



HAUT-COMMISSARIAT AUX DROITS DE L'HOMME • OFFICE OF THE HIGH COMMISSIONER FOR HUMAN RIGHTS
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Excellency,

In my capacity as Rapporteur on Follow-up on Concluding Observations of the Committee on the Elimination of Discrimination against Women (CEDAW), I have the honor to refer to the examination of the sixth periodic report of Israel, at the Committee's sixty-eighth session, held in October/November 2017. At the end of that session, the Committee's concluding observations (CEDAW/C/ISR/CO/6) were transmitted to your Permanent Mission. You may recall that in paragraph 63 on follow-up on the concluding observations, the Committee requested Israel to provide, within two years, written information on the steps taken to implement the recommendations contained in 13 (a), 53 and 57 (a) and (b) of the concluding observations.

The Committee welcomes the follow-up report received with a two-month delay in January 2020 (CEDAW/C/ISR/FCO/6) under the CEDAW follow-up procedure. At its seventy-fifth session, held in February 2020 in Geneva, the Committee examined this follow-up report and adopted the following assessment.

Regarding the recommendation made in **paragraph 13 (a)** of the concluding observations, urging the State party to **“intensify its efforts to address the phenomenon of limitation of freedom of movement of women and sex-based segregation by some religious movements, so as to guarantee the access of women and girls to public spaces, including transportation and educational, commercial and religious settings, on equal terms with men, and impose sanctions on persons and institutions involved in discriminatory acts”**:

The Committee welcomes the information provided by the State party that the Authority for the Advancement of the Status of Women monitors entities and develops new mechanisms to eliminate the phenomenon of exclusion of women from public spaces. It also welcomes an opinion of the Attorney General regarding section 3 (d) (3) of the Prohibition of Discrimination in Products, Services, and Entry into Places of Entertainment and Public Places Law, stating that the principal of equality should be upheld, and cancellation of events in separation or exclusively for men following the opinion. Furthermore, it notes that the State party decided to increase sanctions imposed for exclusion of women in public transportation and bus companies have put a public notice in busses on the prohibition of separate seating arrangement for men and women. Given the lack of information on sanctions on persons or institutions involved in discriminatory acts except transportation settings, the Committee considers that the State party took some steps to implement the recommendation. It considers that the recommendation **has been partially implemented**.

Her Excellency
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The Committee notes that the information provided by the State party is thorough and extensive, but it fails to respond fully to the recommendation. It thus considers that the quality of the information provided is **partially satisfactory**.

The Committee recommends that, in relation to **paragraph 13 (a)** of the concluding observations, the State party provide, **in its next periodic report**, information on further actions taken to:

Continue its efforts to address the phenomenon of limitation of freedom of movement of women and sex-based segregation by some religious movements and ensure that sanctions are imposed on persons and institutions involved in discriminatory acts in public spaces, particularly in educational, commercial and religious setting.

In relation to the recommendation made in **paragraph 53** of the concluding observations, urging the State party to “**address prolonged administrative detention by ensuring that Palestinian women and girls who are detained are promptly brought before a judge in line with the United Nations Rules for the Treatment of Women Prisoners and Non-custodial Measures for Women Offenders (the Bangkok Rules). It also recommends that the State party improve conditions of detention and ensure access to justice and health-care services**”:

The Committee takes note of information provided by the State party that prisoners have access to physicians and the majority of detention facilities also employ other medical professionals. Nevertheless, it regrets the lack of information on measures taken to ensure that Palestinian women and girls who are detained are promptly brought before a judge and to address prolonged administrative detention. The Committee considers that there is a **lack of sufficient information to make an assessment**.

The Committee notes that the information provided by the State party is incomplete and fails to respond fully to the recommendation. It thus considers that the quality of the information provided is **unsatisfactory**.

The Committee recommends that, in relation to **paragraph 53** of the concluding observations, the State party provide, **in its next periodic report**, information on actions taken to:

Address prolonged administrative detention by ensuring that Palestinian women and girls who are detained are promptly brought before a judge in line with the United Nations Rules for the Treatment of Women Prisoners and Non-custodial Measures for Women Offenders (the Bangkok Rules). It also recommends that the State party improve conditions of detention and ensure access to justice, in particular.

With regard to the recommendation made in **paragraph 57 (a)** of the concluding observations, urging the State party to “**repeal discriminatory provisions governing divorce that give men the unilateral power to grant consent to divorce (*get*) and, in the interim, intensify the use of criminal sanctions for husbands who deliberately withhold consent, and expand the supervisory powers of rabbinical courts in ensuring compliance with their orders in that respect**”:

The Committee welcomes the ruling of the State of Israel v. Meir Gorodetzki regarding the conviction imposed to the petitioner who refused to grant a divorce to his spouse and a fact that the State appealed to ask the Court to impose a harsher sentence. Nevertheless, it notes the insufficient information of a clear timeframe to repeal discriminatory provisions giving men the unilateral power to grant consent to divorce (*get*) and to expand the supervisory powers of rabbinical courts in ensuring compliance with their restriction orders. The Committee considers that the State party took some steps to implement the recommendation. It considers that the recommendation **has been partially implemented**.



The Committee notes that the information provided by the State party is thorough and extensive, but it fails to respond fully to the recommendation. It thus considers that the quality of the information provided is **partially satisfactory**.

Regarding the recommendation made in **paragraph 57 (b)** of the concluding observations, urging the State party to “**introduce an option for individuals to contract a civil marriage and to divorce in civil courts, at least when civil marriages are contracted outside the State party**”:

The Committee takes note of the information provided by the State party that there are two judicial systems for Jews in Israel on personal status and family matters - the Family Matters Courts and the Religious Courts - and the jurisdiction is parallel or requires the consent of all relevant parties. However, it regrets that the State party does not adequately clarify if individuals in other religious groups also have an option to contract a civil marriage and to divorce in civil courts. The Committee considers that there is a **lack of sufficient information to make an assessment**.

The Committee notes that the information provided by the State party is incomplete and fails to respond fully to the recommendation. It thus considers that the quality of the information provided is **unsatisfactory**.

The Committee recommends that, in relation to **paragraph 57** of the concluding observations, the State party provide, **in its next periodic report**, information on actions taken to:

1. Repeal discriminatory provisions governing divorce that give men the unilateral power to grant consent to divorce (*get*) and, in the interim, continue efforts to the use of criminal sanctions for husbands who deliberately withhold consent, and provide information on the measures taken to expand the supervisory powers of rabbinical courts in ensuring compliance with their orders in that respect;

2. Introduce an option for individuals, regardless of ethnicity or religion, to contract a civil marriage and to divorce in civil courts, at least when civil marriages are contracted outside the State party.

Accept, Excellency, the assurances of my highest consideration.

Yours sincerely,

Lia Nadaraia
Rapporteur on follow-up
Committee on the Elimination of Discrimination against Women