



# Economic and Social Council

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## Committee on Economic, Social and Cultural Rights Sixty-sixth session

### Summary record of the 36th meeting

Held at the Palais Wilson, Geneva, on Wednesday, 2 October 2019, at 3 p.m.

*Chair:* Mr. Zerbini Ribeiro Leão

## Contents

### Consideration of reports (*continued*)

- (a) Reports submitted by States parties in accordance with articles 16 and 17 of the Covenant (*continued*)

*Fourth periodic report of Israel*

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*The meeting was called to order at 3 p.m.*

**Consideration of reports** *(continued)*

**(a) Reports submitted by States parties in accordance with articles 16 and 17 of the Covenant** *(continued)*

*Fourth periodic report of Israel (E/C.12/ISR/4; E/C.12/ISR/Q/4 and E/C.12/ISR/Q/4/Add.1)*

1. *At the invitation of the Chair, the delegation of Israel took places at the Committee table.*

2. **Ms. Raz Shechter** (Israel) said that, to respond to concerns raised in the Committee's previous concluding observations (E/C.12/ISR/CO/3), the Government had enacted or amended legislation aimed at, inter alia, reducing prostitution and rehabilitating prostitutes, keeping toddlers safe in day care centres, protecting workers hired through employment agencies, and gradually increasing the disability allowance. It had also ratified the International Labour Organization (ILO) Protocol of 2014 to the Forced Labour Convention, 1930 (No. 29), helped draft the ILO Violence and Harassment Convention, 2019 (No. 190), and ratified several bilateral agreements aimed at ensuring the legal, transparent and fair recruitment and temporary employment of foreign workers and combating human trafficking and illegal migration.

3. Three new national human rights institutions had been established: a commission on the rights of children in foster care; a council on early childhood and infants' developmental, health, educational, social, and emotional needs; and a unit to coordinate the fight against racism, which had grown out of government resolutions on the integration of Israeli citizens of Ethiopian origin into Israeli society. Many other government authorities, such as the police and defence forces and the security and immigration authorities, had held training sessions on the implementation of human rights conventions.

4. Many steps had been taken to support Arab communities. One government resolution, marking a dramatic change in government policy on Bedouin communities, had set out a comprehensive five-year development plan, with a budget of 3 billion new Israeli shekels (NIS), that would empower local Bedouin authorities, enhance public services, promote education and social services, and see around 1,500 new classrooms built. Another five-year plan, with a budget of NIS 445 million, aimed to reduce social and economic gaps and promote economic development in the eastern neighbourhoods of Jerusalem.

5. The Ministry of Labor, Social Affairs and Social Services was expanding its support services for the lesbian, gay, bisexual and transgender community by, for example, assigning social workers to assist young people identified as being in distress, providing personal and group counselling to at-risk youth, and operating a 24-hour hotline and temporary shelters for at-risk members of the community.

6. In the area of health, a project collectively designed by government ministries and civil society organizations would raise awareness of postpartum depression among Bedouin communities in the Negev. In addition, the Ministry of Health had been working to increase government funding of medical care, increase the number of medical students and provide incentives for physicians to work in peripheral areas.

7. There were ongoing challenges brought on by the instability in the region and the constant attacks by the Hamas terror organization, which were causing misery to residents on both sides of the fence with Gaza. The hostile relations between Hamas and the Palestinian Authority in Ramallah had caused conditions in Gaza to deteriorate further. It was unfortunate that Israel's unilateral disengagement from Gaza had not led to bridges being built or to a compromise being reached.

8. She looked forward to a constructive and fruitful dialogue with the Committee.

9. **Mr. Abashidze** (Country Rapporteur) said it was unfortunate that no representative of the Ministry of Education and Culture was present. Although the Committee was pleased that the State party had updated its common core document in 2015, the updated version often instructed the reader to refer to previous versions of the document or to other reports,

and those documents in turn contained similar references, creating a chain of references that was difficult to follow. In future updates, any new information should be included as addenda or annexes to the common core document. When the Committee made a request for statistical data in the list of issues, the State party should provide specific data in its reply rather than presenting general information on the topic in question or describing the procedures used to collect data. An explanation would be appreciated as to why, according to the information submitted, the proportion of the public budget allocated to social spending had decreased over time.

10. Further information was needed in response to the Committee's question on the role of civil society in preparing the State party's report. He wondered whether it was always the same non-governmental organizations that attended the preparatory meetings, whether all non-governmental organizations were eligible to access the relevant website and attend those meetings, and how many such organizations had voluntarily participated in the preparation of the report. He would welcome clarification of the apparently contradictory statements in the State party's replies regarding whether a round table with civil society organizations had been held. He also wished to know whether any information on the Occupied Palestinian Territory provided to the Ministry of Justice by non-governmental organizations registered in Israel had been taken into account in preparing the report.

11. Among the various Government institutions that worked on human rights issues, he wondered whether there was one that could be considered the lead agency and, if not, what steps were being taken to make one of them the lead agency so that it could then apply for the relevant status at the United Nations. As the Office of the State Comptroller and Ombudsman seemed to be the institution in that group with the most authority, further details should be provided on its mandate.

12. He asked whether, under the State party's basic laws, the provisions of the Covenant had the force of law domestically. If they did not, meaning that legislation had to be enacted to ensure and enforce the rights set forth in the Covenant, he wished to know how the State party ensured that all the provisions of the Covenant were fully and accurately reflected in its domestic legislation. In the event that a right under the Covenant had not been included in domestic legislation, could a citizen bring a case to court claiming that that right was absent under domestic law, and could the court hearing the case use the Covenant as a basis for responding to the claim?

13. He would appreciate receiving information on how the State party, as the occupying power, ensured the rights of peoples living in the Occupied Palestinian Territory and the Golan Heights. As a member of the United Nations, the State party was obligated both to refrain from undermining the right to development of those peoples and to take steps to foster it. He asked whether the State party had determined that it had effective control over the Occupied Palestinian Territory and, if so, whether it had studied the consequences of its actions on the people living there from the perspective of international law and international human rights law.

14. He wondered if any steps were being taken to remove the discriminatory provisions that reportedly existed in domestic legislation. There were fears about the potential effects on the non-Jewish population of the focus on the Hebrew language and Jewish culture under the Basic Law: Israel as the Nation-State of the Jewish People. He would appreciate receiving information on the challenge to the law being brought before the High Court of Justice.

15. Many asylum seekers in Israel were denied access to public services because their asylum applications had not been granted. He asked what steps were being taken to remedy that situation.

16. He would appreciate clarification of what the State party meant by the following statements in its replies to the list of issues: "the State is currently working on a further examination of the mechanism for resolution of the Bedouin ownership claims" and "the State does not ignore the ownership claims or the Bedouin culture and heritage" (E/C.12/ISR/Q/4/Add.1, para. 47). Were the procedures described in paragraph 53 of its replies legally required or had they simply emerged from practice?

17. **Ms. Raz Shechter** (Israel) said that the State party believed that, under basic principles of treaty interpretation, the Covenant was territorially bound and neither applied nor was intended to apply to areas beyond a State's national territory. Therefore, the Government's long-standing position was that the Covenant did not apply to Gaza and the West Bank. Under domestic law, Israeli law applied throughout Jerusalem, including its eastern neighbourhoods, and in the Golan Heights. Accordingly, residents and citizens of Israel living in the Golan were entitled to the same rights, including economic, social and cultural rights, as all other residents or citizens in all aspects of life.

18. **Mr. Maayan** (Israel) said that a new website with official statistical data, which anyone could access, would soon be online. The Ministry of the Interior collected statistical data on children from birth, and the Ministry of Education collected additional information. Studies were being conducted to collect data on the Bedouin population, such as school enrolment and dropout rates and male and female employment rates. A survey was being conducted of 600 households in municipalities and unrecognized localities with the goal of identifying disparities or gaps between them.

19. The Government considered Bedouins to be citizens with equal rights and it was working to increase budgets in all ministries. It had adopted a new policy that disconnected the regularization of localities from the issue of landownership claims. It had repealed a law that allegedly forced the population to sell land to the State on preferential terms, and instead was promoting a decision by the Israel Land Council to allow Bedouins who accepted compromise settlements to develop their land under favourable conditions. In the coming years, a planning process would be carried out with the participation of about 60,000 residents, to enable the legalization of existing buildings and lots. As part of that process, planners and social consultants would hold meetings with families in order to understand their needs.

20. **Mr. Milikovsky** (Israel) said that the Attorney General had formally declared that the Basic Law: Israel as the Nation-State of the Jewish People did not derogate from human rights that were protected under other basic laws. Fifteen petitions had been filed with the High Court of Justice against that law and were now pending before the Supreme Court. The Government was scheduled to file its response on 17 November 2019.

21. **Ms. Zanzuri Priell** (Israel) said that the Population and Immigration Authority handled asylum applications in accordance with Israeli law and the country's obligations under the 1951 Convention and its 1967 Protocol relating to the status of refugees. Between 2009 and July 2019, 1,400 asylum seekers from Darfur, the Nuba Mountains and the Blue Nile had received special residency (A/5) visas on humanitarian grounds. In July 2019, 300 more asylum seekers from the same regions had received B/1 visas, which allowed the recipients to stay and work in Israel. Almost 60 asylum applications had been accepted.

22. **Ms. Tene-Gilad** (Israel) said that the references in the 2015 common core document to the previous version had been included, in view of the word limit, when there were no substantial changes to report. Obtaining disaggregated data during the reporting process was a challenge, but the Ministry of Justice tried to include as much disaggregated data as possible and was working with the Central Bureau of Statistics to improve the quality of the statistics provided. The data showed that the proportion of the public budget allocated to social spending had remained stable, while the two recent elections meant that the budget had not changed during the previous year.

23. The Ministry of Justice worked closely with civil society. Since 2012, it had cooperated with the Minerva Centre for Human Rights, holding round tables before the drafting of human rights reports and after the publication of concluding observations. Although that process had not been followed during the drafting of the present report, the Ministry of Justice and the Ministry of Foreign Affairs had organized meetings with grassroots organizations in the framework of the universal periodic review. Those sessions had been held in different parts of Israel and had addressed an extensive list of human rights issues. The Government strove to include civil society in the drafting of legislation and policymaking. For example, the Ministry of Health and the Ministry of Education had recently taken part in projects for the inclusion of youth organizations in decision-making

processes. Discussions were held on an ongoing basis with organizations that were active in the West Bank.

24. The Government was aware that Israel did not have a human rights mechanism that complied with the principles relating to the status of national institutions for the promotion and protection of human rights (the Paris Principles). However, it recognized the importance of having a national human rights institution and had held discussions on the status of the human rights mechanisms with academia and civil society. The matter remained under consideration and would be addressed by the incoming administration.

25. Regarding the status of the Covenant in legislation, Israel did not have a basic law on civil rights because the draft of such a law that had been submitted to the Knesset had not been enacted. However, Israel did have many detailed laws that covered all aspects of civil rights. The Covenant was regularly raised and discussed in petitions and cases before the courts, including the Supreme Court and administrative courts.

26. **Ms. Liebenberg** (Country Task Force) said that it was a widely accepted principle of international human rights law that human rights duties applied to areas under the effective control of the State party. That principle had been affirmed by the International Court of Justice in its 2004 advisory opinion on the legal consequences of the construction of a wall in the Occupied Palestinian Territory. The Court had also affirmed that international humanitarian law and international human rights law could apply concurrently in situations such as that which existed in the Occupied Palestinian Territory. Furthermore, nowhere did the Covenant state that jurisdiction was confined to the national territory of the State. She therefore asked the State party to reflect on the compatibility of its position with international law principles.

27. The Committee had received a number of submissions regarding oil and gas exploration in the occupied territories by companies that had been licensed by the Government of Israel, as well as regarding renewable energy projects in the occupied Golan Heights. Given that the Committee had recently emphasized the extraterritorial obligation of States to prevent infringements of Covenant rights by companies that might be under the State's control, she wondered what regulations existed in Israeli law to ensure that corporations did not infringe human rights in the Occupied Palestinian Territory.

28. **Mr. Uprimny** said that the delegation's response concerning the application of the Covenant in the occupied territories was disappointing. He wished to add a further argument to those voiced by his colleagues; namely that under articles 55 and 56 of the Charter of the United Nations, States were obliged to promote respect for and observance of human rights all over the world. Who would fulfil that obligation in the occupied territories, if not the State of Israel, which was occupying and exercising effective control of them? The Basic Law: Israel as the Nation-State of the Jewish People was also problematic, since it included statements such as "The State views the development of Jewish settlement as a national value, and shall act to encourage and promote its establishment and strengthening". He asked what steps would be taken to amend that law in order to prevent infringements of the rights of the non-Jewish population and to avoid the legitimization of discrimination against them.

29. **Ms. Raz Shechter** (Israel) said that the long-standing position of Israel was that its obligations under the Covenant applied only within its sovereign territory. The Covenant did not apply to the Gaza Strip, since Israel had not asserted effective rule there since 2005, while the Palestinian Authority had its own responsibilities in the West Bank. Israel recognized that there was a profound connection between human rights law and the law of armed conflict, and that there might be some convergence between those two bodies of law. However, in the current state of international law, it was the view of Israel that the two systems remained distinct and were applicable to different circumstances. Given the ongoing armed conflict between Israel and Hamas, the applicable framework for analysing the legality of certain events was the law of armed conflict.

30. Activities undertaken to help Palestinians with their daily needs included the continuation of efforts to supply Gaza with natural gas, which would require that a commercial agreement was reached between the Palestinian Authority and an Israeli supplier. The Government was also working on a feasibility study on projects to provide

clean solar energy to Gaza. In Golan, Israeli companies were working to supply energy to all citizens, regardless of their ethnicity or religion, using innovation and technology for the benefit of all.

31. **Mr. Milikovsky** (Israel) said that the impact of the Basic Law: Israel as the Nation-State of the Jewish People had been discussed during its enactment. It was not yet possible to provide information on further developments in that regard, given that the Government was still drafting its response to the petitions that had been submitted.

32. **Mr. Katzir** (Israel) said that although Israel had no effective control over Gaza, the international community promoted some projects there in favour of the Palestinian population. Israel coordinated and supported those projects, in accordance with its security needs.

33. **Mr. Kedzia** (Country Task Force) said that the Committee would be grateful for updated employment statistics in respect of various population groups and for information on any measures taken to counter the stagnation or slowing of growth in employment rates, particularly that of Arab women. While the measures taken to promote the access of persons with disabilities to the labour market were welcome, he was concerned that the benefits accrued to different population groups in a diversified manner. The delegation should comment on ways in which the State party might close those gaps and increase the low labour market participation rate of Arab persons with disabilities. Had any evaluation been carried out of the five-year interministerial programme for raising employment in minority populations? He was also interested to know the impact of measures taken, and what targets had been set, to improve the labour market participation of Bedouins. He asked how the State party planned to address the situation in which Eritrean and Sudanese asylum seekers received permits that explicitly excluded their right to work, considering that the temporary non-enforcement of that prohibition created a fragile legal framework that restricted the conditions for their employment. Furthermore, he wondered when the State party expected the High Court of Justice to rule on the repeal of the Prevention of Infiltration Law, under which the State party deducted up to 20 per cent of the monthly salaries of Eritrean and Sudanese nationals subject to the temporary non-return policy, with severe social consequences. Was the Government itself considering the repeal or further amendment of that law?

34. With regard to the promotion of employment, he would appreciate it if the delegation could shed light on the functioning of the “Employment Circles” programme and the “Work from Home” pilot programme. He wondered how the State party determined its minimum wage and whether the minimum wage guaranteed an adequate standard of living for all beneficiaries, in accordance with article 11 of the Covenant. Regarding the enforcement of labour laws, as illustrated in tables 14 and 15 of annex II to the report, the delegation should explain the discrepancy between the number of warnings issued and the number of cases in which there was an “intention to charge” and state whether such intentions were put into action. Recalling that in the list of issues the Committee had raised several questions related to the right to work, including on measures taken to stop chemical spraying over farmlands by the military forces in the Occupied Palestinian Territory, to ensure the unimpeded access of Palestinians to their agricultural land, water sources and irrigation facilities and to recognize and respect the right of the Palestinian people to marine resources, he wished to point out that the Committee had not received any substantive replies; the delegation should comment on those issues.

35. He would like to receive information on the differences in pay that existed between the different population groups and the measures taken by the State party to ensure that all workers, including Arab Israelis and migrant workers, were paid at least the minimum wage. Further explanation of the factors to which the gender pay gap was attributed in the report of the Committee for the Advancement of Women in the Civil Service would also be useful, together with an assessment of their impact on women’s wages. It would be interesting to hear what measures were being taken to address the reported low level of awareness of the gender pay gap among employers in both the public and the private sectors.

36. As there did not seem to have been any reduction in the number of work-related injuries and fatalities, and the number of improvement orders imposed had increased by nearly 70 per cent, he would like to know why the number of labour inspections conducted in industry had decreased by 45 per cent between 2006 and 2016.

37. On sexual harassment in the workplace, there was no evidence of adequate responses being given to complaints, nor was there any enforcement supervision system in place, despite the adoption of the 1998 Prevention of Sexual Harassment Law. He would welcome the delegation's comments on that matter. He would also like to know whether, in light of the agreement reached between the Israel Electric Corporation and the trade unions, strikes related to the Government's social and economic policies were considered legitimate. He would welcome clarification as to whether all public authorities were obliged to follow the judgment.

38. The Committee had received reports that persons of Syrian origin living in the Golan Heights, among whom there was low awareness of labour rights, were subjected to violations of those rights and deprived of effective remedies. He would welcome information on the trade union freedoms enjoyed by such persons.

39. On the right to social security, it was reported that, while residents of Israel had access to the full range of benefits under the social security system, non-residents were entitled to support only in cases of childbirth, work-related injuries and bankruptcy of the employer. He would therefore like to know which population groups were excluded from the system or had only restricted entitlements and, specifically, whether the Eritrean and Sudanese nationals living in Israel under the non-return protection policy, who were de facto living permanently in the country, had access to the system. Information on the benefits available to other asylum seekers would also be helpful. He would also like the delegation's comments on the fact that more than one-fifth of the country's elderly population were living below the poverty line, a proportion that was far higher than in other Member States of the Organization for Economic Cooperation and Development (OECD).

*The meeting was suspended at 4.40 p.m. and resumed at 4.50 p.m.*

40. **Ms. Levi** (Israel) said that the Labour Division of the Ministry of Labour, Social Affairs and Social Services worked to provide employment opportunities for all populations under appropriate conditions, meeting the needs of the labour market while upholding workers' rights. That included preparing for change through, inter alia, upgrading the skills of low-paid workers, conducting research into the effects of regulation and improving regulatory conditions by reducing the associated burden. Labour market performance had been strong for several years, outperforming the OECD average on the main indicators. The 2019 OECD Skills Strategy Report showed almost 80 per cent employment, a relatively low gender pay gap of under 15 per cent and unemployment at 3.5 per cent.

41. Figures published in July 2019 indicated that the unemployment rate was largely a result of workers changing jobs. However, inclusion was still a recognized issue, and minority groups, particularly minority women, faced barriers to employment: only 38 per cent of Arab women were employed and their salaries were generally lower than the average. Ultra-Orthodox Jewish men were also affected, with only 50 per cent in employment. There was a five-year programme to enhance the integration of the Arab population into the labour market, with one-stop service centres set up throughout the country. Employment programmes had helped over 120,000 persons improve their position in the labour market, and the Government was determined to reduce social gaps and encourage integration in the workplace.

42. Women were well represented in public service, with over 60 per cent of employees in the civil service, including 41 women in top positions; 80 per cent of hospital directors and 32 per cent of high court judges were also women.

43. The Ministry of Labour had recently conducted a mapping exercise of government services available to help persons with disabilities. Employment centres now had dedicated staff to assist persons with disabilities; they had been trained as part of an equal employment programme adopted in July 2019 with a budget of NIS 70 million. Other

programmes provided for the organization of preparatory workshops, career counselling, job pools and placements for persons with disabilities; they were provided with free specialized equipment for the first six months in a new job and, if it was deemed useful, continued access to equipment was facilitated thereafter.

44. A technological programme for the Arab sector had attracted 700 participants. Centres had been set up to support learning opportunities, including Hebrew language study. Bedouins could benefit from the Ashbal programme, which offered training in engineering. Assistance was also given with setting up small or medium-sized businesses, and a new programme directed at young Arab people helped them prepare to enter the labour market. There had been a general increase in overall participation of the Arab population, particularly women, in the labour market. No recent figures were available for Bedouin women, but the 2016 rate had been substantially higher than those of previous years. Average labour participation rates in 2018 had been 78.3 per cent for the general population, with a slightly lower rate for Arab men and a substantially lower rate, of 38.2 per cent, for Arab women. To remedy that situation, the Ministry was endeavouring to address problems such as the provision of child care, work opportunities near to areas in which the women lived and cultural programmes.

45. The national minimum wage, set in the 1987 Minimum Wage Law, was currently NIS 5,300, or slightly over 45 per cent of the average salary. The right to strike was recognized as being a particularly important factor for collective bargaining, setting workers on a level with employers. Strikes must be held in accordance with the rules laid out in the 1957 laws on labour disputes and collective agreements, meaning they could be declared only by unions that represented most of the workers relevant to the dispute. Employers could not penalize their staff for taking part in a strike. In the dispute between workers' unions and the Israel Electric Corporation concerning the structural reform of the energy sector, the Supreme Court had ruled in July 2018 against the decision of the labour court upholding the right to strike for the workers concerned. The State party had argued that workers were entitled to strike about the effects on their own working conditions of any structural reform of the sector, but not to engage in collective bargaining concerning the nature of the structural reform itself. The union had withdrawn its appeal, so there had been no practical effect on the right to strike and a balance had been established between protecting the freedom of association and the need to meet the public interest by creating cheaper and more efficient infrastructure for the country's residents.

46. In a recent publication, the Equal Employment Opportunities Commission had found that the gender pay gap was decreasing. A diversity index had been launched and a pay gap calculator was available online to help employers assess the situation in their own companies. Challenges existed in respect of specific population groups, but a number of programmes had been set up, including for ultra-Orthodox Jews to improve their level of education, notably in technology, to encourage them to join the civil service and to promote innovation and small businesses. There were also guidance centres and special programmes for women. Consultation with civil society was important and various forms of information-sharing were used, with stakeholders encouraged to provide their comments and feedback, as had been done, for instance, in the case of the new law on day-care provision. An employment committee set up in 2013 included representatives of workers' and employers' organizations; consultations on proposed bills were held with those groups and non-governmental organizations. The Ministry's training division held round-table discussions with employers to assess their needs, with a view to organizing relevant training courses.

47. The labour rights of all employees, including those on low wages, were enforced through a set of 22 laws and regular inspections. A policy was in place to ensure that, if a company was liquidated, its directors could be held liable for any breaches of labour law. Posters in Arabic had been put up in schools and talks had been given to raise awareness of labour rights among children and young persons.

48. Administrative monetary sanctions were imposed for certain violations. In a ruling of 18 February 2019, an employer had been ordered to pay a fine of NIS 300,000 for asking four minors to work at night and on Shabbat, the day of rest. In June 2018, an individual had been convicted and fined for allowing eight Bedouin youths to engage in hazardous

work by employing them in a slaughterhouse. In another landmark case, an employer had been found guilty of failing to pay a group of Palestinian workers the minimum wage and had been ordered to pay compensation. Regarding workplace safety, the existence of a clear risk of a breach of labour law was sufficient for a case to be brought before the courts. In other words, a workplace accident did not need to have taken place.

49. **Mr. Maayan** (Israel) said that 13 industrial parks had been constructed or planned in Bedouin localities in recent years, and more than 13,000 dunams had been set aside for such parks. In the city of Rahat, dozens of plants had been established and thousands of jobs created, helping to reduce the unemployment rate from 34 per cent to 11 per cent in five years.

50. The “Gateway to Academia” programme was being implemented to increase the number of Bedouin students enrolled in higher education. In the Negev region, there were teaching training courses and a nursing programme whose class of 60 to 70 students per year were entitled to free transportation. Moreover, in schools, plans and programmes had been introduced to recognize and support outstanding students in science and to promote youth leadership and entrepreneurship.

51. **Ms. Techelet** (Israel) said that there were five programmes to promote the social inclusion of older persons living in poverty, with over 20,000 beneficiaries and NIS 125.5 million in funding. The programmes focused on the provision of food and opportunities for social interaction in day care centres and clubs.

52. In 2015, the Families First programme had been launched to improve the living conditions of poor families, including in minority communities. In 2019, the two-year programme, which was based on the poverty-aware social work paradigm, was being implemented by 103 local authorities at a cost of NIS 104 million. Thanks to the programme, participants, of whom 47.6 per cent were from the Arab population, had reported an increase in their average household income from work and greater life satisfaction and enjoyment of their rights.

53. **Ms. Liebenberg** said that, according to reports received by the Committee, around one third of residents of the Gaza Strip had relatives in the West Bank, including East Jerusalem, but could not visit them because family visits were not one of the reasons for which travel permission could be granted. There were also very limited grounds on which persons living in the Gaza Strip could relocate to the West Bank, while restrictions on movement prevented Palestinians in the West Bank who were married to Israeli or East Jerusalem residents from enjoying their right to family life.

54. Despite a concern expressed by the Committee in its previous concluding observations, the Knesset continued to extend the Citizenship and Entry into Israel Law (Temporary Provision) 5763-2003, which prohibited Palestinians in the West Bank and the Gaza Strip from obtaining permanent or temporary resident status in East Jerusalem or Israel.

55. She wished to know what measures were planned to facilitate family reunification in line with article 10 of the Covenant, whether the impact of the Citizenship and Entry into Israel Law on family protection and unity would be assessed, and what impact current legislation was having on Palestinian women who had the right to reside in East Jerusalem on account of their husband’s status but who faced losing that right if they got divorced.

56. Noting allegations that religious courts applied different rules and regulations to women depending on their religious denomination, which resulted in disparities in treatment with regard to matters of personal status, she asked whether there were any initiatives to assess and possibly reform the religious court system with a view to achieving a more uniform application of marriage law.

57. According to a World Bank report, at the end of 2017, the poverty rate in the Gaza Strip had been estimated at 53 per cent, compared to 38.8 per cent in 2011. At the end of 2018, 68 per cent of households in the territory had been severely or moderately food-insecure. The United Nations Conference on Trade and Development had highlighted, in a 2018 report, how the Israeli blockade and closure of the Gaza Strip had destroyed the territory’s economy and productive base, leaving it dependent on aid. She would be

interested to hear what steps were being taken to assess the impact of the blockade and other restrictions imposed on the Gaza Strip, bearing in mind the State party's obligation not to prevent the fulfilment of Covenant rights in other territories.

58. In 2016, the Taub Center for Social Policy Studies in Israel had reported a decline in expenditure by the Ministry of Construction and Housing. With that in mind, she would be grateful to receive updated statistics on the percentage of the population that was homeless or considered to be inadequately housed. The delegation should indicate whether an analysis had been conducted to determine the adequacy of budgeting and expenditure on public housing during the reporting period.

59. Noting that punitive demolitions of the family homes of alleged perpetrators of attacks against Israeli civilians and security forces continued, she asked how such demolitions and the regulations and orders used to justify them could be reconciled with article 11 of the Covenant as interpreted by the Committee in its general comments Nos. 4 and 7.

60. The Secretary-General of the United Nations and the Committee on the Elimination of Racial Discrimination had drawn attention to eviction and demolition orders based on planning and zoning laws and policies that had affected Palestinians and Bedouin communities in the West Bank. The Secretary-General had noted that Palestinians had so far been permitted to build only within Israeli-approved areas, which covered less than 1 per cent of the land in Area C. In East Jerusalem, as at 2018, only 13 per cent of the city had been planned and zoned for Palestinian residential construction.

61. In areas where construction was permitted, Palestinians faced difficulties in obtaining a permit owing to a lengthy, complicated and expensive application system. The low rate of approval of building permits led to high numbers of evictions and demolitions in the West Bank and East Jerusalem. By contrast, Israelis were granted incentives and benefits to settle in the two places. In the first nine months of 2019, over 6,000 housing units had been approved for Israeli settlements in Area C. The construction of such settlements had many well-documented negative impacts on Palestinians, including the seizure or demolition of their property and infrastructure and the deprivation of their sovereignty over natural resources.

62. She asked whether anything would be done to amend discriminatory planning laws and policies, and what the official policy of the Government was with regard to settlement expansion in the West Bank. In that respect, information on the mandates of entities such as the World Zionist Organization and the Jewish National Fund would be particularly appreciated.

63. In its previous concluding observations, the Committee had raised concerns about the impact of the Plan for the Regularization of Bedouin Housing and for the Economic Development of the Bedouin Population in the Negev and had recommended that the Plan should not result in the eviction of Bedouins without their free, prior and informed consent. However, according to reports received from non-governmental organizations, the Government continued to pursue a policy of relocating Bedouins. Given that the eviction and displacement of peoples from their homes and ancestral lands had major psychosocial and material implications, she wished to know why the Government did not seek to regularize and upgrade unrecognized villages, rather than implementing a strategy of eviction, demolition and relocation.

64. Noting claims that the State party's occupation and settlement policy in the occupied Palestinian territories was having an impact on residents' access to natural resources such as water, she asked what measures the Government would take to restore residents' sovereignty over water sources and to address the barriers that Palestinians and Bedouins currently faced in accessing adequate, safe and affordable water and sanitation.

65. Between 2000 and 2017, national expenditure on health as a percentage of gross domestic product had increased by only 0.4 per cent, despite population growth. She would welcome details of whether the adequacy of the public health budget had been or would be assessed, whether there were plans to increase the budget, particularly in order to invest in public health services, and how the budget was being allocated to reduce geographical

disparities in the provision of services, especially in peripheral areas where there were high concentrations of Bedouins and Palestinian Israelis.

66. The deteriorating standard of health-care services in the Gaza Strip had forced residents to seek medical treatment in the West Bank and in Israel. However, in order to leave, they required an exit permit issued by the Coordinator of Government Activities in the Territories and the Israeli Security Agency. Such permits were issued on medical grounds only for lifesaving medical treatment. According to information received by the Committee, there had been increases in the refusal or denial of permits, in delays in issuing them and in the number of applications for permits that received no response, with sometimes devastating consequences. The delegation should explain what steps were being taken to review the use of exit permits, in line with article 12 of the Covenant as interpreted in the Committee's general comment No. 14, particularly to ensure timely access to all medically recommended treatment for patients in the Gaza Strip.

67. Asylum seekers, including Eritrean and Sudanese nationals covered by the temporary non-return policy, were excluded from the national health insurance fund. In practice, many such persons had no health insurance coverage for a variety of reasons and could access medical care only when their medical problem was of a life-threatening nature. While the Ministry of Health provided limited care in clinics for refugees and asylum seekers, it had been reported that the clinics were seriously affected by staff shortages, infrastructure problems and budgetary restrictions. Accordingly, she wished to know what was being done to ensure that asylum seekers had adequate access to appropriate and affordable health care, and she would appreciate information on the current status of plans to expand and improve clinics for refugees and asylum seekers, in particular the Terem refugee clinic and the Gesher clinic.

*The meeting rose at 6 p.m.*