



# Convention on the Rights of the Child

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## Committee on the Rights of the Child

### **List of issues in relation to the combined fifth and sixth periodic reports of Israel\***

1. The State party is requested to submit in writing additional, updated information (10,700 words maximum), if possible before 15 September 2023. The Committee may take up all aspects of children's rights set out in the Convention during the dialogue with the State party.

#### **Part I**

2. Please provide information on:

(a) The extent to which the guidelines for the implementation of the Indication of Information Regarding Legislative Influences on the Rights of the Child Law 2022-5762 domesticate the Convention provisions to ensure their justiciability;

(b) The development of a comprehensive policy on children and a corresponding implementation strategy;

(c) The establishment of a central mechanism for intersectoral coordination and cooperation at and between the national and local levels for the implementation of the Convention throughout the State party;

(d) The progress made in utilizing a child-rights based approach in the elaboration of the State budget, ensuring transparent and participatory budgeting and non-discrimination in budgetary allocations;

(e) The creation of an ombudsman for children to monitor and evaluate progress in the implementation of the Convention at the national and local levels and to deal with complaints from children in a child-sensitive and expeditious manner;

(f) The engagement with civil society actors in a systematic way, including those which monitor the child rights situation in the Occupied Palestinian Territory, and increase resources provided to non-governmental organizations to monitor and promote children's rights.

3. Please detail the measures taken:

(a) To monitor the application of Military Order 1676 (2011), by which the age of majority in the military courts was raised from 16 to 18 years, and sanctions for its violation;

(b) To remove any exceptions to marriage under the age of 18, including the discretion of the Family Matters Court to permit marriage of children above the age of 16.

4. Please update the Committee on progress made:

\* Adopted by the pre-sessional working group on 10 February 2023.



(a) In enshrining the principles prohibiting discrimination and guaranteeing equality in the State party's Basic Laws, repealing discriminatory laws and policies against non-Jewish children, prohibiting and eradicating policies or practices that severely and disproportionately affect the Palestinian population, particularly children, in the Occupied Palestinian Territory, and ensuring that all children living in the Occupied Palestinian Territory enjoy their rights under the Convention without discrimination;

(b) In developing procedures and criteria for determining the best interests of the child in every area and ensuring their wide dissemination, and assessing the impact of the State party's policies on children living in the Occupied Palestinian Territory and ensuring that their best interests are fully taken into account in its military governance of the Occupied Palestinian Territory and in the 2022 Anti-Infiltration Law;

(c) In taking actions to cease all killings and injuring of Palestinian children, investigating all such crimes, bringing the perpetrators to justice and providing compensation, recovery and social integration services for all child victims of those human rights violations;

(d) In preventing incidents of excessive use of force, ensuring public order and investigating and ensuring accountability for all acts of violence committed by settlers against Palestinian children;

(e) In ceasing the construction of the Wall in the Occupied Palestinian Territory, fully lifting the Gaza blockade and allowing entry of all construction materials necessary for Palestinian families to rebuild homes and civilian infrastructure.

5. Please update the Committee on measures taken to ensure the right of the child to be heard in proceedings involving admission to a psychiatric hospital or adoption, regardless of age, and in all proceedings affecting migrant and asylum-seeking children, and the extent to which the National Child Representation Unit referred to in paragraphs 39 and 40 of the report of the State party and paragraphs 14 to 25 of annex I thereto systematically enables children to be heard in such proceedings.

6. Please describe the measures taken:

(a) To ensure birth registration for all children, including children of migrants, and repeal all legal provisions which result in denying the right of Palestinian children to be registered immediately after birth, to acquire a nationality and to be cared for by their parents, and to address the discriminatory effect of notifications of live birth on non-nationals;

(b) In the case of children born to unmarried parents, to facilitate their right to know their parents' identity, where neither parent has recognized the child, and to ensure that religious laws are brought in line with the Convention and, especially, that they do not contain derogatory language against these children;

(c) In the regulation of assisted reproductive technologies, particularly with the involvement of surrogate mothers, to ensure that amendment No. 2 of 2018 to the Agreements for Carrying Embryos (Approval of the Agreement and Status of the Infant) Law 5756-1996, respects the right of children to have their best interests taken as a primary consideration and to have access to information about their origins in cases of domestic and foreign surrogacy;

(d) To implement the Prevention of Sexual Harassment Law 5758-1998 as well as amendment No. 49 to the Telecommunications Law 5742-1982 in order to protect children from harmful content, including in the media and in the digital environment.

7. Please provide information on measures taken:

(a) To develop a comprehensive national strategy and coordination framework to prevent and address all forms of violence against children and ensure that it devotes particular attention to the racist and gender dimensions of violence in the State party;

(b) To remove all children from solitary confinement, investigate alleged cases of torture and ill-treatment, including against Palestinian children, provide safe and child-friendly complaint mechanisms to children living in the Occupied Palestinian Territory with regard to the treatment they were subjected to at the time of arrest and subsequent detention, and ensure physical and psychological recovery as well as social reintegration services for all child victims of torture and ill-treatment;

(c) To monitor that children undergoing interrogation by the Israeli Security Agency are accorded “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”, as mentioned in paragraph 77 of the report of the State party;

(d) To monitor respect for the operative guidelines of the Israeli Security Agency that provide for special protection to children “to ensure proper protection of their rights and physical and mental well-being” referred to in paragraph 78 of the report of the State party;

(e) To assess the impact of the special guidance programmes for parents on eliminating corporal punishment and conduct awareness campaigns for non-violent child-rearing;

(f) To increase the number of protective shelters available to children at risk of parental abuse and neglect and to remove all children at risk held in detention facilities and ensure their placement in appropriate rehabilitation and care facilities;

(g) To ensure quality and child-sensitive services for child victims of sexual exploitation and abuse, including sufficiently trained psychologists, social workers and other relevant professionals.

8. Please update the Committee on progress made:

(a) In strengthening services for children at risk of separation from their family as well as in promoting positive parenting;

(b) In improving monitoring mechanisms for alternative care facilities and providing sufficient human and material resources, as well as training for professionals working with and for children;

(c) In reuniting all separated Palestinian children with their parents and with their siblings and revoking the Citizenship and Entry into Israel Law and all policies that are in breach of articles 9 and 10 of the Convention and which prevent family reunification;

(d) In strengthening the foster care system, decreasing the number of children in residential institutions, investigating the responsibilities in the 2008 closure of the child institutions in Hebron by the Israeli Defence Forces and providing resources to all evicted children for their shelter and care in appropriate conditions.

9. Please provide information on:

(a) Steps taken to reconsider the parental choice model for sending children with disabilities to a regular or special school and to ensure that all children with disabilities have access to and benefit from inclusive education at all levels without discrimination;

(b) The measures in place to guarantee safe and unconditional access to health services, including emergency medical care, adequate medical supplies and trained personnel for all pregnant women and children with their caregivers, particularly those who live in the Occupied Palestinian Territory, and to ensure the timely transfer without delay at checkpoints of all children with their caregivers and pregnant mothers in need of medical care;

(c) The cessation of attacks against hospitals and facilitation of their reconstruction;

(d) Actions taken to restore confiscated land to Palestinian and Bedouin families, to ensure they are not deprived of access to safe drinking water, sanitation and food and to allow humanitarian agencies unimpeded access to families and children;

(e) Measures taken to ensure the availability of services for children at risk of suicide or alcohol or substance abuse and to increase the availability of quality psychological counselling services;

(f) Measures taken to guarantee adequate financial support and free, accessible social services for children and their families living in poverty.

10. Please provide information on:

(a) The reasons for the decision to amend the National Education Law to add “educating for a meaningful military or national civil service” to the purposes of national education;

(b) The impact of the initiatives referred to in paragraphs 154 and 155 of the report of the State party and paragraphs 124 to 130 of annex I thereto, on fostering an inclusive education system for all children, regardless of individual differences or difficulties, ethnic or cultural background, or socioeconomic status;

(c) Protecting children on their way to and from school in the Occupied Palestinian Territory from harassment, intimidation and violence by ensuring that the settlers and security forces are held accountable, ceasing attacks against schools and the use of schools as outposts and detention centres in the Occupied Palestinian Territory, tackling the school shortage in East Jerusalem and removing all restrictions on freedom of movement which prevent Palestinian children from attending schools.

11. Please provide an update on:

(a) The development of a national legal framework to regulate the Israeli asylum procedure, including the principle of non-refoulement, and the repeal of the Anti-Infiltration Law provisions that allow for the prolonged detention of children, including on the basis of their immigration status;

(b) Guarantees in place to ensure the conduct of individual assessments and evaluations of the best interests of the children in all decisions with respect to the migration process that affect children, and with the involvement of child protection professionals, the judiciary as well as children themselves;

(c) Progress made in implementing the Committee’s previous recommendations ([CRC/C/ISR/CO/2-4](#), para. 74),<sup>1</sup> in particular with respect to guaranteeing non-discrimination in the application of child justice standards and the dismantling of the institutionalized system of detention and the use of torture and ill-treatment of Palestinian children at all stages of the judicial procedure.

12. With reference to the Committee’s concluding observations on the report submitted by the State party under the Optional Protocol on the sale of children, child prostitution and child pornography,<sup>2</sup> please explain the measures taken to adopt a comprehensive policy and strategy for children in all areas covered by the Optional Protocol, supported by the necessary measures and adequate resources for their implementation.

13. With reference to the Committee’s concluding observations on the State party’s combined second to fourth periodic reports<sup>3</sup> and its concluding observations on the State party’s initial report on the Optional Protocol to the Convention on the involvement of children in armed conflict,<sup>4</sup> please describe the measures taken to prevent and effectively enforce the prohibition to use children as human shields and informants and ensure that perpetrators are brought to justice and punished with sanctions commensurate with the gravity of their crimes.

## Part II

14. The Committee invites the State party to provide a brief update, of no more than three pages, on the information presented in its report with regard to the following:

(a) New bills or laws, and their respective regulations;

(b) New institutions and their mandates or institutional reforms;

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<sup>1</sup> [CRC/C/ISR/CO/2-4](#), para. 74.

<sup>2</sup> [CRC/C/OPSC/ISR/CO/1](#).

<sup>3</sup> [CRC/C/ISR/CO/2-4](#), para. 72.

<sup>4</sup> [CRC/C/OPAC/ISR/CO/1](#).

- (c) Recently introduced policies, programmes and action plans, their scope and the financing provided for their implementation;
- (d) Recent ratifications of human rights instruments.

## Part III

### Data, statistics and other information

15. The data, statistics and other information requested in the present section, if available, should include all territory under the State party's jurisdiction in accordance with international law, including the Occupied Palestinian Territory (West Bank, including East Jerusalem and the Gaza Strip) and the Occupied Syrian Golan.

16. Please provide consolidated information, for the past three years, on the budget lines regarding children and the social sectors, indicating the percentage of each budget line in terms of the total national budget and the gross national product. Please also provide information on the geographical allocation of those resources.

17. Please provide, if available, updated statistical data, disaggregated by age, sex, ethnic origin, national origin, geographical location and socioeconomic status, for the past three years, on the following:

- (a) Deaths of children due to accidents, child abuse, suicide and the COVID-19 pandemic;
- (b) Rates of malnutrition of children living in the Occupied Palestinian Territory;
- (c) Number of children who have been displaced or are homeless as a result of eviction from or demolition of their home;
- (d) Cases of abuse of, and violence perpetrated against, children, including torture, inhuman or degrading treatment, all forms of corporal punishment, sexual abuse in and outside the home, domestic violence, bullying and online sexual violence and abuse, including information on prosecutions and the sentences handed down in such cases;
- (e) Children living with HIV;
- (f) Child marriage and adolescent pregnancy;
- (g) Stateless children;
- (h) Asylum-seeking, refugee, internally displaced and migrant children;
- (i) Cases of child labour, including in hazardous conditions;
- (j) Children in street situations;
- (k) Children living in poverty.

18. Please provide data, disaggregated by age, sex, socioeconomic background, ethnic origin and geographical location, regarding the situation of children deprived of a family environment, for the past three years, on the number of children who are or who have been:

- (a) Placed in public institutions;
- (b) Placed in private institutions;
- (c) Place in foster care;
- (d) Living with relatives or neighbours on the basis of an informal arrangement;
- (e) Available for adoption;
- (f) Adopted domestically and internationally.

19. Please provide data, disaggregated by age, sex, type of disability, ethnic origin and geographical location, for the past three years, on the number of children with disabilities who are or who have been:

- (a) Living with their families;
- (b) Living in institutions;
- (c) Attending regular primary schools;
- (d) Attending regular secondary schools;
- (e) Attending special schools;
- (f) Out of school;
- (g) Abandoned by their families.

20. Please provide updated statistical data, disaggregated by age, sex, type of offence, ethnic origin, national origin, geographical location and socioeconomic status, for the past three years, on children in conflict with the law who have been:

- (a) Arrested;
- (b) Referred to diversion programmes;
- (c) Provided with free legal aid;
- (d) In pretrial detention, including information on the average duration of pretrial detention and the number of children who spent longer than the authorized time in pretrial detention;
- (e) Detained with adults;
- (f) Transferred from the Occupied Palestinian Territory and detained in Israel;
- (g) Convicted and are serving a sentence in detention, including information on the length of the sentence.

21. Please provide information on how a children's rights-based approach is integrated into the planning, implementation and monitoring of measures for achieving the Sustainable Development Goals, including with regard to the participation of children and data collection, and how those measures promote the realization of children's rights under the Convention and the Optional Protocols thereto.

22. Please provide the Committee with an update of any data in the report that may have been outdated by more recent data collected or other new developments.

23. In addition, the State party may list areas affecting children that it considers to be of priority with regard to the implementation of the Convention.