



**Economic and Social
Council**

E/C.12/Q/ISR/2
5 June 2002

Original: ENGLISH

COMMITTEE ON ECONOMIC, SOCIAL
AND CULTURAL RIGHTS
Pre-sessional working group
21-24 May 2002

**IMPLEMENTATION OF THE INTERNATIONAL COVENANT
ON ECONOMIC, SOCIAL AND CULTURAL RIGHTS**

List of issues to be taken up in connection with the consideration of the second periodic report of ISRAEL concerning the rights referred to in articles 1-15 of the International Covenant on Economic, Social and Cultural Rights (E/1990/6/Add.32)

I. ISSUES RELATING TO THE GENERAL PROVISIONS OF THE COVENANT (arts. 1-5)

1. Please inform the Committee about the extent to and the manner in which the exercise by the State party of its powers and responsibilities in the occupied territories affects the enjoyment of economic, social and cultural rights by the inhabitants of these territories, including those in the Jewish settlements.
2. Please provide updated information on the measures undertaken by the State party, if any, to give effect to the Committee's recommendations, in particular paragraph 39 of its concluding observations on the initial report of Israel (E/C.12/1/Add.27), regarding among other things, closures and their impact on the movement of people and goods and access to employment and livelihood; safe passage at checkpoints for Palestinian medical staff and people seeking treatment; the flow of essential foodstuffs and supplies. In addition, please describe the efforts of the State party to ensure that in spite of these closures, international agencies, including those of the United Nations, are not impeded in the delivery of humanitarian aid and development assistance to the populations in the occupied Palestinian territories.
3. Please provide information on the progress made in implementing the Multiyear Plan for Development of Arab Sector Communities (2000) (para. 32). Please clarify the source and legal effect of the October 2000 decision and indicate how the "gradual implementation" has fared in terms of success and/or problems faced. In addition, please provide an update on progress achieved by the State party in addressing underdevelopment in the Arab Sector as reflected in the Annual Budget Law for 2001 and subsequently (para. 33).
4. In reference to the State party's report on the *Ka'adan* case, which resulted in a High Court decision holding that the defendants' practice of discrimination on the basis of religion or nationality was illegal (paras. 29-31), please explain how the *Ka'adan* ruling is affecting similar settlement and development activities in other areas under Israel's jurisdiction and/or effective control.
5. Please explain the distinction between the religion and nationality status categories in Israeli law. What types of nationality status exist in Israel, and how is this status distinct from other citizenship status in the enjoyment of economic, social and cultural rights?
6. Please provide information on the steps undertaken by the State party to implement the Committee's recommendation that the State party review its links with institutions such as the World Zionist Organization/Jewish Agency and Jewish National Fund with a view to remedying the problems identified in paragraph 11 of the Committee's concluding observations on the State party's initial report (E/C.12/1/Add.27).
7. Please provide information on whether there has been an improvement in the employment status of persons with disabilities since the enactment of the Equal Rights for People with Disabilities Law (1998).

II. ISSUES RELATING TO SPECIFIC PROVISIONS OF THE COVENANT (arts. 6-15)

Articles 6 to 9 - Labour rights

8. How do the Druze, Circassian and any other officially distinct sectors figure in the minimum wage enforcement table (table 10) provided in the State party's report?

9. Please provide updated information on unemployment statistics, the problems faced and the measures taken to address unemployment since the last report of the State party.

Articles 10 to 12 - Social rights

10. What is the present situation with regard to the safety and adequacy of water supplies in Palestinian communities? Please clarify reports that the Palestinian aquifer is polluted and contaminated as a result of lethal waste dumping, hazardous use of chemical fertilizers and salinization due to overpumping.

11. In relation to housing construction, please provide statistics, disaggregated by proportion of Jewish and non-Jewish population, indicating the new housing units in Jerusalem provided by public and private sectors since 1967.

12. Please provide details on the budget and actual expenditures referred to in the State party's information concerning the NIS 520 million for developing Jerusalem neighbourhoods (para. 335). Please indicate how much of this sum has been spent to date and what the features of this development activity are. Please also clarify the time period corresponding to the expenditures reported, which populations are served by the NIS 520 million development budget and which are served by the NIS 179 million in East Jerusalem (1997-1999) (para. 336).

13. Please provide statistics, disaggregated by population group, on applicants for building permits and those that were approved for housing and for other building construction in East and West Jerusalem (para. 340).

14. When demolishing homes on the grounds of violations of planning criteria, please explain how the State party ensures that such punitive actions are carried out in full cognizance of its obligations under the Covenant, particularly where it concerns the necessity for and proportionality in the use of force in the exercise of law enforcement (para. 341).

15. Please provide more detailed information on the number of housing units that Israeli authorities have demolished in 1997-2001; their affected residents/owners; and the location and living conditions of those residents today (para. 341).

16. Are the owners compensated for their demolished homes?

17. What planning criteria does the State party use to determine whether a village in Israel is to be recognized or unrecognized?

18. How does the State party quantify and calculate compensation for properties lost by Bedouins required to resettle in planned townships or recognized villages (para. 361)?

19. Several sources have cited a disproportionate per capita allocation of land resources to Jewish settlements in the Negev as compared to the Bedouin population. If the information is accurate, what affirmative measures is the State party taking “to close the social and economic gaps ... between this [Bedouin] group and the rest of the population” (paras. 370-371)?

20. The State party reports that its master plans give special consideration to the demographic needs of the Arab population which are greater than for the Jewish population, and also indicates dramatically higher living density indicators for non-Jews inside Israel (tables, pp. 83-85). What measures are in place to ensure that the land use and physical development of non-Jewish communities are proportionate to their needs, taking into consideration factors such as natural population growth, infrastructure maintenance and past restrictions? In particular, what per capita quantity of land has been allotted to the planning areas of Jewish settlements in Israel and the occupied territories as compared with existing Arab population centres? In addition, please indicate what compensation is provided for those whose properties have been confiscated by Israeli authorities?

21. Please provide comparative data on the number of settlements that existed in the Gaza Strip and the West Bank at the time of the State party’s initial report and the number of settlements established in the same locations since then. In addition, please indicate how many residents live in new Israeli neighbourhoods located across the Palestinian boundaries in East Jerusalem.

22. Please provide information on the percentage of the State party’s budget that is allocated to the upkeep of settlements, including roads, as well as benefits for housing, free pre-school education and transportation cost discounts. What is the average yearly investment per capita in regional authorities in the territories, as compared to the amount spent per capita inside the Green Line?

23. Please provide updated information on the High Court case challenging the appropriateness of the seven planned Bedouin townships in the Negev.

24. Please provide comparative data, disaggregated by population sector, covering the period under review on the number and proportion of families and individuals who live below the poverty line in Israel (table 23).

Articles 13 to 15 - Cultural rights

25. Please provide information about the measures taken by the State party to ensure that education in schools enables all persons to participate in a free society and to promote understanding, tolerance and friendship among all nations and all racial, ethnic and religious groups.

26. Please provide detailed information about the enjoyment by Arab Israelis of their right to take part in cultural life and to preserve their cultural identity, institutions, art and literature, as well as information on the protection and preservation of Islamic holy places.
