



Convention on the Rights of the Child

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Committee on the Rights of the Child

Combined fifth and sixth periodic reports submitted by Israel under article 44 of the Convention, due in 2018^{*}, ^{**}

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* The present document is being issued without formal editing.

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



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I. Introduction

1. Hereinafter are the combined fifth and sixth periodic reports of the Government of the State of Israel, submitted to the United Nations Committee on the Rights of the Child, in accordance with the requirements of Article 44 of the Convention on the Rights of the Child (hereinafter – the “Convention” or the “CRC”) and the CRC Treaty-specific Guidelines (CRC/C/58/Rev.3).
2. Since the submission of our second to fourth periodic reports, many developments relevant to the implementation of the Convention and its protocols have taken place. This Report provides a comprehensive account of the most significant developments since 2014 until today. It also addresses the comments made in the Concluding Observations by the Committee (CRC/C/ISR/CO/2-4), dated 4 July 2013 as well as its Concluding Observations on the Additional Protocols: CRC/C/OPSC/ISR/CO/1, dated 8 June 2015 and RC/C/OPAC/ISR/CO/01, dated 14 March 2010.
3. Israeli Non-Governmental Organizations (NGOs) were invited to submit comments prior to the compilation of the report, through both direct application, and a general invitation posted on the Ministry of Justice (MoJ) website.
4. This Report was compiled by the Counselling and Legislation (International Law) Department at the MoJ, in cooperation with other Governmental Ministries and agencies.

II. General measures of implementation

Article 4

The Convention’s legal status

Incorporation of the Convention rights

5. The fundamental rights protected by the Convention are effectively protected through legislation, judicial decisions and otherwise. Israel has not enacted any further *basic laws* on the rights of the child since the submission of our previous report. However, many legislation amendments were enacted during the reporting period, as detailed in this Report.
6. On April 16, 2019 the Deputy to the Attorney General (Constitutional Law) published Guidelines for the implementation of the *Indication of Information Regarding Legislation Influences on the Rights of the Child Law 2002-5762*. These Guidelines relate to the legislative process, and requires the State to consider the legislation’s effect on children’s rights, in the spirit of the CRC. In the event that a law may negatively impact, directly or indirectly, the rights of children, the State is obligated to consider alternatives that will eliminate or mitigate such impact.

Independent human rights institutions

7. There are several national institutions that operate in Israel and provide services for the protection of human rights, such as the State Comptroller and Ombudsman, the Equal Employment Opportunities Commission (EEOC), the Commission for Equal Rights for Persons with Disabilities, the Authority for the Advancement of the Status of Women (AASW) and others.

Dissemination, review and implementation of concluding observations

8. See Annex I.

Non-application of the Convention in the west bank

9. The applicability of the Convention to the West Bank has been the subject of considerable debate in recent years. In its Periodic Reports, Israel did not refer to the implementation of the Convention in these areas for several reasons, ranging from legal considerations to the practical reality. Moreover, in line with basic principles of treaty

interpretation, Israel believes that the Convention, which is territorially bound, does not apply, nor was it intended to apply, to areas beyond a state's national territory.

Trainings on the application of the Convention

10. With reference to the Committee's recommendation regarding training programs for the legal profession and judiciary, a wide range of training days on Human Rights Conventions and specifically on the rights of the child have been held. For details, see Articles 28, 29 and 40 below.

Other human rights related conventions Israel has ratified in the reporting period

11. Since the submission of Israel's Second Periodic Report to the CRC Committee in 2010 (hereinafter: the "Second Report"), Israel became a party to several major international instruments concerning children. On November 2018, Israel joined the 2014 Protocol to the ILO Forced Labour Convention, 1930. In March 2016, Israel ratified the WIPO's Marrakesh Treaty to Facilitate Access to Published Works for Persons Who Are Blind, Visually Impaired, or Otherwise Print Disabled. On September 2012, the State of Israel ratified the Convention on the Rights of Persons with Disabilities.

Consultation with non-governmental organizations (NGOs)

12. Israel acknowledges the key role played by NGOs in the development and implementation of the Convention. NGOs were invited to submit comments prior to the compilation of the Report, both by way of direct contact with them and by way of a general invitation to submit comments posted on the MOJ's website. Due consideration was given to the responses of the NGOs.

13. For additional information, see Annex I.

14. In 2012, a joint project was initiated by the Ministries of Justice and Foreign Affairs, with the Minerva Center for Human Rights at the Hebrew University of Jerusalem, which aims to improve cooperation between State authorities and civil society organizations, specifically relating to the reporting process to the UN Human Rights Treaty Bodies. Following the completion of this draft report, NGOs were invited to comment on this draft prior to its submission and a round table with various NGOs took place on September 10, 2019. Their comments were transferred to the relevant Ministries for their response, and were given due consideration.

Dissemination, training and integration of the CRC into school curriculum

15. The CRC is distributed in child-friendly language to all educational institutions once every three (3) years (in Hebrew, English, Arabic and Russian). According to the Ministry of Education (MoE) directives, the values and principles of the CRC, such as the pupils' right to be heard and the respect of their best interests, are incorporated in the various study subjects, in the formal and non-formal level.

16. Furthermore, there are several international days in which the education system notes the rights of the child and human rights in general, such as the Universal Children's Day. During these days children all over Israel receive information on the CRC, with the assistance of relevant government bodies as well as NGOs such as the Association for Civil Rights in Israel (ACRI), UNICEF, and the Center for Educational Technology.

17. In addition, the Ministry of Foreign Affairs, in collaboration with Israel's Agency for International Development Cooperation (MASHAV) carries out projects for children through its missions worldwide and also in Israel. For further information, see Annex I.

III. Definition of the child

Article 1

Definition of the child

18. The definition of a child was discussed in Israel's former reports. No change has occurred in the definition since the submission of the Second Report.

Raising the marital age from 17 to 18

19. In accordance with the 2011 Concluding Observations of the CEDAW Committee, the Knesset amended the *Marital Age Law 5710-1950* (Amendment No. 6) in order to raise the minimum marital age from 17 to 18. Subsequently, a Family Matters Court is authorized to permit the marriage of a minor if she/he is above the age of 16 and if there are unique reasons to do so linked to the minors' best interest. The Court must hear the minor before deciding on this matter. With regard to the marriage of a minor below the age of 17, the Court must also request a social worker assessment.

20. Police Enforcement – The Police deal with violations of the *Marital Age Law*. Police officers hold periodic meetings with representatives of the Population and Immigration Authority (PIA) to ensure that they receive the relevant information. An investigation is initiated following every complaint submitted to the Police by the PIA. In the framework of the investigation, the parents of the minor, who are often directly involved in the marriage, are also investigated. In addition, all police districts are given lectures on the Law's implementation and enforcement.

21. Prosecution according to the *Marital Age Law* – In May 2018, the Attorney General's Guideline No. 4.1113 concerning the Attorney General's policy regarding applications for a marriage of minor permit was published. Also, in May 2016, the State Attorney published a Guideline entitled "*The Prosecution Policy regarding the marriage of a minor's offence*", setting out the Prosecution's policy in respect to this offence. For details, see CESCR Fourth Periodic Report (hereinafter: CESCR Report) Annex No. I, p. 39–40, 111–112.

IV. General principles

Article 2

Non-discrimination

22. Equality has been established as a fundamental principle in the Israeli legal system through legislation and extensive case law. The High Court of Justice (HCJ) plays a leading role in the promotion of the principle of equality through the development of jurisprudence when interpreting the *Basic Law: Human Dignity and Liberty*. For further elaboration, see Israel's Core Document (HRI/CORE/ISR/2008) and its update (HRI/CORE/ISR/2015).

23. In May 2014, the Knesset legislated Amendment No. 3 to the *Prohibition of Discrimination in Products, Services and in Entry into Places of Entertainment and Public Places Law 5761-2000* in order to include the prohibition of discrimination on the basis of age in the Law, which is relevant to minors as well as to elderly.

24. On March 24, 2014, Amendment No. 4 to the *Pupil Rights Law 5761-2000* was approved by the Knesset. This amendment added sexual orientation and gender identity to the list of grounds upon which discrimination of pupils is prohibited.

Fight against racism

25. The recommendations of the Committee on Racism, Discrimination and Exclusion in the Healthcare System (see para. 28 below) include preventive measures such as designated training for pupils and active staff members, an awareness raising campaign for equality and a racism-free environment, and creating an open dialogue between different populations and healthcare staff.

26. On August 1, 2016, the Ministerial Committee for the Advancement of the Integration into the Israeli Society of Israeli Citizens of Ethiopian Origin, adopted the recommendations of an inter-ministerial team charged with forming an action plan to deal with racism against persons of Ethiopian origin, pursuant to Government Resolution (GR) No. 1107, and decided to implement several steps, including the establishment of a new governmental unit within the MOJ: the Unit for the Coordination of the Fight Against Racism (hereinafter: the “Unit”). The Ministerial Committee’s decision was adopted in GR No. 1958 (19.08.2016).

27. The Unit is in charge of supervising the implementation of the inter-ministerial team’s recommendations, receiving complaints concerning discrimination and racism and forwarding them to the relevant authorities, safeguarding the handling of these complaints, composing an annual report regarding the Unit’s responsibilities, and examining required legal amendments.

28. In December 2016, the Director General (DG) of the Ministry of Health (MoH) appointed a Committee on Racism, Discrimination and Exclusion in the Healthcare System, with the purpose of identifying the challenges in this field and their underlying causes, as well as recommending measures for their elimination. The Committee’s recommendations include preventive measures such as designated training for pupils and active staff members, an awareness raising campaign for equality and a racism-free environment, and creating an open dialogue between different populations and healthcare staff. For further information, see Annex I.

29. On the health services provided to minority groups such as centers for teenage Bedouin girls, mother and child health care stations (“Tipat Halav”) in the Bedouin local authorities, promoting health services within Bedouin local authorities, Promoting Health Services within the Druze and Circassian localities see CEDAW Sixth Periodic Report (hereinafter: “CEDAW Report”) Annex I, p. 63–65.

Article 3

Best interests of the child

30. Israeli Laws and policies support the broader consensus that the best interests of the child should be heard and considered in matters affecting her/him, as detailed in the Second Report.

Out-of-home care

31. On December 6, 2016 the *Children Foster Care Law 5776-2016* entered into effect. Article 1 of this Law stipulates its purpose: to establish the rights of children in foster care and the duty of the State to ensure their best interests and rights, pursuant to the CRC, in recognition of their unique vulnerability and their right to receive special protection and assistance, without derogating from the responsibility, duty and right of their parents to ensure their best interests. The Law places an emphasis on the best interests of the child and incorporates in Section 4 a broad and comprehensive definition, in accordance with Article 3 of the Convention, as interpreted by the CRC Committee in its General Comment No. 14 (2013)¹. For further information, see Annex I.

32. The best interests of the child is a guiding principle in any act being performed with respect to a child, under this Law. The Law provides detailed guidance to the decision-making bodies on how to determine the best interests of the child in the foster care context. According to Section 32 of the Law, the choice of a foster care family is carried out in pursuit of the most suitable foster care for each child, according to her/his best interests and specific needs. Wherever possible, placement will be among the child’s family members, carried out without separation between the child and her/his siblings and where possible – at a foster family residing within geographical proximity to the child’s parents or to members of her/his family with whom there are significant ties.

¹ CRC/C/GC/14, dated 29 May, 2013.

Article 6 (1)

The right to life

Capital punishment

33. As mentioned in our previous report, a death penalty cannot be imposed on a minor who committed the offense while she/he was a minor.

Steps to eradicate infanticide

34. In 2014 the Unit for Prevention of Suicidal Behavior was established in the MoH in order to implement the national action plan for reducing suicide and attempted suicide rates, which was established by GR No. 1091 (22.12.2013). For further information, see Annex I.

Promoting child safety

35. According to GR No. 4289 (19.02.2012), a multi-year plan for the promotion of child safety in Israel should be established. In March 2017, the “National Child Safety Program” was approved along with approx. 50 Million NIS (14 Million USD) five (5)-year budget. The inter-ministerial committee that compiled the program was headed by the MoH, and set two (2) main goals for the National Program: to reduce the rate of child mortality as a result of injuries, and reducing disparities in general mortality rates between Jewish and Arab children.

36. Furthermore, due to an increase in the number of infants that were forgotten in the car by their parents, leading to injury or death, the MoH and the National Road Safety Authority launched several campaigns to increase public awareness to this issue.

Article 12

Respect for the views of the child

Legislation

37. Israeli Laws and policies support the broader consensus that a child’s opinion should be heard and considered in matters affecting her/him, as detailed in the Second Report.

38. Section 11 of the *Children Foster Care Law* stipulates the right of a child to express her/his desire, feelings, opinions and standpoint on any matter concerning her/him. The child’s standpoint will be accorded the appropriate weight when adopting decisions by any competent body, although this body may not hear the child’s viewpoints if the body is convinced that the child will suffer significant harm from presentation of the matter before it, that exceeds the harm from its non-presentation.

Representing children in civil law and administrative proceedings

39. The Legal Aid Administration (LAA) at the MoJ is the main provider of legal services for children in child protection proceedings in Israel. The National Child Representation Unit (NCRU) within the LAA is providing high-quality, child-friendly, and accessible legal aid service for children and youth, free of charge, and promotes their right to access to justice, particularly in child protection proceedings.

40. As of August 2018, (following Amendment No. 20 to the *Legal Aid Law 5732-1972*), the NCRU also provides legal aid and assistance to children and youth victims of severe sexual abuse, both throughout the criminal law proceedings against the perpetrator, as well as during any legal or administrative proceeding connected to the penal proceedings (such as protection orders, civil tort suits, etc.). For further information, see Annex I.

Religion conversion

41. According to Section 13A of the *Legal Capacity and Guardianship Law 5722-1962*, the religion of a child shall not be converted, unless both parents have given their prior written consent, or that the court, at the request of one of the parents, or at the request of the child’s guardian, has given prior consent to the conversion. If the child has reached ten (10) years of age, her/his religion shall not be converted unless, in addition to the parents’ consent or the

court's approval, she/he has also given prior written consent. For further information, see Annex I.

Respect for the views of the child in the educational system

42. Normative values derived from the CRC are incorporated to the MoE DG Directives. Thus, the need to ensure active participation of children, their ability to express views regarding decisions being made in their respect, and merely having adults listen to them – are basic components in the MoE policy. The inclusion of pupils constitutes an additional stage in the implementation of the right to education, which exists in two (2) levels: as a right and as a process.

43. The inclusion of pupils as an educational process began in 2000, with the *Pupil's Rights Law*. Inclusion enables children and youth to develop a sense of belonging, union, justice, responsibility, care and sensitivity. For further information, see Annex I.

Youth and pupils councils and youth movements

44. The *Local Authorities (Youth Department Manager and Youth and Pupils Council) Law 5771-2011*, stipulates that in each local education authority, a pupils and youth council will be established that shall be elected by pupils and youth residing in the locality. For further information, see Annex I.

V. Civil rights and freedoms

Article 7

Registration of children at birth, name and nationality

Certification of live births of foreign residents

45. Any birth in Israel, whether that of an Israeli resident or citizen or that of a foreign resident, is documented by the hospital in which the birth took place. The hospitals provide the parents a document entitled "Notice of Live Birth" which contains relevant details of the birth, including the date, place, names and nationalities of the parents etc. In the case of Israeli residents, births are also registered in the Population Registry and a birth certificate reflecting this registration is issued.

46. Following a petition to the HCJ submitted in 2013, the State of Israel decided to make changes to the "Notice of Live Birth" issued to foreign parents in order to ensure that it complies with the standards of an "Official Document", as defined by the *Evidence [New Version] Ordinance 5731-1971*, and enable its authentication with an Apostille. These changes enable parents to submit the "Notice of Live Birth" to the relevant authorities in their country of nationality (H.C.J 1528/13 *Atani v. The Minister of Interior* (22.12.2016)).

47. With regard to the name of the father, this is written in the relevant section of the "Notice of Live Birth", along with a clarification that it is based solely on the declaration of the parents.

48. Parents who are foreign residents may submit the "Notice of Live Birth" that they have been given by the hospital to the Ministry of Interior (MoI) in order to receive a document entitled "Affirmation of Birth in Israel – Replication of Notice of Live Birth". This affirmation includes the name of the father as stated on the "Notice of Live Birth".

49. Further to the ruling of the HCJ 6946/17 *M.G. v. The Minister of Interior* (22.11.2018) (see Annex III), this document is to be given to parents who are foreign residents until the MoH completes the computerization of the "Notice of Live Birth" which is currently given to parents as a hand-written form. The Supreme Court further determined that insofar as a declaration concerning the name of the father was wrongfully omitted from the "Notice of Live Birth" by the MoI, the parents may request the MoI to amend the Notice. The request will be examined in light of the evidence supporting it (H.C.J 6946/17 *M.G. v. The Minister of Interior* (22.11.2018); H.C.J 1528/13 *Etni v. The Minister of Interior* (1.6.2016); H.C.J 10533/04 *Weiss v. The Minister of Interior* (28.6.2011)).

50. Foreign residents are asked to sign a declaration whereby they are aware that the “Affirmation of Birth in Israel” document supplied by the MoI is not to be construed as agreement to their continued stay in Israel.

Registration of parents in identity cards

51. As of November 2014, following applications of same-sex families, the MoI has changed the registration of parents in Israeli identity cards. Currently the names of either both mothers or both fathers are preceded by the correct titles.

The right to know one’s parents

52. According to the *Adoption Law*, adoptees aged 18 and above requesting to inspect the Adoption Registry, can receive information from the “adoption file” on the reasons for their adoption, and with the consent of the biological parent, the details of the Adoption Registry. For further information, see Annex I.

Article 8

The right to acquire nationality and the protection of nationality

53. This issue was discussed in Israel’s Initial Report. No change has occurred in this area since.

Article 13, 14, 15

54. No changes have occurred in these areas since Israel’s Initial Report.

Article 16

The right to dignity, privacy and reputation

Protection of privacy – general

55. Section 5 of the *Children Foster Care Law* determines that at the time of exercise of rights and the provision of services to a child, principles on preserving the dignity of the child and protecting her/his privacy will be taken into account. According to Section 17 of the Law, it is the child’s right to freely file a complaint on any matter concerning her/him under the Law in a manner that shall protect her/his privacy.

56. In August 2015, a public committee, headed by former Supreme Court Justice Edna Arbel, was appointed by the Minister of Justice in order to review measures to protect the public, including Civil Service employees, from harmful publications and activities conducted online, such as bullying, defamation and privacy violations. The Committee is due to complete its work and publish its report in the near future.

Installation of cameras in educational institutions

57. In December 2018, the Knesset legislated the *Installation of Cameras for the Protection of Toddlers in Day Care Centers Law 5768-2018*. This Law aims to protect the safety of toddlers who are placed in day care centers by installing cameras, while preserving, to the extent possible, the dignity and privacy of the toddlers, the employees and any other persons in these facilities. The Law shall enter into effect on September 1, 2019 and shall apply gradually on all day care centers, except in day care centers operating in private homes, or in which more than 70% of the parents do not consent to the installation of the cameras. In order to protect the privacy of the toddlers, their relatives and the employees of the day care centers, the Law requires that the footage will be kept by the director of the day care for a period of time that will not exceed 30 days, while taking reasonable steps to prevent unauthorized access to the footage. Furthermore, viewing the footage, transferring or using it is allowed only in accordance with a court order.

58. In May 2015, the MoE's DG published a Directive regarding the placement of cameras in educational institutions, aimed to balance between the obligations to promote the pupils' welfare, and their right to privacy. The Directive guides the schools on ways to install the cameras: its use, locations and educational activities that should accompany the installation of cameras. The MoE does not view the installation of cameras as necessary means to prevent violence and protect the pupils' welfare. However, in such cases where local authorities or schools choose to do so, the Ministry determines that they are obligated to implement educational programs in order to fulfill the aforementioned.

Article 17

Access to appropriate information

Children's television programs

59. In 2017, the Broadcast Cable and Satellite Council (hereinafter: the "Council") amended the *Telecommunications Rules (Bezeq and Broadcasts) (Broadcasting License Holders) 5748-1987* in order to explicitly obligate cable television services providers to allocate a minimum of 7% of their production budget to original Israeli youth's productions. The Council launched a television campaign to promote safe and balanced media orientation and use. It also launched a campaign aimed, *inter alia*, at informing parents of the option to block inappropriate programming from children on cable television channels in 2017. For further information, see Annex I.

The NCOPB

60. The NCOPB is a joint civil-police bureau dedicated to the prevention of crime and violence against children and adolescents online, led by the MPS and the Police. The NCOPB engages in forming a system for protecting minors against offenses of violence, sexual exploitation, sexual abuse, prostitution, pornography and child trafficking, and distribution of sexually oriented contents, up to assaults that are not criminal yet their impact may be most severe, such as excommunication, ostracism and shaming, insofar as such offenses take place in cyberspace.

61. The NCOPB was established in January 2016 by GR No. 1006 (17.01.2016). In order to operate the NCOPB, four (4) Government Ministries are cooperating with the MPS and the Police: The MoE, the MoH, the MoLSAaSS and the MoJ. For further information, see Annex I.

Prevention of distribution of harmful materials online

62. Furthermore, the MoJ runs a media campaign, including in social media and television, which raises awareness of the prohibition on the publication of videos which constitute sexual harassment pursuant to the *Prevention of Sexual Harassment Law 5758-1998*. This is according to Section 3(A)(5A) to the Law, that was added as part of Amendment No. 10 to the Law in 2014, which stipulates that the publication of a video which focuses on the sexuality of an individual in a way that humiliates her/him under the relevant circumstances, constitutes sexual harassment.

63. According to Amendment No. 49 to the *Telecommunications (Bezeq and Broadcasts) Law 5742-1982*, legislated in 2011, internet service providers are obligated to operate mechanisms for protection against profanities online and websites with harmful content, without additional fees, and to inform their subscribers of their availability. For further information, see Annex I.

VI. Violence against children

Article 19

Violence against children – abuse and neglect

Legislation amendments

64. In January 2019, Amendment No. 137 to the *Penal Law 5737-1976* entered into force. It includes an extensive reform of homicide offences, the purpose of which is to create a cohesive set of homicide offences according to their severity. The Amendment replaces, *inter alia*, the separate offences of murder and manslaughter with a basic murder offence and a number of aggravating and mitigating circumstances for an aggravated murder offence and a mitigated murder offence. According to Section 301A(a)(8) of the amended Law, the murder or manslaughter of a child under fourteen (14) years old, a “helpless person” or a minor for which the offender is responsible is an aggravating circumstance. Section 368A of the Law defines “helpless person” as “a person who because of her/his age, illness or physical or mental infirmity, mental impairment, or any other cause, cannot provide for the needs of her/his livelihood, health or welfare”. The punishment for this aggravated murder offence must be life imprisonment.

65. In February 2012 the Knesset legislated Amendment No. 14 to the *Center for Collection of Fines, Fees and Expenses Law 5755-1995*, which entered into force on January 1, 2013. According to the Amendment, a child who the court ruled to be entitled to compensation in criminal proceedings as a victim of a crime, shall receive the compensation from the Center for Collection of Fines, Fees and Expenses, up to the amount of 10,000 NIS (2,790 USD). The Center will reimburse itself by collecting the payment from the offender at a later time. This Amendment is critical in providing the children their compensation in part, as most offenders are also sentenced to imprisonment which makes collecting the compensation difficult.

The Israeli authority for the prevention of violence, drugs and alcohol abuse

66. On February 7, 2018, the *Authority for the Prevention of Violence, Drugs and Alcohol Abuse Law 5777-2017* entered into force. The Law established the Israeli Authority for the Prevention of Violence, Drugs and Alcohol Abuse (hereinafter: the Authority). For further information, see Annex I.

Article 24 (3)

Elimination of harmful practices

Preventing polygamy

67. In recent years the GOI has been enhancing its efforts to eliminate polygamy. The issue has been highly prioritized and accordingly, many efforts are invested in this field.

68. On January 29, 2017, the GOI accepted Resolution No. 2345, which established an Inter-Ministerial Committee designated for the issue of polygamy. The Committee includes the following Ministries: Education, Justice, Labor, Social Affairs and Social Services, Interior, Health, Agriculture and Rural development, and Public Security. The Resolution further calls for the establishment of a wide-ranging inter-ministerial team tasked with forming a strategic plan to encounter this phenomenon, and accordingly the Government will allocate the appropriate budget in the annual state budget of 2019-2020. The inter-ministerial committee included representatives of several NGOs.

69. The Inter-Ministerial Committee published its report in July 2018. Its main recommendations included improving data collection and reporting mechanisms in the relevant Government Ministries and law enforcement bodies, allocating additional budgets to the NII and to the Police for this purpose and carrying out additional research on the matter. It also recommended expanding education on polygamy and in general, especially among Bedouin communities, implementing a welfare support plan for women in situations of

polygamy and their children, and expanding the role of the Sharia' Religious Courts on this matter.

70. Subsequently, in GR No. 4211 (25.10.2018), the DG of the MoJ was tasked with heading an inter-ministerial committee for the implementation of these recommendations.

71. On 2017 the Attorney General published Guideline No. 41112 titled "*The polygamy offence*" aimed to enhance enforcement of the polygamy offence, see CEDAW Report p. 14–15.

Article 34

Sexual exploitation and sexual abuse

Legislation amendments

72. Following the Concluding Recommendations of the CRC Committee in 2015 (CRC/C/OPS/C/ISR/CO/1, para. 31), in 2016 the State of Israel amended Section 203C of the *Penal Law* and increased the penalty for the offense of obtaining the service of an act of prostitution from a minor from three (3) to five (5) years imprisonment (Amendment No. 127). This Amendment changes the status of the offense to a felony, reflecting the gravity of the act. As a result, minors who were victims of such crimes are entitled to convey their opinion to the prosecutor before a decision regarding a plea bargain is made, and to convey their opinion before a presidential decision regarding a pardon of the offender, according to the *Rights of Victims of Crime Law* 5761-2001.

73. Furthermore, many other Legislation Amendments were enacted during the reporting period:

(a) On October 10, 2019, Amendment 139 to the *Penal Law* 5737-1977 entered into force. The Amendment extended the statute of limitations on sexual offenses to fifteen (15) years. This is due to the gravity of such offenses, as well as the unique characteristics and vulnerability of the victims of these heinous crimes.

(b) In July 2018, the *Limitation of Return of a Sex Offender to the Victims' Vicinity Law* 5765-2004 was amended. The Law as amended enables the Court to determine limitations on a sex offender, after the sentence or after the release from prison, which can include that the offender will not live, study, or work in the vicinity of the offense victim's residence, education, or work. The Law is intended to prevent psychological damage to the victim which may occur due to frequent meetings with the sex offender, in such cases where the latter returns to the victim's vicinity, in the street, local facilities, etc. The exceptionality of the Law requires special care in its implementation and interpretation.

(c) With regard to the definition of sex offender – prior to the amendment, the Law authorized the court to determine limitations to a sex offender only if the offender was an adult when the offense was committed. The Amendment expanded the definition of "sex offender" to include those who were minors when the offense was committed, provided that the offender served active prison sentence or was incarcerated in a closed facility, and turned 19 after being released. The Law further stipulates that when the Court wishes to impose limitations on a person who was a minor when the offense was committed, it would refrain, to the extent possible, from harming the unique needs relating to her/his rehabilitation.

(d) On August 3, 2017, Amendment No. 20 to the *Legal Aid Law* 5732-1972, concerning legal aid for persons who are victims of severe sexual crimes, including minors, entered into force. This Amendment grants free legal aid, without means or merit testing, to all victims of severe sexual violence, from the moment the indictment was filed throughout the legal proceedings. For minors who are victims of severe sexual crimes, legal services will be provided by the LAA at the MoJ. This Amendment is a significant step forward in order to implement and defend the rights of child victims in penal proceedings. Since this Amendment entered into force and until December 2018, 79 minors have been referred to the LAA to receive legal services.

(e) In June 2018, Amendment No. 132 of the *Penal Law* entered into force, adding a new offense prohibiting the publication of proposals to engage in prostitution (e.g. direct

proposals, wanted ads etc.) (Section 205D). According to this offence, publishing such a proposal carries a maximum sentence of three (3) years imprisonment or a fine up to 226,000 NIS (62,700 USD), and if the proposal is aimed at a minor – a maximum sentence of five (5) years imprisonment or the abovementioned fine. If a corporation committed the offense, it carries double the said fine. This offence is also included in both *Blocking of Telephone Numbers for the Prevention of Crimes Law* and *Authorities for Prevention of Internet Use for the Commission of Offenses Law*, and it complements the 2011 addition of the offence of publication of prostitution services.

(f) In May 2018, the Knesset adopted Amendment No. 94 to the *Courts Law*, which stipulates that cases of causing a person to leave their country for prostitution or slavery, will be brought before one (1) judge instead of a panel of three (3). This enables better enforcement of these severe offences, by facilitating the early testimonies of witnesses in a prompt manner, before they leave the country.

(g) In March 2018, the Knesset enacted the *Blocking of Telephone Numbers for the Prevention of Crimes Law 5768-2018*, which authorizes a police officer to block a publicized telephone number (regardless of the means of publication), if he/she has reasonable grounds to believe that this phone number is used for the commission of crime. This further enables the removal of websites publishing the prohibited proposals, and the blocking of telephone numbers published in such publications.

(h) In July 2017, the Knesset legislated the *Authorities for Prevention of Internet Use for the Commission of Offenses Law*, which authorizes courts to issue an order for blocking access to a website or for its removal from the internet. Such an order will be issued if it is crucial for the prevention of an ongoing offense set in the Law's Addendum, such as offences relating to prostitution, child pornography, gambling and drugs and dangerous substances. This law enables the courts to issue one (1) of three (3) kinds of orders: order for restricting the access to the relevant website, order for restricting the possibility of locating the relevant website and an order for the removal of a website from the internet – provided that the relevant site is stored on a server in Israel or is under the control of a person who is present in Israel. The aim of the Law is to provide law enforcement authorities with additional tools to combat the phenomenon of prostitution of minors in the virtual world, as part of the overall ongoing efforts on the matter.

(i) For further Legislation Amendments, see Annex I.

Treatment of victims of sexual crimes

74. The MoLSAaSS is operating group intervention programs in various institutions, in order to assist minors who are victims of violence and abuse in their rehabilitation, mainly in the employment field, in preparation for normal functioning in the family, community and society. Furthermore, the MoLSAaSS operates institutions for emergency removal and immediate protection of children in imminent danger and additional therapeutic responses in the community to help minors who are victims of sexual assault. In the treatment centers, there are initiated activities of information, consultation and training that take place concerning sexual assault of children and means for identification, recognition and intervention in these cases. For further information, see Annex I.

Article 37 (a) and 28 (2)

The Right not to be subjected to torture or other cruel, inhuman or degrading treatment or punishment

Prohibition against torture and cruel treatment

75. This issue was discussed in Israel's Initial Report. No major changes occurred in this regard since Israel's Initial Report.

Interrogators of the Israel Security Agency (ISA)

76. The ISA is responsible by law for the safeguarding of Israel's national security and state institutions from terrorist threats, espionage and other threats. The ISA and its

employees act within the limits of the law and are subject to constant internal and external supervision and review, including by the State Comptroller, the State Attorney's Office (SAO), the Attorney General, the Knesset (Parliament) and every instance of the courts, including the HCJ.

77. The detainees undergoing ISA interrogation, including minors, receive all the rights to which they are entitled according to the applicable law and international conventions to which Israel is a party, including the rights to legal representation, medical care and visits by the International Committee of the Red Cross (hereinafter: the "ICRC"), if relevant.

78. The operative Guidelines of the ISA provide special protection to minors, which their age requires, in order to ensure proper protection of their rights and physical and mental wellbeing. Interrogations of minors take place pursuant to the approval of the highest position holders in the ISA and according to special Guidelines on the interrogation of minors. These interrogations are conducted by interrogators who undergo relevant training and the interrogation time frames and the sleeping hours are adapted to the needs of minors. Furthermore, minors are detained in accordance with the law and are held separately from adults, and any case of alleged wrongdoing by an ISA investigator can be referred to the Inspector for Complaints against ISA (the Inspector).

79. Moreover, as of January 2018, in accordance with the recommendations of several human rights treaty bodies and Israeli committees, cameras in ISA interrogation rooms broadcast regularly via closed circuit to a control room located in an ISA facility, where interrogations are not conducted. The control room is accessible and available to an external supervising entity on behalf of the MoJ at any time. The interrogators have no indication of when the MoJ supervisor is watching them in the control room. The supervising entity must report immediately to the Inspector if he/she believes that an exceptional incident has taken place during interrogation. During 2018, hundreds of control and supervision hours were conducted by the supervisors. For further information, see Annex I.

Alleged abuse in out-of-home facilities

80. The MoLSAaSS operates out-of-home facilities for children with disabilities. In these facilities any complaint received is immediately and thoroughly inspected by the supervisors in MoLSAaSS. In addition, the Children's and Youth Complaints Commission (hereinafter: the "Commission") for out-of-home placed children, which started its work in 2017 (see Article 25), operates in accordance with Section 56 of the *Children Foster Care Law* and was appointed by the Minister of Labor, Social Affairs and Social Services. For further information, see Annex I.

Article 39

Physical and psychological recovery and social reintegration

Programs for the reintegration of children

81. The MoLSAaSS initiated several unique programs in order to provide support and assist parents and families of children who are in conflict with the law and allow their optimal integration in the society. Some of the programs are tailored for children who are immigrants from the former Soviet Union, and children from Ethiopian descent. For further information, see Annex I. On the rehabilitation of children who are victims of violence, sex crimes, prostitution and trafficking see Articles 34, 19 and CRC-OP-SC.

VII. Family environment and alternative care

Article 5

Parental guidance and responsibilities

Parental consent for their children's medical treatment

82. The legal arrangements concerning medical treatment of children are based on the provisions of the *Legal Capacity and Guardianship Law 5722-1962*, which is the general law that also applies to parent-children relationships. In the healthcare system, these arrangements are usually expressed in the following matters:

(a) The parent is usually the one authorized to provide informed consent for medical treatment of a child;

(b) There is a presumption in law that a parent agrees to the action of the other parent. In cases of special medical treatment (such as a medical experiment) or if there is another basis for denying the presumption of parental consent – the consent of both parents is needed to provide medical treatment.

83. The MoH directed all HMOs to provide each parent independent access to the child's online medical file. This directive severs the dependency between the parents, solves the need to receive information from the other parent in cases of non-cooperation and conflict between them, and enables both parents to be involved in the medical care of their child.

84. In 2016, Amendment No. 9 to the *Patient's Rights Law 5766-2005* added Section 16A which enables preventing a parent accused of or convicted in sexual abuse of her/his child from receiving medical information about that child, and keep her/him away from receiving medical decisions regarding the medical treatment of the child.

Special guidance programs for parents

85. The MoLSAaSS operates several programs for children and their families, in order to improve parental capabilities to families for all populations, including families living in poverty. For further information, see Annex I.

Article 9

Separation of children from their parents

Measures to ensure the protection of children living in prisons with their mothers

86. Section 2 of the *Prisons [New Version] Ordinance 5732-1971* stipulates that female prisoners can raise their infant children (under the age of two (2)) in prison. According to various Israel Prisons Service (IPS) Directives, a prisoner with her infant will be kept in a suitable chamber approved by a physician. A newborn in prison or an infant who stays with his mother in prison, will receive all the necessary medical treatment, including appropriate nutrition, baby formula and vaccinations. The IPS medical staff will monitor the infant's condition, and in a case of such infant's illness, a pediatrician may be summoned to the prison. The treatment of the infant will take place in the prison, in a hospital or at Mother and Child Health Care Stations ("Tipat Halav"), all in accordance with the medical needs. For further information, see Annex I.

Article 10

Family reunification

87. The *Citizenship and Entry into Israel Law (Temporary Provision) 5763-2003* was extended several times, up until June 30, 2019. Due to the Knesset's dispersal the Law is further extended automatically until December 17, 2019. For further information, see Annex I.

Article 11

Illicit transfer and non-return

88. The implementation of The Hague *Convention on the Civil Aspect of International Child Abduction* is led by the Department of International Affairs in the SAO. When there is concern for the wellbeing of children during or after abduction cases, the SAO may refer the case to the welfare authorities to continue treatment as they deem fit. In some cases, the court prescribes in the ruling that the social services should be involved. For further information, see Annex I.

Article 18 (1) and (2)

Parents' common responsibilities, assistance to parents and provision of childcare services

The Family dispute settlement law

89. In 2014, the *Family Dispute Settlement (Temporary Provision) Law 5775-2014* was enacted. This Law determines that spouses who wish to separate are first referred to a dispute resolution in one of the Family Assistance Units (FAU) of the relevant court. The parties are not able to turn to judicial means prior to doing so. After submitting an application, the FAU holds up to four (4) initial meetings with the parties which allow them to examine the possibility to turn to an alternative dispute resolution, other than litigation in court. The Law aims to reduce the complex implications of divorce litigation in courts, to all family members. It also assists in preventing discrimination against women in a judicial proceeding, in cases when women are in a weaker position than men and need to cope with the intense conflict and feelings accompanying the separation process. This Law requires preparation and training of professionals and entered into effect in July 2016. The Law was enacted as a temporary order valid for three (3) years.

90. For more information on parental custody in divorce, child support and the tender years doctrine, see CESCR Report, p. 19–20.

Article 20

Children deprived of a family environment

The Children foster care law

91. Article 1 of the *Children Foster Care Law* stipulates its purpose to establish the rights of children in foster care and the duty of the State to ensure their best interests and rights. According to Section 5 of the Law, in general, the following principles should be taken into account when adopting decisions or providing services to a child: preserving the dignity of the child and protecting her/his privacy; preserving equality between children, subject to the unique needs of each child; and ensuring the implementation of time schedules and limiting delays in the provision of services.

92. Section 13 of the Law establishes the right of a child to information. According to this Section a child has a right to obtain information, taking into consideration her/his ability to understand this information, at any stage of the placement process and residence at a foster family, about her/his situation, needs, the proceedings taking place, plans, decisions, the foster family, her/his rights, etc.

93. Another significant issue regulated in the Law is the status of biological parents and their participation. According to Section 33 of the Law, a parent has the responsibility, duty and right to maintain personal contact with her/his children placed in foster care, subject to the care plan determined for the child, and the decisions of the court. Any act or decision concerning the placement of the child will be made with the full recognition of the responsibility, duties and rights of the parents to their children and with them, wherever possible. The child's parents have a right to express their standpoint in the care planning processes and appropriate weight will be accorded to their opinion.

94. Furthermore, the parents of a child placed in foster care are given a right to obtain information on all matters relating to the care processes and decisions concerning the placement of the child in foster care, including: details about the foster family in which the child has been placed, the child's situation, including mental and physical state, school achievements, functioning, information about the termination or any material change to the foster care. This information will not be conveyed if there is real concern that it is likely to cause any harm to the child, or any other limitation has been determined under the court's instruction.

95. Generally, the placement of a child in foster care will be carried out while striving to obtain the consent of the parents wherever possible. If such consent is obtained, an agreement will be drawn up between the parents and the MoLSAaSS Social Services Department, consisting of the main elements of the care plan, the parents' consent to convey information about the child, information about the responsibilities, duties and powers of the foster family and so forth. Such agreement will be drawn up, wherever possible, even where the decision on the placement of the child was accepted without the parental consent.

96. On November 25, 2018 *Foster Care (Permit Request) Regulations 5779-2019* entered into force. These Regulations clarified the requirements and the documents which must be filed in order to be considered a foster family. The documents ensure a thorough check of the applicants' intentions as well as their medical and economic situation, to assure the children's rights in their foster care are maintained.

97. For more information on the procedure of filing complains, see Article 25 and Annex I.

Article 21 Adoption

Recognition of parenthood in cases of adoption and surrogacy

98. Legal recognition of parenthood is conducted by different types of judicial orders:

(a) Biological parenthood is recognized by law, and is registered by the Population Registry without need for a court order. In cases of doubt concerning the identity of the biological parent, the parenthood can be proven through a genetic test, and a declarative court order may be issued relying on the test's results.

(b) Parenthood by way of adoption, which is not based on a genetic relationship between the parent and the child, is constituted by a judicial adoption order, pursuant to the *Adoption of Children Law 5741-1981*. The Law regulates the issue of intercountry adoption, in accordance with the CRC and 1993 Hague Convention on Protection of Children and Co-operation in Respect of Intercountry Adoption.

(c) Parenthood by gestational surrogacy conducted in Israel is constituted by a constitutive parenthood order, pursuant to the *Agreements for Carrying of Embryos (Approval of the Agreement and Status of the Infant) Law 5756-1996*.

Domestic surrogacy

99. On July 17, 2018, Amendment No. 2 of the *Agreements for Carrying of Embryos (Approval of the Agreement and Status of the Infant) Law 5756-1996*, was legislated by the Knesset with the purpose of, *inter alia*, strengthening the protection of the rights of the child, the surrogate mothers and the intended parents throughout the surrogacy process in Israel. Section 5 of the Amendment sets out detailed criteria for the qualification of the surrogate mother and the intended parents throughout the Law, such as age limits and the absence of a criminal record. In accordance with the recommendations of the CRC from June 2015, the Amendment stipulates that in cases where the Court or a social worker consider that a risk might be posed to the wellbeing of the child by the future parents, the social worker shall submit its assessment to the Court and request that the Court give due consideration to the assessment in making its decision on the issuance of the parenthood order.

100. The Law applies to women suffering from a medical disorder preventing them from bearing children, regardless of whether they have a spouse or are single. An ongoing petition regarding this aspect of the Law is pending before the HCJ, its main claim being that the Law discriminates against same-sex couples and single men, as it denies them access to surrogacy in Israel. The petitioners request to expand access to surrogacy in Israel to same-sex couples and single men (H.C.J. 781/15 *Arad-Pinkas et. al. v. The Committee for Approval of Agreements for Carrying of Embryos et. al.*).

Foreign surrogacy

101. Following a decision of the HCJ (H.C.J. 566/11 *Doron Memet Meged et. al v. The Ministry of Interior et. al.* (28.1.2014), see Annex III), for the first time, the requirement for an issuance of an adoption court order for the spouse of the biological parent was replaced with a judicial parenthood order, subject to the conditions set out by the Attorney General for the purpose of the issuance of the warrant, all in accordance with the best interest of the child.

102. In order for a judicial parenthood order to be issued in cases of foreign surrogacy, the stability of the couple's relationship and a mutual intent to raise the child must be proven, along with certain additional criteria. The criteria are examined in light of the best interest of the child. Furthermore, in order to ensure the protection of the rights of the child and the surrogate mother throughout the process, the applicants are required to prove the legality of the surrogacy procedure in the relevant country, the prior and informed consent of the surrogate mother to undergo the medical procedure and the latter's consent, following the child's birth, to give up the child. It is also required that the child be genetically related to at least one of the future parents, and that there will be no genetic relationship between the child and the surrogate mother. This is in order to prevent child trafficking and circumvention of adoption procedures. In addition, a social worker is required to examine the criminal record of the applicant and to verify that a child has not been removed from the custody of the applicant in the past. This is in order to ensure that no risk will be posed to the wellbeing of the child. Furthermore, the social worker may require a social worker assessment in order to ensure the best interest of the child. The social worker assessment is similar to the one required for adoption. However, the process is significantly shorter than that of adoption and the child is not registered as adopted.

103. In February 2015, following the former judicial development, the State has extended the judicial parenthood order to the spouse of a woman who chose to have a child through an anonymous sperm donation in Israel. In such cases, the order can only be issued in situations in which the sperm donor's identity is unknown to the parents. Similar to the conditions applied in cases of foreign surrogacy, a judicial parenthood order through sperm donation requires that the couple prove the stability of their relationship and their mutual intention to raise a child.

104. In April 2018, the MoLSAaSS, at the request of the Attorney General, appointed a professional inter-ministerial team for the review of the conditions for the issuance of a judicial parenthood order in cases of an anonymous sperm donation for couples in Israel or foreign surrogacy. Its members include social workers, professionals and legal experts from the relevant Government Ministries. The inter-ministerial team met with members of the academia, relevant professionals and LGBTQ community representatives, and concluded its work in October 2018. The team's report was fully adopted by the Minister of LSAaSS and the Attorney General recognized and presented it as the official view of the State of Israel in different legal proceedings involving the State. For further information, see Annex I.

The Gross committee on adoption

105. In 2007 an inter-ministerial committee on the adoption of children, headed by former vice president of the Tel Aviv-Jaffa District Court Yehoshua Gross (hereinafter: the "Gross Committee") was appointed by the Ministers of Justice and of LSAaSS. In 2016, the Gross Committee published its report, concerning adoption as a means of treatment of children at risk. Its recommendations, which include a proposal to replace the existing law on adoption, relate to all stages of the adoption procedure and to the different institutions involved therein,

e.g., the courts, the social workers, etc. The recommendations include guidelines on determining the best interests of the child for the bodies involved in the adoption process.

Article 25

Periodic review of placement

The children foster care law

106. Any child placed in foster care or in out-of-home placement facilities can file complaints to the Commission independently (see para. 80 above), discreetly and freely, without any fear of harm of consequences. The Commission is accessible to children and includes the accommodations required according to the age, language and level of maturity of the child, and in the case of a child with disabilities – also to her/his disabilities. The results of the inquiry of the complaint will be passed on to the complainant and a copy will be passed on to the supervisor for follow-up on the necessary remedies.

107. Section 66(c) of the Law protects children against harm that might be caused to them due to filing a complaint and determines that such harm constitute a criminal offence with one (1) year imprisonment.

108. Under Section 50 of the Law, the MoLSAaSS has to maintain supervision of foster care agencies, foster care counselors and foster families and review their activities.

109. According to Section 54 of the Law, as part of the supervision, supervisors are authorized and given various authorities, including the authority to demand from any person concerned to pass on information or any document required by the supervisor to carry out her/his duties, and the power to enter places, and, *inter alia*, to visit the foster family home, even without prior coordination and at any time, if there is concern as to any harm to the well-being of the child placed with the foster family. Likewise, the supervisor may convey to the operating entity, the foster care counselor or the foster family written details of instructions that were not carried out and demand that they rectify shortcomings.

110. On March 30, 2019 the *Foster Care Regulations (Complaint Mechanism for Children in Out-of-home Placement Facilities) 5779-2019* entered into force. These regulations set forth procedures to ensure that children in foster care and out-of-home placement are informed about the complaint mechanism. For example, the Regulations include the obligation to publish the Commission's information in a public and accessible place, in addition to ensuring each child placed in foster care receives the information in a manner and language suited for them. The Regulations further clarifies the various methods through which a complaint can be filed, and the parameters by which it should be assessed by the Commission. For further information, see Annex I.

Article 27 (4)

Standard of living

Alimony and child support

111. In 2013, the *Execution Law 5727-1967* was amended (Amendment No. 42), and a new chapter was added – Enforcement and Collection of Children's Entitlement to Alimony – Temporary Provision, in order to assist women eligible for child entitlement to alimony. According to the Amendment, the Law Enforcement and Collection System Authority will manage the collection process for those eligible for child alimony through a special alimony procedure. In cases of an NII debt, the special procedure will be mandatory, while in cases of private debts, such procedure will be optional.

112. The *Alimony (Assurance of Payment) Law 5732-1972* ensures that a woman, who won a child's entitlement to alimony ruling, whether she is divorced, separated, or a common-law spouse, has means of subsistence for her and her children when the debtor owing alimony does not fulfill his obligation. The Law allows a woman to apply to the NII for payment. For further information, see Annex I.

113. In 2012, the Shiffman Committee, a public inter-ministerial committee which was appointed by the Minister of Justice in 2006 in order to review the rates of financial child's entitlement to alimony, published its final report and recommendations. The recommendations included a draft bill regarding the formula that shall be used for calculating the rates of child's entitlement to alimony a divorced parent is required to pay for the benefit of their child.

114. In 2018, the Minister of Justice appointed a team of economic experts in order to reassess the Shiffman Committee's bill. The team's aim is to update the formula for calculating a child's entitlement to alimony with relevant factors such as the child's age and place of residence, in addition to the parent's income and number of children, with the purpose of better reflecting the cost of living. The team is expected to complete its work by the end of 2019.

VIII. Disability, basic health and welfare

Article 6 (2) Survival and development

Decreasing infant mortality rate

115. Measures taken by the MoH to decrease the infant mortality rate include pregnancy monitoring and postnatal monitoring of infants and toddlers in order to detect risk factors to the mother's and child's health, such as: domestic violence, mental illness and genetic diseases, and providing them with the necessary assistance. Postnatal care is provided by Mother and Child Health Care Stations ("Tipat Halav"), which provide counselling, pregnancy follow-ups, vaccinations, screening tests, and health promotion programs. For more information on infant mortality rate, see CESCR Report, p. 42 and Annex II.

Article 18 (3) Assistance to parents and provision of childcare services

116. Following the recommendations of a Public Committee on Poverty in 2013, the MoLSAaSS significantly lowered the contribution paid by parents of poor families for the day care of toddlers at risk pursuant to *Infants at Risk (Right to Day Care Center) Law 5760-2000*. Furthermore, a new procedure enables communities with a low socio-economic index to benefit from Government support of up to 100% of the cost of construction of day care centers. Further to GR No. 4193 (29.01.2012), more places have been offered to children of Arab women who are employed in part-time positions. For further information, see Annex I.

117. Additionally, Amendment No. 57 of the *Women's Employment Law 5714-1954* enables the father to go on paid parental leave for a period of one (1) or more weeks (instead of a minimum of three (3) weeks). The purpose of this amendment is to encourage the exercise of this right by fathers, thus promoting greater involvement of fathers in raising their children. Furthermore, a father can take seven (7) days of parental leave simultaneously with his wife, and will be able to utilize them at any stage of the parental leave, according to the Law's provisions.

Article 23 Children with disabilities

Benefits for a disabled child

118. As a rule, children with specific disabilities and medical conditions are eligible for Disabled Children's Allowance. In some cases, the allowance can be received even from the age of three (3) months to assist the family in providing care to the child at home. Approximately 42,000 children receive disabled children's benefits through the NII.

119. The following significant amendments have been introduced in this field:

(a) In May 2018, an Amendment made to the *Arrangements Law* determined that an additional 26.09% of the General Disability Allowance will be paid to a child entitled to 188% of that allowance, and an additional 6.88% of the General Disability Allowance will be paid to a child entitled to 50% of that allowance.

(b) In July 2016, Amendment No. 2 to the *National Insurance Regulations (Disabled Child) 5776-2016* entered into force. This Amendment adds new definitions to the categories defining children with various disabilities, while adding the category of “a child in need of regular medical treatment”. The Amendment further states that children in this category are entitled to 50% of the General Disability Allowance.

(c) On July 25, 2016, Amendment No. 2 to the *National Insurance Regulations 5770-2010* entered into force. It created a benefit for a child requiring “constant medical care”. This is defined as a child who, according to doctor’s instructions, is unable to attend an educational institution for at least three (3) days a week, for at least three (3) consecutive months. The amount of the benefit for special arrangements has been increased to an amount equal to 188% of the General Disability Allowance. For further information, see Annex I.

(d) On June 30, 2015, Amendment No. 2 to the *National Insurance Regulations (Disability Insurance) (Receiving Special Services) 5739-1978* entered into force. This Amendment granted children with severe disabilities, completely dependent on the assistance of others, benefits equal to the maximum rate of the “special services” pension. This is given to approx. 5,400 children.

Out-of-home placement for children with disabilities

120. The vast majority of children with disabilities remain with their families and receive support and services in the community. Only about 2,100 children are treated in out-of-home care facilities. These are usually extreme cases, where their families are unable to cope with the child’s complex needs, and therefore coming back to the family after placement in these facilities is rare. For further information, see Annex I.

Education of pupils with disabilities

121. On July 2, 2018, Amendment No. 11 to the *Special Education Law 5758-1998* entered into force, as part of a large-scale reform in the special education system. The Amendment updates the scope of the authority granted to the local placement committees. According to the amended Law, the pupil’s parents, after receiving all the relevant information, shall decide whether their child will be enrolled as a pupil in a general educational institution, or in an institution for special education. The placement committee has discretion to decide otherwise, in cases where there is substantial risk that the decision of the child’s parents may severely harm his/her or others’ wellbeing. If no preference was expressed by the parents, priority should be given to placing the child in a general educational system. Furthermore, the Law as amended stipulates explicitly and transparently the type of services to which the pupil with disabilities is entitled. Such services are provided based, *inter alia*, on the pupil’s cognitive, emotional, lingual and social abilities.

122. In July 2018, the *Equal Rights Regulations (Individual Access Adjustments for Parent and Child) 5768-2018* entered into force. These Regulations determine accessibility adjustments that pupils with disabilities are entitled to, and stipulates the educational institutions’ obligations to perform them. For further information, see Annex I and Israel’s Initial Report, p. 60–62, 83–85.

Article 24

The Right to health

The Early Childhood Council

123. In August 2017, the Knesset passed the *Early Childhood Council Law 5777-2017*, a new Law which directs the establishment of an Early Childhood Council. This Law aims to

further the care of infants and their physical and intellectual development, ensure their physical and mental health and the fulfillment of their educational, social, physical and emotional needs and to provide an appropriate environment which will enable them to enjoy equal rights in adulthood. The Council has been established and operates under the direction of the MoE.

Encouraging breastfeeding

124. The MoH promotes breastfeeding and recommends exclusive breastfeeding for the first six (6) months following birth and breastfeeding combined with supplementation until the infant is twelve (12) months old. For further information, see Annex I.

Child and maternal health

125. The “Possible and Healthy” (“Efshari-Bari”) initiative aims to develop the well-being of toddlers by providing tools for improving the child-parent bond and for creating a family environment conducive to optimal parenting through a healthy lifestyle and attentive nourishment. The MoH and Joint Israel are leading this program based on an evidence-based model developed in the UK.

126. On the updated infant mortality rates, the efforts to decrease the rates in minority populations and vaccinations, see CESCR Annex I, p. 82–84.

Sexuality programs

127. The MoH offers annual lessons in schools on health issues which are relevant for children and youth, such as healthy lifestyles and nutrition, mental health, substance abuse and sexual health.

128. Furthermore, the MoLSAaSS participated in 2017-2018 in an inter-ministerial pilot concerning “education for healthy sexuality” which deals with the importance of access to information, contraceptive and treatment with respect to sexually transmitted diseases. For further information, see Annex I.

129. Note that girls and women up to the age of twenty (20) are provided with the option of purchasing contraceptives at a reduced rate as part of the subsidized medical services provided by the HMOs.

Sexual abuse and violence prevention

130. In addition to teaching content regarding healthy sexuality in the education system, on January of each year there is a week dedicated for prevention of sexual injury, in the schools which chose to participate. In recent years the focus is on normative sexuality and the line between normative sexuality and injury. The activities deal with questions about positive communication, consent, mutual relationship, etc.

131. The healthcare system has a national program for coping with violence, in cooperation with the MPS and the Police, which includes the operation of institutional committees for prevention of violence in all healthcare institutions. Trainings on these issues are held under the responsibility of MoH.

AIDS

132. From 1980 to 2016, there have been 324 reported cases of children, up to the age of seventeen (17), who are carriers of HIV. The majority of the cases are of children of Ethiopian descent. Some of the more recent cases are of asylum seekers and children with no legal status.

133. All children, regardless of their legal status, receive antiretroviral treatment and support at HIV clinics throughout the country.

134. Education in schools – schools discuss HIV/AIDS with pupils. Around the World AIDS Day, the MoE’s Psychology and Counselling Service uploads updated material to its website, including recommended workshops. Community organizations, such as the Israel AIDS Task Force, deliver training in schools. For more information on prevention of

HIV/AIDS and support, see CESCR Periodic Report, p. 45–46. On the adequate and affordable access to safe water, see CESCR Periodic Report, p. 29–30 and Annex 1.

Article 26

Social security

Legislation amendments on child allowances and other financial assistance for children and their families

135. In March 2017, the *National Insurance Law 5755-1955* was amended (Amendment No. 194) in order to add to the Law's definition of a 'child', persons who actively serve in national or community service and are under twenty-four (24) years old. According to the definition of the 'child' set in Section 238 of the *National Insurance Law*, a child is a person under the age of eighteen (18); a person under the age of twenty (20) who is enrolled in secondary school or in a pre-military preparatory school; or a person under the age of twenty-four (24) who actively serves in mandatory military service or serves in community or national service.

136. In February 2016, the Knesset enacted Amendment No. 169 to the *National Insurance Law*. The Amendment sets a uniform rate for the school funding grant allocated to children from the age of six (6) to eighteen (18), and replacing the previous arrangement.

137. In November 2015, the Knesset legislated Amendment No. 164 to the *National Insurance Law*, according to which each child is granted an additional monthly allowance in the sum of 50 NIS (14 USD) by the NII which is allocated to a special long-term savings account run by the NII under the child's name. The child shall receive his/her savings account upon reaching the age of 18 (with the parents' agreement), unless there is an urgent need justifying the withdrawal of the savings. However, incentives for the child to withdraw the savings at the age of 21 or later were also introduced, in order to encourage a wise use of the savings in his/her adult life. In addition, the parents of the child can designate another 50 NIS (14 USD) out of the regular monthly child allowance for this child's savings account. For further information, see Annex I.

138. For further information on the significant amendment on child benefits which include: uniform benefit, a minor convicted of security offenses, children in foster care, study grant, as well as other amendments on birth allowances, birth grants and maternity allowance, see CESCR Annex I, p. 34–35.

Article 27 (1–3)

Standard of living

Combating poverty

139. The MoH, the MoLSAaSS and the MoE marked the issue of developing poverty-awareness policy as a central goal in acting to reduce the economic gaps. The Ministries have been operating in order to reduce inequality and to provide specific response to socio-economically weaker populations.

140. The MoLSAaSS and the MoE added a budget to socio-economically weaker populations, thereby enabling narrowing social and educational gaps. In recent years, substantial parts of the resources added to the education system were differentially allotted while prioritizing the rural areas and the weaker social layers. For further information, see Annex I. For more information on the National Action Plan to Combat Poverty, see CESCR Annex I, p. 59–60.

Children and young adults at risk

141. On July 17, 2018, the Knesset approved Amendment No. 4 of the *Infants at Risk (Entitlement to Day Care) Law 5760-2000*. The aim of the Amendment is to improve and shorten the duration of the proceedings in cases of infants at-risk who are entitled to stay in day care. Furthermore, the Amendment expands the criteria for determining that an infant is

at risk, by allowing the consideration of written medical information stating that the infant suffers from abuse, or based on information relating to gambling addiction of one of the infant's parents. For further information, see Annex I.

Article 33

Measures to protect children from substance abuse

The Authority's activities on drug abuse prevention

142. In the course of 2018, the Authority formulated a program for prevention of violence and use of drugs and alcohol in local authorities.

143. The Authority replaced the National Anti-Drug Authority (IADA), the former body dealing with similar issues. The IADA participated in the development of services for treatment and rehabilitation of youth affected by drug abuse. For examples, see Annex I.

144. On August 13, 2013, the *Combating the Use of Dangerous Substances Phenomenon Law 5773-2013*, entered into force. This Law provides effective tools for the enforcement agencies to cope with the phenomenon of New Psychoactive Substances – NPS, that are not included in the *Dangerous Drugs Ordinance [New Version] 5733-1973*. This Law broadly defines a dangerous substance, grants the Police power to seize and destroy a dangerous substance, and enables the relevant bodies to temporarily declare a dangerous substance as prohibited for distribution. The Law also stipulates that manufacturing, sale, display for sale, import, export, supply, trade or any other transaction and possession with the intention of making one of the said actions for a substance prohibited for distribution is a criminal offense with three (3) years imprisonment; and a person giving or soliciting a minor to obtain substance prohibited for distribution is liable for five (5) years imprisonment. For further information, see Annex I.

Changes in the enforcement policy of self-consumption use of cannabis

145. On July 19, 2018, Israel enacted the *Dangerous Drugs (Special Fine Offense – Temporary Provision) Law 5778-2018*, which entered into force on April 1, 2019. The Law adopts a policy of gradual administrative sentencing and criminalization as a last resort on the offense of possession or use of cannabis for self-consumption. The Law stipulates that the model of fines, defined in the Law for the first and second cannabis possession or use offenses, will not apply to minors under 18 years old when committing the offense.

146. The Law also stipulates that the special fine offenses will be recorded in a separate Police system (the “Special Police Register”) established for that purpose, and separated from the criminal records. The Special Police Register will be classified and no information from it will be provided unless according to the Law.

147. With respect to minors, the Law stipulates that the Special Police Register will include records of minors who committed an offense of possession or use of cannabis for self-consumption. Including such records will only be made under terms and circumstances determined by the Police, MPS and the MoJ in a protocol posted on the Police website. The special protocol for minors is expected to be published soon.

Educational programs for promoting healthy lifestyle and prevention of exposure of children to addictive substances

148. The MoE works together with the MoH as part of the national program “Possible and Healthy”, setting a joint goal: by 2020, all education institutions, schools and kindergarten, will act as health promoters.

149. For details on these programs, pupils involved in drug abuse, and a MoE Youth Leadership Program, see Annex I and CESCRC Annex I, p. 89–92.

IX. Education, leisure and cultural activities

Article 28

The Right to education

Legislation amendments

150. On October 2018, the Knesset legislated the *Supervision of Toddlers' Day Care Centers Law 5768-2018*, aimed to establish a legal framework for the operation of toddlers' day care centers, in order to protect the safety, rights and dignity of toddlers who are placed in these facilities. The Law defines the conditions required for obtaining a license for operating day care centers, the mechanisms for their supervision, and obligates the examination of the employees' criminal record and the safety of the facilities. Furthermore, the Law prohibits leaving a toddler without constant supervision during operating hours and imposes first aid training as a mandatory qualification for all employees. The Law provides numerous administrative enforcement tools and financial sanctions designed to encourage its application, and allows the Minister of LSAaSS to regulate the training, education and experience requirements of the staff working in the day care centers.

151. On July 16, 2018 the Knesset amended the *National Education Law 5713-1953* (Amendment No. 17). According to the Law as amended, educating for a meaningful military or national civil service has been added to the purposes of the national education. Moreover, the Minister of Education is authorized to set regulations preventing the activity in education institutions of a person or body, which is not a part of the education system, if its activity is severely and substantially contrary to the purposes of national education, as detailed in Section 2 of the Law, or if it takes active legal or political measures outside of Israel against the Israel Defense Forces (IDF), regarding actions taken in the course of their line of duty, or against the State of Israel. Such regulations are yet to be introduced.

152. On August 7, 2017, the Knesset legislated the *Supervision over the Operation of Afternoon Child Care Centers Law 5777-2017*. This Law sets forth instructions regarding the supervision of afternoon child care facilities that are operated in educational institutions or by local authorities. The Law determines the conditions for the opening and operation of such facilities, as well as the required physical, safety and environmental conditions ensuring its proper operation, the requirements for the appointment and terms of employment of its employees, and the instructions regarding the services to be provided in these facilities.

153. On May 29, 2017, the Knesset legislated the *Supervision of the Prices of Public Summer Camps Law 5767-2017*. The Law stipulates that the Minister of Interior, after consultation with an advisory committee, is authorized to set a maximum price that a public summer camp can charge for the services it provides. "Public summer camp" is defined as a summer camp run by a public authority or anyone acting on its behalf, or operated in a public building or property. The Law applies to summer camps for children between the ages of three (3) years and seven (7) months to those starting the 7th grade, and contains provisions regarding the supervision of its implementation. For further information, see Annex I.

An action plan for the promotion of integration of pupils of Ethiopian descent

154. GR No. 324 (31.07. 15) adopted an action plan for the promotion of optimal integration of persons of Ethiopian descent in Israeli society. This plan includes, *inter alia*, the advancement of education, in many programs aimed to mitigate gaps and identify excelling pupils for further advancement. Specifically, the programs aim to elevate the grades of high-school pupils from Ethiopian descent on their matriculation certificate allowing them to advance to higher education. Such programs are executed in 35 local authorities and include over 10,000 pupils from Ethiopian descent. For further information, see Annex I.

Educational initiatives in the eastern neighborhoods of Jerusalem (ENoJ)

155. GR No. 3790 (13.04. 18) on the mitigation of the social and economic gaps and economic development of ENoJ, also addresses the education system in the ENoJ and establishes a sub-committee on education headed by the MoE DG, that is charged with

forming a plan to advance the education system. The goals set for the advancement of education in the ENoJ include: strengthening the Hebrew knowledge among pupils, advancing technological knowledge, broadening the non-formal sectors of education and creating incentives for adopting the Israeli education program. The educational plan that shall be formulated by the sub-committee, in accordance with this Resolution, shall set the goals of each educational institution, based on their unique characteristics.

156. In February 2018, the Jerusalem Municipality published a multi-annual operative plan for reducing the classroom gaps in Jerusalem during the next five (5)-year term, following the decision in H.C.J 6183/16 *Parents' Organization for the Education System v. The Ministry of Education*. This program presents the classroom construction data in the Jerusalem Municipality, the unique challenges in building classrooms in Jerusalem, the actions required for lessening the shortage in classrooms, including budget and increasing efficiency of governmental and municipal processes. The goal of the Jerusalem Municipality five (5) years program for 2018–2022 is to add approximately 5,000 classrooms and kindergartens to the existing classes in Jerusalem, almost half of them in the ENoJ (for the Arab population in Jerusalem (2,350 classes)). The total program budget is approximately 9.015 Billion NIS (2.516 Billion USD) (excluding existing budgetary designations at a sum of 400 Million NIS (111.6 Million USD)). The program's implementation is carried out in cooperation with the relevant Ministries, while allocating the required budgets, removing barriers and improving the process. In addition, the MoE has informed the Supreme Court that the criteria for the allocation of the construction budget to municipalities has been amended to address the need in further classrooms country-wide.

157. For more on the education in the ENoJ, see CESCR Annex I, p. 99–103, and Annexes I and II to the current report. For more information on the right to education: on dropout rates, see CESCR Report p. 48–58, on the national expenditure on education, see CESCR Report, p. 53–55.

Article 29

The aims of education

Special programs to promote education for democracy

158. The MoE conducts advanced professional courses on democracy, civil education and fighting racism for supervisors, principals, and school and kindergarten teachers, with a scope of approximately 2,300 hours every year.

159. Recently, a MoE DG Directive was published in order to encourage promotion of open discourse and freedom of speech for education professionals and pupils. For further information, see Annex I.

Prohibition on discrimination on the grounds of gender, sexual orientation or gender identity

160. On March 24, 2014, Amendment No. 4 to the *Pupil Rights Law 5761-2000* was legislated by the Knesset. This Amendment added sexual orientation and gender identity to the list of grounds upon which discrimination of pupils is prohibited. On August 2015 a MoE DG Directive (No. 5775/12) was published on this issue.

161. The education system deals with eradication of gender discrimination and nurturing a pluralistic and tolerant approach towards the LGBTQ community throughout the year, as part of the “Life Skills” program. Each year on May the education system discusses the LGBTQ in the classrooms, and special educational materials are published on the issue.

The dissemination of nutritional principles

162. On August 7, 2014 the Knesset enacted the *Supervision on Food Quality and Proper Nutrition in Education Institutions Law 5774-2014*, which authorizes the Minister of Education to set terms and conditions regarding the food and nutritional values of foods sold in education institutions. The Law also requires food suppliers to publish the nutritional composition of foods sold within the institution. The *Supervision on Food Quality and*

Proper Nutrition in Afternoon Childcare Facilities Law 5777-2016, which was legislated in 2016, sets forth similar provisions regarding food served in afternoon childcare facilities.

163. As part of these efforts, in 2016 the Minister of Health appointed the Committee for Nutritional Regulation, headed by the DG of the MoH, in order to address unhealthy food consumption habits and to adopt additional policies, regulations and guidelines which promote healthy eating habits. For further information, see Annex I.

Article 30

Cultural rights of children belonging to minority groups

164. The MoCS runs many initiatives in order to promote the participation of children from a variety of populations in the Israeli society, in culture and sports activities. A number of sports projects for different populations were allocated a joint budget of more than 1.6 Million NIS (446,560 USD). An inter-ministerial program for the participation of persons with disabilities in sports was allocated a joint budget of 4.61 Million NIS (1.28 Million USD). For further information, see Annex I.

Sensitivity to cultural background of children

165. The MoLSAaSS is taking into consideration the sensitivity to children's culture in every decision concerning their treatment. This is manifested in all services: communal, regional or out-of-home. For example, the protection centers for child victims of sex or violence offenses are accommodated to the needs of the populations they serve: a center was established for the Arabic speaking population in the Galilee area, for the religious-Orthodox population in the Jerusalem area, and a unit inside it for Arabic speaking children in the ENoJ.

166. Furthermore, therapeutic solutions for children and youth who are victims of sexual abuse were established to accommodate various populations. The services are provided by the therapists with accommodation of the treatment language, treatment accessories and location of the therapeutic center.

167. Whenever the service is not designated to a specific population, there will be accommodation, if the needs of the children and families require it.

The Committee for the empowerment of the heritage of sephardi and mizrahi jews

168. This Committee was appointed in February 2016 in order to examine ways to enrich the national curriculum (especially in history and literature) regarding *Mizrachi* and *Sfaradic* Jewish culture. The recommendations, submitted in June 2016, included the recommendation to make the study of *Mizrachi and Sfaradic* history and culture compulsory in the Hebrew education system; creating an educational television series on the history of *Mizrachi and Sfaradic* culture; increasing research within humanity faculties; and establishing a *Mizrachi and Sfaradic* heritage museum.

Article 31

The right of the child to rest, play, leisure, recreation and cultural and artistic activities

169. There are approximately 8,075 sport facilities in Israel, such as gymnasiums, soccer fields, basketball courts and swimming pools, which are operated by localities, with partial funding by the MoCS, and the Sports Gambling Council. The MoCS also provides partial funding to children's theatres and youth dance schools which meet the relevant criteria.

Guidelines on the allocation of land for public use

170. The Planning Administration in the Ministry of Finance has published in 2016 Guidelines on the Allocation of Land for Public Use, which include allocation of land for purposes that especially benefit children and their wellbeing, such as: education institutions, community and youth centers, recreational and sport facilities, health facilities, welfare

facilities and outdoor areas. According to these Guidelines, some of the parameters that should be taken into account by localities when allocating land for such purposes include the age groups in the relevant population and their size, and needs, including children. The Guidelines also include detailed directions as to the planning and building of each type of facility including schools, such as its size, location etc.

X. Special protection measures

Article 22

Child refugees and asylum seekers

171. According to PIA, there are about 5,950 children in Israel whose parents are asylum seekers, or that submitted an asylum request.

Health services provided to asylum seekers, including children

172. A range of medical services are available to asylum seekers in Israel, as follows:

(a) Emergency medical treatment – According to the *Patient's Rights Law*, in medical emergency situations, any person, regardless of their legal status in Israel, is entitled to receive unconditional medical treatment in hospitals in the following situations: inpatient admission in emergency cases, including surgery (no advance payment required); termination of pregnancy for minors and rape victims (funded by the MoH); giving birth, including intensive care for premature babies (no advance payment required);

(b) Family health stations – These provide preventive medical services to infants, toddlers and pregnant women, including routine immunizations. The service is provided free of charge. The MoH grants the asylum seekers' population with a preventative medicine services basket that includes: growth and development monitoring of infants and toddlers, and routine vaccines in the family health stations. The service is provided free of charge. Most asylum seekers are located and receive treatment in Tel Aviv-Jaffa mother and child healthcare stations. In addition, some seek treatment such as family health stations in other areas;

(c) General medical services – The “*Terem*” Clinic, located in the new Tel Aviv-Jaffa central bus station provides medical services to asylum seekers and children. It is funded by the MoH and operated by *Terem* healthcare chain. The clinic provides primary medical services including doctor's examinations, laboratory and imaging services. It includes a volunteer clinic where specialist doctors offer their services. The clinic handles roughly 37,000 appointments annually;

(d) Mental health services – The “*Gesher*” clinic, based in Jaffa, provides mental health services, including psycho-social assistance and pharmacotherapy. The clinic operates nine (9) hours a week. So far, the clinic treated over 700 patients in a professional and culturally-adjusted manner, with recognition of the need to provide an appropriate solution to this population. The MoH has recently completed a tender process for the provision of mental health services to this population instead of the *Gesher* clinic, with an emphasis on accessible, high-quality and available treatment, for the first time, all across Israel;

(e) Treatment for venereal diseases – The “*Levinsky Clinic*” of the MoH in Tel Aviv-Jaffa operates under the auspices of the Tel Aviv-Jaffa city council. It was established in 2002 for the diagnosis and treatment of venereal diseases. Services are provided free of charge and anonymously regardless of age, gender or legal status. The clinic operates five (5) days a week at various hours and *inter alia*, it deals with primary prevention, and subsequently, promotes secondary prevention. About 50% of the patients are Israelis, about 30% are Eritrean and the rest are tourists, citizens of other countries with no official status or immigrants from the former Soviet Union;

(f) Treatment for the homeless and persons engaged in prostitution – In the framework of the “*Levinsky Clinic*”, a mobile clinic provides services to the homeless and

to women engaged in prostitution. Several thousands of persons receive treatment by this clinic annually;

(g) The Sheba Medical Center – This hospital, situated near Tel Aviv-Jaffa, operates a clinic for the uninsured, focusing primarily on oncology;

(h) Health insurance to children under the age of eighteen (18) of migrants and foreign workers and unaccompanied minors – Parents are entitled to purchase healthcare insurance for their children (under the age of eighteen (18)) in ‘Meuhedet’ HMO, with a cost of 120 NIS (32.5 USD) per month for the first and second child. The MoH subsidizes the insurance by additional 160 NIS (43 USD) per month. From the third child onwards – the MoH pays the full monthly premium for that child. The insured children are eligible to full service basket, similar to Israeli residents, except for the eligibility for treatments abroad. Nearly 80% of the children of this population are insured. As of June 13, 2018, 8,118 previously uninsured children were registered for the ‘Meuhedet’ health insurance;

(i) Maternity insurance – A female foreign worker or the wife of a foreign worker employed in Israel is entitled to a hospitalization grant (a grant paid to the hospital where the birth occurred to cover hospitalization costs) and a birth grant (financed by the NII). These allowances are paid even if the mother is unemployed. The insurance terms are similar to those of Israeli residents, with two (2) additional provisions – that the birth took place in Israel and that the mother or her spouse have at least six (6) consecutive months of employment in Israel (Section 40(a)(2) of the *National Insurance Law*). A female foreign worker who has been employed for the minimum period in Israel is also entitled to maternity allowance, under similar terms to those required of an Israeli resident.

(j) Health care to victims of trafficking – The shelters for victims of trafficking continue to provide medical care, psycho-social care and rehabilitation services. In addition, the MoH also funds an annual budget of approximately 3 Million NIS (837,300 USD) for healthcare services that are given to victims of trafficking in hospitals (visits to ICU, external clinics and hospitalization, pregnancy monitoring etc.). For further information, see Annex I.

Social rights of child asylum seekers

173. Education – *The Compulsory Education Law 5709-1949* applies to every child residing in Israel, including children of asylum seekers. According to MoE data, all children of foreign workers and asylum seekers in Israel between the ages of three (3) and eighteen (18) are integrated into kindergartens and schools.

174. Childcare Support – According to recent assessments there are approximately 85 unsupervised private kindergartens (“babysitters”) in Tel-Aviv Jaffa, a decrease of about 100 such kindergartens from previous assessments. Approximately 1,800 infants and toddlers attend these kindergartens until 15:00, while in the afternoon several hundred children above the age of three (3) join them. On April 8, 2015, the Government approved Resolution No. 2487, providing additional childcare support services in Tel Aviv-Jaffa for infants and toddlers of parents without legal status. The Government allocated a budget of 14 Million NIS (3.8 Million USD) per year for four (4) years (April 2015-March 2019) for this purpose. This Resolution also set standards for operating the day care centres and stipulates MoLSAaSS supervision over them.

175. As of 2018, approximately 700 infants and toddlers of parents without legal status are enrolled in day care centres operated by non-profit organizations, which receive funding from the Tel Aviv-Jaffa Municipality pursuant to GR No. 2487 (08.04.15). The Social Services Department in the Tel Aviv-Jaffa Municipality, “Mesila”, also provides a number of afterschool facilities for children and operates parenting programs. The current assessment is that these efforts will enable approximately 1,100 infants and toddlers to attend appropriate facilities.

176. Children at risk – According to the MoLSSaSS DG Directive No. 100 for at-risk children and their families, all at-risk children regardless of their status, and their family’s status, have access to all services as is provided to any minor with civil status. As part of this initiative, 5 Million NIS (approximately 1.38 Million USD) are allocated every year for community-based solutions for these children and their families. Additionally, in 2019 ten

(10) new social workers positions were opened in local authorities with high concentrations of migrants who may not be returned to their countries of origin in order to provide rehabilitation, support, and assistance to this population.

177. In 2018, the Tel Aviv-Jaffa Municipality treated 2,234 children and their families through the provision of emotional therapy, support groups, afterschool programs and parental training. In addition to individual therapy, group solutions are provided to both women and men on family health, family planning and relationships.

178. In addition, in Tel-Aviv-Jaffa and in some of the district authorities, MoLASaSS provides material assistance in addition to donations of food, diapers and infant formula.

179. Domestic abuse of migrant women – According to current procedures, the Police convene a meeting every six (6) months with officials from MoLASaSS and local authorities to discuss opportunities for cooperation and individual cases related to the management of domestic violence against migrant women. The last meeting was convened on July 9, 2019. Cooperation between the Police and the Local Authorities has proven successful and new therapeutic programs and frameworks have been established to protect vulnerable women and their children.

180. Furthermore, in order to facilitate the reintegration of these women back into the community following their treatment in the Ministry's shelters, a system of half-way houses where they can reside for an additional six (6) months at which they continue to receive assistance from a social worker was established. In 2018, twenty-four (24) migrant women were offered protection in the Ministry's shelters for battered women.

Inter-ministerial committee reviewing the social rights granted to migrants who may not be returned to their countries of origin

181. In August 2017, an Inter-Ministerial Committee reviewing the social rights granted in Israel to migrants who may not be returned to their countries of origin was established, at the request of the Attorney General. The Inter-ministerial Committee, headed by the DG of PIA, included representatives of the relevant Ministries: MoLSAaSS, MoH, MoJ, MoI, the Ministry of Finance and the Ministry of Construction and Housing. The Committee's main purpose was to examine the possibility of providing social, welfare and health services to migrants who may not be returned to their countries of origin.

182. In July 2018, the Committee submitted its recommendations to the Ministers of LSAaSS and of Interior for examination. On February 28, 2019, the Minister of LSAaSS adopted the recommendations of the Committee concerning his Ministry. As part of this decision, the Minister ordered a partial provision of welfare services to migrants who may not be returned to their countries of origin in need of out-of-home placements: victims of domestic violence, persons with disabilities and persons in street situations. The budget allocated for this is 36 Million NIS (10 Million USD) (out of which 20 Million NIS (5.5 Million USD) is allocated to the MoLSAaSS). As part of these services, a special program was set up in order to provide various welfare services for child migrants at risk who may not be returned to their countries of origin.

183. A petition on this issue was filed to the HCJ and is pending (H.C.J. 8907/16 *Assaf – Aid Organization for Refugees and Asylum Seekers in Israel v. The Minister of Labor, Social Affairs and Social Services* (pending)). In March 2019, the Government informed the Supreme Court that the Minister of LSAaSS agrees to the Inter-Ministerial Committee's recommendations to allocate funds (approx. 30 Million NIS (8.33 Million USD)) to secure social rights for certain groups of migrants who may not be returned to their countries of origin. Most recently (July 2019), the Government informed the Supreme Court that it is looking into alternatives for purchasing a designated health insurance for migrants who may not be returned to their countries of origin, i.e., purchasing existing insurance packages for them or providing them with medical services through a different arrangement.

Article 32

Economic exploitation, including child labor

Protection of employed youth

184. On July 29, 2018, the *Youth Employment (Prohibited and Restricted Employment) Regulations 5756-1995* were amended. These Regulations set a list of types of work in which it is prohibited to employ youth. This Amendment adds an overall prohibition on employment of youth in construction work (including work at construction sites), except for cases where the youth is employed as part of an internship or professional training.

185. Furthermore, a number of legislative amendments have been made to the *Youth Employment Law 5713-1953*, for example, a 2016 Amendment to the Law requires employers to refrain from employing youth until their identity card, or that of their parents that includes their details, has been shown to them (Section 27H(a)). This Amendment also redefined the term “medical certificate” so as to ensure that it includes only information concerning the youth’s fitness to work, in order to protect the youth’s privacy (Section 8(c)). Further Amendments are stipulated in CESCR Annex I, p. 47–49.

Children in street situations

186. The MoLSAaSS operates identification programs, field work and outreach to identify adolescents in distress, loitering and in extreme risk with the purpose of building trust and creating motivation to receive solutions. The Ministry also operates eight (8) shelters providing accommodation adolescents who have no families or are not in contact with their families. Furthermore, there are open centers within the community designated for adolescents at risk, danger and disengagements spectrum who dropped out of the education institutions.

Article 35

Child sale, trafficking and abduction

Reducing the purchase of sexual services

187. An inter-ministerial committee, headed by the DG of the MoJ was appointed in 2016 in order to review and provide recommendations of policy measures to reduce the purchase of sexual services.

188. The committee was comprised of leading representatives from various ministries and agencies: the Police, the MoJ, MPS, MoE, MoLSAaSS, MoH, Finance, Social Equality, and the Prime Minister’s Office. The committee held many sessions in 2016-2017 and heard various experts, NGOs, academics, and Knesset members. It also visited commercial sex venues and rehabilitation programs, and met with women in prostitution.

189. The committee found that there is basis for justifying the criminalization of clients of prostitution, but that the decision must ultimately be taken by the legislator, and recommended that if the Knesset chooses to criminalize prostitution, certain guidelines should be taken into account as to the legislative model. The committee’s report also includes comprehensive recommendations in the various fields covered by the teams, e.g., education, treatment and rehabilitation, alongside the criminal aspect, based on the conception that the reduction of the purchase of sexual services can only be achieved through the combination of those three (3) elements. In addition, the report addressed the link between prostitution and trafficking in persons.

190. In August 2018, following the recommendations of the above-mentioned inter-ministerial committee, a team headed by the MoJ DG was established in order to examine possible alternatives for the implementation of the committee’s recommendations. In December 2018, the team concluded its work and adopted an implementation program, which was included in GR No. 4462 (13.1.2019). The Resolution addresses the rehabilitation, treatment and education aspects, while the enforcement aspect will be addressed by the Police.

191. On December 31, 2018, the Knesset legislated the *Prohibition of Consumption of Prostitution Services Law (Temporary Provision) 5779-2018*, which prohibits the consumption of sexual services. The Law was legislated as part of the ongoing efforts of the State to reduce prostitution and provide assistance and rehabilitation to persons in prostitution. According to the Law, the offense of consumption of prostitution services, which includes the presence in a location which is used for prostitution, is an administrative offense that can be fined for 2,000 NIS (540 USD) for first time offenders and double the sum for repeat offenders. According to the Law, he/she who is present in a location which is principally used for prostitution will be seen as being there for the purpose of consumption of such services, unless proven otherwise. Nevertheless, the Law authorizes the State Attorney's Office to indict an offender, in which case the court could impose a fine of up to 75,300 NIS (20,350 USD). The Law further enables the Minister of Justice to set alternative penalties to fines within the Law's Regulations, by means of indictment. The Law will come into force in 2020 for a period of five (5) years. Its extension will be determined in accordance with research on its effects. In addition, the Ministers of Public Security and of LSASS will conduct periodic reviews of its implementation and the overall progress of the efforts to reduce consumption of prostitution. For further information, see Annex I.

Legal proceedings

192. In 2017 the MPS and the Police took initiatives to improve the available mechanisms to address the prostitution of minors. A main goal defined by the Police for 2018 was the implementation of treatment of minors who are exploited in prostitution and encouraging the opening of additional investigations.

193. Steps taken in recent years include: a letter from the State Attorney to the Head of the Investigations and Intelligence Division, reiterating the need to enhance enforcement efforts and make them a priority; meetings between the Prosecution and the Police representatives and the Office of the National Anti-Trafficking Coordinator (NATU) in order to examine the existing difficulties and explore other possible courses of action; the SAO examined investigation files where an indictment was not filed in relation to drawing conclusions and a forward-looking examination. For further information, see Annex I.

Article 36

Other forms of exploitation

Domestic violence

194. Each year during December the "Combatting Domestic Violence Week" takes place and the MoE publishes in the relevant website materials for teachers and educational staff. The issue is discussed during the domestic violence week and throughout the year as part of the "Life Skills program" provided to the pupils in the Education system. In 2015, a booklet translated into Arabic titled: "Friendship and intimate relationship without violence" was published among education staff in the Arab and Bedouin populations, as part of a recommended program for grades 10–11.

195. There are many steps taken by the Police in order to protect victims of domestic violence, including children, such as, *inter alia*, the establishment of family matters units in sixteen (16) police stations throughout the country in September 2019. Police officers who are social workers are placed in these units, in order to assess the damage caused to the entire family, while putting an emphasis on the post-traumatic treatment aspect. For further information, see CEDAW Report, p. 18–20 and Annex I, p. 20–22 and CESCR Report Annex I, p. 43–44.

Article 37 (b)–(d)**The right not to be subjected to torture or other cruel, inhuman or degrading treatment or punishment****Indictment and testimony of children in sex or violence cases**

196. On July 24, 2017, the Knesset enacted Amendment No. 17 to the *Evidence Procedure Revision (Protection of Children) Law 5715-1955*. This Amendment aims to facilitate the testimony of children under the age of fourteen (14) in regards to offenses to which the *Evidence Procedure Revision (Protection of Children) Law* applies, such as sex and violence offences and related offences. According to the Amendment, procedures in which children testify shall be prioritized, a juvenile interrogator shall be present when the child testifies, cross-examination shall only be performed by advocate defense attorney and a waiting room shall be designated for the testifying child. In addition, the court shall hear the child's testimony in consecutive sessions, limit the duration of the cross-examination and set out the procedure in order to ensure that the examination is comprehensible to the child.

197. Following this Amendment, on August 21, 2017, the President of the Supreme Court published a Directive on the Procedures regarding the Testimony of Children in Courts (Directive 1-17). The application of the Directive was extended to include all children under the age of eighteen (18) who are victims of the offenses stipulated in the *Evidence Procedure Revision (Protection of Children) Law*. According to the Directive, the child's testimony must be heard within 90 days from the day the indictment is filed; the court shall ensure that there is no interaction between the child and the suspect; the hearing in which a child testifies shall be scheduled as the first hearing on that day; and the child's testimony shall be given in one (1) day, or if that is not possible, in consecutive days, insofar as the best interests of the child so require.

198. Accordingly, the State Attorney published Guideline No. 6.13 (9.5.18) on the "Indictment and Testimony of Children in Sex or Violence Cases in which the Crime Victim, or a Major Witness is a Child". This Guideline deals primarily with setting shorter timeframes for the procedures in cases in which a child is involved, such as the filing of indictments, prioritizing such cases and hearing the child at the earliest convenience. This Guideline applies to children under the age of fourteen (14). However, efforts are made by the SAO to widen its scope to all children, on the basis of the aforementioned Directive of the Supreme Court on the matter.

Regulations for the evidence procedure revision (children protection)

199. On September 27, 2018 *The Regulations for the Evidence Procedure Revision (Children Protection (Wording of the Notification of Rights to a Minor Suspect Prior to an Investigation)) 5778-2018* entered into force. According to these Regulations, minors who are suspects must be informed of their rights prior to their questioning and investigation: the right to remain silent, to consult with a lawyer in private prior to the investigation, to be represented by the Public Defender Office (PDO), to inform their parents on the investigation, and to request that one of the parents will be present at the investigation. In cases where it is decided according to the law to postpone the realization of some of these rights, the juvenile investigator must inform the minor. The Regulations include the specific wording the juvenile investigator shall use when informing the minor of his/her rights.

Representation of minors in legal proceedings by the PDO

200. Amendment No. 14 to the *Youth Law* amended *The Public Defenders Office Law* (July 30, 2008), entitling minors to legal representation in criminal proceedings by the PDO. For further information, see Annex I.

Minors in IPS detention facilities

201. The IPS is committed to fulfilling all of the needs of minors held in its facilities, including their basic needs: security, physical and mental protection, and nutritional needs in accordance with their developmental stage.

202. Education – Minors under the authority of the IPS are integrated into educational frameworks inside the prison, in order to complete their education, and take external tests and complete ten (10) and twelve (12) school years, depending on the period of their imprisonment. Minors with ADHD are offered special individual programs at the ADHD Center that has been operating since 2018 at the Ofek Prison.

203. Relationship with the Families – The IPS strives to strengthen the relationship with the minor prisoners' families and to turn them into an involved and supporting part of the minors' rehabilitation process, keeping in mind the long-term best interests of the minor. For further information, see Annex I.

Article 38

Children in armed conflicts

204. Over the past two decades, and in particular during the conflicts that took place in the Gaza Strip, children were especially vulnerable. During the 2014 Gaza Conflict, which lasted for 50 days, all residents living within 40 kilometers of the Gaza Strip were instructed to remain close to protected areas. Children living within a range of up to seven (7) kilometers from the Gaza Strip often remained in bomb shelters for the entire day in order to ensure they would not be in open areas during a rocket or mortar attack.

205. A study conducted throughout ten (10) years by the Israel Psych trauma Center at the Herzog Hospital in Jerusalem, which was published by Ynetnews in 2014 (based on findings prior to the 2014 Gaza Conflict), demonstrated the long-term effects of the constant rocket threat, as more than 70% of the children suffering from behavioral and emotional problems in 2004 as a result of rocket and mortar attacks continued to display such symptoms in 2011. Moreover, the study found that the rate of aggressive behavior displayed by children in southern Israel was three (3) times higher than in the general population.²

Article 40

Children in conflict with the law, and administration of juvenile justice

Inter-ministerial committee on minors recidivism

206. In September 2017, the Minister of Justice appointed an inter-ministerial committee to review the release of minors from detention, due to the high recidivism rates among minors released from detention (75% as opposed to 41% for adults). The inter-ministerial committee published its report in December 2017 and it was subsequently adopted by the GR No. 3711 (25.3.18), establishing a steering committee to determine which of the inter-ministerial committee's recommendations would be implemented immediately.

207. The Inter-ministerial Committee focused its work on the causes of recidivism among minors released from detention and an appropriate working strategy to decrease the current rates. The committee was composed of three (3) teams that dealt with the continuity of the treatment of minors, the release process of minors and the rehabilitation of minors.

208. The inter-ministerial committee found that overall, due to the short detention periods and subsequent short paroles, there are significant time constraints which limit the necessary rehabilitation assistance available to minors, aggravated by a general negative attitude of minors towards rehabilitation programs. Only a small number of the minors are released with a rehabilitation plan and most minors who are referred to out-of-home facilities do not stay there. For further information, see Annex I.

Head of Juvenile Justice (HJJ) and an Inter-ministerial coordinator (IMC) at the MoJ

209. In 2017, a new position for a HJJ was established in the SAO. This role includes instructing State Attorneys at the national level regarding juvenile justice and improving the measure of expertise in the field. The HJJ heads the National Youth Forum, which is

² <https://www.ynet.co.il/articles/0,7340,L-4555927,00.html>.

composed of representatives from the District Attorneys' Offices and the relevant law enforcement and welfare bodies and is in charge of reviewing juvenile justice issues and implementing its principles. In 2018 and 2019 the HJJ conducted a seminar on children in conflict with the law for State Attorneys who are involved in decisions regarding arrest and the sentence of minors.

210. In 2018 an IMC was appointed in the MoJ for preventing children from coming into conflict with the law, pursuant to GR No. 1840 (11.08. 16). The functions of the IMC include holding consultations between the relevant professionals, holding training sessions, maintaining cooperation with NGOs and promoting projects and research in the field. The IMC is responsible for coordinating the activity of the Government bodies dealing with children in conflict with the law, with the main purpose of promoting the continuity of treatment and with a focus on prevention. The emphasis on prevention is based on the recognition that an early treatment which provides minors with the support system adjusted for their specific needs is proven to be the most effective long-term system to deal with minors in conflict with the law. Recently, the IMC established a youth forum in the MoJ for officials in the Ministry whose work effects youth, such as from the SAO and the PDO. For further information, see Annex I.

Restorative justice: Alternative models to the criminal proceeding

211. The Youth Probation Service in MoLSAaSS has developed, together with the Police, the MPS and the MoJ programs based on the principles of restorative justice. These programs are based on the restorative justice approach and serve as an alternative or supplement to the criminal proceedings, based on the premise that criminal proceedings alone do not suffice for coping with perpetrators and victims who are minors. For further information, see Annex I.

Minors and terrorism

212. Israel faces a complex and difficult reality of ongoing terrorism. Unfortunately, serious offenses have been committed by minors, including minors aged 13 and 14, and on occasion, the victims of these crimes have been minors themselves. Some measures were adopted in order to counter the recent wave of terrorism.

Amendments to the youth law

213. During the recent wave of terrorism, there has been an increase in the phenomenon of stone violence (e.g. throwing stones on cars, buses, pedestrians, and policemen), oftentimes by minors. Due to the serious nature of this kind of violence, which can result in grave damage to life and limb, offenders are often remanded to custody. However, it is common for offenders who are minors to be released on bail during the legal proceedings, in many instances with the agreement of the State.

214. For example, the *Youth Law* was amended to extend the court's power to impose a fine on the parents of a minor, in lieu of a criminal conviction, in order to include the power to impose such a fine even if the minor was convicted. In addition, a 2016 amendment established the possibility of sentencing a minor under the age of 14 to a prison sentence, on the condition that she/he be held in a children's facility rather than a prison until she/he reaches the age of 14. At the age of 14, the court may order her/his transfer to a prison, after considering the circumstances of the case, the effect of the prison on the minor, his/her age at the time of the offense and his/her personal circumstances.

The offense of stone-throwing

215. In addition, a parallel amendment was made to the *National Insurance (Consolidated Version) Law 5755-1995*, regarding a minor convicted of a security offense (as defined in the *Counter-Terrorism Law*) or of the offense of stone-throwing (as defined in the *Penal Law*) when committed with a nationalistic motive or in connection with terrorist activity, and sentenced to imprisonment. According to the Amendment, the parents of the minor are not eligible to receive NII payments which relate to the minor for the period of her/his imprisonment. These payments amount, on average, to about 160-200 NIS (44-54 USD) per

month. During this time, the needs of the minor, as of all prisoners, are fully supplied by the State.

XI. Follow-up to the Optional Protocol to the Convention on the rights of the child on the sale of children, child prostitution and pornography (CRC-OPSC)

The protection of children victims of trafficking or children of victims

216. The Government of Israel provides three (3) fundamental types of services to assist victims of trafficking in persons: medical care, legal aid and shelters. None of the services are contingent upon cooperation with law enforcement. In addition, the Government provides victims of trafficking special visas allowing them to work if they meet certain criteria.

217. Generally, the NATU, headed by the National Coordinator, is the primary government agency to coordinate anti-trafficking efforts on a national scale. The NATU was established according to a 2006 GR and it operates independently, under the MoJ. All Government agencies take an active part in anti-trafficking efforts, and the NATU is the leading Government agency which performs the overview functions in the realms of prosecution, protection and prevention. The NATU serves both as a coordination body and as a leader in policy development. Its mission is to promote cooperation between all relevant government authorities and also to serve as a bridge between Government authorities and non-Governmental organizations, as well as with relevant international bodies. For further information, see Annex I.

Sex tourism involving children

218. The Ministry of Tourism has taken action to tackle the issue of sex tourism within Israel as well as raise awareness on the subject within the tourism industry. For example, the Ministry encouraged several organizations in the tourism industry to join the Global Code for Ethics and led to the signing of the Code by the Travel Agents' Association.

219. Close cooperation is maintained on this issue with PIA, whose border control officers are on high alert for this sensitive issue, and will not admit a minor into Israel before confirming their reason for arrival. If there is suspicion of an illegal purpose, entry is refused, and PIA will, in most cases, notify the Ministry of Foreign Affairs, so that the relevant consul may be informed and legal follow-up be taken, if necessary. For further information, see Annex I.

Indictments and convictions on crimes in the additional protocol

220. The SAO gives special emphasis to those cases in which the victims of crime are minors, due to their particular severity. For further information, see Annex I.

International cooperation for the prevention, exposure and punishment of the crimes in the additional protocol

221. Israel takes an active part in the Global Alliance Against Child Sexual Abuse Online by the European Commission and the US, aimed to raise standards worldwide and unite efforts around the world to more effectively combat online sexual crimes against children.

222. Further international cooperation between police bodies and the MoJ in various countries in the world is taking place through the NCOPB headed by the MPS, as stipulated in Article 17. For further information, see Annex I.

Trainings and education on the CRC-OPSC

223. In the Education System – The Psychological Counseling Service in the MoE operates a unit that focuses on sex education and the prevention of sexual assault. The Unit operates several programs aimed to prevent trafficking in persons and prostitution. Lesson plans are adapted for pupils in high schools, regarding dangerous sexual behavior and the involvement in prostitution, both as being exploited in prostitution or as consumers of prostitution. The

unit also develops guidelines for educators in order to aid them in the identification of pupils in distress, including those who engage in prostitution.

224. Trainings of Police Officers – In 2017, a seminar was held in the Ben Gurion University, in which 130 officers were trained on the topic of prostitution of minors. The purpose of the seminar was to enhance the cooperation, as well as recognition and treatment of this phenomenon. The seminar included officers from different Police departments, which were given lectures by the SAO, MoLSAaSS, MPS, the Police and “Elem” NGO.

Cooperation between the civil society and the government

225. Israel continues to encourage fruitful cooperation between NGOs and enforcement authorities. For example, a joint work protocol is being formulated with the aim of tackling the prostitution of minors. An additional cooperation led to the formulation of an information leaflet “Take note” on identifying victims of trafficking.

XII. Follow-up to the Optional Protocol to the Convention on the rights of the child on the involvement of children in armed conflict (CRC-OPAC)

The number of recruits of minors

226. As mentioned in the Initial Report of Israel on the implementation of the CRC-OPAC submitted in 2008, and in accordance with the Israeli Declaration upon its ratification of the Optional Protocol, persons aged 17–18, who volunteer for early military service, on their own initiative, pursuant to their written request, and according to the provisions declared by the State of Israel, are limited to military training until they reach the age of eighteen (18), and do not take a direct part in combat duty.

227. The number of recruits of minors under the age of eighteen (18) during 2014–2018 was 1,092. The majority of these recruits are enrolled in military preparatory schools and programs for which they are required to undergo a one-day administrative induction into the armed forces for administrative purposes, while the rest of their military service is postponed. Moreover, the number of minor-recruits who are recruited to a combat unit out of the overall number of minor-recruits is only 50, and is in decline. The number of minor-recruits to combat units, was 22 in 2014 and five (5) in 2017.

Schools operated by or under the auspices of the IDF

228. The IDF has several schools and programs designated for youths aged 13.5-18, where specific professional and military professions are taught. Some schools operate as boarding schools, and some as daily schools. Enrollment in IDF operated schools is voluntary and pupils are allowed to quit these schools at any time they so desire. For further information, see Annex I.

The control of defense export

229. The control of defense export in Israel is regulated by the *Defense Export Control Law 5766-2007*, according to which export of defense and items of dual use which are intended for military use, are subject to licensing by the Ministry of Defense according to control lists. The decisions regarding defense export licenses are made in accordance with the defense export policy of the State. In the framework of this policy, many considerations are taken into account, including the implementation of human rights in the destination state and the recruitment of children and their involvement in armed conflicts.