

# **The Status of Palestinian Women Citizens of Israel**

*Submitted to the Committee on the Elimination of  
Discrimination against Women*

**Prepared by**

**The Working Group on the Status of Palestinian  
Women Citizens of Israel**

**Dec, 2010**

## **Table of Contents**

- I. Background: Palestinian Women Citizens of Israel**
- II. The Working Group on the Status of Palestinian Women in Israel**
- III. General**
- IV. Legislative and institutional framework**
- V. National machinery**
- VI. Stereotypes**
- VII. Violence against women**
- VIII. Participation in public life and decision-making**
- IX. Nationality**
- X. Education**
- XI. Employment**
- XII. Health**
- XIII. Rural women and disadvantaged group of women**
- XIV. Marriage and family relations**

***Annex I: Members of the Working Group on the Status of Palestinian Women Citizens of Israel***

**The Working Group on the Status of Palestinian Women in Israel**

- *Adalah – The Legal Center for Arab Minority Rights in Israel*
- *Al-Tufula: Pedagogical and Multipurpose Women's Center*
- *Al Zahraa: The Organization for the Advancement of Women*
- *Assiwar – The feminist Arab Movement in Support Victims of Sexual Abuse*
- *AWC – Arab Women in the Center*
- *Kayan: A Feminist Organization*
- *Ma'an – The Forum of Arab women's Organizations in the Negev*
- *Mada Al-Carmel Arab center for Applied Social Research*
- *Mossawa Center for the rights of the Arab citizens of Israel*
- *Muntada – The Arab Forum for Sexuality, Education and Health*
- *Sidreh*
- *The Working Group for Equality in Personal Status Issues*
- *Women Against Violence (WAV)*
- *Yasmin Al-Nagab for the health of women and family*

**Coordinator of the Working Group: Ola Najami-Yousef**

**Editor & Producer: Reem Hazzan**

**Translation: Ruba Semaan**

**The Working Group on the Status of Palestinian Women Citizens of Israel**

**December, 2010**

## **Background: Palestinian Women Citizens of Israel**

Palestinian women citizens of Israel are part of the national minority of Palestinians, who comprise approximately 20%, or a little over 1 million of Israel's population. This national minority is discriminated against on a number of levels, through laws as well as government policies.

Palestinian women citizens of Israel face the harshest consequences of this discrimination – as members of a national minority group, and as women in general - which is compounded by their society's social perceptions of status of women and the social rules and customs that govern them.

Palestinian women citizens of Israel are not a monolithic group. They live in a variety of cities, towns and villages throughout Israel, including the unrecognized villages, mixed cities, and Palestinian villages, and within secular and a variety of religious communities (Muslim, Christian, Druze).

This cultural and religious diversity obliges the state of Israel to combine not only substantive equality measures but also affirmative action and other special measures in order to eliminate discrimination against them. Even as there are specific legislative measures to guarantee fair representation for women in general and for the Palestinian minority in the civil service and on board of directors of government companies, the State does not recognize Palestinian women citizens as a distinct protected sub-group.

## *General*

### *Question 1*

*Please describe how representatives of civil society organizations, in particular women's and human rights organizations, participated in the preparation of the reports. Please also inform the Committee if the reports were presented to the Knesset (Parliament) or any designated high-level authority.*

The State of Israel states in its response to this question that it has consulted a list of organizations, including one member of this Working Group. However, although, this is the fourth occasion on which the Working Group has submitted a shadow report to the UN CEDAW Committee (the first shadow report was submitted in 1996) regarding the status of Palestinian women citizens of Israel, and despite the fact that the Working Group provides copies of its shadow report to the State authorities, neither the Working Group nor its member organizations were contacted by the State for information.

The Working Group therefore requests that the Committee ask the State why it was not consulted by the State, why the State did not consult any other Arab Palestinian organizations, and why the State did not relate to any of the information we provided to the Committee in previous years in its State Report.

*This response was prepared by The Working Group on the Status of Palestinian Women Citizens of Israel*

## Legislative and institutional framework

### Question 6

*In light of the Committee's previous concluding observations (CEDAW/C/ISR/CO/3, para. 18) and the information provided at paras. 27 and 28 of the State party's fifth report, please elaborate further as to why the State party has not yet included the right to equality between women and men and the prohibition of both direct and indirect discrimination in the "Basic Law: Human Dignity and Liberty (1992)" and whether it envisages to do so. The report indicates that the Constitution, Law and Justice Committee of the Knesset is in the process of preparing a consensual-based constitution. Please provide information on the status of such process and whether a new draft constitution has been prepared. If so, please inform the Committee if the draft includes the right to equality of women and men and protects lesbian, bisexual and transsexual persons from discrimination. Please indicate the timeline for its adoption.*

### **Lack of a Constitutionally-Guaranteed Right to Equality**

As the Committee noted in its List of Issues and Questions,<sup>1</sup> Israel has yet to include the right to equality – including equality between men and women and between Jews and Arab citizens of Israel – and the prohibition of both direct and indirect discrimination in the Basic Law: Human Dignity and Liberty (1992). On the contrary, this Basic Law emphasizes the character of the State as a Jewish State.<sup>2</sup> As a result, the fundamental right to equality and freedom from discrimination, a cornerstone of international human rights law, is not enshrined as a constitutionally-protected right in Israel.

While the State's Report argues (para. 27) that the Basic Law: Human Dignity and Liberty comprises the right of equality, through the right to human dignity, this fundamental right is currently protected by judicial interpretation alone.<sup>3</sup> However, the fundamental importance of the

<sup>1</sup> CEDAW, *List of issues and questions with regard to the consideration of periodic reports: Israel*, CEDAW/C/ISR/Q/5, 6 August 2010, para. 6.

<sup>2</sup> Section 1(a) of *The Basic Law: Human Dignity and Liberty* states that, "The purpose of this Basic Law is to protect human dignity and liberty, in order to establish in a Basic Law the values of the State of Israel as *a Jewish and democratic state*" (emphasis added). Even the Basic Law: Freedom of Occupation, which provides "every Israeli national or resident" constitutional protection "to engage in any occupation, profession or trade," includes the term "Jewish and democratic" in its statement of purpose.

<sup>3</sup> See, e.g., Justice Aharon Barak's ruling in (High Court of Justice) HCJ 7052/03, *Adalah v. The Minister of the Interior*. "The right to equality is an integral part of the right to human dignity. Recognition of the constitutional aspect of equality derives from the constitutional interpretation of the right to human dignity. This right to human dignity is expressly recognized in the Basic Law. Notwithstanding, not all aspects of equality that would have been included, had it been recognized as an independent right that stands on its own, are included within the framework of human dignity. Only those aspects of equality that are closely and objectively connected to human dignity are included within the framework of the right to human dignity." The first time the Supreme Court issued a ruling in which it declared that the right to equality was part of the constitutional right to dignity was in HCJ 6427/02, *The Movement for Quality Government in Israel, et al. v. The Knesset* (decision delivered 11 May 2006).

principle of equality requires that it be explicitly guaranteed in the Basic Laws or in a written constitution. The absence of an explicit guarantee of the right to equality in the Basic Laws or even in ordinary statutes diminishes the power of this right and leaves the Palestinian minority in Israel in general, and Palestinian women citizens of Israel in particular, vulnerable to direct and indirect discrimination. The implementation of the right to equality may vary from case to case, depending on the Israeli Supreme Court's interpretation of the facts and the law.

Although ordinary statutes do provide protection for the right of equality for women, such as The Women's Equal Rights Law – 1951, which declares total gender equality,<sup>4</sup> no statute guarantees the right to equality for Palestinian citizens of Israel, including Palestinian women citizens of Israel, who often face compound discrimination on the basis of the sex and nationality. Coupled with Israel's self-definition as a "Jewish and democratic" State, as explicitly declared in the Basic Laws, the Palestinian minority faces severe discrimination in all fields. Numerous laws, decisions and policies favor or prioritize Jewish citizens on the basis of their national belonging, and/or exclude or discriminate against Palestinian citizens either directly or in their application.<sup>5</sup> Legal challenges launched against such discriminatory measures are weakened due to the lack of a constitutionally-guaranteed right to equality.

For example, a petition filed to the Supreme Court to demand affirmative action for Arab citizens of Israel on the boards of governmental corporations against the Prime Minister and several other ministers was dismissed, after the court concurred with the State's contention that it was difficult to find suitable Arab candidates for board positions.<sup>6</sup> However, the petition included a list of over 70 qualified Arab professionals. The petition demanded that the respondents implement affirmative action laws fully. Amendment 6 to the Governmental Companies Law (1975), passed in 1993, requires equal representation for all women in Israel on the boards of directors of government-owned companies. Amendment 11 to the same law, passed in June 2000, states that, "In the board of directors of governmental companies, adequate representation will be given to the Arab population."

Despite these laws, as of July 2009 only 2.7% of sitting board members of governmental corporations were Arab women citizens of Israel, and 5.2% were Arab men.<sup>7</sup> Further, while Israeli Jewish women's representation increased from 7% to 37.6% between 1994 and July 2009,

---

<sup>4</sup> Sections 1 and 6 of the law. See also the Prevention of Sexual Harassment Law (1998) and the Equal Rights for People with Disabilities Law (1998).

<sup>5</sup> See, e.g., Adalah, *Special Report: 10 Discriminatory Laws*, available at: <http://www.adalah.org/eng/10.php>

<sup>6</sup> HCJ 10026/01, *Adalah v. The Prime Minister, et al.*, petition dismissed 2 April 2003.

<sup>7</sup> Data sent by the Authority for Governmental Corporations to Sikkuy – The Association for the Advancement of Civil Equality in Israel, dated 6 July 2009. According to this data, as of 6 July 2009, Jewish men accounted for 54.3% of the sitting board members of governmental corporation, Jewish women 37.6%, Arab men 5.2%, and Arab women 2.7%.

there was very little improvement in the representation of Arab women, which has remained near-static at around 1-2% of the total. This case illustrates the problem of interpretation in practice, and how the effect of the lack of a constitutionally-guaranteed right to equality can be particularly detrimental to Arab women.

In July 2010, the United Nations Human Rights Committee (which monitors implementation of the International Covenant on Civil and Political Rights) expressed its concern that Israel's Basic Law: Human Dignity and Liberty, "does not contain a general provision for equality and non-discrimination," and called on Israel to "amend its Basic Laws and other legislation to include the principle of non-discrimination and ensure that allegations of discrimination brought before its domestic courts are promptly addressed and implemented."<sup>8</sup>

### **Consensual-Based Constitution**

In recent years serious attempts have been made by Jewish Israeli institutions and academics to write a constitution for the State of Israel. These documents have not been based on human rights or democratic values, but on the lowest common denominator of political compromise among Jewish secular and religious citizens of Israel. None of these projects have provided Palestinian Arab citizens of the State with a meaningful way of contributing to the process, and threaten to merely constitutionalize the existing discrimination against them.

The Knesset's Constitution, Law and Justice Committee was the official body advancing the constitutional effort, based primarily on the "Constitution by Consensus" campaign of the Israel Democracy Institute, which emphasizes the "Jewish and democratic" character of the State. The process has been neither inclusive nor participatory. There was no negotiated process with the Arab political leadership to ensure minority rights protections in a future constitution, and no agreement over fundamental principles such as equality. Voting takes place on a majority basis and there is no mechanism to ensure true participation of the Arab minority in constitution-making.

In response to these efforts, a number of Arab civil society organizations published documents in late 2006 and 2007 setting forth their future vision for Israel.<sup>9</sup> The central call of these proposals is for a democratic state with equal rights for all of its citizens as opposed to a "Jewish and democratic state." Article 24 of Adalah's proposed *Democratic Constitution*, for example, suggests the following wording on the subject of equality and anti-discrimination, "Every person is equal before the law and is entitled to equal protection; no person should suffer direct or

---

<sup>8</sup> Concluding Observations of the Human Rights Committee – Israel, CCPR/C/ISR/CO/3, 29 July 2010, para. 2, available at: <http://www2.ohchr.org/english/bodies/hrc/docs/CCPR.C.ISR.CO.3.doc>. See also Concluding Observations of the Committee on the Elimination of Racial Discrimination (CERD): Israel, 14 June 2007, CERD/C/ISR/CO/13, para. 16.

<sup>9</sup> The documents are Adalah's "The Democratic Constitution"; "The Future Vision," led by the National Committee of Arab Mayors; the "Haifa Declaration," led by Mada al-Carmel; and "Ten Points," issued by Mossawa.



indirect discrimination based on national affiliation, religion, race, sex, color, ethnic origin, sexual orientation, disability or age.”<sup>10</sup>

Since the election of the right-wing Netanyahu-led government in March 2009,<sup>11</sup> no new developments regarding the process of drafting a constitution have been announced. It appears that changes in the government coalition and in the Knesset’s Constitution, Law and Justice Committee have resulted in the freezing of the process, and the stalling of public debate. There has been no declaration by the current government that it intends to push this process forward.

*This response was prepared by Adalah – the Legal Center for Arab Minority Rights in Israel*

---

<sup>10</sup> Adalah, “The Democratic Constitution”, 2007, Article 24, available at: [http://www.adalah.org/eng/democratic\\_constitution-e.pdf](http://www.adalah.org/eng/democratic_constitution-e.pdf). The documents were met with harshly negative responses. For example, the Director of the General Security Service (GSS or *Shabak*), Yuval Diskin, stated in response to the documents in March 2007 that “the radicalization of the Arab citizens of Israel constitutes a strategic danger to the state,” and that the GSS is “required to thwart the subversive activity of entities seeking to harm the character of the State of Israel as a Jewish and democratic state, even if their activity is conducted through democratic means.” The Attorney General (AG) subsequently stated his full agreement with the position of the GSS Director, thereby undermining these proposals. For more information, see: [http://www.adalah.org/eng/pressreleases/pr.php?file=07\\_05\\_22](http://www.adalah.org/eng/pressreleases/pr.php?file=07_05_22). The portrayal of Palestinian citizens of Israel as a strategic threat to the state combined with lack of a meaningful way in which they can contribute to the constitution-building process threatens to produce a constitution that disregards their rights and render their second-class citizenship status permanent.

<sup>11</sup> The coalition is composed of the Likud, Labor, Yisrael Beiteinu, Shas, United Torah Judaism, and the Jewish Home parties. The main campaign slogan used by Yisrael Beiteinu was “No loyalty, no citizenship,” and with this clearly racist message the party won 15 seats in the Knesset, making it the third largest party in the parliament.

## Question 7

*Further to the Committee's previous recommendations (CEDAW/C/ISR/CO/3, para. 20), please indicate steps taken to establish mechanisms to monitor and regularly assess the compatibility of domestic laws with the State party's obligations under the Convention. In this regard, please provide more information about the content and implementation of the 2007 Gender Implications of Legislation Law (Legislative Amendments) 5676–2007 which imposes a duty to systematically examine the gender implications of any primary and secondary legislation before it is enacted by the Knesset. Please provide examples of opinions submitted by the Authority for the Advancement of the Status of Women in this regard. Please also provide information on measures taken, including training and awareness-raising, to familiarize judges, prosecutors and other members of the legal profession with the provisions of the Convention, as recommended by the Committee in its previous concluding observations.*

The Authority for the Advancement of the Status of Women is charged with the implementation of the law Gender Implications of Legislation Law – 2007 as one of its official functions.<sup>12</sup> The law stipulates that the authority should submit expert opinions to the relevant Knesset committee concerning the gender implications of any bill or secondary legislation when brought for consideration or approval.

It is unclear from the information published on the website of the Authority how many of its eleven staff members work specifically on the implementation of the Gender Implications of Legislation Law, and how much of the Authority's budget is allocated to implementation of the law.<sup>13</sup> However, given its small staff and wide variety of tasks, and the large number of bills and amendments introduced each year, it is doubtful that the Authority has the adequate capacity and expertise to fulfill the function of implementing the law. To the best of Adalah's knowledge, laws that may have a negative effect on women are passed without ever undergoing such a review. It is unclear what criteria are used in selecting the legislation that is to be submitted to the Authority for review and expert opinion.

---

<sup>12</sup> According to an amendment from 2007 to the Authority of the Advancement of the Status of Women Law – 1998.

<sup>13</sup> The current positions held by staff of the Authority are listed as follows: director, deputy director, municipal field coordinator, office coordinator, senior coordinator, minorities' field coordinator, senior office coordinator, information manager, project coordinator, and project coordinator for the Bedouin sector in the South. MK Gila Gamliel, Deputy Minister for Women, Young People and Students, is also listed as a staff member of the Authority. Website of the Authority for the Advancement of the Status of Women, Authority Staff, <http://www.women.gov.il/MA/AboutUs/women+Administration>, accessed 17 October 2010.

Given the importance of the task of analyzing the gender implications of legislation, it would be more appropriate to transfer this responsibility to the legal department of the Knesset, for example, which has greater financial and human resources. In this way analysis of the gender implications of legislation would also be mainstreamed.<sup>14</sup>

In addition, the law does not stipulate analysis of legislation with regard to its expected impact on Arab women citizens of Israel. This is a major omission since Arab women face specific obstacles and different and/or more severe problems than those facing Jewish women citizens of Israel.

According to the Authority's annual activity report for 2009<sup>15</sup>, it prepared and submitted a total of 38 gender expert opinions on legislation during 2009. The report does not detail to what bills these expert opinions relate. However, it is apparent that the number of expert opinions submitted does not reflect the far higher number of bills that were discussed in Knesset committees during the year.

An example of a law that was not submitted to the Authority for a gender review is the Economic Arrangements (Amendments to the application of the 2009 and 2010 Economic Plan) Law – 2009, which was passed into law in July 2009. The law contains a section that amends the National Insurance Act of 1995, which provides that every child under the age of 18 is entitled to child allowance payments from the State. According to the amendment, children who do not receive vaccinations according to a vaccination plan stipulated the Ministry of Health (MOH) will have 60% of their child allowance payments deducted, from 159 NIS to 59 NIS per child. This amendment is likely to have a particularly harsh effect on Arab Bedouin women living in the unrecognized villages in the Naqab, for example, since the State does not supply the necessary health infrastructure for the residents of these villages due to their lack of official status.<sup>16</sup> The Authority did not submit a gender expert opinion on this amendment despite its significant implications for women, who bear primary responsibility for child rearing, and especially for women living below the poverty line who lack ready access to healthcare, and who often rely on these allowances to cover basic child-related expenses.

*This response was prepared by Adalah – the Legal Center for Arab Minority Rights in Israel*

---

<sup>14</sup> Interview with Barbara Swirski, Executive Director of the ADVA Center for Information on Equality and Social Justice in Israel, 15 October 2010.

<sup>15</sup> Authority for the Advancement of the Status of Women, *Annual Report of Activities 2009*, January 2010 (Hebrew), available at: <http://www.women.gov.il/NR/rdonlyres/EADE3351-3246-4237-8BB8-5DF279CF54B0/0/reshut2009.pdf>

<sup>16</sup> On 7 October 2010, Adalah submitted a petition to the Israeli Supreme Court demanding the annulment of the amendment. H CJ 7245/10, *Adalah v. The Minister of Welfare and Social Affairs* (case pending).

### Question 9

*Please provide information on how house demolitions and forced evictions in the West Bank, including East Jerusalem, impacts the development and advancement of women, including Palestinian refugee women, and their exercise and enjoyment of human rights and fundamental freedoms. In particular, please provide comparative data on the number of building permits issued to Palestinians in the West Bank, including East Jerusalem, and the number of permits issued to citizens of Israel, including the Palestinian community in Israel. What alternative accommodation is provided for affected women and children?*

Approximately 20,000 (this number relates only to the Arab townships without the Negev) houses in Arab towns in Israel have been denied building permits from the planning and building committees, and are slated for demolition. In 2009, a study implemented by The Arab Center for Alternative Planning revealed that 165 buildings owned by Arab citizens were demolished in 2009 in various regions throughout the country. These houses are considered “illegal” according to the Planning and Building Law of 1965. Most of the owners of these houses applied for building permits, but were denied approval. Therefore, demolition orders have been issued, by the local and district planning committees, and by the courts, against most of these houses. The families that dwell in these houses, over their privately owned lands, survive under the continuous fear of carrying out the outstanding demolition orders at any time by the authorities assisted by the police and security forces.

The primary reason for the unauthorized building phenomenon in Arab townships is the official restrictions imposed on building houses and development on the privately owned Arab lands surrounding the townships. These restrictions are the direct result of the containment policy imposed by the government against the Arab townships and unrecognized concentrations. Most of the private lands owned by the Arab citizens within the development boundaries of the townships are already overcrowded with houses, roads, and municipal infrastructure. State lands within the municipal development boundaries have been rarely planned and leased to the citizens for housing and commercial purposes. Therefore, and as a direct result of this situation, the Palestinian Arab minority in Israel find the only solution for their housing plight in constructing their houses on their lands outside the development boundaries, even though they are denied “legal” building permits from the authorities.

In addition to the above reasons, houses in the Arab sector are often built illegally due to the inadequate allocation of land resources to the Arab townships in comparison to Jewish towns. To illustrate this, the example of Sakhnin and Misgav can be taken into consideration. Sakhnin is an Arab town in the North of Israel with a population of approximately 30,000 citizens with a jurisdiction of only 9,600 dunams. Since 1982 until today, the option of expanding the town's jurisdiction/development area has been examined. Some recommendations were made, but never implemented. The Ministry of Interior does not recognize the real needs of the citizens regarding development. Neighboring Sakhnin is the Jewish regional council of Misgav, which is

comprised of 35 settlements (of which 6 are Beduion villages that were recently recognized) and has a jurisdiction area of 180,000 dunams. The total population of Misgav regional council is 17,500 citizens. When comparing the ratio of land per individual, in Misgav the rate is 10 dunams per individual, whereas in Sakhnin it is only 320 square meters per individual. It is obvious that there is a significant different between the Arab and Jewish township.

It is worth mentioning that the unauthorized building phenomenon is also widespread in the Jewish urban and rural sectors of Israel. The main feature of the phenomenon in the Jewish sector is constructing commercial and industrial structures on agricultural State lands for the benefit and use of established commercial businesses (such as warehouses, shopping malls, fuel stations, etc.). For comparison, Arab unauthorized buildings are built on private lands and are mainly used for residential purposes, i.e. to provide the basic human needs of a family for housing, not for economical profit. This position demonstrates the unfair and undemocratic standard by which the official authorities deal with Palestinian Arab citizens' issues.

Home demolitions have a serious impact on the entire family, especially the women and children affected. Once a home is demolished, the family has lost both the house as a financial asset and often the property inside it. This huge financial loss affects all aspects of the family's life, and the individuals that face the hardest burden are the women and children, who do not play any role in the decision making process to build a home without a license. In the patriarchal Arab society, it is usually the male's responsibility to build a home for his family and he makes all necessary decisions related to the building process. Furthermore, women, as a double disadvantaged group, face double impact from house demolitions; usually, her home is her only space (especially because of the discrimination in resource's allocation), she has no other place to go to and the historical confiscation of land had left lesser and lesser space. Her house is her only space for public and private activities. When houses are demolished, there is no alternative accommodation provided to her by the Israeli State institutions.

*This response was prepared by Al-Zahraa: the Organization for the Advancement of Women*

## National machinery

### Question 10

*The State party's fifth report provides information on the activities of the Authority for the Advancement of the Status of Women, including training activities, surveys and awareness-raising campaigns. In light of the Committee's previous concluding observations (para. 28), please provide additional information on measures taken to strengthen the Authority, in particular by ensuring that it is provided with adequate mandate, authority and human and financial resources to enable it to carry out effectively the promotion of the advancement of women and gender equality in the State Party.*

The most recent annual report of activities published by the Authority for the Advancement of the Status of Women in 2009 contains a section on “minorities”. This section discusses two fields only: (1) during 2009, the Authority provided 200 fellowships to women from minorities each worth 1,600 NIS (approximately \$440 USD); and (2) during 2009, 55 courses for women on leadership and empowerment were held, all in Arab Druze and Bedouin villages in the north of Israel<sup>17</sup>. Given the inequalities that persist between Arab and Jewish women citizens of Israel, and given the status of Arab women in Israel as members of a national minority that faces systematic discrimination in all fields, the Authority's reported activities appear to be wholly inadequate.

The Authority's activities in Jewish towns and villages during 2009 are far more extensive. They include activities aimed at: (1) combating violence against women; (2) furthering the implementation of the Sexual Harassment Law – 1998; (3) combating trafficking in women; (4) furthering the implementation of the Local Authorities Law (Advisor on Promoting the Status of Women) – 2000, which stipulates that that a supervisor on the status of women should be appointed to every local authority, and that each woman appointed to this position should receive suitable professional training within a reasonable time of her appointment; and (5) ensuring adequate representation for women in the civil service, governmental corporations, local authorities and government tender committees. No mention is made in the report of the implementation of similar activities with respect to Arab women, despite their need and/or their poor levels of representation in all of these fields.

The Authority for the Advancement of the Status of Women Law – 1998 stipulates that if the Authority receives complaints in its field of expertise and where it deems fit for there to be an

---

<sup>17</sup> Authority for the Advancement of the Status of Women, *Annual Report of Activities 2009*, January 2010 (Hebrew). The report is not available in Arabic. There is no Arabic version of the Authority's website, <http://www.women.gov.il/MA>

investigation and with the permission of the complainant, then it should report these complaints to the State Comptroller, who should in turn refer these complaints to the Knesset. According to the State Comptroller's report of 2008, it received three complaints from the Authority regarding discrimination against women, none of which related to Arab women.<sup>18</sup> In 2009, the State Comptroller reported receiving no complaints from the Authority, which suggests that the Authority is not active in this field of its work, regarding in general women and Arab women in particular.<sup>19</sup>

*This response was prepared by Adalah – the Legal Center for Arab Minority Rights in Israel*

---

<sup>18</sup> The 35<sup>th</sup> Annual Report of the State Comptroller, 2008 (Hebrew), available at: [www.mevaker.gov.il/serve/showHtml.asp?bookid=547&id=2&frompage=33&contentid=10292&parentid=10279&filename=17.htm&bctype=2&startpage=0&sw=1280&hw=954](http://www.mevaker.gov.il/serve/showHtml.asp?bookid=547&id=2&frompage=33&contentid=10292&parentid=10279&filename=17.htm&bctype=2&startpage=0&sw=1280&hw=954)

<sup>19</sup> The 36<sup>th</sup> Annual Report of the State Comptroller, 2008 (Hebrew), available at: [www.mevaker.gov.il/serve/showHtml.asp?bookid=567&id=2&frompage=49&contentid=10907&parentid=10873&filename=33.htm&bctype=2&startpage=0&sw=1280&hw=954](http://www.mevaker.gov.il/serve/showHtml.asp?bookid=567&id=2&frompage=49&contentid=10907&parentid=10873&filename=33.htm&bctype=2&startpage=0&sw=1280&hw=954)

# Stereotypes

## Question 11

*The report, referring to article 5 of the Convention, provides information on women's portrayal in the Israeli media, pornography and the recent innovations in this sphere (para. 101 ff) but it does not provide sufficient information on addressing prevalent stereotypes or the traditional roles and responsibilities of women and men in society and family. Please elaborate on any challenges the State party faces in ensuring compliance with articles 5 (a) and 2 (f) of the Convention, and measures taken to overcome them. Please indicate whether human rights and gender equality issues are incorporated in the education curriculum.*

The committee appointed by Education Minister Limor Livnat and chaired by Adv. Ella Gera, Former IWN Executive Director, examined gender stereotyping in Israeli textbooks. The committee presented the results to the Education Minister Limor Livnat at a press conference on March 24, 2001.

The Committee submitted an intermediate report to the Minister of Education in October 2001. The interim report states that numerous studies and reports since 1978 show that Israeli textbooks and schools promote gender stereotypes that hinder the goal of achieving gender equality in society. The interim report also states that the recommendations of a previous Ministry of Education report intended to address these problem were never implemented.<sup>20</sup>

In its interim report, the Committee recommended the following:

- Using a logo to indicate textbooks approved for use on the basis that they do not contain gender stereotypes.
- Undertaking efforts to increase the awareness and sensitivity of everyone involved in the entire education system to both explicit and implicit gender stereotyping in educational materials.
- Requiring principals and teachers to ensure that all materials used in the classroom are approved.

In March 2002, the final report of the Committee stated that 96.4% of Israeli textbooks do not meet the suggested Committee standards in at least one aspect of gender stereotyping and discrimination against females. The report also noted that textbooks designed for adolescent

---

<sup>20</sup> (See Gender Stereotypes in Textbooks in the Education System in Israel, Intermediate Report of the Committee for the Examination of Gender Stereotypes in Textbooks, submitted to Minister of Education Limor Livnat, October 2001, p. 4 & annex, p. 10 (in Hebrew). Cited by The Israel Women's Network, <http://www.iwn.org.il/innerEn.asp?newsid=172>



pupils, an age in which individual identity is being formed, contained the greatest amount of gender stereotypes.<sup>21</sup>

Committee findings were well received by the Israeli Women Network (IWN); however, there is no information on achievements related to the implementation of those measures. Furthermore, given the system of education for Arabs which is separate from the Jewish and other minorities' educational systems, there are no available indications of reform in the Arab school system.

### **Gender stereotypes in the Arab education system**

ADALAH report, 2005, reiterated findings of the Ministry of education committee examining gender stereotypes in school textbooks for the Arab system of education as follows: “a committee set up by the MOE to examine gender stereotypes in school textbooks concluded that 60% or more of the textbooks examined in the Palestinian educational system include a wide use of gender stereotypes.” They referred to the Report of Committee to Examine Gender Stereotypes in School Textbooks in the Educational System in Israel, March 2002, pp.27-28 (Hebrew).”<sup>22</sup>

We would like to ask the Minister of Education whether this committee has examined the books utilized in the Arab schools. If the provided answer is positive, why do these books still contain stereotypical texts? Based on the research conducted by Al-Tufula center, elementary Arabic school books are still full of gender- based stereotypes favoring men and boys. In addition, most illustrations of men and women/ boys and girls in these books are stereotypical, marginalizing women, girls and female children.

The research aims at identifying the extent to which sexism is apparent in children's Arabic school books. We have conducted a quantitative and qualitative analysis of the content of the books, taught in Arabic schools, from the 1<sup>st</sup> through the 6<sup>th</sup> grade. The analysis was conducted according to: the sex of the text writer, roles attributed to each sex category, positions and careers occupied by the characters, personal and external features of the characters, tasks and behaviors, boys' games versus girls' games, the settings in which the characters are portrayed, the main characters in the text, the characters' feelings, who makes decisions and who solves problems. We have also analyzed the illustrations according to: the illustration's size, its compatibility with the content, the number of male and female characters, the settings in which the characters are portrayed- public or private sphere, the way the characters are portrayed in the illustrations.

---

<sup>21</sup> The Israel Women's Network, <http://www.iwn.org.il/innerEn.asp?newsid=172>

<sup>22</sup> ADALAH NGO REPORT, “Suggested Issues for Consideration Regarding Israel's Combined 10th, 11th, 12th, and 13<sup>th</sup> Periodic Report to the UN Committee on the Elimination of Racial Discrimination” (CERD) 15 December 2005

The analysis findings demonstrate that the texts and illustrations are male oriented, quantitatively and qualitatively. The presented illustrations are stereotypical, and the absence of women and girls is noticeable.

The texts' writers are men, and the majority of the texts address males, while ignoring females. Female characters are not dominantly apparent in titles, texts and illustrations. Males are mostly seen in the public sphere while females stay home, restricted to the private sphere.

Tasks, features and careers attributed to males differed quantitatively and qualitatively from those attributed to females. Males are described as leaders and initiating, while women are presented as sacrificing, giving and supporting. Men were physicians, scientists and judges, while women occupied a few positions like secretaries, teachers and nurses.

Female characters were portrayed as dedicated and giving while male characters were portrayed as intelligent and creative.

Female characters appeared rarely in central roles; they did not take part in conflicts' resolution and decision making, but appeared as helpless and submissive. On the other hand, men played central roles, characterized by heroism, wisdom and conflict resolution skills.

It's worth indicating that a similar research that was conducted on Arabic Children's Literature<sup>23</sup> had similar findings. But so far, the Ministry of Education has not taken the necessary steps to resolving this issue. It is true that newly published books will be examined by gender professionals; however, this examination process isn't institutionalized yet and falls under the author's responsibilities rather than the Ministry's. Therefore, this examination results aren't necessarily trustworthy.

*This response was prepared by Al-Tufula: Pedagogical and Multipurpose Women's Center & Sidreh Association*

---

<sup>23</sup> Espanioly Nabila & Espanioly Hala, "Sexism in Children's Arabic Literature", Al-Tufula Center, 2002.

## *Violence Against Women*

### *Question 14*

*The fifth report, at para. 181, refers to the establishment of an exceptional committee that provides financial assistance for women in shelters for battered women. Please provide more information about the composition and activities of this committee as well as the number of women to whom assistance has been provided. Please indicate whether Palestinian women victims of domestic violence also have access to the committee and to the shelters.*

The relationship between women and the State had formed a subject for many feminist researches, especially in the past few years, where these researches emphasized the importance of relating women status and oppression not to the patriarchal culture only, but also to State oppression, and the State institutions' role in consecrating woman's inferiority and magnification masculine patriarchal values.<sup>24</sup>

We witness, year after year, reductions in State budget, particularly in the Social Welfare services. Obviously, being the weak section of society, women are most affected by these reductions. Though feminist organizations have been demanding more budget allocations for social services, still, Arab social workers need to deal with over 100 cases each, in a 50% part-time job. This fact means less time and resources to deal with each case, and cases of violence against women and girls are never thoroughly solved nor treated.

In addition to the above mentioned reasons, there are Ministry directed policies which we find impossible to accept; when arguing it with the State and ministry officials it is claimed to be the 'decided regulations' and that it is beyond their influence.

One example to these regulations, are the funding conditions of the Ministry of Social Welfare to budget allocations to Rape Crisis Centers, where the Ministry had decided on 6 funding conditions:

1. Number of approaches (sexual assaults and harassments only)
2. Number of sessions with the girls/women approcaher.
3. Number of lectures given by the Center for raising awareness.
4. Number of empowerment groups for sexually assaulted women and girls.
5. Number of positions occupied within the Center.
6. Number of training sessions for the professional cadre.

---

<sup>24</sup> Ghanem H., "Perspectives on the Statues and Issues of Palestinian Women In Israel", Women Against Violence, 2005.

To our experience in combating violence against women, through working at women shelters; halfway house for girls in distress; in raising awareness at schools; with the Social Welfare offices, and with the approaches received at the Crisis Center, we, at Women Against Violence, are concerned that violence against Palestinian women citizens of Israel is still growing.

### **Shelters and Halfway Houses for Arab Palestinian women citizens of Israel and their children:<sup>25</sup>**

*13 shelters for battered women exist in Israel, of which only 2 are for Arab women and only one shelter is for young women:*

1. In 2008, 88 women approached **the shelter, which was established by WAV in 1993 and is the first shelter for Arab Palestinian battered women citizens of Israel.** Of the 88 women, only 50 women and 53 children were received. In 2009 (until 12.11.09), 100 women had approached the shelter, 62 of which were received and 71 children. It is important to note that 66% of the rejected approaches were due to lack of capacity, where the remaining 34% were rejected for other reasons such as mental illnesses and mismatch to criteria set by the Social Welfare Ministry, etc.

In 2010, 110 women approached the shelter, 70 of which were received with 95 children. For the remaining 40 Arab women no answer was provided, either for lack of capacity or budgets for Arab Palestinian women citizens of Israel.

Importantly, WAV receives budgets from the Social Welfare Ministry for the shelter, but many of the services included in this budgeting are basic and do not fulfill the needs of the women and children, whereas the Social Welfare Ministry had decided to cancel the allocated budget for the shelter's rental expenses beginning of Dec 2009, an amount of 200,000 NIS (about 55,500\$).

2. To the **second shelter managed by 'Arfad' Association**, 74 women had approached in 2008, 55 of which were received with 60 children. As of January until September 10<sup>th</sup> 2009, 75 women were received and 83 children. As for the 40% of the approaches rejected, the main reason was for lack of capacity, for the remaining approaches the rejection was due to other reasons such as mental illnesses and mismatch to the criteria set by the Social Welfare Ministry, etc.
3. **Shelter for young women in distress** – managed by 'Zuhoor Al-Ghad' Association.
4. **Mixed Arab-Jewish Shelter**, which is in full vacancy all year long.

---

<sup>25</sup> Women Against Violence

### **Halfway houses for women and young women victims of violence:**

The halfway houses are dedicated for battered women in need of a continuous rehabilitation period after the staying in the shelter. There are only 14 halfway houses in Israel, 2 of which are for Arab young women and women, and only 1 is mixed for both Arab and Jewish women.

The halfway house for young women in distress was established and is managed by WAV. 50% of its budgeting arrives from the service basket assigned by the Ministry of Social Welfare, and 50% of the budgeting falls on the association. But, in fact, the ministry's funding consists no more than 35% of the actual expenditures of keeping the halfway house running. In the years 2008 and 2009, 32 young women approached the halfway house, 13 of which were received and 19 were rejected due to different reasons mainly due to lack of vacancy, and few did not meet the ministry's criteria.

### **Two Rape Crisis Centers for Arab Palestinian Women in Israel**

The Physical and sexual abuse Crisis Center is a project of WAV. The second rape crisis center is a project of Assiwar. According to the data provided by the Association of Rape Crisis Centers in Israel, during January-June 2008, 4057 new approaches were received, 87% of which (3536) were made by women. In 2008, 6.3% of the approaches were from Arab Palestinian women citizens of Israel; 48% of the approaches were from minors.

All mentioned data points out the severe violence and discrimination against women and young women in Israel. Despite all laws legislated (Equity in Employment opportunities, Law against sexual harassment) we witness that the phenomenon of inequity and "violence against women" is still evolving in an obvious and troublesome way. This data also shows the vast gap in services provision to women, generally, and in particular to Palestinian Arab women citizen of Israel.

Still, no respond was provided to women and young women who were denied the services provided by the shelters and halfway houses, regardless of the reasons.

*This response was prepared by Women Against Violence*

### Question 15

*During the visit, in January 2008, of the Special Rapporteur on freedom of religion or belief to Israel and the Occupied Palestinian Territories, she was informed about cases of honour killings carried out in the name of religion with impunity in the Occupied Palestinian Territory (A/HRC/10/8/Add.2, para. 64). While noting the information in the fifth State Party's report (para. 180) that murder in the name of so-called "family honour" has decreased dramatically in recent years among the Arab population, please inform the Committee of effective measures taken by the State Party to combat such crimes and to prosecute and punish the perpetrators both in the Occupied Palestinian Territories and within Israel.*

#### **Violence and gender-based violence against Arab Palestinian women:**

Since Israel had signed the UN pact in 1991, 132 Arab Palestinian women citizen of Israel had been murdered by the partners of family. In 2007, 13 women were murdered by their partners, 8 of which were Arab women. In 2008 (until Nov. 1<sup>st</sup>) 10 women were murdered by their partners and one more on the so-called basis of "family honor", 6 of which were Arab Palestinian women citizens of Israel. In 2009, 6 Arab women were murdered between January and November. In total, 60% of the women murdered were Arab Palestinian women citizens of Israel.

This table shows that the number of women murdered in 2010 is the largest comparing to previous years, 15 women were murdered in Israel by their partners, 11 of which are Arab Palestinian women citizens.

#### **Arab Palestinian women, citizens of Israel, murdered by their partners**

Year	Women murdered in Israel	Of which are Arab Palestinian women citizens of IL
2010 (until the issuing of this report)	15	10
2009	11	9
2008	10	6
2007	13	8

Police statistics point relative stability in the number of the complaints filed on violence against women. During January-October 2010, 13210 files were opened as to 12891 in the same period in 2009. Nevertheless, a 15%<sup>26</sup> increase was registered in the number of files opened following complaints of sexual offenses comparing to 2009, half of these complaints were filed by minors. (Information and Research Center, Knesset).

*This response was prepared by Women Against Violence*

---

<sup>26</sup> 3132 files in Jan-Oct 2010, 2728 files in Jan-Oct 2009

## *Participation in decision-making and representation at the international level*

### *Question 20*

*In its previous concluding observations (paras. 31 and 32), the Committee expressed its concern at the low level of representation of women in decision-making positions in local authorities and that the number of women in high-level positions in the civil service and the foreign service remained low. The fifth report states that women's representation in political life has progressed in all fields, although gaps remain between men and women's representation in certain areas of political life (para. 264). Please elaborate on such gaps and provide more detailed information on measures taken to overcome them.*

From our observation to the status of Women Political Representation in decision making positions, we find that the internal constitutions and regulations of most Parties, Political Movements and Local Authorities institutions, had mentioned supporting women and representing their issues. After looking into the fact, we came across a major gap between those parties, political movements and local authorities' institutions and women's representation at decision making positions. Women constitute 51% of the Arab Palestinian population citizens of Israel (which, in turn constitute 20% of the total Israel population); nevertheless, only one Arab woman managed to be represented in the Knesset in the year 2009, MK Hanin Zoabi (Balad). On the years 2003 and 1998 two Arab women managed to be represented in the Knesset through "Meretz" and the "Labor" parties.

Since 1948, 16 women have been elected members of Local Authorities; and based on the numbers and data from previous years, in the Municipal Elections of 2003, 626 lists of candidates ran in 53 Arab Local authorities. These lists contained 5922 candidates; amongst which only 250 were women, mostly placed in unrealistic positions on that list. Hence, we find women representation, if guaranteed, placed at the bottom of the list. In 2008, only 149 women ran for the municipal elections (most of them placed in unguaranteed positions). Amongst them, only 6 women were elected as members, divided as follows: 2 members from *The Democratic Front for Peace and Equality* in the municipality of Nazareth, 3 members in the local authority



of Jish village belonging to three independent parties and one member from an independent list in the local authority of Miilya village. This explains the current situation and the decline in the participation of women in local authorities' elections.

The question posed here concerns the government's action towards decreasing gaps and obstacles existing in the law in order to guarantee women's representation at the Parliament's and local authorities' levels.

This law was enacted in 2000, aiming to increase women's participation in the public sphere and in decision making positions at the local level through appointing women affairs' advisor in every local authority. From the viewpoint of the bodies who initiated the enactment of the law, it was crucial finding an alternative to the absence of elected women from the membership and the management of local authorities and establishing the women's right to political participation at the local and national levels.

The study examined the extent to which the law is being enforced within the Arab local authorities and the law's efficacy in preventing discrimination against women and enhancing their participation in political activism. It was found that the enactment of the law has neither met the needs of Palestinian women in Israel nor has it contributed to developing women's social, political or economic leaderships for several reasons:

1. The law has not required the local authorities to allocate a permanent paid position to a women affairs' advisor; however, this task was given to one of the local authority's present employees to be implemented on a voluntary basis, in addition to her main work within the local authority. The economic situation of local authorities and the economic crisis which the Arab local authorities suffer from are still the main reasons depriving women of their basic right to developing their capacities. Moreover, extra working hours were not paid to advisors. Figures show that amongst the 80 advisors appointed to occupying this position, only 4 Arab women are paid for work.
2. The State has not allocated budgets to developing and running programs that target women integrated in the local authorities.

3. The law requires participation of the advisor in the local authorities' management meetings. However, the study demonstrated that 99% of the advisors are not invited to participate in these meetings or in the meetings of the local authorities' committees, and that the law is not being implemented in the Arab local authorities.
4. The women's appointed committees are illegal; they are likely to be replaced following every election based on the elected mayor's partisanship
5. The absence of a job description determined by the law has led to the lack of professional advisors appointed by the mayors. 80% of the appointed advisors are mainly mayors' administrative assistants, unqualified to work with women's groups. They don't have community work experience, and the local authorities don't generally allow them to participate in vocational trainings or study days since they are not available for working as women affairs' advisors.

Based on these findings, law amendment is proposed to guarantee allocating paid jobs to advisors, with social guarantees and full rights. A clear job description should also be determined by law, and budgets should be allocated to running women's projects within the local authorities.

On 1.7.2008, the Knesset approved amending one section related to determining the job description to meet the professional requirements of the position, without appointing professional cadres by the Ministry of Interior or allocating budgets to run training programs for women in local authorities. The economic situation of local authorities and the economic crisis which the Arab local authorities suffer from are still barriers repressing women and hindering their integration in community activism.

**The representation of Arab women judges in family courts:** Since the amendment of the family courts' law<sup>27</sup> (amendment no. 5) in 2001 which granted these courts the jurisdictional authority concerning the personal status of the Arab population, only one Arab judge has been appointed in the family courts in November 2007.

---

<sup>27</sup> The law was amended following the struggle initiated in 1995 by the Working Committee on Equality in Marital Law- a abolition comprising organizations and individuals working on the promotion of human rights in general and women's rights in particular.

Amongst the current judges of the family courts, there are 25 Jewish women judges but not even one Arab woman judge.<sup>28</sup>

Two months ago the only Arab woman serving as a judge in the family courts passed away; in the last appointments held in November 2010, no Arab woman judge was selected although there were several potential candidates.

The obligation to appoint women in general and Arab women in particular as family courts' judges is derived from their constitutional right to equality that requires ensuring fair representation in judiciary. Appointing these women judges is necessary, given the unique situation characterizing the Family Law System in Israel.

It's worth indicating that women are not allowed to serve as judges in the religious courts in Israel. This fact badly deprives them of their constitutional right to equality. It also violates the basics of democracy that prohibits depriving women of their right to occupy public positions. Therefore, appointing women judges in family courts is significantly important to decrease violation of their constitutional right to equality, resulting from their exclusion from religious courts.

Beyond the negative social implications resulting from the unfair representation of Arab women judges in judiciary in general and family courts in particular, the question regarding the definition of fair representation, as determined by the High Court in the case of The Association for Civil Rights in Israel, is also related to the body essence, including the practical importance of the body, from the viewpoint of the group entitled to fair representation.<sup>29</sup>

Personal status laws have far reaching implications on the status of women in society and within the family unit. They also impact intimate aspects of both men's and women's lives. Moreover, the Family Law System in Israel inherently perpetuates the women's inferiority within the family unit. This is clearly reflected in the significant privilege provided for men in cases of divorce, increasing his abilities to "negotiate" other issues related to divorce.

---

<sup>28</sup> Based on the courts' website data.

<sup>29</sup> High Court of Justice 6924/98, The Association for Civil Rights in Israel, verdict (5) 15, 17 (2001)

The verdict stated that fair representation is mainly an active concept: requesting from a person to act in order to achieve fair representation, where religion, sex and national origins are objectively considered.<sup>30</sup> The guidelines of the Attorney General of Israel concerning fair representation of women, according to section 6c of the Women's Equal Rights Law, 1951, state that: "The appointment process should consider the fair representation principle, including active search for suitable candidates. The appointment process should be organized and well-structured. The best way to achieve this is through the establishment of a search committee that ensures advertising and provides men and women candidates with the opportunity to apply to the offered position"<sup>31</sup>

It is noteworthy that in the correspondences of the Working Committee on Equality in Marital Affairs in 2008 and 2009, and in its appeal to appoint Arab women judges in family courts, the response of the Ministry of Justice was inadequate and unjustified, claiming that there aren't any suitable candidates!

Although the law does not explicitly require fair representation of women, the purposive interpretation of the chain laws concerning fair representation of women and Arabs indicates that they have the right to enjoy fair representation, both as women and Arabs, and ought not to suffer from deprivation at the two levels.

Despite all efforts invested towards the realization of women's rights and their fair representation in decision making positions, women are still excluded from the circle of the potential change related to political representation and political reality. It is apparent that the violated political and economic rights of Arab women are the most disguised forms of violence, reflecting the discrimination practiced against women and aiming to preserving their position as a lower class citizen.

*This response was prepared by Women Against Violence, Al-Zahraa association for the advancement of Women & the Working group for Equality in Personal Status Issues.*

---

<sup>30</sup> *Id*

<sup>31</sup> Guidelines of the Attorney General of Israel, No.1.503, March 2003.

## Question 22

*In its previous concluding observations (CEDAW/C/ISR/CO/3, paras. 33-34), the Committee expressed its concern about the State party's temporary suspension order of May 2002, enacted into law as the Nationality and Entry into Israel Law (Temporary Order) of 31 July 2003, which suspended the possibility, subject to limited and subjective exceptions, of family reunification, especially in cases of marriages between an Israeli citizen and a person residing in the Occupied Territories. The Committee also noted with concern that the suspension order, which had been extended until the end of August 2005, had already adversely affected the marriages and family life of Israeli Arab women citizens and Palestinian women from the Occupied Palestinian Territories. In the fifth report, at para. 335, the State party indicated that no notable changes had occurred regarding the issue of nationality since the submission of the State Party's previous report. Please provide information on any steps taken by the State party to bring this Temporary Order in line with articles 9 and 16 of the Convention and please provide detailed statistical information and analysis of the short- and long-term impact of this Order on affected women. Please indicate whether the State Party is considering balancing its security interests with the rights of women affected by such policies in a way that facilitates family reunification without any discrimination.*

### ***The Citizenship and Entry into Israel Law<sup>32</sup> (Temporary Order) – 2003***

Palestinian Arab women citizens of Israel,<sup>33</sup> continue to suffer from the harsh consequences of being separated from their husbands and/or children who are residents of the Occupied Palestinian Territory (OPT) and certain Arab and Muslim countries classified by Israel as “enemy states”, on the basis of their nationality and the nationality of their spouses, as a result of the racist and discriminatory *Citizenship and Entry into Israel Law (Temporary Order) – 2003*. Thus far, the law has been extended ten times, and is currently valid until 31 January 2011.

Despite the state's claim in its 5<sup>th</sup> Periodic Report (para. 335) that, “No notable changes have occurred regarding this issue since the submission of Israel's previous report” (on 2 June 2005) in relation to the right to nationality, a number of significant developments have in fact occurred.

Temporary visitor permits are granted to Palestinian<sup>34</sup> spouses of Israeli citizens in very restricted circumstances since July 2005.<sup>35</sup>

---

<sup>32</sup> This response was prepared by Adalah – The Legal Center for Arab Minority Rights in Israel

<sup>33</sup> In this shadow report we use this term to define the Arab Palestinians who were able to stay in their homeland after 48 and became citizens of Israel. 'Israeli Arabs' is the State's terminology is defining that same population.

<sup>34</sup> In this shadow report we use the term Palestinians when we speak about the resident population of the Occupied Palestinian Territory (OPT) since 1967.

<sup>35</sup> Amendments to the law from 2005 allow Palestinian men over 35 years and Palestinian women over 25 to apply for temporary residency permits at most, and do not qualify them for work permits, social benefits, driving licenses, etc. The amendments deny status to Palestinians from the OPT who are related to individuals whom *security officials suggest might constitute a security threat to Israel*. Such presumptuous conclusions cannot be challenged and would hold even where an applicant has no personal contact with such a relative.

In May 2006, the Israeli Supreme Court upheld the law in a very controversial split 6-5 decision.<sup>36</sup>

In 2007 the Knesset amended the law and extended the family unification ban to include spouses from “enemy states” Syria, Lebanon, Iraq and Iran, and “anyone living in an area in which operations that constitute a threat to the State of Israel are being carried out,” according to the security services.<sup>37</sup> The Gaza Strip was added to this list in June 2008. New petitions filed in 2007 against the law remain pending before the Supreme Court.<sup>38</sup>

International organizations, including United Nations treaty bodies, have repeatedly called on Israel to revoke the law. Most recently in July 2010 the UN Human Rights Committee, “reiterate[d] its concern that the Citizenship and Entry into Israel Law... remains in force and has been declared constitutional by the Supreme Court.”<sup>39</sup> The Committee made the following recommendation to Israel: “The Committee reiterates that the Citizenship and Entry into Israel Law (Temporary provision) should be revoked and that the State party should review its policy with a view to facilitating family reunifications for all citizens and permanent residents without discrimination.”<sup>40</sup> In 2007, the UN Committee on the Elimination of Racial Discrimination (CERD) recommended that Israel, “revoke the Citizenship and Entry into Israel Law (Temporary Order), and reconsider its policy with a view to facilitating family reunification on a non-discriminatory basis. The State party should ensure that restrictions on family reunification are strictly necessary and limited in scope, and are not applied on the basis of nationality, residency or membership of a particular community.”<sup>41</sup>

### ***Impact of the law on Palestinian women citizens of Israel***

Many thousands of families have been affected by the Citizenship and Entry into Israel Law since its enactment in 2003. While the law discriminates generally against Palestinian citizens of Israel with Palestinian spouses from the OPT or from certain “enemy states”, it has a disproportionate effect on Palestinian women citizens of Israel for many reasons, including:

- The position of women vis-à-vis men and the prevailing social norms within Palestinian society make it more problematic for a woman than for a man to live as a single parent or divorcée, to earn her own living, or to relocate away from her family in search of work. This situation is more difficult if the couple has children, the primary care providers for whom tend to be women. In order to avoid living as a divorcée or single parent, the woman may be pressured to move to the OPT or her husband’s Arab/Muslim “enemy state” of origin, and thus she will lose her social rights in Israel. Men are less likely to be sent to live with their spouses in the West Bank, Gaza Strip, or Arab/Muslim “enemy states” listed in the law.

---

<sup>36</sup> HCJ 7052/03, *Adalah, et al., v. The Minister of Interior, et al.* (decision delivered 14 May 2006). The petition was filed by Adalah against the law on 3 August 2003. For more information, see Adalah, *Special Web-Report: Ban on Family Unification*, available at: <http://www.adalah.org/eng/famunif.php>

<sup>37</sup> See e.g. HCJ 830/07, *Adalah v. The Minister of the Interior, et al.* (case pending).

<sup>38</sup> Ibid.

<sup>39</sup> Concluding Observations of the Human Rights Committee – Israel, CCPR/C/ISR/CO/3, 29 July 2010, para. 15.

<sup>40</sup> Ibid.

<sup>41</sup> Concluding observations of the Committee on the Elimination of Racial Discrimination (CERD) – Israel, CERD/C/ISR/CO/13, 14 June 2007, para. 20. See also in this regard CERD’s special decisions of 2003 (Decision 2/63) and 2004 (Decision 2/65).

- Palestinian women citizens of Israel who relocate to the OPT are subjected to the extremely difficult living conditions in most of these areas, including widespread human rights violations and poverty, due to the hard economic conditions in the OPT and the Lack of working possibilities.
- The children of these women attending the school system in the OPT, a fact that limits their future chances to reintegrate in Israel as full citizens since the education system is different and no Hebrew is taught in these schools.
- If a Palestinian woman from the OPT lives in Israel with her Israeli citizen husband, in most cases she will have to do so illegally. Even if she does meet the conditions, she is entitled only to a temporary visitor's permit. In either case she will be ineligible for any social security from the state, including health insurance, national insurance payments or for a work permit or driving license, etc. Such a situation places enormous financial pressure on families (*please see Kayan's response below titled: Citizenship Law: Implications*).
- The threat of separation often exerts emotional, economic, and social pressures on the affected couples living in Israel and their families. Such tensions can lead to the breakdown of the family unit, which sometimes results in domestic violence.
- One of the petitioners against the law in August 2003<sup>42</sup>, a Palestinian woman citizen of Israel whose husband is from the West Bank, stated that she believed that being a woman does not require someone to follow her husband, adding that she did not want to raise her children under occupation. She also expressed the overwhelming fear and emotional pressures that she and her family face as a result of the threat to the family's unity.

### ***Gross imbalance between security interests and the rights of affected women***

According to the state, the numbers of status-seekers through family unification who were involved in "terror activities" has fluctuated over the years. On 13 April 2010, the state submitted data to the Israeli Supreme Court on the number of people who entered Israel based on family unification and were found by the state to have been "involved in operations against the security of the state". According to the state, between 2001 and April 2010, 54 persons who had received status in Israel through family unification procedures were either "directly involved in terrorist attacks" or prevented from carrying out such attacks at the last minute.<sup>43</sup> However, the state failed to provide any details about the nature of the involvement of these 54 persons in the reported attacks or attempted attacks. It did not provide any information on how many of them had been arrested, detained, released, indicted, convicted or sentenced for these activities or detail the gravity of their alleged actions.

The state did not provide the court with any data about applications or involvement of persons from "enemy states", strongly suggesting that there is no factual basis for the sweeping ban on family unification with non-Jewish nationals from these states. Furthermore, previous information supplied by the state casts serious doubts on these general claims. Following a request for detailed information submitted by Adalah in December 2008, the state responded that

---

<sup>42</sup> H CJ 7052/03, *Adalah, et al. v. The Minister of Interior, et al.*

<sup>43</sup> State's response to H CJ 7052/03 dated 13 April 2010. On file with Adalah (Hebrew).

just *seven* persons who had received status in Israel through family unification procedures had been indicted for security-related offenses, that only *two* of these had then been convicted, and that these two persons had already completed their sentences, which suggests that the offenses were relatively minor.<sup>44</sup> Even if reliable, the numbers constitute a minute number of people, and thus the law is completely disproportionate to the harm caused to Palestinians in general, and Palestinian women and girls in particular.

According to the state, between August 2005 and April 2010, 4,118 Palestinians entered Israel through family unification, equating to around just 800 persons per year.<sup>45</sup> A “humanitarian committee” that was set up to review family unification applications approved of just 33 cases from 600 applications between November 2008 and April 2010, a relatively insignificant number. The law, which established this committee, does not define the term “humanitarian” but does specifically state that the need for children to live with their parents does not constitute a humanitarian consideration that would justify granting the right to family unification. The humanitarian committee is a deeply flawed body, which lacks transparency, does not grant applicants the right to appear before it, denies applicants the right to appeal its decisions, and does not constitute an adequate solution to the severe violations of rights inflicted by the law.<sup>46</sup>

#### ***Revocation of citizenship for "breach of trust or disloyalty to the state"***

Amendment No. 9 (Authority for Revoking Citizenship) (2008) to article 11 of the Citizenship Law (1952), which was approved by the Knesset on 28 July 2008, allows for the revocation of Israeli citizenship due to alleged “breach of trust or disloyalty to the state”. “Breach of trust” is broadly defined and even includes the act of residing in one of nine Arab and Muslim states which are listed by the law, alongside the Gaza Strip. The law allows for the revocation of citizenship for breach of trust without requiring a criminal conviction. For example, a Palestinian woman citizen of Israel who marries a man from the Gaza Strip and lives there with him now risks losing her Israeli citizenship. Thus the law has enormously severe implications for Palestinian women citizens of Israel, both in terms of their personal status and family lives, as well as their citizenship rights.

*This response was prepared by Adalah – the Legal Center for Arab Minority Rights in Israel*

#### ***Citizenship Law: Implications***

The continuous disregard of the current situation, where a considerable part of the population is prevented from fulfilling its social rights, is insupportable. In light of the current situation, it is a necessity to disconnect the civil status and social rights and find the way to implement these

<sup>44</sup> State’s response to HCJ 830/07 dated 22 December 2008. On file with Adalah (Hebrew).

<sup>45</sup> UN Human Rights Committee, Replies of the Government of Israel to the List of Issues to be taken up in connection with the consideration of the third periodic report of Israel, CCPR/C/ISR/Q/3/Add.1, 12 July 2010, p. 54.

<sup>46</sup> For more information on the structure and function of the humanitarian committee, see Physicians for Human Rights-Israel, The Humanitarian Committee - a false hope to the many who have been affected by the Citizenship Law, July 2010, available at: <http://phr.org.il/default.asp?PageID=100&ItemID=788>



rights through granting social residency to women harmed by the citizenship law; this step is vital as long as the law is still valid.

***Social Residency***, sometimes referred to as the National Insurance Law Residency, where by virtue of this status, the individual is entitled to social rights in general and health rights in particular. It is unlike citizenship or residency that provides political rights for its holder (the right to elect and be elected).

In fact, while the social residency is regulated by the Ministry of Health, the Ministry of Social Affairs and Social Services, residence and citizenship are regulated by the Ministry of Interior. The social residency is actually an official recognition of the individual as a resident as required by the National Insurance Law and the National Health Insurance Law. Therefore, he/she is entitled to social rights though not recognized as a resident by the Ministry of Interior.

Social residency is not a new status. In fact, until 2003, individuals who were not registered as permanent residents in the Ministry of Interior could obtain social residency. Social residency was obtained following an individual petition presented to the labor court, and through providing evidence for the existence of “a living space” in Israel. In other words, the applicant should meet the following conditions: existence of a living space, workplace, family location, what does he/she considers as home, how long has he/she lived in Israel, his/her belonging to the place, etc...

Following the legislation of the Economic Arrangements Law, fiscal year 2003, the National Insurance Law was amended and a section was added stating that whoever is not registered in the civil registry (the system in which the Ministry of Interior registers citizens, permanent residents or temporary residents) will not be recognized for needs of the National Insurance law and, consequently, will not be entitled to social services.

Since this law amendment was passed, no one is entitled to social residency.

**The Authority to Grant Social Residency** Those authorized to grant the status of social residency<sup>47</sup> are the Minister of Health and the Minister of Social Services & Social Affairs. The

---

<sup>47</sup> In March 2009, “The Association for Civil Rights in Israel” and “Physicians for Human Rights” filed a petition in the High court of Justice against the Minister of Health, Minister of Interior, Minister of Social Affairs & Social Services as well as the National Insurance Institute (hereinafter “responders”) in which they were requested to use their authority to providing social rights and securities to the victims of the Citizenship Law holding legal residency

minister of Health is authorized to determine the regulations of HMO's registrations, in addition to providing health services for those who are not registered as Israeli residents by virtue of section 56 (A) (1)(d) of the National Health Insurance Law. Furthermore, section 378 (b)(1) of the National Insurance Law authorizes the Minister of Social Services & Social Affairs to determine legal rights and obligations of individuals not registered as Israeli residents and identify disadvantages of the social residency status.

Joint action and efficient use of the authority given to the Ministers will create a significant change in the state's attitude towards the women harmed by the law, contribute to preserving universal moral values and common principles of human rights and enable these women to live in dignity.

### ***Conclusion***

The policy adopted by the state of Israel creates a population group whose members live with their families as permanent residents, but are deprived of basic rights, like health rights. This is not a population simply residing in Israel temporarily; these are women settled and had based their lives in Israel. The state should at least enable these women to live in dignity and leave the demographic and security struggles in other spheres. The public interest does not lie in creating a population group deprived of health services and exposed to health problems, diseases and congenital defects. Immigration policies of all types should not violate the immigrants' rights to health, social security and decent life.

---

permits. The responders stated that an inter-ministerial committee was established in November 2008. It will discuss granting social rights to individuals residing in Israel legally, though not registered as residents, and concluding the group for which the petition was filed, in addition to other population groups, Thereof the petition should be dismissed.

On 24.6.09, the High Court decided passing an interim order asking the responders to explain why they had not used the authority granted to them according to section 56(a)(1)(d) of the National Health Insurance Law, 1994, and section 378 (b)(1) of the National Insurance Law (consolidated version), 1995, and to provide family members of Israeli citizens and residents residing legally in Israel with needed social rights ( health insurance and national insurance) within 6 months.

On 25.7.2010, as the respondents did not provide answers, the High Court gave them an extension until 1.12.10 asking them to make interim arrangements if permanent regulations require much time.

The state of Israel must guarantee equal implementation of this right for all population groups under its control:

Israeli residents, Bedouins in the unrecognized villages in the Negev, prisoners and detainees, migrant workers, individuals with no civil status, refugees and asylum seekers and Palestinians in the occupied territories.

*This response was prepared by Kayan – A Feminist Organization*

## Education

### Question 23

*With reference to the Committee's previous concluding observations (CEDAW/C/ISR/CO/3, paras. 35-36), please provide further information on measures taken by the State party to reduce the drop-out rates of Israeli Arab girls and increase the number of Israeli Arab women at institutions of higher education. According to para. 361 of the fifth report, the Minister of Education appointed a special committee to examine the extent to which gender stereotypes may still remain in educational textbooks. Please elaborate on the findings of this committee and provide more information on steps taken to review and revise textbooks in the Arab education system in order to eradicate gender stereotypes.*

#### **Measures to reduce dropout rate of Arab Palestinian girls citizens of Israel and increase the number of Arab Palestinian women citizens of Israel at institutions of higher education**

The right to education for the most marginalized Arab women and girls is violated by the overall policy of the State. Arab Bedouin women of the Naqab<sup>48</sup> are the most marginalized and excluded among the Arab Palestinian women citizens of Israel. Furthermore, almost half of the women in Naqab are living in villages unrecognized as such by the State; consequently they are excluded from development policies including that of education. Furthermore, such policy promotes exit of Arab Palestinian girls citizens of Israel from the formal educational system because of lack of logistical access and prohibits entry to institutions of higher education because of lack of financial access.<sup>49</sup>

The following is an account of the situation of education among teenage girls and young women in unrecognized villages in the Naqab. This account demonstrates the lack of discernible measures taken by the government to reduce school dropout rates among Arab Palestinian girls citizens of Israel especially Bedouin girls in the Naqab and increase the number of most vulnerable Arab Palestinian women citizens of Israel at institutions of higher education.

Our concern here is the Naqab Arab Palestinian women citizens of Israel especially Bedouin women and girls lack of access to equal education or to development opportunities, despite Israel's law for Free Compulsory Education to all enacted in 1947, and the Women's Equal Rights law from 1951 which is not implemented in education; the Universal Declaration of Human Rights of Dec. 1948, article 26 stating free compulsory fundamental education shall be

---

<sup>48</sup> Referred to as Negev in Hebrew

<sup>49</sup> For further details, see response to question 34

available to everyone, and "shall be directed to the full development of the human personality", while "parents have a prior right to choose the kind of education that shall be given to their children"; and the CEDAW from 1979 article 10, fully ratified by Israel, "to ensure women's equal rights with men in the field of education, in rural as well as in urban areas, this equality shall be ensured in pre-school, general, technical, professional and higher technical education, as well as in all types of vocational training. The same opportunities for access to programmes of continuing education, including adult and functional literacy programmes, particularly those aimed at reducing, at the earliest possible time, any gap in education existing between men and women. Attention has not been given to the reduction of female student dropout rates and the organization of programmes for girls and women who have left school prematurely. Access to specific educational information to help to ensure the health and well-being of families, including information and advice on family planning has also not been easily available". In reality, the preceding statements are barely respected.

Even after the findings of the Or Commission of 2003, that called for resolving the disparities between Arab and Jewish citizens, and specifically recommendation 12 regarding the education of Bedouins, it is clearly stated: "In this context, the State should initiate, develop and activate plans to resolve the disparities, with an emphasis on budgetary items related to all aspects of education, housing, industrial development, employment and public services. Special attention should be directed to the living conditions and privation of the Bedouins. Ignoring or marginalizing this issue cannot longer be justified. Through its senior ranking officials and agencies, the State must take clear decisive action to eliminate the differences as soon as possible, by setting clear, tangible goals and specific timetables." Despite this recommendation, Arab Palestinian women and girls citizens of Israel in the Naqab (Bedouin women and girls)' access to education did not improve much.

### ***Education of Teenage Girls in unrecognized villages of the Naqab***

School dropout rate among teenage girls in the unrecognized villages is one of the highest in Israel, reaching about 77%.<sup>50</sup> Teenage girls cannot complete their high school education due to a shortage of schools in their villages. Therefore many girls cannot get to school; an example is the situation involving girls from the unrecognized village El-Frijat: Most of the El-Frijat girls attend one of the village's "local" schools, which is a 40-minute walk at a nearby place called Bir Mashash; they attend that school because it is regarded as a community school where everyone knows everyone else and there are no problems related to disrespect for women. When they reach high school age, all girls drop out because there is no high school at or close to their village. The nearest high school is located several kilometers away, in Arara Village; to get there young women would have to take transportation with a mixed population in terms of tribal affiliation and gender, something their fathers would find hard to accept. The solution sought by

---

50 Abu-Rabia-Queder, Sarab.( 2006) Between Tradition and Modernization: understanding the problem of female Bedouin dropouts, *British Journal of Sociology of Education*, vol. 27, no. 1, pp. 3-17, February

the women is the addition of high school classes through 12<sup>th</sup> grade at the existing school in their village. The shortage of high schools and classrooms has caused the local patriarchy to increase its supervision of the women. Consequently, in 2009 only 2 girls went to high school (out of 400). Moreover, most of the women do not go to university or college.

### ***Higher Education for young women in the unrecognized villages***

Poverty, for the most part, makes it impossible for families to send their daughters to colleges or universities. There is no subsidization for access to higher education for young women in unrecognized villages in Naqab.

Moreover, impediment to secondary school education for young women can be another factor impeding access to higher education. A case in point is that of the unrecognized village of Al-Zarnouk. According to Sidreh Association, lack of secondary schools represents a significant hurdle for young girls to continue their education. Al-Zarnouk village's population counts 5000 inhabitants. There are 5 buses that transport secondary school students to recognized villages namely Shaqib Essalam and 'Ar'ara on a daily basis. Every year, conflicts erupt between local students and the Zarnouk incoming students to such an extent that drove the school administration to consider the Zarnouk students as a liability. In their opinion, the school is not adequate for such a number of students. During conflicts, the Zarnouk students are not allowed to come to school for several months, after the conflicts are resolved by intermediaries, only young men go to school while young women are prevented by their families to return. In this year 2010-2011 up to the date of this report, there are 20 girls who are prevented by their families from returning to school out of fear that they would be hurt by the 'foreign' young men.<sup>51</sup> Sidreh Association decided to petition the court and demand founding a secondary school. It is expected that the process be arduous, but, by doing that the case would be placed formally on the public agenda.

*This response was prepared by Sidreh*

---

<sup>51</sup> *In relation to gender stereotypes in educational textbook, please review our answer to question number 11 in this report*

## *Employment*

### *Question 25*

*The fifth report, at paras. 36-39, refers to the enactment, on 10 April 2008, of the Encouragement of the Advancement and Integration of Women in the Work force and the Adjustment of Workplaces to Women's Needs Law. The report also states that this Law has the potential of serving as an incentive to employ more women, support women to senior positions and to modify the work conditions to the unique needs of women, thus increasing women's economic independence. Please elaborate on the implementation and impact of the said Law. Please also provide information on the composition and activities of the Public Council for the Integration and Advancement of Women in the Workplace.*

Large scale poverty among Arab families is explained by different reasons; among them is the low employment rate of Arab citizens, mainly Arab Palestinian women citizens of Israel whose rate in the labor force is very low, reaching only 22.5% ( 18.7% are employed while 3.8% are not employed though seeking employment) compared to the Jewish women's rate, reaching 71.3%. Several researches have demonstrated that women's employment is negatively related to poverty and that poverty levels are significantly low in households where women participate in the labor force. Therefore, the Arab women's exclusion from the labor market leads to a decrease in opportunities for Arab families to overcome poverty and for Arab women to improve their socio-economic situation. This vision guides our work and motivates us to create achievements in the field of Arab women employment. We believe that the participation of Arab women in the labor market will contribute to enhancing their socio- economic status, increasing the integration of Arab citizens in the Israeli society and empowering the Arab society, economically.

Between the years 1990 to 2006, the educational level of Arab women increased remarkably. Researches demonstrate that there exists a strong positive relationship between the level of education and the chances of participating in the labor force. However, despite the continuous increase in the educational level of the Arab Palestinian women citizens of Israel, their participation in the labor market has slightly increased.

### **Situation report**

The number of Arab women in the North is approximately 200,000 (aged +15). Their employment situation is extremely grave. Only 16.6% are employed while the others (approximately 160,000 Arab women) are either unemployed or non-included in the labor force.

The rate of the Arab women in the North who are not included in the labor force is 69.8% (approximately 140,000 women). 42% of the academic Arab women are unemployed (among the 24,000 Arab academic women, nearly 11,000 are unemployed); although they are specialized in different academic domains.

The participation rate in the labor force is 21.2%, divided as follows: 4.6% are unemployed, 3.1% are partially unemployed, 5.3% are partially employed and only 8.2% are employed in full time positions.

The economic occupational potential of the Arab Palestinian women citizens of Israel in the North is not well utilized, compared to the Jewish women. While the rate of employed Arab women in the North is only 16.6%, the rate of their Jewish counterparts is 51.6%. The rate of Jewish women in the labor force is 56.8%, compared to 21.2% for the Arab women.

Arab women in the North suffer from a three-dimensional problem: they live in the periphery, they are Arab Palestinian and they are women. The employment rate of Arab women in the North (16.65) is not remarkably different from the employment rate of all Arab women in Israel (15.8%); but when comparing between districts, it is lower than the women's employment rate in Haifa District (20.7%) and the Central District (21.1%).



### **Arab women in the State service**

The State services provide an employment solution to the Jewish women but not to the Arab. 62.3% of the State services' employees are Jewish women; 31.7% are Jewish men; 3.9% are Arab men while only 2.1% are Arab women. It is worth emphasizing that since the year 2000 (and for more than 7 years), this rate has increased only by 0.5 percent. Among all candidates employed in the State services, the average rate of Arab women has always been 2% (although their rate reaches to 12% of the total working age-population).

### **Many government bureaus and companies do not employ Arab women at all.**

Amongst them are: Ministry of national infrastructure, the Central Bureau of Statistics, Ministry of Environmental Protection, Ministry of Science & Technology, Ministry of Transport & Road Safety, Ministry of Public Security, Israel Meteorological Service, Survey of Israel, the Israeli Educational Television, the Civil Service Commission, Israel Antitrust Authority, Ministry of Finance, Ministry of Construction & Housing, Ministry of Foreign Affairs, the Prime Minister's Office, Ministry of Immigrant Absorption, the Governmental Authority of Water and Sewerage, the Public Utility Authority- Electricity.

The prominent ministries employing Arab women are: the Ministry of Social Affairs & Social Services (3.2% of its employees), the Ministry of Health (3.1% of its employees) and the Ministry of Interior Affairs (1% of its employees). Even in these ministries, the employment rates of Arab women are very low.

The program we propose aims to increase the employment of academic Arab women based on:

1. The government's decision no' 2579: fair representation of the Arab, Druze and Circassian populations in the State services.
2. The State Services' Law (regarding appointments), 1950: Fair Representation.

### **Recommendations**

The Arab population and its planning space should be considered an economic resource that deserves public support for cost- benefit considerations; and the intervention tool should be suited to this purpose. The main support should not necessarily be through subsidies, grants and

transfer payments, but on the contrary. The support should be provided to develop independent economic skills of the Arab localities through supporting domains of physical, human, social and organizational infrastructures by fair allocation of dedicated lands.

- 1. The State Services:** The government must utilize new and unique mechanisms (for example, external private recruitment company) to localize academic Arab women and integrate them in the different ministries, governmental agencies and companies. The rate of the academic Arab women, among all academic women employed in the State services, is only 1.9%.
- 2. Business Initiatives:** identifying economic structural barriers and improving the business atmosphere are the basis for the development and growth of the small businesses in the community.
- 3. Professional Trainings/ Promoting the quality of human capital:** establishing training centers that will provide Academic Arab women with the opportunity to participate in trainings/retraining courses related to the most needed domains in the local or national market. For example, professional training and retraining courses in subjects that generate high income in a mixed environment.
- 4. Governmental Institutions:** there is an urgent need for the availability of agencies pertaining to the relevant ministries, especially the Ministry of Social Affairs& Social Services and the Ministry of Industry, Trade& Labor.
- 5. Frameworks for Children:** increasing the number of children's day care centers and kindergartens in the Arab localities and improving the quality of the existent ones.
- 6. Development of Infrastructures:** developing transport infrastructure (nearly 95% of the employed Academic Arab women reported that they worked in their cities/villages or in nearby localities). Development of public transportation services and lanes, supporting the development of local organizational businesslike infrastructures and human capital trainings, mainly for academics.

## Questions and Reflections

1. A research conducted by Brockdale (2009) demonstrates that despite the growth and remarkable recovery of economy, the rate of employment among Arab women has hardly changed; while the rate of employment among Jewish women had increased in 1% per year between 2003 and 2006. How this data might be explained given the government's claim concerning fair representation, equality and non discrimination regardless of the belonging to a certain nation.
2. How might the low rates of Palestinian employees in the governmental bureaus be explained? given that the government is the main employer of women, especially academic women. A research conducted by Yasser Awad (2007) and presented to Women against Violence demonstrates that nearly 65% of the governmental bureaus' employees are women.
3. Public transportation from and to Arab localities restricts the integration of Arab women in the labor market (a Brockdale research, 2009). Nearly 60% of the Arab villages/cities lack public transportation.  
How is the government handling the public transportation issue?
4. Lack of day care centers for children (relevant information available in the report of the "Women's Budget Forum", January 2010, shows great gaps between resources allocated to this service in the Arab society and those allocated to the Jewish society. What is being done concerning budgets' distribution and governmental support to day care centers?
5. Has an examination been conducted regarding the suitability of employment programs to the Arab population in general and to Arab women in particular? Who runs these programs and have special models been developed to handle this issue?
6. Are there programs aiming to change the Jewish employers attitudes towards the employment of Arab women?
7. What is being done to decrease the salary gaps between Arab women and Jewish women? How is the existence of these great gaps explained?
8. Trainings and professionalization among Arab women are considered barriers. Are there budgets' allocations to complementary education for adults?

9. The majority of the Arab population lives in the periphery that is distant from major cities. Are there programs and budgets' allocations for the development of industrial zones in the Arab localities?

*This response was provided by Al-Tufula: Pedagogical and Multipurpose Women's Center & Women Against Violence.*

## Health

### Question 31

*The fifth report, at para. 517, states that among the Arab population, despite the continuing decrease, the child mortality rate is still relatively high and stands at a rate of 7.2 deaths per every 1,000 live births. In addition, according to para. 599, the infant mortality rate of Bedouin infants was 11.5 deaths per every 1,000 live births in 2008. Please provide information on measures taken and resources allocated by the State party to improve the status of Israeli Arab and Bedouin women's health, in particular with regard to infant mortality. Please also provide data on child mortality among Arab women in the Gaza Strip, West Bank and Occupied Palestinian Territories, and the measures taken to address women's health, including maternal and child mortality, in those areas.*

The infant mortality rate of Arab **Palestinian citizens of Israel** living in the Naqab<sup>52</sup> is the highest in Israel, according to a report by the Israeli Health Ministry, Arab Palestinian Bedouin children citizens of Israel suffer more from growth disorders, nutritional deficiencies, and underweight conditions that could cause serious damage. The report, by the Beersheba District Health Office indicated that a lack in infant welfare personnel in the Naqab could lead to less pregnant women and infants receiving the care and guidance they need. About 9% of Arab Palestinian Bedouin children citizens of Israel under the age of five suffer from growth delays and 4.4% are underweight. Arab Palestinian Bedouin girls citizens of Israel are at higher risk, and suffer seven times more than boys from growth problems and 10 times more from weight problems.

Over half (56%) of Arab Palestinian Bedouin infants citizens of Israel at the age of six-months-old suffer from anemia, and about a tenth of them have zinc deficiencies. At the average age of 18-months-old 27% of Arab Palestinian Bedouin children citizens of Israel suffer from anemia, while 11.5% lack zinc, 5% lack Vitamin A and 3% have Vitamin E deficiencies.

Various studies conducted in Israel showed that only 10% of Jewish infants suffered from anemia.

The infant mortality rate among Arab Palestinian Bedouin citizens of Israel stands at 11.5 deaths for every 1,000 births, and is almost three times higher than the national average of 4.1 deaths for every 1,000 births. The report states, "It's difficult for the residents to keep their houses cool or

---

<sup>52</sup> Referred to as Negev in Hebrew

warm and to maintain personal and environmental hygiene in the absence of access to flowing water and waste disposal systems."

Arab Palestinian Bedouin citizens of Israel living in unrecognized villages are in much poorer condition than those living in permanent communities, and according to the report, children born in unrecognized villages have a lower average weight at birth, are 2.4 times more underweight at the ages of six and seven-years-old and have a lower vaccination rate than Arab Palestinian Bedouin children citizens of Israel living in permanent communities.

The Centre for Women's Health Studies and Promotion states that in the unrecognized Bedouin villages in the Negev, very few health care facilities are available; ambulances do not serve the villages and 38 villages have no medical services. According to the Israeli NGO Physicians for Human Rights (PHR-Israel) the number of doctors is a third of the norm.

There are few existing projects towards the prevention of birth defects, and programs encouraging proper nutrition and breastfeeding be operated. However, this is not enough. There is a great lack of services and great need for proper infrastructure such as a supply of water and electricity, waste and garbage disposal that will help improve the general health of the population.

*This response was prepared by Al-Zahraa- the Organization for the Advancement of Women & Yasmin Al-Nagab for the health of women and the family*

### Question 32

*Please provide data disaggregated by sex and by age of women infected by HIV/AIDS. Please also provide detailed information on the initiatives undertaken by the State Party, including targeted awareness raising campaigns, to protect women and girls from HIV/AIDS infection and to provide treatment and care to those infected.*

According to 2009 data from the Israel Center Bureau of Statistics, There are 4858 total cases of people with HIV. Of the 4858, 2967 are males, 1778 are females. There are 940 males who have full-blown AIDS, and 342 females. In the Arab sector, there are 50 total reported cases of people with HIV/AIDS, with the majority being males. The very few Arab women with HIV/AIDS contracted the disease from their husbands. There have very few media campaigns or educational awareness programs on HIV/AIDS in the Arab sector.

The Ethiopian minority comprises about 5% of the total Israeli population; of this minority, 30% have the HIV/AIDS virus. The majority of campaigns implemented by the State have been directed at the Ethiopian and Russian minorities.

In 2009, the Galilee Society began an awareness campaign in schools to educate the Arab Palestinian public in Israel on HIV/AIDS; however, due to financial constraints this program was stopped. There is a great need for the State to implement such campaigns in the Arab society since there is a great lack of knowledge on the disease, how to prevent it, and other educational information among this minority.

*This response was prepared by Al-Zaharaa - the Organization for the Advancement of Women*

## *Rural women and disadvantaged groups of women*

### Question 34

*Please provide more detailed information on the situation of Bedouin women who live in unrecognized villages with poor housing conditions and limited or no access to water, electricity and sanitation. The fifth report, at para. 612, refers to a report published by an Israeli NGO entitled "Ana Huna (I am here) – Gender and Health in the Unrecognized Villages of the Negev" which is critical of the healthcare services granted to Bedouin women in the Negev and points to problems in the provision of infrastructure and public transportation as well as language barriers. Please inform the Committee of measures taken by the State party to address these issues.*

The Bedouin population of the Naqab<sup>53</sup> is young: 60% of the overall population is composed of young people<sup>54</sup> below the age of 17. Every year, nearly 7000 Bedouin children are born. The fertility rate in this population is very high: 7.3 children per Bedouin women versus 2.9 children per women on the national average, and 4 children per women in the Muslim population in Israel.

The infant mortality rate of Arab Palestinian citizens of Israel living in the Naqab is the highest in Israel, according to a report by the Israeli Health Ministry, Arab Palestinian Bedouin children citizens of Israel suffer more from growth disorders, nutritional deficiencies, and underweight conditions that could cause serious damage.

The report, by the Beersheba District Health Office indicated that a lack in infant welfare personnel in the Naqab could lead to less pregnant women and infants receiving the care and guidance they need. About 9% of Arab Palestinian Bedouin children citizens of Israel under the age of five suffer from growth delays and 4.4% are underweight. Arab Palestinian Bedouin girls citizens of Israel are at higher risk, and suffer seven times more than boys from growth problems and 10 times more from weight problems.

Over half (56%) of Arab Palestinian Bedouin infants citizens of Israel at the age of six-months-old suffer from anemia, and about a tenth of them have zinc deficiencies. At the average age of 18-months-old 27% of Arab Palestinian Bedouin children citizens of Israel suffer from anemia, while 11.5% lack zinc, 5% lack Vitamin A and 3% have Vitamin E deficiencies.

---

<sup>53</sup> Referred to as Negev in Hebrew

<sup>54</sup> Ministry of Health, "The Health Situation of Bedouin Infants and Children until 6 Years Old in Permanent Localities and unrecognized villages in the Naqab", December 2006.



Various studies conducted in Israel showed that only 10% of Jewish infants suffered from anemia.

The infant mortality rate among Arab Palestinian Bedouin citizens of Israel stands at 11.5 deaths for every 1,000 births, and is almost three times higher than the national average of 4.1 deaths for every 1,000 births.

The leading causes of mortality among Bedouin children (43%) are congenital defects and genetic diseases mainly resulting from inbreeding (nearly 40% of the Bedouin are married to first cousins while nearly 20% are married to distant relatives.) The second top mortality cause among Bedouin children (22%) is premature birth complications<sup>55</sup>

The report states, "It's difficult for the residents to keep their houses cool or warm and to maintain personal and environmental hygiene in the absence of access to flowing water and waste disposal systems."

Arab Palestinian Bedouin citizens of Israel living in unrecognized villages are in much poorer condition than those living in permanent communities, and according to the report, children born in unrecognized villages have a lower average weight at birth, are 2.4 times more underweight at the ages of six and seven-years-old and have a lower vaccination rate than Arab Palestinian Bedouin children citizens of Israel living in permanent communities.

Amongst the 45 unrecognized villages in the Naqab, only 8 contain mother and child clinics. During the month of October 2009, the Ministry of Health ordered the closure of mother and child clinics in three Arab Bedouin villages in the Naqab: Abu Taloul, Qasr Elser and Wadi Al-Nea'm. Therefore, women and children of these villages did not have access to significantly vital and elementary services, given that these clinics aim at providing basic preventive medical services for pregnant women and their children.

So far, these clinics have provided services for nearly 18,000 residents, mainly women and children. It is noteworthy that two villages, Abu Taloul, Qasr Elser were recognized by the Israeli government in 2005 but the planning procedures there are not yet completed. Wadi Al-Nea'm village is still unrecognized.

At the end of 2009, a petition filed in the High Court by "Yasmin AlNagab" Association for Women's & Family Health, Adalah, Physicians for Human Rights, the Galilee Association and women's groups from the Bedouin villages for the reopening of the clinics that were closed in the three villages of Abu Taloul, Qasr Elser and Wadi Al-Nea'm.

In August 2010, the Ministry of Health answered the organizations' demands and reopened two mother and child clinics in Taloul, Qasr Elser. The clinic of Wadi Al-Nea'm is still closed.

---

<sup>55</sup> Ministry of Health, "The Health Situation of Bedouin Infants and Children until 6 Years Old in Permanent Localities and unrecognized villages in the Negev",

The Centre for Women's Health Studies and Promotion states that in the unrecognized Bedouin villages in the Naqab, very few health care facilities are available; ambulances do not serve the villages and 38 villages have no medical services. According to the Israeli NGO Physicians for Human Rights (PHR-Israel) the number of doctors is a third of the norm.

There are few existing projects towards the prevention of birth defects, and programs encouraging proper nutrition and breastfeeding be operated. However, this is not enough. There is a great lack of services and great need for proper infrastructure such as a supply of water and electricity, waste and garbage disposal that will help improve the general health of the population.

*This response was prepared by Yasmin AlNagab for the health of women and the family*

### Question 36

*Please inform the Committee of any obstacles to the enjoyment of the rights guaranteed under the Convention by older women and disabled women, and the measures taken by the State Party to address them.*

In the state of Israel, there are presently 1.5 million people suffering from moderate to acute disabilities. Persons with disabilities in Israel are discriminated against in all life domains: extremely high unemployment rates, inaccessibility to the vast majority of the public places; persons with disabilities are routinely sent to live in distant and socially isolated institutions/frameworks.<sup>56</sup> This is mainly remarkable among Palestinian women with disabilities citizens of Israel, who suffer from discrimination at three levels: as part of the Palestinian minority, as women and as persons with disabilities. (Dr. Espanioly Hala, 2010)<sup>57</sup>

#### **Scope of persons with disabilities in the Arab Palestinian society**

The current official number of the Arab population in Israel is 1.4 million residents, comprising 20% of the total Israeli population. Despite the difficulty of obtaining precise numerical data concerning persons with disabilities in the Arab society, it appears that the disability rate within the Arab society is higher than the disability rate in the Jewish society. This results from high inbreeding rates, genetic diseases, old age pregnancies (for example, in Bedouin communities) and lack of programs aiming at decreasing the rates of the different genetic problems.

Data concerning congenital defects indicate that their rates within the Arab society are higher than the rates within the Jewish society.

Other reasons leading to the high rates of persons with disabilities in the Arab society are severe injuries and increased number of road and work accidents. Several researches point to higher rates of hospitalizations within the Arab population, versus the Jewish population, resulting from accidents and injuries (that are not care accidents). Other researches demonstrate that children's injuries in the Arab society are more severe than those occurring in the Jewish society.

In 1998, the bill for **Equal Right for persons with disabilities** was passed by the Knesset. Following its legislation, this law was expected to create a breakthrough concerning the attitude

---

<sup>56</sup> The response was provided by Al-Tufula, A multi-purpose women pedagogical center, Nazareth.

<sup>57</sup> Dr. Espanioly Hala, "The Silenced Stories", Al-Tufula (NNI), Nazareth 2010.

towards persons with disabilities in Israel and the potential opportunities they might be provided with.

**The Law refers to four main sections:**

**Basic principles:** this section reflects the change in perception which constitutes the law basis: It is not grace, but rather a right of a person with disability to equality, respect and active participation in all life spheres. No more patronizing attitude and interference in the individual's autonomy; instead, a person with disability has the right to make decisions relating to his life. Furthermore, this section indicates that the implementation of rights for persons with disabilities should be accomplished within the framework of the services available in the society, and not within a separate framework.

**Employment:** this section states that it's illegal discriminating against a person with disability at the levels of hiring, work conditions, promotion, etc. What matters is the candidate's eligibility to occupying the offered position. The employer must adapt the work place and the position's requirements to the employee or to the work candidate, if he/she is a person with disability, unless this demand imposes a heavy burden on the employer: affixing a ramp if the employee utilizes wheelchair for mobility; providing extra time to dyslectic candidates during employment-related tests; adapting the working hours to the employee who needs special leaves for receiving treatments related to his or his child's disability, etc. The law also states that in all work places involving more than 25 staff members, there should be fair representation of persons with disabilities.

**Public transportation:** the law states that a person with disability has the right to accessible transportation services that are adapted to his needs; this includes urban buses, trains, planes and vessels.

**Commission on equal rights for persons with disabilities:** a legally established commission, which is an assigned and independent body, operating through the State's financial aid and aiming to promote the rights of persons with disabilities and implement the Equal Rights Legislation. In addition to this commission, there is an advisory committee, whose members are mostly persons with different disabilities.

In March 2005, the Equal Rights' Legislation was amended to include an essential section stating that all places and services provided to the public should be accessible to persons with all types

of disabilities. According to this law, governmental bureaus, courts, cinema halls and theaters, restaurants and coffee shops, museums, hotels, parks, religious institutions, cemeteries and other places must be completely accessible. This requirement includes accessibility to persons with physical disabilities (elevator, ramp, etc.), persons with visual disabilities (Public Address elevator, information written in Braille), persons with hearing disabilities (e.g., amplification systems in theaters), persons with mental disabilities and Autism (e.g., release from waiting in line), persons with intellectual disabilities (e.g., clear information provision), etc.

Moreover, the law determines its enforcement means; for example: establishing an inspectors' network within the commission on equal rights for persons with disabilities that will be qualified to issue orders against inaccessible places. Persons with disabilities and organizations will be able to file lawsuits against inaccessible places and receive compensations reaching 50,000 NIS even if no damage occurs.

When following up on the implementation of the law and its implications concerning Arab women with disabilities, the following data was obtained:

- The rate of persons with disabilities within the Arab Palestinian society in Israel is twice higher than the disability rate in the Jewish society. 17.2% of the Arab Palestinian adult citizens suffer from severe disabilities, compared to 8.7% of adults in the Jewish society (Ben Moshe, Roffman & Haver, 2009). The total number of Arab adults with moderate or severe disabilities residing in Israel is 170,000. They comprise 26% of persons with disabilities within the Arab society; this is a remarkably high rate compared to the rate of persons with moderate or severe disabilities in the Jewish society reaching 17% (Naon, 2009).

The educational level of persons with disabilities in the Arab society is remarkably lower than the educational level of Jewish persons with disabilities. 19% of persons with disabilities in the Arab society dropped out of elementary school, compared to 5% in the Jewish society. Only 21 % of Arab persons with disabilities are integrated in the labor market, compared to 49% among Jews (Naon, 2009).

Palestinian Arabs with disabilities in Israel are exposed to double discrimination. The first level of discrimination relates to being persons with disabilities, while the other relates to their belonging to a national minority that is being discriminated against by the State and the dominant majority. Examples of this discrimination exist in all life

domains. The quality of services provided by the State to Arab persons with disabilities is deficient, and in certain cases they are even unavailable (Sandler- Loeff & Shahak, 2006):

The situation of Arab women with disabilities is more difficult since beside the discrimination on the basis of national origin there is the gender- based discrimination. This restricts the women's integration in the labor market, as well as in the social and community life (Naon, 2009; Sandler-Loeff & Shahak, 2006).

- Official relevant documents are almost never translated to Arabic. For example, application forms required for regulating vital services for persons with mental disabilities are not available in Arabic, despite the high rate of Palestinian Arabs suffering from mental disabilities.
- Many services are not available for persons with disabilities in their residential areas. They are obliged to travel long distances in order to receive these services; in many cases they simply renounce them in advance (Sandler & Shahak, 2006). The most impacted by this hard situation are women as most of them don't have accessibility to proper public transportation connecting their villages to the big cities where the needed services are concentrated.
- Despite the law that regulates the accessibility to public places, a few public buildings in the Arab villages are accessible to persons with disabilities. In part of these villages the national insurance offices, that are supposed to provide services to persons with disabilities, are inaccessible.
- Many diagnostic national insurance committees don't include Arabic- speaking members. Therefore, the communication between the examiner and the examined is hindered leading to inadequate diagnoses that don't reflect the real situation.
- The large gap between the levels of the medical services provided to the Palestinian Arab population and those provided to the Jewish population may increase the likelihood that people with medical chronic problems develop severe disabilities. This gap explains the high rate of persons with severe physical disabilities within this population (Ben Moshe, Roffman & Haver, 2009; Naon, 2009).
- Palestinian Arabs with disabilities suffer from discrimination at the employment level and the rate of the employed persons within this population is remarkably low (Naon,

2009). Most employees work in sheltered or supported frameworks; therefore the utilization of their human capital potential is hindered. The situation among women is harder; most of them are unemployed, while those employed are integrated in sheltered frameworks that are very often irrelevant to their skills.

- Persons with disabilities within the Arab Palestinian society in Israel have lower educational level, relatively to the average educational level in the Arab Palestinian society and among Israeli Jews with disabilities (Ben Moshe, Roffman & Haver, 2009). Poor level of education leads to exclusion from the labor market and consequently to low socio-economic status, isolation, dependence and poor self-image.

There exists a gender based gap within the population of persons with disabilities. Arab women with disabilities suffer more than their male counterparts in terms of social attitude and perceptions. If a certain family feels embarrassed from a family member with disability, the situation worsens if this person is a woman/girl. Women with disabilities are socially isolated; they often stay home and don't step out since they feel ashamed, they surrender to their families' pressure and the families themselves don't have the readiness to contribute to facilitating their mobility in the village.

In a culture where the family is highly important, the woman's disability is considered an obstacle to the establishment of a family unit. In many cases, the women's disabilities, coupled with their inability to establish their own family unit, increase their negative personal feelings and their poor self-image. Moreover, some women with disabilities face difficulties resulting from their illiteracy that limits the accessibility of written information and increases their dependence on relatives, surrounding and relevant professional frameworks.<sup>58</sup>

Concerning Bedouin women with disabilities residing in the Negev (South of Israel), their situation is sorrowful due to the Bedouin culture that forbids women's mobility in the public sphere, in addition to the lack of services in that region.

*This response was prepared by Al-Tufula Pedagogical and Multipurpose Women Center*

---

<sup>58</sup> Dr. Espanioly Hala, "The Silenced Stories", Al-Tufula (NNI), Nazareth 2010.

## *Marriage and family relations*

### *Question 37*

*In its previous concluding observations, the Committee urged the State party to take active measures to enforce the prohibition of polygamy and enforce adherence to the minimum age of marriage (CEDAW/C/ISR/CO/3, para. 42). According to the fifth report (paras. 630-632), the phenomenon of polygamy is decreasing. Please provide further information on measures taken by the State party aimed at enforcing the prohibition of polygamy and adherence to the minimum age of marriage, as well as the impact of such measures.*

#### ***Minimum age for marriage:***

The legal age for marriage in Israel for both males and females is 17, as determined by the ***Marriage Age Law*** from 1950. This law determines the marriageable age for all citizens, regardless of their religious affiliations.

***However, the law allows the court to grant permission for underage marriage in the following cases:***

1. A minor female getting pregnant from the man she wants to marry/ or whose child she has already delivered.
2. If the female minor asked to marry the man from whom she got pregnant/or whose child she has already delivered.
3. If the female minor has reached the age of 16 and the court considers granting permission for marriage due to special reasons.

In case of law violation and according to section 2 of the marriage age law, offenders will be fined or imprisoned for two years; the sentence will be implemented against: a person who marries a minor male or female (below the age of 17), a person who contributes to holding marriage of a minor male or female, and a parent who marries his minor son or daughter under his custody.

This law, enabling marriage at the minimum age of 17, violates the International Convention on the Rights of the Child that defines children as persons below the age of eighteen, according to article 1 "child means every human being below the age of eighteen years". Child's marriage<sup>59</sup> violates children's rights and is considered child's negligence.

---

<sup>59</sup>The term used by legal and feminist frameworks dealing with this phenomenon. This practice is named "forced marriage" rather than "marriage" since it lacks the "will" component and results from social and familial pressure and influence. Moreover, International conventions on children's rights state that providing children with care and



Data collected in 2007 indicates that the number of married Arab girls below the age of 16 reached 132 versus 11 Jewish girls; the number of married Arab girls below the age of 17 reached 1129 versus 246 Jewish girls while the number of married Arab girls below the age of 18 reached 1380 versus 963 Jewish girls.

This data does not reflect what happens in reality since marriages below the age of 17 are not registered in the Ministry of Interior until the married girl reaches the age of 17. It is worth indicating that the law is not being enforced by the State institutions and offenders are not being punished. As these marriages' contracts are not filed in the Ministry of Interior, they are not easily detected. However, the State is capable of providing alternatives to the enforcement of the law; for example offenders can be captured and fined when approaching the Ministry of Interior to register the marriage officially as the girl reaches the age of 17. One would also follow up on girls' dropout from school in order to marry; this could be accomplished through the aid of the attendance clerk and would contribute to preventing early marriages.

It is noteworthy that according to the law, dissolution of marriage can be requested by: the minor who was forced into marriage- provided that the lawsuit is filed before the minor reaches the age of 19, the minor's parent or custodian- provided that the lawsuit is filed before the minor reaches the age of 18 or the youth officer- provided that the lawsuit is filed before the minor reaches the age of 18.

During the 16<sup>th</sup> and 17<sup>th</sup> sessions of the Israeli Parliament a bill was introduced to raise the marriage age to 18. The Working Group on Equality in Personal Status Issues launched a broad campaign and initiated a lobbying & advocacy process to support the bill; however, it was not passed. Similar bills have been introduced to the current Knesset's Speaker by four different Parliament members asking for law amendment. It is noteworthy that the religious political parties are opposed to the amendment; therefore it will not be easily passed and approved.

### ***Polygamy:***

Although the International Convention on the Elimination of Discrimination against Women has not addressed Polygamy directly, the CEDAW states that polygamy violates the sixth section of the international convention relating to the right of women to equality with men in marriage and family life. For the CEDAW, Polygamy is also considered a financial and mental burden laid on women and their children; therefore it requested from states that have ratified the convention to limit and ban this phenomenon<sup>60</sup>.

---

protection is a must. Therefore, placing the heavy burden of matrimonial life on children is completely contrary to the international conventions and the care that children should be provided with. See article 18 (Section 1) of the International Convention on the Rights of the Child.

<sup>60</sup> General Recommendation 21 (13th session, 1994).

The Israeli law forbids polygamy considering it a criminal offense. Article 176 of the penal code for the year 1977 states that the maximum penalty in polygamy case is five year imprisonment. Polygamy is practiced nationwide, but is mainly spread in the Negev reaching a rate of 20-30%<sup>61</sup>. The survey conducted by Tsvikel & Barak from Ben Gurion University in Beer Sheva' included a sample of 202 Bedouin women whose ages range between 22- 75 years old; it was found that 35% of the women are married to polygamists.

Comparisons<sup>62</sup> conducted between the Sharia court of Beer Sheva and other Sharia courts in the country, from 2000 till 2004, found that while the latter granted a few permits for polygamy, permits issued by the Beer Sheva Sharia court reached a rate of 66%. This means that the Sharia' court of Beer Sheva grants marriage permits to the vast majority of Polygamy cases.

This data demonstrates that the State and its institutions aren't adopting a serious approach towards reducing this phenomenon and developing tools to handling it. The State's main claim is its inability to detect these multiple marriages as the second marriage is not officially registered in the Ministry of Interior. In certain cases, the man divorces his first wife, issues a divorce certificate and then remarries her without notifying the official authorities. He later takes another wife to avoid legal accountability. The State seizes this opportunity to deprive divorced women of the National Insurance benefits.

The State is capable of detecting cases of polygamy even if the other marriages aren't registered in the Ministry of Interior. For example, the National Insurance Institute invests much effort to obtain data about all wives in order to reduce their eligibility for different kinds of pensions. In this respect, a petition against the Israeli National Insurance Institute was presented to the High Court 1480/2010 by women organizations. The petition is being reviewed by court; no court decisions have been made yet to resolve this problem or issue interim orders.

The National Insurance Institute has a lot of information and data concerning polygamy in the Bedouin society. On one hand, the law on guaranteed minimal income (1980) does not take into consideration family units with more than one wife. The GMI pension is paid to the family according to the eligibility conditions met by resident and his/her spouse. According to the GMI law, the definition of spouses is "A man and a woman known publicly as spouses who live together". On the other hand, the National Insurance Institute provides guaranteed minimal income to "extended families" with more than one wife.

Petition: The National Insurance GMI law concerning extended families demonstrates that this institute, which represents the State, recognizes the existence of two wives within the same household. The law content states that if the National Insurance Institute provides evidence concerning the existence of extended families, where two women live with the same spouse in the same household, it deprives the women of their GMI pensions, that are replaced by small amounts of money granted as GMI for extended families. This results in losing hundreds of

---

<sup>61</sup> A report prepared by Orly Lotan from the Knesset Research and Information Center, and presented to the Committee on Advancing the Status of Women, 2006.

<sup>62</sup> Abu Rabe'a, Rawia ( 2008). Excluded Forcefully: Bedouin Women and the Polygamy Phenomenon in the Negev. Published on the electronic page of Adala's newsletter, edition 55, January 2008.

shekels a month. In other words, the State recognizes polygamy to lower the costs of pensions provided by the National Insurance Institute.

The State refuses to publish reports concerning the scope of this phenomenon that has been recognized within the framework of the extended family law. It also refuses considering polygamy a negative phenomenon harming and disrupting the lives of nearly 50% of the Bedouin women in the Negev. Depriving women of the GMI pensions forces them into poverty and hunger; they are forced into the polygamy experience, and they generally suffer from economic negligence resulting from their husbands' second marriages.

The petition indicates that according to the data collected in May 2006, nearly 930 families (of the total population) received GMI pensions allocated to extended families. The National Insurance Institute stated that information concerning extended families was not passed to the other authorities. This is considered participation in the polygamy offense and violation of the reporting obligation, committed by a governmental authority.

According to legislation, the National Insurance Institute has vast authority; it trains investigators and inspectors on setting the eligibility criteria concerning GMI pensions allocated to individuals and extended families. The information available to the National Insurance institute concerning polygamist marriages is precise; however, this authority does not cooperate with other governmental offices (reporting obligation).

The eligibility criteria ignore the cultural values (mainly concerning managing a common household in polygamist families). This creates severe social problems as a lot of women don't receive financial support from the children's father and are not recognized separate family units eligible to receiving GMI pensions. This results from setting criteria that is not suited to their unique lifestyle.

These recommendations were included in the paper resented by the Working Group on Equality in Personal Status Issues to the current Knesset Committee on Advancing the Status of Women, in a special session held on February 23, 2010 to discuss the means for reducing this phenomenon. It's worth indicating that the Working Group on Equality in Personal Status Issues emphasized that the State's fight against the polygamy phenomenon is not limited to legal prohibition. Other prevention strategies should be developed; for example, educational programs for school girls and their families to raise their awareness concerning the psychological and material risks and implications of polygamy on women and children.

The State's intervention to reduce the phenomenon can be implemented in different ways:

1. Law enforcement when a lawsuit is filed by the woman and non-closure of legal cases;
2. Women empowerment through economic independence and provision of educational and employment opportunities. This enhances women's status and prevents them from entering the polygamist system;
3. Appealing to the police system and the State attorney for the implementation of the criminal law prohibiting polygamy in Israel;

4. Dissemination of data among the State's institutions;
5. Allocating budgets and resources to fighting this phenomenon,

Law enforcement and legal complaints aim to deter potential offenders from violating the law.

*This response was prepared by the Working Group on equality in Personal Status issues and Ma'an – The Forum of Arab women's Organizations in the Negev*

## **Annex I :**

### **Members of the working group on the Status of Palestinian women citizens of Israel**

#### **Adalah – The Legal Center for Arab Minority Rights in Israel**

Adalah (“Justice” in Arabic) is an independent human rights organization and legal center. Established in November 1996, it works to promote and defend the rights of Palestinian Arab citizens of Israel, numbering 1.2 million people or close to 20% of the population, and Palestinians living in the Occupied Palestinian Territory (OPT). Adalah seeks to achieve equal individual and collective rights for the Palestinian Arab minority in Israel in the following major fields: land and planning rights; civil and political rights; economic, social and cultural rights; and prisoners’ rights. It also defends the human rights of Palestinians living under occupation based on international law.

#### ***Contact Information:***

*Rina Rosenberg, International Advocacy Director*  
*Adalah – The Legal Center for Arab Minority Rights in Israel*  
*94 Yaffa Street, P.O. Box 8921, Haifa 31090, Israel*  
*Tel: (972)4 950-1610*  
*Fax: (972)4 950-3140*  
*Email: [rina@adalah.org](mailto:rina@adalah.org); <http://www.adalah.org>*

#### **Al-Tufula: Pedagogical and Multipurpose Women’s Center**

Al-Tufula is a non-profit independent organization founded in 1984 by Palestinian women citizens of Israel in order to develop Early Childhood Education for Palestinian children in Israel and to improve the status of Palestinian women. It serves the Palestinian citizens of Israel and networks with regional Arab organizations as well as international groups on specific issues. Al-Tufula uses different strategies to reach its goals: it develops human resources as well as material resources (to date 15 different books were published in Arabic and several articles in English, German, Arabic, and Hebrew); trains women on CEDAW and its mechanisms; networks, advocates, and lobbies on a variety of women’s rights issues; and works with Palestinian women partners from Jordan, Lebanon, Gaza, and the West Bank (ie., Research and Training on Lobbying and Advocacy women empowerment projects in the newly recognized villages, the Equality between the sexes project, etc.)

**Contact Information:**

*Nabila Espanioly, Director*

*PO Box 2404, Nazareth, 16000. Israel*

*Tel: (972) 4 656-6386*

*Email: [altufula@rannet.com](mailto:altufula@rannet.com)*

*Website: <http://www.tufula.org> (Arabic)*

**Al-Zahraa: Organization for the Advancement of Women**

Al-Zahraa: Organization for the Advancement of Women, established in 1997, is a non-governmental, non-profit organization in Sakhin, Israel. The organization was founded by a group of Arab women activists and leaders from the Galilee who aimed to improve the lives of Arab women in Israel. After more than 13 years of work experience, Al-Zahraa has grown into an organization recognized for working to ensure the basic human rights of Arab women inside Israel. Al-Zahraa aims to raise awareness regarding issues of democracy, promotion of human rights and civil society, and encourage women to play a vital role in civic society and decision-making structures since they can function as local change agents in their communities. Al Zahraa seeks to achieve its goals through research, publications, training, workshops, activism and networking. Among its main activities include the implementation of empowerment and training workshops for women, implementation of vocational training courses for women in the fields of accounting, computers, languages, etc, participation in various forums and coalitions in order to raise the issue of Arab women's rights to the public agenda and raise awareness regarding problems that Arab women face among the wider public, organization and implementation of various study days and conferences to empower women and raise awareness regarding specific problems and issues facing Arab women.

**Contact Information:**

*Wafaa Shaheen, Director*

*P.O.B.3756, Sakhmin, 30810, Israel*

*Tel: +972-(0)4-6747148*

*Fax:+972-(0)4-6747686*

*Email: [alzahraa1997@gmail.com](mailto:alzahraa1997@gmail.com)*

## **Assiwar - The feminist Arab Movement in Support of Sexual Abuse Victims**

Assiwar, the Feminist Arab Movement in Support of Victims of Sexual Abuse that struggles against oppression in all its forms and shapes: patriarchal, economical, national and ethnical.

Assiwar is a registered as a Non Governmental Organization (NGO) that provides services to the Arab Palestinian population nationwide.

Over the years we recognized that an integral part of achieving long-term change is to raise public awareness, educate, advocate, and network on issues related to violence against women and feminist gender issues. Assiwar is a unique feminist, learning organization that counts with many years of experience. Our mission is to assist Arab-Palestinian survivors of violence, to promote gender equality, and to resist all kinds of oppression from a feminist-Palestinian perspective. Our programs include:

- *Direct Support to Victims of Sexual Violence* through our 24-hour hotline, direct counselling and guidance to victims and their families.
- The *School Education Program* promotes gender equality in Arab-Palestinian schools in Israel, based on mutual respect and maintaining human values and rights. We focus on gender violence and sexual abuse.
- The *Feminist Awareness Raising and Educational Activities Program* aims to change general attitudes and to free women from the oppression that prevents them from taking steps to overcome the effects of abuse.
- Assiwar has strong relations with feminist groups locally and internationally and is part of different *networks and coalitions* such as the Committee for Equality on Personal Status that works on issues like polygamy and child marriage.

### **Contact Information:**

Layla Hasan, Coordinator Direct Support to Victims of Sexual Abuse Program

Address: 7Itzhak Sade St., P.O. Box 44803 Haifa

Tel: 972-4-8536378

Mobile: 972-4-544-852200

E-mail: [shamsalma@gmail.com](mailto:shamsalma@gmail.com)

Website: [www.assiwar.org](http://www.assiwar.org) .

## **AWC - Arab Women in the Center**

**AWC - Arab Women in the Center** is non profit organization, whose primary goal is to promote the life and welfare of Arab Palestinian women and young ladies in the center of the Israel, as well as creating a fight against the phenomenon of violence against women and girls for family honor.

### **Goals and Objectives:**

- Promote women and young ladies in the Arab society in mixed towns.

- Struggle through education against the phenomenon of violence against women within the Arab family and society frame, particularly the murder of women on the grounds of what is called "Family Honor".
- Act for raising awareness of women and youth of the fields related to woman status, gender equality and human rights.

**Contact Information:**

*Samah Salyameh-Egbarya - Founder and Director of AWC*

*Tel: 0549792389*

*Email: Samah44@gmail.com*

**Kayan: A Feminist Organization**

Kayan is a feminist organization that aims to put feminism and women's status on the Palestinian social agenda and to create an alternative dialogue about Palestinian women. The organization works on two levels - reaching out to individuals to change attitudes about women and intervening in the community and institutional levels to change conditions for Palestinian women and girls. Amongst its activities, Kayan lectures in schools and community centers to parents, students and staff; runs groups for women and girls to develop themselves as leaders; organizes cultural and academic lectures and discussion groups as well as workshops and study days.

**Contact Information:**

*Rula Deeb, Director*

*118 Arlozorov St. Haifa. Israel. Tel: (972) 4 864-1291*

*Fax: (972) 4 864-1072*

*E-mail: [Kayan@netvision.net.il](mailto:Kayan@netvision.net.il)*

*Website: <http://www.kayan.org>*

**Maan: the Union of Bedouin Women's Organizations in the Negev**

Maan was formed in 1999 by women's organizations in the Negev in order to gather more support from and have more strength in the community in the struggle for equal rights. The Forum aims to promote the status of women in the Bedouin community and in Israeli society; to empower and develop women's leadership; to encourage women's involvement in their own communities; to promote women's organizations and aid to individual women in the



community; to develop contacts between Bedouin women from different tribes in the Negev; and to network with other women's organizations in Israel and internationally.

Since its establishment, four intensive workshops have occurred, in which 25 women - all representatives from the organizations in the Negev- have participated. The Forum was officially recognized as a Non-profit association (Amuta) in July 2001.

**Contact Information:**

*Safa Shehada, Coordinator*

*PO Box 3412, BeerSheva, Israel*

*Tel: (972) 8 6288599*

*Fax: (972) 8 644 4213*

*E-mail: [maanegev@walla.co.il](mailto:maanegev@walla.co.il)*

***Mada al Carmel – the Arab Center for Applied Social Research***

The Gender Studies Project (GSP)

The Gender Studies Project is a part of Mada al Carmel – the Arab Center for Applied Social Research. The Gender Studies Project seeks to support and empower researchers to apply Palestinian, critical, postcolonial, and feminist perspectives to the study of Palestinian women's realities in Israel. The Gender Studies Research Project hopes to promote gender equality for Palestinian women in Israel and to fill the scholarly void in knowledge about these women's social, cultural, historical, legal, political, and economic circumstances. The project aims to cultivate a community of Palestinian academics that will research, train, and lecture about gender-sensitive social issues and activities. On the one hand, the Project will critically examine the Zionist-colonialist role of the Israeli state in order to expose the policies that maintain and perpetuate the subjugation of Palestinian women in Israel. On the other hand, the Palestinian patriarchal ideologies which also sustain women's inferior status will be examined. The Project will simultaneously examine the ways that these two structures serve to reinforce one another.

**Objectives**

The Gender Studies Project objectives are to:

- produce research publications such as scholarly papers, books, annotated bibliographies, position papers and information booklets;
- disseminate critical, high quality research about Palestinian women to scholars, NGOs, policymakers, the media, and other interested parties;
- provide financial support, academic resources, social science training and public visibility to both new and established feminist scholars;

- connect and facilitate Palestinian gender discourse with national, regional and international gender discourse; and
- Collect and make available studies, documents, films, and other historical and cultural artifacts pertaining to Palestinian women in Israel.

**Contact Information:**

Contact Person: *Himmat Zu'bi*

Email: [Himmat@mada-research.org](mailto:Himmat@mada-research.org), [madaalcarmel@mada-research.org](mailto:madaalcarmel@mada-research.org)

Tel: + 972 4 8552035

Fax: + 972 4 8525973

**Mossawa Center**

The Mossawa Center aims to promote the economic, social, cultural and political rights of the Palestinian citizens in Israel, and the recognition of this community as a national indigenous minority, with their own national, cultural and historical distinctiveness. The Center develops programs to promote a democratic society, and acts against all forms of discrimination based on race, nationalism, religious affiliation, social status, gender and disabilities.

In advancing its mission of rights attainment, the Mossawa Center utilizes various methods, including advocacy in the Israeli Knesset (Parliament) and government, socio-economic research and analysis, public information campaigns, capacity building with a broad network of Arab NGOs, and cooperative work with local councils as well as Israeli based and international NGOs.

To achieve its goals and establish a solid network, the Mossawa Center cooperates with other NGOs, local councils and elected representatives, as well as international and local human rights organizations and embassies. The Center's staff is involved in every aspect of programming, including advocacy, analysis, outreach, promotion of public knowledge, social and political justice and change — including the improvement of the status of women.

**Information contact:**

*Adella Biadi-Shlon, Deputy Director & Project Manager*

*Addresses: 5 Saint Luke's St., P.O. Box 4471, Haifa, 31043 Israel*

*Phone: (+972) 4-855-5901\2*

*Fax: (+972) 4-855-2772*

Email: [mosawa@rannet.com](mailto:mosawa@rannet.com) , [adella.mossawa@gmail.com](mailto:adella.mossawa@gmail.com)

Website: [www.mossawa.org](http://www.mossawa.org)

## **Muntada**

Muntada - The Arab Forum for Sexuality, Education and Health - is a national organization committed to the social development of Palestinian society, by addressing educational and counseling needs as they relate to sexuality and reproductive health. Regarded locally as a major professional and intellectual nexus in the field of human sexuality, Muntada is also dynamically building connections with Arab and international networks in this field that share the principles of universal human rights and sustainable development.

### **Contact Information:**

*Safa Tamish – Director*

*M Phone : +972 54 3302209*

*Tel : +972 4 853 8814*

*Fax: +972 4 853 8815*

*Email: [safa@jensaneyya.org](mailto:safa@jensaneyya.org)*

*Website: [www.jensaneyya.org](http://www.jensaneyya.org)*

## **Sidreh**

Sidreh is a nonprofit organization established in 1998 to empower, represent and improve the socio-economic situation of Bedouin women. Sidreh works towards achieving gender equality, integration, and prosperity in the region. Sidreh focuses its work on 4 main strategic objectives:

- Improve women's employment opportunities and economic development
- Overcome the various types of illiteracy, ensuring access to continuing education for adult women
- Increase woman's visibility, equality and participation in all aspects of community life, while improving their self confidence and leadership skills
- Representing Bedouin women in different national and international scenarios, while enhancing women's capacity to advocate for their rights

Sidreh works in the Naqab where 190,000 Bedouins live under extremely challenging conditions, with inadequate housing and a shortage of public services. Women are particularly vulnerable, as they often face the harsh patriarchal traditions of their community. Women are confined to the domestic and private domain and traditions such as polygamy are still common.

Sidreh's target population is perhaps the most unprivileged, presenting the highest illiteracy rate and alarmingly low education levels.

Since its establishment, 10 years ago, Sidreh has provided women with tools to engage the modern world, offering literacy training, recreation, continuing education, and empowerment opportunities to more than 10,000 women. It also plays an important role in advocating women's rights, representing the villages, and influencing the Regional Agenda.

**Contact Information:**

*Program manager:* Hannan Alsanah

*Executive Director:* Khadra Elsaneh

*Address:* P.O.B.ox 1588, Omer 84965

*Tel:* 08-6513024

*Fax:* 08-6513031

*E-mail:* [sidreh@gmail.com](mailto:sidreh@gmail.com)

*Website:* [www.lakiya.org](http://www.lakiya.org)

## **The Working Group for Equality in Personal Status Issues**

*The Working Group for Equality in Personal Status Issues* ("the Working Group") is a coalition of the leading Palestinian women's organizations and other human rights groups in Israel that works to reform the status of Palestinian women citizens of Israel under the country's personal status (or "family") laws, and their related social and religious codes. The Working Group works in 5 key areas: (1) changing legislation and challenging institutional regulations in order to enable Palestinian women access to secular liberties; (2) reforming the religious courts to ensure that they are equitable and accessible to the needs of women; (3) training service-providers and working to reform institutional services for these women; (4) raising awareness and conducting social campaigns against such prevalent phenomena as polygamy and underage marriage; and (5) conducting action-based research to inform both policy-makers and programs.

The Working Group was formed in 1995 (initially as a limited-term partnership) to promote an amendment that would ultimately grant these women the same access as their Jewish counterparts to (the undoubtedly more equitable) civil family courts for a wide range of personal status issues. With the final ratification of Amendment 5 to *The Law of Family Courts* in November of 2001 (arguably one of the most significant legislative advance for Palestinian women citizens of Israel) a decision was taken to continue the Working Group's activities, given the exhaustive amount of concentrated work required before full use of these new rights and options could become normative among Palestinian women citizens.

The Working Group's current membership includes: The Association Women Against Violence, *Kayan: Feminist Organization*, *The Association for Civil Rights in Israel*, *Assiwar*, *Al Tufula Center*, *Al-Zahraa*, and *Ma'an: Forum for Bedouin Women's Organizations*.

**Contact Information:**

*Heba Yazbak: Coordinator*

*Address: Nazareth*

*Tel: 04-6462138*

*Fax:04-6553781*

*E-mail:p.status@gmail.com*

*Website: [www.pstatus.org](http://www.pstatus.org)*

**Women Against Violence (WAV)**

Women Against Violence is a non-profit, independent organization founded in 1992 by a group of professional Arab women alarmed by incidences of violence against women and the lack of services to help them. Women Against Violence aims to raise the social and legal status of Arab women and to eliminate all forms of violence against them. WAV also seeks to address the paucity of support services for abused Arab women in Israel. WAV established the first full-service Arabic crisis hotline in Israel (the second Arabic language hotline in the country), and Israel's first shelters and halfway houses for Arab women and girls. It also provides a myriad of other programs such as the Raising Awareness program, which educates professionals, women, and students on issues of women's rights and gender equality, publishes and distributes information pamphlets, and participates in a number of coalitions including the Working Group on Personal Status Issues. The organization's expertise is often sought after by women's organizations in the Middle East and Europe, including Egypt, Jordan, and Ireland, and has participated throughout the years in a number of international conferences.

**Contact Information:**

*Aida Touma-Suliman, Director*

*PO Box 313*

*Nazareth 16000*

*Israel*

*Tel: (972) 4 646-2138*

*Fax: (972) 4 655-3781*

*E-mail: [info@wavo.org](mailto:info@wavo.org); [aida@wavo.org](mailto:aida@wavo.org)*

*Website: <http://www.wavo.org>*

### *Yasmin Al-Nagab for the Health of Women and the Family*

In 2007 a group of Bedouin-Arab women from the Negev, Israel's southern semiarid region, founded Yasmin AlNagab for the Health of Women and the Family. Yasmin AlNagab is the only NGO in Israel dedicated to improve the availability, cultural compatibility and accessibility of health and health rights issues for the Arab population in the Negev, with an emphasis on Bedouin-Arab women

Our vision is to empower and educate Bedouin-Arab women so they can create a social change that will impact on the overall health of the Bedouin-Arab population of the Negev. Knowledge is power, so we aim at making knowledge accessible. We use lobby, advocacy, and training programs to help Bedouin-Arab women obtain the tools they need to fulfill their rights.

Yasmin AlNagab leaders are a group of strong local Bedouin-Arab women who know their dire health situation, identify the needs of the Bedouin-Arab community, and are proven change agents. Most of us are health professionals in the Negev many years. All our programs are based on principles of empowerment, community partnership, cooperation and respect for the culture of the women of the community.

#### **Contact Information:**

*Heiger Abu-Shareb, Executive Director (Arabic)*

*Orly Almi, Development Director (English)*

*Address: P.O. Box 3549, Be'er-Sheva 84135, Israel*

*Fax: +972-8-6239714*

*Mobile: Heiger +972-52-2196999 \ Orly +972-52-4457543*

*Email: [yasminegev@gmail.com](mailto:yasminegev@gmail.com)*