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## Human Rights Council

Working Group on the Universal Periodic Review

Seventeenth session

Geneva, 21 October – 1 November 2013

### **Compilation prepared by the Office of the High Commissioner for Human Rights in accordance with paragraph 5 of the annex to Human Rights Council resolution 16/21**

#### **Israel\***

#### **Note by the Secretariat**

The present document updates information contained the Compilation on Israel prepared by the Office of the High Commissioner for Human Rights in accordance with paragraph 5 of the annex to the Human Rights Council resolution 16/21 (A/HRC/WG.6/15/ISR/2).

It has been prepared taking into consideration paragraph 6 of the report of the President of the Human Rights Council (A/HRC/23/CRP.1), submitted in accordance with Council decision OM/7/1 of 29 January 2013, in which the President encourages Israel, the State under Review, to participate in its review at the 17th session of the Working Group of the UPR of October/November 2013, scheduled on Tuesday, 29 October 2013.

Updated information for the UPR of Israel has also been submitted by the Office of the United Nations High Commissioner for Refugees (UNHCR). The full text of the UNHCR submission received, as well as the Report of the Special Rapporteur on adequate housing (A/HRC/22/46/Add.1) and the Concluding observations on the second to fourth periodic reports of Israel adopted by the Committee on the Rights of the Child (CRC/C/ISR/CO /2-4) are available on the OHCHR website.

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\* The present document was not edited.

## I. Background and framework

### A. Scope of international obligations<sup>1</sup>

#### International human rights treaties<sup>2</sup>

	<i>Status during previous cycle</i>	<i>Action after review</i>	<i>Not ratified/not accepted</i>
<i>Ratification, accession or succession</i>	ICERD (1979) ICESCR (1991) ICCPR (1991) CEDAW (1991) CAT (1991) CRC (1991) OP-CRC-AC (2005) OP-CRC-SC (2008)	CRPD (2012)	ICCPR-OP 2 OP-CAT ICRMW CPED
<i>Reservations, declarations and/or understandings</i>	ICERD (Reservation, art. 22, 1979) ICCPR (Reservation, art. 23, 1991) CEDAW (Reservations, arts. 7(b) and 16/ Declaration, art. 29, para. 1, 1991) CAT (Reservations, arts. 20 and 30, para. 1, 1991)	CRPD (Reservation, art. 23(1)(a), 2012)	
<i>Complaint procedures, inquiry and urgent action<sup>3</sup></i>			ICERD, art. 14 OP-ICESCR ICCPR, art. 41 ICCPR-OP 1 OP-CEDAW CAT, arts. 20, 21 and 22 OP-CRC-IC ICRMW OP-CRPD CPED

### B. Institutional and human rights infrastructure and policy measures

1. In 2013, the Committee on the Rights of the Child (CRC) recommended that Israel establish an Ombudsperson for children in accordance with the Paris Principles.<sup>4</sup>
2. CRC encouraged the preparation of a comprehensive policy on children and to define budgetary lines for disadvantaged or vulnerable children.<sup>5</sup>

## II. Cooperation with human rights mechanisms

3. In 2010, the Human Rights Council held an urgent debate on the raid on the flotilla by Israeli Defense Forces.<sup>6</sup> The High Commissioner for Human Rights observed that the main conclusions of the fact-finding mission had yet to be met with effective action by the Israeli authorities, and that Israel had not cooperated with the mission.<sup>7</sup> The High Commissioner noted that there had neither been prosecutions nor an effective remedy for the crimes and violations noted by the fact-finding mission with regard to the incident of the humanitarian flotilla.<sup>8</sup> In 2013, the Human Rights Council renewed its recommendation that the General Assembly remain apprised of the matter until it is satisfied that appropriate action with regard to implementing the recommendations contained in the report of the fact-finding mission is taken at the domestic or international level.<sup>9</sup>

4. On 14 May 2012, Israel informed the Human Rights Council President that it had decided to suspend its relationship with the Council.<sup>10</sup> The Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories, has noted the continuing non-cooperation of Israel with its mandate.<sup>11</sup>

### A. Cooperation with treaty bodies<sup>12</sup>

#### 1. Reporting status

<i>Treaty body</i>	<i>Concluding observations included in previous review</i>	<i>Latest report submitted since previous review</i>	<i>Latest concluding observations</i>	<i>Reporting status</i>
CERD	March 2007	2010	February 2012	Seventeenth to nineteenth reports due in 2016
CESCR	May 2003	2009	December 2011	Fourth report due in 2016
HR Committee	August 2003	2008/2013	July 2010	Fourth report pending consideration
CEDAW	July 2005	2009	January 2011	Sixth report due in 2015
CAT	November 2001	2006	May 2009	Fifth report overdue since May 2013
CRC	October 2002	2010 (on CRC) / 2012 (on OP-CRC-SC)	January 2010 (on OP-CRC-AC) / June 2013 (on CRC <sup>13</sup> )	Fifth and sixth reports due in 2018. Initial OP-CRC-SC report pending consideration in 2015
CRPD	--	--	--	Initial report due in 2014

## 2. Responses to specific follow-up requests by treaty bodies

### Concluding observations

<i>Treaty body</i>	<i>Due in</i>	<i>Subject matter</i>	<i>Submitted in</i>
HR Committee	2011	Military blockade of the Gaza Strip; legislation on the crime of torture; juvenile justice system under Israeli legislation and under military orders in the West Bank; Bedouin population's right to their ancestral land and traditional livelihood. <sup>14</sup>	2011. <sup>15</sup> Further information requested. <sup>16</sup>
CAT	2010	Basic safeguards for detainees; allegations of torture and ill-treatment by Israeli interrogators; complaints and need for independent investigations; summary deportations; house demolitions. <sup>17</sup>	2010. <sup>18</sup> Further information requested. <sup>19</sup>
CEDAW	2013	Violence against Palestinian women and girls from both State (Israeli soldiers) and non-State (inter alia settlers) actors; civil marriage and divorce. <sup>20</sup>	2013. <sup>21</sup>
CERD	2013	Discriminatory laws; discriminatory laws especially targeting Palestinian citizens of Israel; ratification of ICRMW. <sup>22</sup>	–

## B. Cooperation with special procedures<sup>23</sup>

	<i>Status during previous cycle</i>	<i>Current status</i>
<i>Standing invitation</i>	No	No
<i>Visits undertaken</i>	<p>Violence against women (visit to the Occupied Palestinian Territory (OPT) only, 13–18 June 2004)</p> <p>Human rights defenders (5–11 Oct. 2005)</p> <p>Summary executions; Adequate housing; Health; and Internally displaced persons (10–14 Sept. 2006, joint mission)</p> <p>Terrorism (3–10 July 2007)</p> <p>Children and armed conflict (13–20 April 2007)</p> <p>Occupied Palestinian Territories (six visits to OPT; last one in the previous period 25 Sept.–1 Oct 2007)</p>	<p>Adequate housing (30 January to 12 February 2012)<sup>24</sup></p> <p>Freedom of expression (6–17 December 2011)<sup>25</sup></p> <p>Occupied Palestinian Territories* *only Gaza Strip through the Rafah Crossing from Egypt (1-3 December 2012 )<sup>26</sup></p>

	<i>Status during previous cycle</i>	<i>Current status</i>
	Freedom of religion (20–27 Jan. 2008)	
<i>Visits agreed to in principle</i>	None	None
<i>Visits requested</i>	Special Rapporteur on torture, requested in 2002, follow-up request in 2007; Special Rapporteur on violence against women, requested in 2001; Special Rapporteur on adequate housing, requested in 2005	Summary executions (2009) Racism (2008) Education (2009) Violence against women (2009 and 2012) Indigenous peoples (2010) Occupied Palestinian Territories (2011 and 2012)
<i>Responses to letters of allegations and urgent appeals</i>	During the period under review, 63 communications were sent. The Government replied to 18 of these communications.	
<i>Follow-up reports and missions</i>	-	

5. In 2010, 2011, 2012 and 2013, the Human Rights Council adopted resolutions on the human rights situation in the Occupied Palestinian Territory (OPT), including East Jerusalem.<sup>27</sup> In 2012 and 2013, the Human Rights Council adopted resolutions on Israeli settlements in the Occupied Palestinian Territory, including East Jerusalem, and in the occupied Syrian Golan.<sup>28</sup> The Special Rapporteur on the situation of human rights in the Palestinian territories occupied since 1967 has noted the continuing non-cooperation,<sup>29</sup> and has reiterated his request to Israel to cooperate with his mandate.<sup>30</sup>

### C. Cooperation with the Office of the High Commissioner for Human Rights

6. The High Commissioner visited Israel and the OPT in February 2011.<sup>31</sup> In May 2012, Israel suspended its relationship with OHCHR.<sup>32</sup> The High Commissioner submits periodic reports on the human rights situation in the Occupied Palestinian Territory to the Human Rights Council pursuant to resolutions S-9/1 and S-12/1.<sup>33</sup> In addition, OHCHR prepares various reports of the Secretary-General to the General Assembly and the Human Rights Council on the OPT, including East Jerusalem. Some of these reports also cover the occupied Syrian Golan.<sup>34</sup> Israel made annual contributions to OHCHR in 2008, 2009, 2010, 2011 and 2012,<sup>35</sup> including to the United Nations Voluntary Fund for Victims of Torture in 2008 and 2009, the Voluntary Fund for Technical Cooperation in 2012<sup>36</sup> and to the United Nations Voluntary Trust Fund on Contemporary Forms of Slavery annually.<sup>37</sup>

## Notes

<sup>1</sup> Unless indicated otherwise, the status of ratifications of instruments listed in the table may be found at the official website of the United Nations Treaty Collection database, Office of Legal Affairs of the United Nations Secretariat, <http://treaties.un.org/>. Please also refer to the United Nations compilation on Israel from the previous cycle (A/HRC/WG.6/3/ISR/2).

<sup>2</sup> The following abbreviations have been used for this document:

ICERD	International Convention on the Elimination of All Forms of Racial Discrimination;
ICESCR	International Covenant on Economic, Social and Cultural Rights
OP-ICESCR	Optional Protocol to ICESCR;
ICCPR	International Covenant on Civil and Political Rights
ICCPR-OP 1	Optional Protocol to ICCPR;
ICCPR-OP 2	Second Optional Protocol to ICCPR, aiming at the abolition of the death penalty;
CEDAW	Convention on the Elimination of All Forms of Discrimination against Women;
OP-CEDAW	Optional Protocol to CEDAW;
CAT	Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment;
OP-CAT	Optional Protocol to CAT;
CRC	Convention on the Rights of the Child;
OP-CRC-AC	Optional Protocol to CRC on the involvement of children in armed conflict;
OP-CRC-SC	Optional Protocol to CRC on the sale of children, child prostitution and child pornography;
OP-CRC-IC	Optional Protocol to CRC on a communications procedure;
ICRMW	International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families;
CRPD	Convention on the Rights of Persons with Disabilities;
OP-CRPD	Optional Protocol to CRPD;
CPED	International Convention for the Protection of All Persons from Enforced Disappearance.

<sup>3</sup> Individual complaints: ICCPR-OP 1, art 1; OP-CEDAW, art. 1; OP-CRPD, art. 1; OP-ICESCR, art. 1; OP-CRC-IC, art. 5; ICERD, art. 14; CAT, art. 22; ICRMW, art. 77; and CPED, art. 31. Inquiry procedure: OP-CEDAW, art. 8; CAT, art. 20; CPED, art. 33; OP-CRPD, art. 6; OP-ICESCR, art. 11; and OP-CRC-IC, art. 13. Inter-State complaints: ICCPR, art. 41; ICRMW, art. 76; CPED, art. 32; CAT, art. 21; OP-ICESCR, art. 10; and OP-CRC-IC, art. 12. Urgent action: CPED, art.30.

<sup>4</sup> CRC/C/ISR/CO/2-4, 4 July 2013, para. 16.

<sup>5</sup> CRC/C/ISR/CO/2-4, 4 July 2013, para. 10.

<sup>6</sup> See Human Rights Council resolution 14/1 of 2 June 2010.

<sup>7</sup> A/HRC/20/3/Rev.1, para. 16.

<sup>8</sup> Ibid., para. 12.

<sup>9</sup> A/HRC/RES/22/25 of 12 April 2013.

<sup>10</sup> Letter of 14 May 2012 from the Permanent Mission of Israel addressed to the President of the Human Rights.

<sup>11</sup> A/66/373, para. 2.

<sup>12</sup> The following abbreviations have been used for this document:

CERD	Committee on the Elimination of Racial Discrimination;
CESCR	Committee on Economic, Social and Cultural Rights;
HR Committee	Human Rights Committee;
CEDAW	Committee on the Elimination of Discrimination against Women;
CAT	Committee against Torture;
CRC	Committee on the Rights of the Child;

<sup>13</sup> CRC/C/ISR/CO/2-4.

<sup>14</sup> CCPR/C/ISR/CO/3, para. 26.

<sup>15</sup> CCPR/C/ISR/CO/3/Add.1.

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- <sup>16</sup> Letter dated 31 July 2012 from HR Committee to the Permanent Mission of Israel in Geneva, available at [http://tbinternet.ohchr.org/Treaties/CCPR/Shared%20Documents/ISR/INT\\_CCPR\\_FUL\\_ISR\\_12214\\_E.pdf](http://tbinternet.ohchr.org/Treaties/CCPR/Shared%20Documents/ISR/INT_CCPR_FUL_ISR_12214_E.pdf) (accessed on 12 September 2013).
- <sup>17</sup> CAT/C/ISR/CO/4, para. 40.
- <sup>18</sup> CAT/C/ISR/CO/4/Add.1.
- <sup>19</sup> Letter dated 16 May 2012 from CAT to the Permanent Mission of Israel in Geneva, available from [www2.ohchr.org/english/bodies/cat/docs/followup/letter\\_Israel16052012.pdf](http://www2.ohchr.org/english/bodies/cat/docs/followup/letter_Israel16052012.pdf) (accessed on 12 September 2013).
- <sup>20</sup> CEDAW/C/ISR/CO/5, para. 56.
- <sup>21</sup> CEDAW/C/ISR/CO/5/Add.1.
- <sup>22</sup> CERD/C/ISR/CO/14-16, para. 36.
- <sup>23</sup> For the official titles of special procedures, see [www.ohchr.org/EN/HRBodies/SP/Pages/Themes.aspx](http://www.ohchr.org/EN/HRBodies/SP/Pages/Themes.aspx) and [www.ohchr.org/EN/HRBodies/SP/Pages/Countries.aspx](http://www.ohchr.org/EN/HRBodies/SP/Pages/Countries.aspx).
- <sup>24</sup> A/HRC/22/46/Add.1.
- <sup>25</sup> A/HRC/20/17/Add.2.
- <sup>26</sup> A/HRC/23/21.
- <sup>27</sup> Human Rights Council resolutions 13/8 of 24 March 2010, 16/29 of 25 March 2011 and 19/16 of 22 March 2012.
- <sup>28</sup> A/HRC/RES/19/17 and A/HRC/RES/22/26.
- <sup>29</sup> A/HRC/20/32, para. 1.
- <sup>30</sup> A/67/379, para. 1.
- <sup>31</sup> OHCHR, “UN human rights chief to visit Israel and the Occupied Palestinian Territory”, press release of 4 February 2011, available from [www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=10708&LangID=E](http://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=10708&LangID=E).
- <sup>32</sup> Letter of 14 May 2012 from the Permanent Mission of Israel addressed to the President of the Human Rights.
- <sup>33</sup> A/HRC/22/35, A/HRC/22/35/Add.1, A/HRC/19/20, A/HRC/16/71, A/HRC/13/54, A/HRC/12/37.
- <sup>34</sup> A/HRC/24/30, A/67/372, A/67/375, A/67/332, A/68/313.
- <sup>35</sup> OHCHR, *2008 Report: Activities and Results*, p. 174; OHCHR, *2009 Report: Activities and Results*, pp. 190, 208; OHCHR, *Report 2010*, pp. 101, 283; OHCHR, *Report 2011*, pp. 125, 129, 133, 147, 159 and 169; OHCHR, *Report 2012*, p. 162.
- <sup>36</sup> OHCHR, *Report 2012*, p.147.
- <sup>37</sup> OHCHR, *Report 2010*, p. 101; OHCHR, *Report 2011*, p. 159 and OHCHR, *Report 2012*, p.151.
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