



## Contents

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Overview .....	2
The Committee Process .....	2
Overview of the review of Israel.....	3
The delegation .....	3
Concerns and questions from the country rapporteur.....	4
Concerns and questions from the follow-up rapporteur.....	5
Concerns and questions from the experts.....	6
Answers from the delegation .....	7
<i>Follow up questions from the Committee</i> .....	10
Follow up answers from the delegation .....	10
Concluding remarks .....	11
Concluding observations from CERD .....	11
GICJ’s position .....	13

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*By: Audrey Ferdinand*

## Overview

GICJ attended the 100<sup>th</sup> session of the Committee on the Elimination of Racial Discrimination (CERD or the Committee), which reviewed reports 17<sup>th</sup> to 19<sup>th</sup> on the implementation of the International Convention on the Elimination of All Forms of Racial Discrimination (ICERD or the Convention) by Israel.

In this article, GICJ will explain how the Committee works and describe how the review of Israel went, the questions of the experts, answers of the delegation, concluding observations of the Committee and, finally, GICJ's own point of view of the session.

While Arabic is one of the six UN official languages, interpretation in Arabic was not provided during the two-day review.

## The Committee Process



The Committee is a body of independent experts monitoring the implementation of the Convention by State parties. States parties must report to the Committee in the first year of their ratification and then, every two years. The reports of the State party, national human rights institutions (NHRI) and of non-governmental organisations (NGOs) are submitted to the Committee and reviewed by it. The review often consists of two three-hour-long meetings and a publication of recommendations at the end of the session.

During the first meeting, the delegation of the State presents its report and gives an update, followed by the presentation of a report by the NHRI – however not in the case of Israel as no NHRI is currently in place. Then one of the Committee members, designated as “country rapporteur”, presents a report about the implementation of the Convention by the State party and poses a series of questions. Following this presentation, the follow-up rapporteurs and other members of the Committee pose questions to the delegation.

In the second meeting, the delegation answers the questions asked during the first meeting, then the Committee members can again make remarks and ask questions to which the delegation can provide responses. The meeting closes with concluding remarks from the country rapporteur and the delegation.

The State is asked to provide within one year a follow-up report on a few chosen issues.

## Overview of the review of Israel

### *The delegation*



The head of delegation outlined the broad collaborative efforts by governmental bodies and civil society organisations in preparing the reports for the Committee. She reminded the Committee about the unique mosaic that constitutes Israel, and its vibrant and open democracy. She quoted the speech made by Israel's president on 7 June 2015 at the Herzliya Conference in the Interdisciplinary Center, during which he explained that Israel's socio demography changed from a clear majority of Jewish people to four-major minorities: secular Jews, national religious Jews, ultra-orthodox Jews, and Arabs. She then recalled that Israel is dedicated to the rule of law and has ratified seven core UN conventions.

Regarding the West Bank and the Gaza Strip (Gaza), she raised the ongoing security challenges and the devastating attacks perpetrated from these territories against Israeli citizens, as well as the recent rocket launch in November 2019. In this context, Israel aims to find a good balance between its commitments to the rule of law and its obligation to defend its citizens. She recalled the Israeli position that conventions are not applicable beyond the State's territory and thus do not apply either in the West Bank or in the Gaza Strip, where Israel does not exercise control since 2007.

A member of the delegation, from the Ministry of Justice, introduced the improvements with regards to the Committee's recommendations. He divided these between the legislative area, the judiciary one, and improvements coming from the executive side. Regarding the legislative improvements, a 2018 amendment to the Prohibition of Discrimination in Products, Services and Entry into Places of Entertainment and Public Places Law 5761–2000, which provides for the provision of free legal assistance to persons submitting filing a civil lawsuit under this law. In January 2019, the Knesset (Israeli Parliament) approved an amendment to the penal law, under which a motive of racism constitutes an aggravated circumstance in case of murder. Then, he reminded the crucial role of the judiciary in the promotion and advancement of human rights by giving the example of several cases.

Regarding improvements in the executive area, the ministerial committee for the advancement of integration of Israeli citizens of Ethiopian origins has established, in January 2016, an inter-ministerial team focusing on discrimination against these citizens. It published a first report on July 2016 and established a unit on August 2016, which is in charge of coordinating governmental actions, receiving complaints and examining legal amendments. There has been a growth in the registered complaints, meaning that people are increasingly aware of the existence of this unit.

Other members of the delegation discussed improvements in reducing socio-economic gaps between citizens of the eastern neighbourhood of Jerusalem through a five-year plan; a government resolution for the development and inclusion of the Druze community in 2016-2019, which include educational programmes; the construction of a Druze cultural heritage centre in January 2019; a governmental

plan for the economic and social development of the Bedouin population in the Negev, including better public transportation and higher education institutions; the development of housing units for Bedouins in the Negev and the launch of the “first one thousand day” project; and lectures and training on discriminations for government authorities, polices forces and others.

### *Concerns and questions from the country rapporteur*



Ms. Izsak-Ndiaye began by recalling that the State’s reports were received a year late and scheduled to be reviewed at CERD’s 98<sup>th</sup> session but are being reviewed only now, during the 100<sup>th</sup> session. The Committee granted this possibility to Israel, but the consequence is that the reports are outdated. She regretted that, while the reports cover some areas of concern, many are left unanswered. Moreover, regarding the format of the reports, it was stated that it can be difficult to find information as the reports do not follow the concluding observation of the Committee and make cross references to other reports.

She raised questions regarding the process of inclusion of civil society organisations in the drafting of the reports; whether the joint inter-ministerial team for the implementation of treaty bodies recommendations is still in place; and what measures have been taken to implement the previous recommendations. She regretted that no primary laws offer a comprehensive definition of discrimination, and asked which specific laws deal with discrimination. On NHRI, she asked about the changes that led Israel to state in 2012 that a NHRI was not necessary to saying at the CESCR review in 2019 that NHRIs are important and that ongoing discussion to establish one are taking place. She further asked about the mandate and statute of institutions that are linked to the government, such as the Jewish National Fund.

Regarding the composition of the society, she stated that the quote provided by the head of delegation was of interest but asked, if there are four major minorities, what the status of Ethiopian Jews, Gypsies and other groups would be. She further asked if Bedouins were considered indigenous people, and for data on the forced displacement of Bedouins to temporary structures as well as the building permits for regulating Bedouin’s houses and infrastructures. Then, she asked for updated data on the representation of the Arab population in the government; and whether the new threshold in place for the Knesset election is preventing minority groups to be represented.

She regretted that no mention of asylum seekers and refugees was made during the delegation’s opening remarks and that they are neither protected nor dealt with in primary regulations. She asked about the government’s view on the physical attacks and hate crimes against asylum seekers and refugees; raised the issue of access to social benefits and health care as they are not covered by the national insurance law. Stating that under the 2017 Deposit Law employers take a certain amount of money from their employees in order to be placed in a fund and given back to them once they leave

Israel, she regretted that this amount of money is not taken into account for the employee's retirement fund; she further asked if the government is planning to help remedy to the de facto segregation of asylum seekers' and refugees' children in schools. Noting that the Convention on Statelessness has not been ratified, she raised her concerns regarding the revocation of Arab Bedouins' citizenship, even though they do not have another nationality, which render them stateless.

She regretted that the issue of the Occupied Palestinian Territories (OPT) has been once again omitted in the State reports and recalled that Israel is bound to respect the Convention in territories it occupies. She asked whether the 2018 Basic Law will be amended, stating that many Arabic speakers and Palestinians see this law as a provocation; if the Law of Return, Law on Citizenship, and Absentee Law, which give different rights to different communities and thus discriminate against them, are still in effect; and if laws that bound the allocation of social benefits to the completion of military service, and therefore discriminate against non-Jewish, have been amended according to the 2012 recommendation. She raised the de facto discrimination arising from the application of different laws to Jewish settlers and Palestinians; expressed her concerns regarding the threats of forced evictions and demolitions in East Jerusalem; the restrictions imposed on the entry of goods in Gaza, that hinders Gazans' access to medical treatments; the demolitions of schools; the arrests and arbitrary violence; and the increase of settler violence while settlements continue to expand.

Finally, she asked for information on the concrete measures put in place to implement the Committee's recommendations on equal access to family reunification for all citizens in Israeli controlled territories (the OPT and the Syrian Golan).

### *Concerns and questions from the follow-up rapporteur*



Mr. Kut recalled that, in accordance with ICERD article 9.1, information was requested on the 2012 concluding observations' paragraphs 16, 18 and 30 within one year. Information was received on time, but more information is needed regarding the implementation of paragraph 16 on the abrogation of discriminatory law in order to ensure non-Jewish communities' equal access to work and social benefits. He stressed that equality does not necessarily mean non-discrimination; and regretted that the current reports only mentions this issue by referring to past reports while the Committee has been asking for new information. Regarding paragraph 18, which asked for the revocation of the Citizenship law and facilitation of family reunification, not much information was provided. Plus, the reports state that the Supreme Court found this temporary legislation constitutional, but the Committee considers that a law that has been renewed every year is not temporary and asked whether the Supreme Court still finds this law constitutional if it loses its temporary nature. Regarding paragraph 30, which encouraged the ratification of human rights treaties, Mr. Kut asked about plans for new ratification, including the Migrant workers' convention.

Finally, as did the Country Rapporteur, he raised the difficulty in finding answers to the Committee's recommendation due to the structure of the reports and asked for a clear indication of actions taken regarding the concluding observations' recommendations.

### *Concerns and questions from the experts*

Ms. McDougall raised her concerns regarding the evaluation of the State party compliance with the Convention based on partial views, claiming that each move in favour of Druze or another minority is then swiped away by other State's actions, such as with the 2018 Basic Law, which reserved the right to self-determination to the Jewish people. She recalled that strategic forced transfer of population is prohibited under international law and regretted that Israel failed to report on the rights of the Palestinians which are under Israeli control and denied the applicability of ratified human rights treaties in the OPT. She concluded by stating that the right to employment and education cannot be evaluated for the entire population under Israeli control based on the information provided.

Mr. Murillo asked if Israel guarantees the respect of human rights in the development of artificial intelligence (AI); if companies follow guidelines to avoid bias; if Israel has an Action Plan on UN Guiding Principles on Business and Human Rights and, if so, whether the action plan includes prevention, mitigation, and provision of remedies. He further asked if there is a mandate to investigate the use of AI by law enforcement agents, and how Israel ensures that the technology will not be used to foster inequalities. Finally, he asked about the adaptation of legal infrastructures to the new demands in AI; for statistics on discriminations linked to AI; if Israel received complaints or carried out studies in this regard; and if a continuous and careful review of algorithm tools is in place.

Mr. Avtonomov asked about the recognition of Samaritans as a minority and for information on their socio-economic situation; for information on a survey from the Equal employment and opportunities commission that show 39% Arabs feel their identity is affecting their chance to be recruited; for updated data on the number of Arab Druze employed in the civil service and if actions are being taken to promote their greater participation. He further asked about the practical implementation of the plan for the encouragement of economic development among Arabs 2016-2020; the impact of the 2018 Basic Law of the socio, economic, and political situation of minorities; and information on investigations on and prosecutions of perpetrators of trafficking in human beings as well as assistance and rehabilitation of victims.

Mr. Diaby asked how the civil society and the four mentioned minorities were consulted in the preparation of the reports; if the provision of cameras to police officer has enhanced the relation between citizens and the police; if officers are trained in accordance with ICERD and other human rights conventions; and about the proceedings to lodge a complaint against a police officer for discriminatory actions.

Mr. Bossuyt raised the obligation of a State party to ICERD to apply the Convention in its own territory and the territory it effectively occupies. He recalled that in situations of occupation the fourth Geneva Convention is applicable, which prohibits the transfer of population, and claimed that the continuous expansion of settlements and the application of different rules depending on the person's origins constitute obstacles to peace. He asked about the goals of such policies and the place of the illegal settlements in the resolution of the conflict.

Ms. Verdugo Moreno expressed her concerns regarding the rise of hate speech and asked for statistics about the implementation of the law regulating hate speech; and whether hate speech allegations are investigated upon.

Ms. Shepherd asked the reasons for the reservation made on the Convention on Persons with Disabilities and expressed her concerns regarding the fact that admission committees have been excluding Palestinians based on their origin. Regarding racial incitement from candidates to the Israeli elections, she asked if actions have been taken by the election committee, and if perpetrators of hate crimes are persecuted and criminalised. Finally, she asked how Israel aims to resolve the tension between the integration of the Ethiopian population and cultural retention.

Ms. Mohamed asked what the status of Bedouins is, and if the 2012 law on the Bedouin camps which legalised demolitions and forced displacement has been modified or repealed. Regarding the issue of one of the Bedouin community which is not provided with citizenship, she asked if any measures have been taken. Finally, she asked what steps have been taken to tackle hate speech, especially in schools.

Mr. Yeung asked for information regarding the discriminatory-based cases reported through the ministry of justice's hotline on discrimination, if the hotline is still active and if it is effective; if any cases pending at the time of the report (2017) have been resolved and, if so, what the outcome is. Outlining that several ministries have a budget for religious services, he asked if this concerns only the Jewish religion. Finally, he asked if the thousand units build in the Negev are meant for the Bedouin population.

The last expert to speak, Ms. Chung, asked how the government aims to deal with the 20% of non-Jewish population with regards to the application of the 2018 Basic Law; why so many young Palestinians are arrested; for statistics on the revoked citizenship of Bedouins; why many human rights defenders are labelled as terrorists; and about the immunity of officials whose speeches targeted the Arab population as well as the existing discrimination in the media and school textbooks.

### *Answers from the delegation*

Before the delegation started, the chair reminded the delegation that if they cannot answer all questions today, they can provide written answers within 48 hours.



First, the head of delegation regretted that some issues raised by the Committee are more related to politics than to discrimination, such as the issue of settlements, and that the claim that human rights defenders are treated as terrorists is untrue. She expressed her concerns that civil society organisations may expose false facts through their reports to the Committee.

Then, the delegation answered several questions. They stated that the **2018 Basic Law** does not derogate to the rights enshrined in other Basic Laws, including the Basic Law on Human Rights and Dignity, which has been interpreted by the Supreme Court as defending equality. They explained that



claiming the right to self-determination for the Jewish people does not prevent the exercise of this right by others. Nevertheless, the 2018 Basic Law is currently pending before the Supreme Court.

The delegation explained that in 2016, Israel created a special unit to improve **police services to the Arab society**, combat the violence and provide personal security to Arab citizens. A five-year programme includes the creation of 18 police stations in Arab towns; eight have been established so far. More and more Arab citizens are joining the police forces, which is a “revolution of change” according to the delegation.

Regarding **asylum seekers and refugees**, the delegation said that Israel is working to improve the service and shorten the waiting list for applicants by putting in place a computerised system for appointments. In application of the 1951 Refugee Convention, applicants can be placed in custody – children are only put in custody as a last resort measure – but, according to the Israeli rule of procedures, they are not held in custody after having submitted their asylum request, they cannot be deported while their request is under consideration, and they can file an appeal against the rejection of their request. Given the increase of illegal migration of Eritreans and Sudanese from the Egyptian border, Israel reached agreements with two third countries for their relocation. They explained that due to various reasons, the agreements have not been fully implemented yet that any person willing to reach these countries is able to do so. On the Deposit Law, the delegation stated that the amount of money set aside allows the person to have a proper starting point when leaving Israel, and that information on the sum of money deposited is available online. Moreover, a 2018 regulation allows a retroactive 16% deposit instead of 20% under certain conditions, and the Deposit Law is currently under judicial review.

Concerning **family reunification**, the delegation recalled that it has been suspended for individuals living in enemy States since the 2002 wave of terrorist attacks. As requests for family reunification are still being sometimes misused to pursue terrorist activities, the 2003 law limited the entry from Gaza and the West Bank, including through family reunification, have been extended several times and is still in application. Nevertheless, Israel made a few changes with regard to humanitarian permits, extending the length of A5 visa to two years and granting family reunification permits to those who filed the request before 2003.

Regarding **health matters**, the delegation stated that the government took in 2010 the formal decision to eliminate all forms of discrimination in the health system. With this aim, it cooperated with NGOs to put guidelines and programmes in place to avoid racism and discriminations in the system. Medical institutions have to translate their documents in at least four languages and hospital staff is trained in several languages to breach cultural issues. They stated that Ethiopian women commonly use injection contraceptives in line with the World Health Organisation’s recommendations and that a Committee has been established to review if women were properly informed and gave informed consent. They raised the past policy to reject blood donors from Ethiopian origin and explained that this policy has been changed in 2016. Finally, the delegation said that there is a will to give treatments to patients from Gaza, but that each request to come to Israel for treatment is also reviewed by the Palestinian Ministry of Health, and that Israel has to do a security check on the person and the ones that would accompany him or her; raising that since March 2019 the authorisation of permits allocated from the Palestinian Authority has significantly declined. In order to help Palestinians, physicians from the OPT can be educated in Israel and vaccinations agreed by the World Health Organisation are not subjected to custom restrictions.



The delegation further stated that Israel takes into account its human rights obligations while developing **artificial intelligence** and has set up the Israel digital bureau that develops recommendations on AI and human rights. The delegation stated that a law contains a detailed **definition of discrimination** with adequate penalty, and provided data on the indictments filed since 2015, as well as the outcome of the cases. On the **applicable legal regimes**, they explained that in Israel – including the Golan Height and East Jerusalem – the law of the State applies; in the West Bank, humanitarian law is applicable while respecting the laws in place there; and that humanitarian law is applicable for the relations between Gaza and Israel but that Israel has not control over the laws applicable in the Gaza Strip.

The delegation said that in the context of tension with the **Gaza Strip** since 2005, restrictions have been imposed on the entry of weapons and dual-use goods. It pointed out that water sources and water treatment are under exclusive Palestinian control according to the 1994 Gaza Strip – Jericho agreement. The delegation claimed they were not aware of any **incitement of hatred** in textbooks but raised their concerns regarding the existence of such incitements in textbooks from the Gaza Strip and the West Bank. Israel worked towards the social inclusion of the **Roma community** in East Jerusalem, which benefits from the same rights as the Jewish. Several **national human rights institutions** operate in Israel, such as the State Controller Office and the Ombudsmen, the Unit for the Coordination of the Fight against Racism, the Equal Opportunities Commission, the Commission for Equal Rights of Persons with Disabilities, the Ombudsmen of the Ministry of Health, and others.

The delegation discussed the increase in the representation of Arabs in **the civil service**: 6.2% in 2007 and 11% if 2018. Regarding the raise of the electoral threshold in the **Knesset**, they explained it is to reduce the number of parties represented and encourage to form coalitions; and that as of January 2019, the Knesset counted 18 Arab members. Regarding the **Bedouins**, the delegation stated that there is no intention to establish any temporary residence, but that relocation is encouraged and compensation is provided for the demolition of unauthorised structures built after 2012.

Finally, the delegation said that efforts are undertaken to investigate **ideologically motivated offenses** against Palestinians in the West Bank, and that perpetrators are held accountable for their actions; that a unit has been created with fluent Arabic speaking police officer, which cooperates with other police units in Israel; and that the Israeli hotline for reporting racial discrimination has been replaced by phone, email, fax, and direct applications.

### *Follow up questions from the Committee*



The country rapporteur regretted that some areas of concerns are still not covered, including the lack of general provision for equality and prohibition of racial discrimination in the law and asked for plans to establish such laws; if the Ministry of Minorities has been discontinued; if an NHRI will be established; and for more information on minorities that exist within Jewish and on the issue of statelessness for the Bedouins. She expressed her concerns over the two parallel system of education for Jewish and non-Jewish citizens and well as the different municipalities these communities live in and asked about ways to close the gaps between the communities, including by mixing Jewish and Arabic media channels or promoting religious holidays from other minorities.

Other members of the Committee asked if Israel will consider ratifying the amendment of article 8 of the Convention; making an optional declaration on article 14 of the convention; whether Israel has taken international or domestic actions regarding the International decade of people from African descent; why there is only one mention of “Palestinians” throughout the State’s reports, and why Israel refers to a general category of “the Arab population, including the Druze and Circassian populations”. They further asked why Israel decided, through the 2018 Basic Law, to declare Hebrew as the only official language, and the consequence of this decision for Arabic speaking citizens of Israel; and for data about the mechanism established in 2014 to tackle racial discrimination against people of Ethiopian origin.

### *Follow up answers from the delegation*



The delegation explained that the Ministry of Minority Affairs has been closed a few years ago, and its responsibilities have been transferred to other ministries and human rights commissions; that the Basic Law on human dignity serves as a foundation against discriminations under the light of which

other laws must be interpreted; that the principle of equality is enshrined at the constitutional level; and that equal opportunities for students, in medical institutions and in employments are provided for all and enshrined in several laws.

The delegation further stated that Israel is investing to enhance equal opportunities and equal access to education to all children; that the dropout rate of Arabs decreased to reach 0.7% in 2018 thanks to informative visits to schools; that there is an increase in the construction of new schools and in the attendance of Arab students in universities following the completion of the 2011-2016 plan to make higher education more accessible to minorities, and that the government is working towards reducing the gap in access for Bedouin students through the 2017-2021 programme for the social development of the Bedouin population.

### Concluding remarks



The country rapporteur regretted that lack of time and the many questions that are left open. She recalled the complex situation in Israel and recognised that discussions about ethnicity, language and culture are heavy ones due to the fragmentation of the society. She ended by reminding that Jerusalem is the land of three religions and languages and that all should work together to have a better future.

The head of delegation also regretted the lack of time allocated and agreed with the rapporteur's words on Jerusalem. She discussed the importance of the Committee and hoped the discussion was fruitful. Finally, she claimed Israel will continue strengthening the rule of law, principle of equality, and freedoms to enhance the inclusion of minorities in the society.



### Concluding observations from CERD

On 12 December 2019, the Committee adopted its concluding observations on the review of Israel. First, the Committee reiterated that Israel should respect the Convention in the OPT and other territories that are “under the State party’s effective control”, and that Israeli settlements “are not only illegal under international law but are an obstacle to the enjoyment of human rights by the whole population, without distinction as to national or ethnic origin.”

Then, it welcomed a few positive aspects, including the ratification of the Conventions on the Rights of Persons with Disabilities and of ILO Convention no 181; the legal amendments and governments resolutions that recognise racist motives as an aggravated sentence in case of murder, that provide for free legal aid to any person filing a civil law suit under the Prohibition of Discrimination in Products, Services and Entry into Places of Entertainment and Public Places Law 5761–2000, the adoption of a plan for the social development of Bedouins in the Negev and of one for the empowerment of Druze

and Circassian localities, the establishment of the Unit for the Coordination of the fight against racism in this Ministry of Justice, and the adoption of the Economic development plan for the Arab sector.

Finally, the Committee raised its concerns and made recommendations regarding 20 main issues:

1. To provide updated statistics on the **demographic composition** of the population and on the socio-economic status of the different population groups, within its territory and in the territories under its effective control.
2. To review its approach and respect the **Convention** in its territory and all territories under its control.
3. To explicitly incorporate the **principle of equality and the prohibition of racial discrimination** in the Basic Law: Human Dignity and Liberty, and to adopt a comprehensive anti-discrimination legislation including a definition of racial discrimination in line with article 1 of the Convention.
4. To review the **Basic Law: Israel – the Nation State of the Jewish people**, in line with the Convention, by recognising the rights to all peoples to self-determination, by ensuring that the change in the Status of the Arabic languages does not weaken the linguistic rights of the Arabic-speaking population, and by complying with the Geneva Convention as regards to the expansion of Jewish settlements.
5. To ensure **equal treatment** for all persons on the territories under Israeli control and to revoke or amend any legislation not complying with the principle of non-discrimination.
6. To expedite the establishment of an **NHRI** in compliance with the Paris Principles, and ensure all institutions with governmental functions fully comply with Israel's international legal obligations.
7. To provide disaggregated statistics on **complaints of racial discrimination**, investigation, prosecutions, sanctions and reparation, and to increase awareness on the rights for minority groups under the Convention.
8. To eradicate all policies and practices **segregating** between Jewish and non-Jewish communities, in accordance with article 3 of the Convention.
9. To review its legislation of **family reunification** and facilitate it.
10. To step up its efforts in combatting **racist hate speech** by public figures and implement appropriate measures to combat it, and to ensure the judiciary and public prosecutors prosecute racist hate speech and hate crimes by applying the same standards, irrespective of the alleged perpetrators' ethnic or national origin.
11. To ensure meaningful consultation with **Bedouin** communities on the implementation of the plans affecting their rights to land and property, recognise their villages, and resolve the pending land ownership claims in a timely, transparent and effective manner.
12. To improve the situation of the **Domari** (gypsy) people by engaging in the design, implementation and evaluation of inclusion policies, as well as taking effective measures to end extreme poverty of Domari people.
13. To eliminate all barriers face by **minority women**, especially from Palestinian, Druze, Bedouin, Circassian and Ethiopian communities.
14. To intensify its efforts to **eliminate all forms of racial discriminations** affecting Jewish minorities to ensure equal enjoyment of their rights under the Convention.
15. To step up its efforts to achieve **adequate representation of minorities** in the civil service, law enforcement and judicial bodies, in particular in senior positions.
16. On the **rights to education, work and health**, the Committee recommends Israel to step up its efforts to address the high dropout rates of Bedouin students and the shortage of classrooms; intensify its efforts to increase the labour market participation of non-Jewish

minorities; and take concrete measures to improve the health status of Palestinians and Bedouins.

17. To ensure that the **refugee** status determination procedure is in full compliance with the 1951 Refugee Convention; to amend the Law for the Prevention of Infiltration and any other relevant legislation in order to ensure that they do not stigmatize **asylum-seekers**; to consider abolishing the provisions which require the employers to deduct a significant percent of the salaries of employees falling under the Law for the Prevention of Infiltration; to ensure equal access to and quality education of children of asylum seekers; to provide adequate protection for all **stateless** persons and establish an effective mechanism to end statelessness among Bedouins.
18. To review its planning laws and policies in the West Bank as well as the construction permit system to prevent demolition and forced evictions, put an end to the expansion of illegal Israeli **settlements**, and take all necessary measures to prevent settler's violence.
19. To review its blockade policy of the **Gaza Strip**, facilitate the rebuilding of civilian infrastructures, and ensure access to necessary urgent humanitarian assistance.
20. To ensure equal access for all residents of the **Occupied Syrian Golan** to fundamental rights, to put an end to the expansion of Israeli settlements, and to find a satisfactory solution to the issue of family separation.

Other recommendations include the ratification of other treaties and of the amendment to article 8 (6) of the Convention; to make the optional declaration under article 14 of the Convention, allowing the Committee to receive and consider individual communications; to give effect to the Durban Declaration and Programme of Action (DDPA) when implementing the Convention and include, in its next report, the measures taken to implement the DDPA; to implement a programme of measures and policies with regards to the International Decade for People of African Descent; and to increase its dialogue with civil society organisations in preparation of the next report.

The Committee asks Israel to provide, within one year, information on the implementation of the recommendations contained in paragraphs 18 (institutional framework) and 29 (situation of the Bedouin people) of the concluding observations. Finally, it recommends Israel to make the State party's reports available to the public and to update its common core document.

## GICJ's position

GICJ maintains that racial discrimination contributes to economic and social inequalities. The violations of rights of some minorities have disastrous impacts on their lives as well as on the development of the society in its whole. The Universal Declaration of Human Rights stated, in its article 1, that "All human beings are born free and equal in dignity and rights." This equality cannot be achieved when States perpetrate, or allow within their territory, acts of racial discrimination.

We further maintain that the State is responsible for the implementation of the international instrument that it is a party to. With this aim, Israel must apply the ICERD in the OPT as it is widely agreed that in armed conflicts such as the one in the OPT, humanitarian law and human rights law must be applied simultaneously.

We regret that many critical issues raised by members of the Committee during the review have been left unanswered by the delegation of Israel.

We urge Israel to follow the recommendations contained in the Committee's concluding observations, especially regarding the application of the Convention in the OPT, the necessity to amend the 2018 Basic Law and to take all measures enhancing the protection and fulfilment of minorities' rights in Israel, and call on the Committee to take all measures necessary to ensure the respect of the Convention by Israel.



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