Inspector for Complaints against Israel Security Agency (ISA) Interrogators at the MOJ investigates complaints against ISA interrogators. Additionally, ISA may also be reviewed by the State Comptroller, the State Attorney’s Office, the Attorney General, the Knesset and the courts. There are also internal procedures in place for judges and prosecutors to document complaints of abuse brought before them. For details regarding complaint procedures and oversight, see CAT/C/ISR/5, paras. 225–228 and CAT/C/ISR/6, paras. 234–249. For information on accessibility adjustments see CAT/C/ISR/6, para. 275.

Article 16

Question 18

A. Protection from Exploitation

101. For information on the *Prevention of Domestic Violence Law 5751-1991* see CEDAW/C/ISR/4, paras. 114–115. For information on tools to combat domestic violence and violence against women in Israel, see CEDAW/C/ISR/6, pp. 18–20. For information on exploitation by Police officers, see CEDAW/C/ISR/6, pp. 10.

The LAA Activities to Prevent Exploitation

102. In order to promote joint identification, location and treatment of cases of exploitation of PWD, the LAA has established collaboration with bank managers and the Bank of Israel. Additionally, the LAA works with the Police to enable mutual transfer of information concerning relevant cases. Note that rather than the appointment of a guardian to prevent exploitation, attorneys at the LAA aim to restrict the exploiter from inflicting harm and reducing her/his effects.

103. For more information on LAA measures to protect against violence, trafficking, prostitution, sexual offences and fatal offences, see CEDAW/C/ISR/6, p. 6. For information on legal assistance to victims of domestic violence, see Annex I to CEDAW/C/ISR/6, p. 10.

Protection of Children for Exploitation

104. There are general criminal offenses that have been set forth to protect children from exploitation, including children with disabilities.

Social Service Protections

105. The *Safety of Protected Persons Law 5726-1966* requires social workers to take certain safeguards to protect persons in physical or mental harm. Furthermore, the *Penal Law* requires a person to report any suspicion of harm to a defenseless person, even if there is a doubt as to whether a criminal offense has been committed.

.106 The Administration established procedures clarifying the obligation of reporting for functionaries in daycare and housing frameworks.

B. Mechanisms to Collect Data

107. On the State Inspections, see GOI-IR, paras. 170–175. On the Commission’s visits see Question 21 (a).

Article 17

Question 19

108. On compulsory assessment and treatment on serious mental health grounds, see Question 14.

109. The State’s policy is not to perform forced sterilization, forced abortion, castration or issue contraception by force. To the extent that a case of this exists, if at all, it is only in exceptional and rare cases.

.110 Currently, Procedure No. 2.7.6 (2007) for using contraception and tracking the menstrual cycle of women in full-care facilities, issued by MOWSA, is in force. According to this Procedure the decision to use or to stop using contraception is brought before a professional forum in the facility. The procedure notes that the aim is to involve the parents or guardians and the resident in question based on her ability to make a decision, or alternatively to inform them of the decision made. The MOWSA interpret it in such a way that decisions are dependent on the consent of the person, or their guardian under the circumstances. In addition, the MOWSA is working to update the Procedure in accordance with the principles of Convention.

Article 18

Question 20

A. Eastern Neighborhoods of Jerusalem

111. Residents with disabilities in the ENOJ enjoy the liberty of movement as stipulated at Section 6 of the *Basic Law: Human Dignity and Liberty*. On transportation in ENOJ see Annex.

112. There are 23 special education schools in ENOJ, and pupils attending special education settings are entitled to transportation from their homes.

113. In addition to freedom of movement, four centers for social rights were established to make information regarding exhaustion of rights for PWD more accessible. As of November 2021, the Jerusalem Social Services Department provides services to 10,941 households in the ENOJ, totaling 34,381 individuals (about 9% of the population).

B. PWD without Civil Status

.114 There is no specific legislation regarding migrant workers, refugees or asylum seeking PWD, however the general legislative and policy frameworks apply therein. For information on the rights of migrants who may not be returned to their own country, see Annex I to E/C.12/ISR/4, pp. 79–80 and Question 26 (d).

Article 19

Question 21

115. Israel has taken steps to promote independent living in the community, although gaps still remain.

116. Approximately 95% of PWD in Israel reside in homes within the community either with their families or independently.

A. The Choice of Place of Residence

117. The placement of a person with intellectual-developmental disabilities in a housing care facility by the MOWSA is made by a Diagnostic Committee which hears the PWD's preferences as well as that of her/his guardian or a person assisting her/him in decision making (if such has been appointed) and a social worker. The Committee then decides in accordance with their wishes, abilities and the existing options (Section 7A(b) of the *Welfare Law (Treatment for Persons with Intellectual-Developmental Disabilities)*).

118. In most cases, persons are placed according to their will, except subject to the decision of a Court or the Diagnostic Committee, in relevant cases. The Diagnostic Committee makes an effort to primarily refer persons with intellectual-developmental disabilities to smaller apartments in the community, while persons with complex disabilities are currently referred to full care facilities, although there are ongoing attempts to change this trend.

119. The MOWSA aims to act as much as possible to integrate PWD who receive social services into the community and enable them to participate therein, as well as to promote their autonomy and independent functioning, while assisting in the development, acquisition and preservation of skills.

120. The MOWSA plans to continue the process of moving persons with severe disabilities from larger full care facilities to smaller housing arrangements, and to improve the services provided for PWD within the community.

121. The MOH, in charge of the implementation of the *Rehabilitation of Mentally Disabled Persons in the Community Law 5760-2000*, allows anyone to apply to the Rehabilitation Grant Committee and request approval for a rehabilitation program, including in the field of housing. The Committee aims to consider the applicant's goals, desires and needs, preferring a care facility and existing services, to the extent possible.

Out-of-Home Placement

122. As of 2021, there are approximately 18,000 PWD who receive out-of-home services from the MOWSA, out of which 28% live in home-facilities apartments of up to 6 persons, 28% live in residential facilities of 7–24 persons (16% in home-facilities apartments of 7–12 persons, 6.5% in home-facilities apartments of 13–18 and 5.5% in residential facilities of 18–24 persons). Currently, 44% of PWD who receive out-of-home services from MOWSA are living in full-care facilities of more than 25 persons.

123. In 2014, the MOWSA initiated a three-year project, with the aim to transfer approximately 900 persons with intellectual disabilities from the larger full-care facilities placements to smaller housing arrangements. As part of this project, during 2016, 200 persons moved to smaller housing arrangements, upon their consent, as well as the consent of their

families and their guardians', after a prolonged preparation of the residents and their families by the Ministry. Since 2016 until today, 1,000 additional PWD moved to smaller housing arrangements, at least half of them to apartments of up to six persons.

124. While the number of PWD residing in home-facilities apartments' arrangement is gradually and slowly increasing, the number of PWD in full-care facilities of more than 25 persons is gradually and slowly decreasing, and each year less persons enter them (approximately 100 less each year since 2019).

125. The MOWSA acknowledges the importance of living in the community and is therefore making efforts to achieve this goal, by opening new home facilities apartments with up to six persons in recent years. Currently, within the residential services provided by the MOWSA there are 93 apartments for up to six residents.

126. MOH operates rehabilitation services in the community, and promotes projects designed to develop, expand and implement new models of housing rehabilitation, adapted to the unique needs of persons with mental disabilities. There are currently a very small number of long term psychiatric care facilities in mental health centers (i.e., "therapeutic residences" on the premises of mental health centers, and psychiatric hospitals), but the goal in the future is to close these facilities, and open facilities on the rehabilitation spectrum within the community.

127. Regarding the elderly and persons suffering from chronic illnesses, the MOH, together with the MOWSA and other relevant bodies, promotes models of at-home care, rehabilitation and hospitalization, by assessing support structures and formulating professional procedures and criteria for such services. In addition, elderly persons coping with a psychiatric disability may be integrated, according to their needs and clinical situation, in nursing homes within the community operated by the MOWSA. The trend is to strengthen the home-care facilities, whilst maintaining the option of full-care facilities, offered to those who need this service.

The Commission Visits

128. The Commission conducts unscheduled visits in out-of-home facilities in coordination with MOWSA and MOH, to be followed by an inspection report with its findings. In the Reporting Period, 47 such visits were conducted. The main findings were related to: employment and leisure activities, the condition of the physical structure, problems with maintenance and cleanliness, the training of the counselors and the lack of participation of the residents in decision-making concerning their daily lives. The MOWSA is working towards correcting the issues.

B. Community Support Services

129. The MOWSA operates a number of unique programs that support community living, including: a supported living program for persons with intellectual disabilities who manage an independent household or live with their parents; an independent-living supporting community program aimed to strengthen the community network; programs for young PWD aimed at providing skills in order to enable them to live in the community independently; a unique model of supported housing for PWD who wish to continue living in a community both independently and with a support system; and a webpage that offers resources to support independent living.

Personal Assistance

130. According to the Commission's data, 56,000 PWD employ foreign workers, approximately 7,900 of whom are between the ages 18–67. Approximately 48,000 PWD over the age of 67 employ foreign workers, as well as approximately 700 families of children with disabilities.

131. In addition, approximately 173,000 senior citizens are eligible for several weekly hours of assistance.

C. Rent Subsidies and Housing Adaptations

132. The Ministry of Construction and Housing (MOCH) handles many applications for housing assistance from PWD submitted each year. As part of its various assistance programs, the MOCH offers the following:

- (a) Rental assistance – As of June 2020, approximately 28,000 persons are eligible for rental assistance. Regarding the ratio between the number of PWD who receive such assistance and the number of applicants, out of the 177,944 persons exercising their right to assistance in rental payments (due to different eligibility criteria), 28,834 are eligible PWD (16% of the eligible persons);
- (b) Public housing – The number of PWD in public housing apartments is 18,170;
- (c) Housing adjustments – The MOCH has a program providing assistance for adjusting an apartment for persons with a mobility disability. In 2019, 1,152 applications have been processed, and up to November 2020, 894 applications were processed.

Article 20

Question 22

A. New Assistive Technologies for PWD

133. The Ministry of Science and Technology (MOST) regularly funds research conducted in various research institutions in Israel, including on developing technologies to restore or improve cognitive or motor abilities, studies of biological trends in major degenerative illnesses and potential medical interventions, the social and neurological effects of the COVID-19 pandemic and more.

Assistive Aids

134. The MOH assists in providing PWD country-wide, including in the ENOJ, with various forms of personal mobility assistance.

135. In 2018, MOH established a new website which contains and coordinates all mobility assistance procurement procedures. The use of this website has led to a significant improvement in the management of the aid requests and the ability to monitor the rehabilitation processes.

136. On assistive aids and publicly provided equipment, see Annex II to GOI-IR, paras. 6–10. On hearing aids see Annex.

137. The MOWSA provides senior citizens with rehabilitative training services, subsidized mobility aids and a guide dog.

B. Personal Mobility for Children

138. See Questions 22 (a) and 25 (b) on this issue. In addition, according to the *Equal Rights Regulations (Individual Access Adjustments for Parent and Child)* 5768-2018 accessibility adjustments, including aids and devices are provided to pupils with disabilities.

C. Provision of Mobility Aids, Devices and Assistive Technologies

139. The MOH assists in providing PWD various forms of personal mobility assistance after carefully examining its quality and according to international standards. During the Reporting Period, there has been an increase of 17% in the number of requests for such aid and equipment, and currently there are over 63,000 requests. MOH's yearly budget for these

aids and equipment in 2017 is over 159 million NIS (50,389,962 USD), and includes new technologies that are approved each year, to benefit PWD.

Article 21

Question 23

A. Accessible Information and Internet Sites

140. The Government Procurement Administration, which is responsible for publishing tenders for Government Ministries and ancillary units, ensures that information systems purchased as part of such procurement processes meet the requirements of the relevant accessibility regulations in accordance to the *Service Accessibility Regulations*.

141. Among the Commission's activities towards internet accessibility, it supervised approximately 380 websites, as a result of which corrections were made to issues in a large number of sites; examined 33 real-time sites and applications set up by various government agencies; and more.

B. Israeli Sign Language

142. On November 29, 2020, Government Resolution (GR) No. 591 to ensure the maintenance and development of Israeli Sign Language was adopted. The Resolution charges the Minister of Culture and Sports, together with the Academy of the Hebrew Language, to take steps to establish an Academy for Israeli Sign Language, with a budget of over one Million NIS (312,873 USD).

143. The MOE adapted a course to the needs of adult immigrants with hearing disabilities, as noted in Question 25.

144. The Commission promotes awareness on the world of sign language and protects the right of individuals to receive sign language interpretation.

Article 23

Question 24

A. Alternative Care to Parents of Children with Disabilities

145. The MOWSA policy is to make every effort to allow parents to raise their children with disabilities at home in the best possible way and to avoid separating children from their families.

146. The removal of any child, with or without disabilities, from the custody of their parent or guardian is carried out according to the *Youth (Care and Supervision) Law 5720-1960* and the *Adoption of Children Law 5741-1981*. The existence of the grounds is generally determined by the Court. The placement in alternative care is executed only after all means of family support in the community have been exhausted, except if this would pose a risk to the child.

147. The Administration assists families through a variety of tools: general assistance for the family, personal supporters, rehabilitative trips or rehabilitation afterschool care. Furthermore, counseling and accompaniment services are provided to families of children with disabilities through the family centers.

Parents with Disabilities

148. According to the MOWSA policy if there is a need to remove a minor from their parents' custody, it is examined not based on their disability, but rather the absence of parental competence at a level that enables the proper development of the child.

B. The Right to Parenthood

149. In recent years, in order to promote a change in the exercise of the right to parenting in accordance with the Convention, the Commission led comprehensive round table discussions on the right of parenthood, together with: MOWSA, MOH, MOJ, PWD and DPOs and the Academia. Following the round table discussions, in November 2021 the Commission published a report, which reviewed the situation and made recommendations for promoting the right to parenting.

150. The MOWSA and MOH operate several programs to support parents with disabilities, including guidance and counselling. Additionally, MOH and MOWSA run a joint holistic rehabilitative support program.

Spousal Relations and Family in Residential Facilities

151. In some out-of-home facilities, the MOWSA encourages and enables the housing for couples, as well as assistance and accompaniment to support their relationships. Currently, there are a few couples who live in home facilities apartments with a baby that continue to receive support to the extent possible.

C. Prevention of Concealment, Abandonment, Neglect or Segregation

152. When indications of abandonment or neglect of minors, including minors with disabilities are received by social services, the social worker is authorized to take action, in accordance to *Youth (Care and Supervision) Law*.

153. According to the MOWSA data there are no known cases of hiding and separating children with disabilities; there are only a few rare cases of newborns abandoned in a hospital by their parents (the newborns were placed in foster care or adopted).

Article 24

Question 25

A. Promoting Inclusive Education

154. On July 2, 2018, Amendment No. 11 to the *Special Education Law* entered into force, as part of a reform in the special education system. According to the amended Law, the pupil's parents, after receiving all the relevant information, shall decide whether to place their child in the general educational system, or in a special education school/pre-school. If no preference was expressed by the parents, the MOE DG Directive states that mainstreaming in the general educational system is to be preferred.

155. The principle enshrined in this Amendment is that special education is a service that is not location-dependent, and pupils may receive this service in the educational institution of their parents' choosing.

156. According to the Amendment, the Eligibility Committees meetings give more weight to parents' choice of educational setting for their children. The parents' decision is secondary to the Committee's only in cases where the Committee perceives a substantial concern that placing the pupil in an educational setting in accordance with her/his parents' choice would lead to severe harm to her/his or others' well-being. Only in such cases, the Committee may

decide to place him/her in another educational institution that better suits him/her, based on the opinion of the relevant professionals.

157. As part of the implementation of the reform, the MOE established an Inclusion Division.

158. According to the Amendment, for various reasons, the services provided for pupils in special education and for pupils mainstreamed in the general education system are different (such as a longer school year, a longer school day and more treatments provided at the school itself in the special education system).

159. Since the Amendment came into force, a decrease in the mainstreaming of pupils in the general education system has been noted. In the current academic year, 59.5% of pupils are mainstreamed in general education institutions (as compared to 62.3% in 2020–2021), whereas 40.5% of pupils were in special education institutions (as compared to 37.7% in 2020–2021).

160. Recently, the Minister of Education announced her intention to initiate discussion, together with NGOs, DPOs, parents and pupils' organizations, to amend this legislation in the near future, in order to promote inclusion, based on the experience accumulated in recent years.

B. Accessibility Adjustments of Education Institutions

Individual Access Adjustments

161. On 30 July 2018, the *Equal Rights Regulations (Individual Access Adjustments for Parent and Child)* entered into force. These Regulations prescribe the accessibility adjustments that pupils with disabilities and parents with disabilities are entitled to, in order to enable them to participate in all the activities that take place in the educational institution, as well as, to the extent possible, outdoor school activities.

162. The Commission enforces compliance with these accessibility obligations by administrative-criminal means (accessibility orders) and by way of filing civil lawsuits. In the Reporting Period, the Commission conducted 451 inspections at educational institutions and handled seven civil lawsuits.

163. In the Reporting Period, MOE funded various accessibility adjustments for a total of 370,222,152 NIS (116,102,592 USD).

Higher Education

164. The *Equal Rights of Persons with Disabilities (Accessibility Adjustments to Existing Public Places which are Institutions of Higher Education and for the Higher Education Services they Provide) Regulations 5776-2016* are implemented gradually.

165. The total budget of accessibility in institutes for higher education stands at 180 million NIS (57,929,796 USD).

C. Transportation for Children with Disabilities

166. The MOE and the local authorities operate a very extensive transportation system for special education attending pupils and toddlers.

Article 25

Question 26

A. Sexual and Reproductive Health Programs Available for PWD

.167 For reproductive health programs in schools, see CEDAW/C/ISR/6, p. 34. On sexual education in special education, see Annex I to CRC/C/ISR/5-6, paras. 99–101. On women’s health, see Question 3 (b).

Training Programs for Medical Staff

168. The MOH offers training programs to professionals in the field of mental health care, which include the rights of PWD.

B. Health Services for PWD in the “Palestinian Territories”

169. Please see Question 1 (d).

C. Discrimination in Insurance Contracts

170. The *National Health Insurance Law* obligates the MOH to offer health services in an equal manner to all those insured, without bias based on their health situation and/or disability. Pursuant to the *ERL*, although insurance companies are obligated not to discriminate on the basis of disability, this does not require them to alter the inherent characteristics of their service. Insurance companies are allowed to act in accordance with business considerations, including the decision whether or not to insure based on risk assessment. When dealing with long-term care insurance, offering different services based on relevant differences is not considered discrimination, so long as it is reasonable. The companies are obligated to explain their decision to refuse to insure or offer a different insurance premium in writing.

171. Accordingly, pursuant to the provisions of the *ERL* (Chapter 5A, Mark H), a private insurance company may deny a PWD insurance or offer a different premium only if trustworthy, relevant data indicates that the disability affects the insurance risk – and the decision is explained clearly – without being based in stereotypes or arbitrariness.

Legislation Amendments and Regulations

172. On May 24, 2016, the *Equal Rights for Persons with Disabilities Regulations (Notice of Insurer Regarding the Provision of Different Treatment to Individual or Regarding Refusal of Insurance)* 5776-2016 entered into force. These regulations require an insurer to notify of their refusal to insure in a manner that would allow the PWD in question to exercise her/his entitlement under the Law.

173. On July 8, 2018, Amendment No. 18 of the *Equal Rights Law (Life Insurance for a Person with a Life-Shortening Disability for Housing Loans)* 5778-2018 was enacted. According to this Amendment, an insurer selling life insurance for the purpose of obtaining a housing loan may not refuse to sell such a life insurance policy to a person with a life-shortening disability, except subject to the provisions of this Law.

D. Cultural Accessibility of Health Care Services

174. The MOH works to promote cultural and linguistic accessibility in the health system, including through the issuance of DG Circular No. 7/11 (2011), on the issue.

175. In addition, a language translation service, including translation into sign language, is operated on the call center managed and operated by the MOH, and HMOs and other health services operate centers on their own behalf.

Medical Rights

176. Pursuant to *Patients' Rights Law 1996-5756*, all persons are entitled to urgent medical care in a situation of medical emergency. In addition, minors without civil status in Israel are offered subsidized medical treatments. Foreign workers and employed persons without civil status are entitled to health insurance sponsored by their employer. In addition, there are several specialized clinics and services which offer treatments to migrants in Israel, facilitated by NGOs or hospitals.

Protection for Women Asylum Seekers involved in 'Survival Sex'

177. The GOI takes several measures to ensure access to health care, mental health and rehabilitation services for women asylum-seekers involved in 'survival sex'.

Article 26

Question 27

178. On rehabilitation programs for PWD in general, see GOI-IR, paras. 261–269 and Annex II, paras. 31–34. On additional rehabilitative services provided in the Negev at "Adey Negev", see Annex.

179. Since 2021, the MOD is conducting a reform in its rehabilitation department, aimed to improve the services provided to IDF veterans.

Rehabilitation Programs for Children with Disabilities

Para-medical Services

180. The *National Health Insurance Law* entitles children to receive diagnostic services and therapy, according to their needs and professional discretion. These services are provided in the community, as much as possible. Additional services are received through the *Special Education Law*.

181. Due to challenges regarding provision of para-medical treatments, the Commission convened a round table on the subject of para-medical treatments in the South of Israel with all the parties involved.

182. Recently, the Prime Minister's Office established an inter-governmental committee and on 20 February 2022 a GR No. 1140 on the plan to overcome the shortage in professional in the health sector was passed, aiming to deal with such shortage by incentives, programs and more.

Services Provided in Educational Institutions

183. The *Special Education Law* entitles pupils to receive treatment within the education framework. While pupils in special education schools receive treatments according to allocated services per school (based on the number of children, types of disabilities, etc.), the allocation of hours for services to children in mainstream educational is decided by the Eligibility Committee, or a multi-professional team. In both cases, eligibility for treatment in the education framework does not detract from the services the child is entitled to receive from her/his HMO.

Rehabilitation Programs

184. The MOSE offers diverse services provided to the entire population of senior citizens, as well as elderly PWD. MOSE programs are made accessible to various disabilities requirements.

185. The Administration operates various rehabilitation programs for PWD of all ages. Most services provided by the MOH and MOWSA are operated through third-party service providers, some of which are NGOs.

186. There are several vocational trainings on various subjects conducted in collaboration with the Labor Branch and NGOs, including a course in Arabic. In the Reporting Period, 201 persons attended.

Article 27

Question 28

A. Employment Opportunities

187. Israel has taken many steps to promote the employment of PWD. The statistics indicate a steady increase in employment rates, although gaps still remain.

188. On November 8 2021 the *State Economy Arrangement Plan Law 5782-2021*, entered into force and raised the amount for which PWD can earn as salary to 5,300 NIS (1,647 USD) (around minimum wage) without it reducing their disability pensions/allowance.

Legislation and Enforcement of Affirmative Action in Employment

The Commission Supervision and Enforcement

189. Amendment No. 15 to the *ERL* prescribes a 5% adequate representation rate of persons with significant disabilities target for large public employers (who employ more than 100 employees).

190. The *Equal Rights for Persons with Disabilities Regulations (Transference and Processing of Information in order to Meet Representation Targets) 5778-2017* establish the procedure of transferring information to examine and promote the representation targets.

191. The Commission is authorized to enforce implementation of the law, and performs supervision and criminal enforcement actions vis-à-vis public bodies that do not meet the legal requirements. Following the Commission's actions, all of the relevant bodies have published an annual plan for 2022 and have appointed an equality officer.

Civil Service

192. On affirmative action in the Civil Service see GOI-IR, paras. 278–279. CSC data from 2020 indicates that out of 75 Government Authorities, only 20% meet the employment target; 33.5% meet the target at an intermediate level; 41.5% meet the target at a low level and 5% do not meet the target.

193. The CSC is working to promote employment in a variety of manners, including cooperation with NGOs, training, and informational events.

Promotion of Employment

194. The Ministry of Economy and Industry (MOEI), MOWSA and MOH offer a wide variety of programs to incentivize employment integration. For details see Annex.

195. The Commission handles inquiries from employers and PWD on issues arising regarding employment. The Commission assists in providing information, solutions and legal assistance to PWD to mitigate discrimination. In relevant cases, the Commission submits lawsuits against private and public sector employers and Government bodies.

B. Mechanisms to Ensure Labor Rights

Facilitating Real Work for Real Pay - Sheltered Employment

196. Of the persons in various sheltered employment mechanisms by MOH, 10,254 are in sheltered employment, 8,170 are in supported employment. Of persons in various sheltered employment mechanisms by the MOWSA, 9,518 are in sheltered employment, 2,028 are in supported employment.

197. Some MOH sheltered employment programs operate day-to-day operations in order to offer PWD to gain employment experience. In these programs, participants are given rehabilitative allowance, not salary. In the sheltered employment system, several programs have been developed to encourage and assist recipients of the service to integrate into the labor market, and the percentage of integration has increased every year.

198. In October 2021, the National Labor Court decided that the usual tests for establishing the existence of an employer-employee relationship apply also in the context of sheltered employment, thus allowing for the possibility of certain persons employed in a sheltered workplace being recognized as employees entitled to the full benefits of labor legislation. Currently an inter-governmental committee is working on an amended policy in the field of sheltered employment. The GOI is considering submitting a petition to the High Court of Justice on this issue.

199. The *Equal Rights of Persons with Disabilities Employed as Rehabilitated Person (Temporary Provision) Law 5767-2007*, was in force for ten years until 2017 (GOI-IR, para. 290). A Government bill to reenact this law as a permanent provision is now in legislative process.

C. Entrepreneurs with Disabilities

200. There are a number of projects aimed at encouraging the development of designated programs for entrepreneurship and business management for PWD. Furthermore, MOEI provides entrepreneurs several means of assistance, available to PWD as well.

Article 28

Question 29

201. The relevant Government bodies evaluate the effectiveness of social protection policies and the data regarding exhaustion of rights, including PWD, as part of their routine work. When gaps or challenges are made known, the GOI works to make the proper adjustments. In the Reporting Period, such amendments and policies included: the MOWSA DG Circular No. 168 and No. 100 relating to the treatment of asylum seekers – specifically PWD, and children at risk; and Amendments to the *Arrangements Law* regarding eligibility for employing foreign caregivers and allowing tax benefits.

202. Furthermore, on March 1, 2018, Amendment No. 200 to the *National Insurance Law* entered into force, raising the disability allowance significantly from 2,873 NIS (904 USD) (in 2018) to a maximum of 3,700 NIS (1,157 USD).

Article 29

Question 30

A. Voting Procedures

203. In 2017, the Central Elections Committee appointed a sub-committee to improve the accessibility of voters with disabilities.

B. Participation in Political Life

204. For information on measures to enable the exercise of this right for persons with intellectual disabilities, see GOI-IR, para. 308.

C. Knesset Members with Disabilities

205. The presence and participation of PWD in the political sphere is important for promoting the equal rights of PWD.

206. In recent years, a number of Knesset members with disabilities have served and others have run for office on the various parties' lists for the Knesset. In the current Twenty-Forth Knesset, there are several Knesset members with disabilities, and one Minister. Individual adjustments (such as sign language translation) are made for Knesset members with disabilities that allow them to fulfill their parliamentary roles equally.

207. The Knesset has carried out several actions to make parliamentary activity accessible and to enable PWD to participate in all the decision-making procedures and Knesset events.

Article 30

Question 31

208. In recent years, the MOCS allocated 30 million NIS (9.4 million USD) to making cultural centers accessible to PWD, and 10 million NIS (3,128,733 USD) for making public libraries accessible.

Accessibility of Religious Places

209. The *Equal Rights for Persons with Disabilities (Accessibility Adjustments for a Public Place which is an Existing Building) Regulations 5772-2011* apply to all public places, including places of worship and holy places. "Mikvahs" (Jewish ritual baths), are being made accessible in accordance with these Regulations.

210. During 2020–2021 the Commission, in collaboration with JDC Israel and the Beit Hillel Rabbinical Organization, launched a campaign entitled "Accessible and Inclusive Community", raising awareness about accessibility in synagogues and how to create an inclusive Jewish religious community.

211. During the Reporting Period the Commissioner held meetings with the heads of different religious sects in Israel, including Muslim, Druze and Christian populations, with the purpose of raising awareness on accessibility and inclusion in the religious sphere.

Participation of PWD in Mainstream Sporting Activities

212. The MOCS conducts various activities designed to remove barriers facing PWD and encourage their participation in mainstream sports activities and provides grant to promote activities designed for PWD, with an approximate annual budget of 23,750,000 NIS (7,454,787 USD).

213. Furthermore, the Ministry for the Development of the Negev and the Galilee is building 20 accessible parks in the periphery, at the cost of 12 Million NIS (3,766,629 USD).

Article 31

Question 32

214. The Central Bureau of Statistics (CBS) collects two types of information concerning PWD:

(a) Information based on disability registration data (collected from state authorities) – The PWD registry was initiated to improve the generation of data regarding PWD. The data includes persons registered by the authorities;

(b) Information based on surveys – self-declaration of functional disability (collected in various CBS surveys and the census) – The Commission publishes an Annual Data Report that includes data regarding issues such as employment, education, financial status, social relationships, usage of internet and technology.

Article 33

Question 33

A. Information on National Human Rights Institutions (NHRI)

215. For information on mechanisms for the protection of human rights, see HRI/CORE/ISR/2008, HRI/CORE/ISR/2015 and HRI/CORE/ISR/2021. Additionally, upon the ratification of the Convention in 2012, the Commission was appointed as a focal point and coordinating body relating to the promotion, protection and monitoring of the implementation of the Convention, according to Article 33. The Commission's vast work has been detailed throughout the Report.

B. Participation of PWD and DPOs in Monitoring

216. For information on ongoing consultation with PWD, see GOI-IR, paras. 33-34 and Question 1(e). Furthermore, the Commission's advisory board participates in and discusses all Commission's activities, including monitoring the implementation of the Convention. For details on topics discussed and events held, see Annex.
