



# Economic and Social Council

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

### Summary record of the 37th meeting

Held at the Palais Wilson, Geneva, on Thursday, 3 October 2019, at 10 a.m.

*Chair:* Mr. Zerbini Ribeiro Leão

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### Consideration of reports (*continued*)

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

*Fourth periodic report of Israel (continued)*

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*The meeting was called to order at 10.05 a.m.*

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

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

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

1. *At the invitation of the Chair, the delegation of Israel took places at the Committee table.*
2. **Mr. Milikovsky** (Israel) said that a petition was pending before the High Court of Justice with regard to the Deposit Law and four high court hearings had been held. The State was currently awaiting the judgment, the timing of which was at the Court's discretion. At present, his Government had no plans to amend the Deposit Law.
3. **Ms. Zanzuri Priell** (Israel) said that, although the temporary stay permits provided to persons who had entered Israel illegally did not legally grant them the right to work, the State would not conduct enforcement activities against them and their employers concerning the employment itself. Enforcement activities were, however, carried out against employers regarding employment conditions. The Population and Immigration Authority was working to change the wording on residence permits regarding the right to work for persons from Eritrea, Darfur, the Blue Nile and the Nuba Mountains.
4. **Ms. Raz Shechter** (Israel) said that her delegation would answer the Committee's questions on articles 10 to 12 of the Covenant in the light of the fact that Hamas and other terrorist groups were engaged in armed conflict against Israel. Hamas exercised de facto control in the Gaza Strip, without the consent of Israel, which therefore had no obligations stemming from the law of belligerent occupation with regard to the population of Gaza. Its obligations were limited to facilitating or allowing the entry of humanitarian assistance under the law of armed conflict. Since Hamas had taken control of the Gaza Strip, there had been a steep escalation of attacks on Israel from Gaza, including frequent rocket and mortar attacks against the civilian population. Israel was a democratic State and was trying its best to ensure human rights, including economic, social and cultural rights, for all. Although more remained to be done, it had made great progress over the years and the Committee might have been expected to focus on those rights.
5. **Mr. Katzir** (Israel) said that his Government rejected claims that Israeli military forces carried out chemical spraying within Gaza. The Israel Defense Forces did spray herbicides on Israeli soil, adjacent to the fence between Israel and the Gaza Strip, to counter the use of vegetation on the Israeli side by terrorist organizations to harbour militias or conceal munitions. Such spraying was carried out only by qualified companies, using certified herbicides approved for aerial use by the Ministry of Health and the Ministry of Agriculture and Rural Development. Measures were taken to minimize the impact of the chemicals on adjacent areas; for example, they were sprayed from a low height and due account was taken of wind conditions.
6. Because Gaza was equivalent to a hostile zone, his Government, acting in accordance with international humanitarian law, had restricted navigation in waters adjacent to the Gaza Strip, while still allowing access to fishing zones. Such restrictions were essential in view of the threats that Israel faced, including the use of fishing vessels to send terrorists into Israeli territory. Current policy restricted navigation beyond 6 nautical miles in the waters adjacent to the northern part of the Gaza Strip, while navigation was allowed up to 15 nautical miles in other areas. In deciding to impose such restrictions, the relevant authorities took account of the needs of both military forces and the civilian population.
7. The criteria for determining entry to Israel from Gaza were transparent and published on the Internet. As a general rule, foreigners did not have a legal right to enter the territory of another sovereign State, and, in light of the security situation, that was especially true with regard to the entry of persons from Gaza into Israel. However, in view

of its strong humanitarian commitment, his Government had decided to take the calculated risk of allowing entry to its territory from Gaza, primarily by those in need of medical care, as well as those visiting religious sites. In the first half of 2019, the Israeli authorities had granted over 8,000 permits allowing patients to travel from Gaza to Israel to receive medical treatment. Even so, that process had been exploited by terrorists to gain entry to Israel or to transfer money for terrorist activities. Since many Palestinians also used the process to enter Israel and stay there illegally, permits were granted strictly based on an assessment of health needs. Nonetheless, most applications received by the Israeli authorities were approved and an accessible mechanism allowed the authorities to identify emergency cases. Many applications were not even received by Israel, because Hamas did not approve them or did not pass them to the Israeli authorities.

8. Responsibility for the health situation in Gaza lay with those who controlled the area. That said, there were several dozen hospitals and clinics within the Gaza Strip, and Israel was supporting measures to further improve the situation there, including through building a new cancer hospital. It also supported the role of non-governmental organizations in providing health care and medical equipment, 4,000 tons of which had entered Israel since the start of 2019.

9. While Israel did impose restrictions on the passage of goods into Gaza, it had determined that those restrictions would be applied only after an examination of the humanitarian situation and the relevant applicable legal rules, with a view to avoiding a humanitarian crisis in the Gaza Strip. It allowed all goods to enter Gaza, except for, in most cases, dual-use materials that could be used to construct weapons. Since the cessation of hostilities with Hamas in 2014, Israel had facilitated the transfer of over 30 million tons of materials into Gaza for reconstruction purposes and over 1,000 large public projects had been approved, including for the construction of residential neighbourhoods, hospitals, schools and wastewater treatment plants. Despite Israel's best efforts, reconstruction efforts had been hindered by the actions of Hamas in Gaza and Ramallah.

10. The 1995 Israeli-Palestinian Interim Agreement on the West Bank and the Gaza Strip contained detailed provisions on the management of water and had led to the establishment of the Joint Water Committee, whose decisions, including on the drilling of wells by both Israel and the Palestinian Authority, must be reached by consensus. Even though the Palestinian side had declined to discuss any water- and sewage-related projects in the West Bank for several years, Israel had met all its obligations under the Interim Agreement, including by increasing water to Palestine and promoting international projects to improve water and sewage provision in the West Bank.

11. Israel did not carry out house demolitions as reprisals, either in the West Bank or elsewhere. However, it did, carefully and in a restrained manner, demolish the homes of terrorists as a means of deterrence, in accordance with article 119 of the Defence (Emergency) Regulations of 1945. Such demolitions were carried out after review by high-ranking military commanders and the Ministry of Defence and were subject to appeal. In some cases, the appeal courts had judged that only partial demolition was permissible, while in other cases they had reaffirmed the legality of the demolition. The proportionate use of demolition was thus legal and served as an effective deterrent.

12. The demolition of illegal structures had been upheld by several court judgments and was part of his Government's legal obligation to maintain public order, especially in Area C, which remained under its responsibility. The Israeli planning authorities in the West Bank were making ongoing efforts to promote planning and zoning for the Palestinian population in Area C; in July 2019, for example, the Israeli Cabinet had approved plans for over 700 residential units. However, progress in their development would be largely dependent on cooperation from the Palestinian side. A number of projects were also being pursued to develop public infrastructure and improve the standard of living in Area C, including the establishment of a power station in Janin.

13. **Mr. Maayan** (Israel), reiterating his comments made at the previous meeting, said that, at present, over half of the Bedouin population was living in unregulated settlements; in coming years, 60,000 residents would be regulated in their own localities. In addition, Israel was building thousands of new homes, expanding existing localities and establishing

new ones, with a view to reaching a total of 130,000 housing units. Over the previous three years, the planning and development of new neighbourhoods had increased tenfold; all were provided with water, sewage, infrastructure and other amenities to the same standards as in the rest of Israel. The full cost of developing each new settlement for 1,000 families was approximately 0.5 billion new Israeli shekels (NIS), and the State had budgeted to develop 10 or so such settlements in the next five years.

14. **Mr. Salmon** (Israel) said that Israel spent approximately 7.5 per cent of its gross domestic product (GDP) on its health-care system. It had first adopted a universal health-care coverage law in 1994 and offered a comprehensive basket of services, most of which were provided by the public system. In addition, Israel had a small yet vibrant private system, which also sold services to the public system in order to enhance overall provision. The national health scheme was reviewed every year by a public committee that discussed the introduction of new technologies and medications to the national basket of services.

15. Health-care services were provided through four health management organizations, known as “sick funds”, which were directly funded by the Government through the National Insurance Institute. All Israeli citizens were entitled to the same basic basket of services and could switch between providers twice a year. The sick funds were funded on the basis of a capitation formula, with greater allocations for those in the periphery than those in the centre of the country. The Government was very aware of the differences in health care between the centre and the periphery and was taking steps to reduce those gaps.

16. Although Israel allocated only 7.5 per cent of its GDP to health care, it still achieved high-quality indicators and was ranked by Bloomberg among the top 10 health-care systems in the world. It was also doing well in terms of life expectancy, infant mortality and cardiovascular mortality, according to statistics published by the Organization for Economic Cooperation and Development (OECD). Moreover, the country’s high population growth rate of 3.4 per cent over the previous decade, and the young age of its population – only 10 per cent of its citizens were above the age of 65 – should be borne in mind. Its national health expenditure adjusted by age was approximately 8.1 per cent, close to the OECD average.

17. One reason for the country’s relatively low number of hospital beds was that the Government was in the process of shifting towards greater use of community-based health-care services, in part to reduce the risk of hospital-acquired and other infections. Chemotherapy and genetic counselling, for example, could be offered in community-based clinics. That said, Israel also had a five-year programme to provide hospitals with an additional 3,000 beds.

18. In order to prevent magnetic resonance imaging (MRI) machines from being misused, licences to purchase such machines were granted only to public hospitals. For that reason, there were relatively few such machines in Israel, although more had been acquired in recent years, leading to a reduction in waiting times for MRI scans. Two portable MRI machines were used to provide services to patients living in rural areas, including the Negev desert.

19. The implementation of a dedicated government programme had led to a reduction in waiting times for certain surgical procedures, including cataract surgery, hernia surgery and knee replacement surgery. A division had been established within the Ministry of Health to reduce disparities in the provision of health care between the centre and the periphery of the country. In that regard, plans were in place to establish two new hospitals, one in the south and one in the north, and the provision of ambulance services was being extended. In emergency situations, civil and military helicopters were used to transport critically ill or injured persons to hospital. In order to reduce the incidence of hospital-acquired infections, a national infection control unit and registry had been established and a national audit of every hospital in the country was conducted every year. Hospitals were ranked in accordance with their ability to prevent and control infections, and the corresponding ranking table was published in the media.

20. The Government was looking into ways of tackling the high rates of infant mortality and disability among the Bedouin population, which were partly caused by congenital malformations and genetic diseases linked to consanguineous marriages. Genetic clinics all

over the country were working to address the specific health problems affecting the Bedouin community. A wide range of genetic tests, including exome sequencing, were conducted by public health-care services in order to diagnose and prevent genetic conditions. A total of 28 mother-and-child centres provided a basic level of genetic counselling to women in Bedouin communities. In addition, a mobile mother-and-child unit provided health-care services to small Bedouin settlements in remote areas. Mediators from the Bedouin community were trained to encourage Bedouin women to visit a health clinic and undergo genetic screening in the first trimester of their pregnancies. As a result of the efforts made by the Government, the infant mortality rate among the Bedouin community had fallen by over 4 per cent in the previous two decades.

21. As the Gaza Strip was still considered to be a hostile area, its inhabitants were not automatically granted permission to cross the border to access health-care services in Israel. The Palestinian authorities were legally responsible for the provision of health care in the West Bank and the Gaza Strip, and decisions to deny Palestinians permission to cross the border were generally taken by those authorities. Since April 2019, the number of authorizations issued to Palestinians seeking treatment in Israeli hospitals had fallen drastically and many cancer patients, including children, were currently unable to obtain proper treatment. Although the Israeli Government preferred Palestinian children attending hospitals in Israel to be accompanied by their mother or father, other relatives were sometimes given permission to accompany them. Under a programme established nearly 20 years previously, trainee Palestinian physicians were able to spend between one and five years in residency at Israeli hospitals. Over 200 Palestinian doctors had completed that programme, which was funded partly by charities and partly by the Government.

22. Although a universal, structured system for the provision of health care to asylum seekers and refugees had not been established, the Terem clinic in Tel Aviv provided general health care to migrants without legal status and the Gesher clinic in Jaffa provided mental health care to refugees, asylum seekers and migrants who had entered the country from Egypt. Steps were being taken to extend the services provided by both clinics to other parts of the country. A heavily subsidized programme had been set up to provide health care to the children of migrants and asylum seekers.

23. A special division within the Ministry of Health was responsible for tackling racism targeted at health-care providers and patients within the public health system. An interpretation service had been set up to facilitate access to health services for patients who did not speak Hebrew. Furthermore, regulations were being developed to ensure that all hospitals made use of interpretation services and cultural mediators. Persons who committed serious acts of racism within the health system were prosecuted.

24. **Ms. Techelet** (Israel) said that a distinction was made in government policy between homeless persons and street dwellers. The former were persons who required the Government's help to obtain access to housing, while the latter were persons whose homelessness was linked to other problems, including severe poverty, drug addiction and mental illness. The Ministry of Labour, Social Affairs and Social Services took measures to locate street dwellers, rehabilitate them and facilitate their access to all relevant forms of State support, including health care, housing support, social security and psychosocial support. In order to identify and assist vulnerable persons, the Ministry ran a number of primary-care shelters and hostels that provided long-term accommodation. In 2018, assistance had been provided to nearly 2,000 street dwellers, of whom over 200 had undergone rehabilitation programmes and over 600 were living in independent housing and receiving financial support from the Ministry of Housing. A total of 6 per cent of the persons concerned were from the Arab community.

25. **Ms. Tene-Gilad** (Israel) said that, in recent years, the Government had taken steps to expand the eligibility criteria for social housing to couples, single-parent families, persons with disabilities and the families of children with disabilities. Efforts were being made to reduce waiting times for social housing, particularly for members of the Arab community. Persons on the waiting list for social housing were entitled to receive monthly housing support payments until their housing became available. Although marriage and divorce procedures were subject to the authority of religious courts, which applied the laws of the various religious communities, all decisions taken by those courts could be appealed

before higher courts. Child guardianship and custody were regulated by the Legal Capacity and Guardianship Law, which was aimed at ensuring that the best interests of the child were upheld.

26. **Mr. Milikovsky** (Israel) said that, in May 2002, following a wave of terrorist attacks against the Israeli population, the Government had temporarily suspended the granting of legal status for the purposes of family reunification to individuals living in enemy States or areas from which terrorist activities were directed against Israel. In July 2003, the Citizenship and Entry into Israel Law had been enacted, limiting the possibility of granting citizenship or permanent residency to residents of the West Bank or the Gaza Strip, including by means of family reunification. However, the possibility of family reunification remained available for certain individuals who presented a low security risk. Palestinian women whose right to reside in Israel depended on their marriage to an Israeli citizen could apply to a humanitarian committee to continue their residency in the event that they were widowed or divorced. Although such cases were easier to resolve when a woman had children who were Israeli citizens, women who did not have children were sometimes allowed to continue their residency if they had lived in the country for a long period of time.

27. **Mr. De Schutter** said that he wished to know whether the Government had been testing nuclear weapons in the Negev desert and, if so, whether it had assessed the impact of such tests on the health of the local population. He wondered whether the establishment of the Ramat Beka Special Industrial Zone would displace members of the Bedouin community from their lands and expose them to health risks and whether any mitigation measures would be taken to protect their right to housing and health. Noting that cancer rates and radiation levels were reported to be exceptionally high in the southern West Bank, he asked whether the Government had been dumping toxic waste in that region and, if so, whether the impact of such dumping on the local population's health had been assessed.

28. **Ms. Shin**, noting that the majority of the 85,000 foreign workers in the State party were employed as caregivers, said that workers from countries that had not entered into a bilateral recruitment agreement with Israel were reportedly at risk of exploitation and abuse. In view of that situation, she wished to know how many such agreements had been established, what measures were taken to protect the rights of workers whose countries had not established such an agreement and which countries such workers came from. The Committee would welcome information on the nature of the complaints submitted by employers to the Ombudswoman for Foreign Workers' Rights and the action taken in response to such complaints. Was the Government planning to develop comprehensive anti-discrimination legislation to protect all workers, including foreign workers, against all forms of discrimination?

29. **Ms. Liebenberg** (Country Task Force) said that she wished to know whether the State party would consider amending the so-called "tender years presumption", a legal provision whereby, in the event of divorce, the custody of children under the age of 6 years was automatically awarded to the mother. The Committee would welcome information on the underlying causes behind the recent rises in the poverty rate and the inequality index. She wondered whether land claims brought by the Bedouin community in the Negev desert were considered to be valid by the Government and whether the courts ever upheld such claims. Lastly, she asked whether the Government had any plans to develop comprehensive legislation to regulate clinical trials and protect the right to health of persons participating in such trials.

30. **Mr. Kedzia** (Country Task Force) said that he would be interested to learn about the trade union freedoms enjoyed by persons of Syrian origin living in the Golan Heights.

31. Foreign caregivers continued to be required to reside in the homes of their employers. In 2016, approximately 49,000 – 58 per cent of all foreign workers – were employed in the nursing sector and 80 per cent of them were women. It would be useful to learn how the Government ensured that the Hours of Work and Rest Law 5711-1951 and other laws concerning the conditions of work were applied to live-in caregivers and how issues such as the provision of comprehensive wages, including payment for overtime and the guarantee of not less than 25 hours of weekly rest, were addressed.

32. **Mr. Abdel-Moneim** said that he endorsed what other Committee members had said concerning the Palestinian issue and Palestinian rights and that many of the issues being considered fell under the question of resources. Although it appeared to no longer be the case, Israel had once been conceived as an example of a welfare State, despite its limited means and resources, which demonstrated that being a welfare State was a matter of distribution of resources and not of wealth.

33. The delegation might consider increasing the diversity of its membership by including Bedouins when it presented its next report to the Committee.

34. **Mr. Uprimny** said that disparities in the enjoyment of the right to health among Bedouin, Jews and Arabs persisted and were reflected in the different infant mortality rates of those populations. The delegation should explain why those disparities remained and what strategies it was adopting to eliminate them.

35. **Mr. Windfuhr** said that it would be interesting to know the percentage of elderly persons in poverty. He wondered whether there was a gender pension gap and whether those who had not worked, such as married women or other individuals who had not held a job, enjoyed pension rights equally. The Committee would welcome clarification of the Government's increase of retirement benefits for persons up to 70 years old, as well as an explanation of how that was being developed and what that meant for the income for elderly people. The Committee would also be grateful for additional information on whether foreign workers, including domestic workers and Palestinians working in Israel, could obtain pensions.

*The meeting was suspended at 11.40 a.m. and resumed at 11.45 a.m.*

36. **Mr. Salmon** (Israel) said that the Government was well aware of problems related to infant mortality among the Bedouin population and was committed to reducing the infant mortality rate, including through better genetic evaluations, prenatal monitoring and better health services in general for that population. Achieving the same level of health as that of the Jewish population was not realistic for the Bedouin population, but efforts aimed at improvement were being made.

37. Regarding the issue of nuclear waste and cancer, the delegation was not familiar with the report issued by Hebron University, but the Ministry of Health regularly monitored radioactive emissions throughout the country and was not aware of the figures presented in the report. The area of Haifa Bay and Tel Aviv had the highest cancer rates, while the region of south Hebron had some of the lowest cancer rates in the country. According to figures provided recently by OECD, Israel's cancer rate and cancer survival rate figures were quite favourable. The Ministry of Health was doing what it could throughout the country to reduce the risk factors and hazards that could lead to higher cancer incidence.

38. **Ms. Tene-Gilad** (Israel) said that the State party had signed agreements with the governments of Bulgaria, China, the Republic of Moldova, Romania and Ukraine on the recruitment of foreign workers, in order to improve the employment conditions of foreign workers and the protection of their rights, as well as to reduce trafficking in persons and the dependency of foreign workers on their employers. The Government had also signed agreements with the governments of Thailand regarding workers in agriculture and of the Philippines regarding workers in nursing care, and it was working on an additional agreement with the Republic of Moldova. Furthermore, the State party paid great attention to the complaints that it received in that regard.

39. The "tender years" presumption had been addressed by many committees and bills brought before the Knesset. The objective was to reach a parental arrangement between both parents that was in the best interests of the child and to ensure that, up to a certain age, which was yet to be determined, the child would be with the mother and spend substantial time with the father. The issue was all still being addressed but the courts were increasingly giving joint custody.

40. **Ms. Levi** (Israel) said that the bulk of the protection for foreign workers who were not covered by bilateral agreements was provided through enforcement by and appeals to the responsible unit in the Population and Immigration Authority. Within the Ministry of Labour, Social Affairs and Social Service, the Administration for Regulation and

Enforcement was entrusted with enforcing 22 labour laws and regulating 5 labour laws. Foreign workers came under the Foreign Workers Law 5761-1991 and, in accordance with a 2006 regulation on permits for foreign workers, employers were obliged to obtain valid permits, which enabled the Government to monitor employers and ensure that employees' rights were being upheld.

41. The Hours of Work and Rest Law 5711-1951 did not apply to nursing staff living in patients' homes, so their breaks and overtime fell outside the scope of that regulation. However, such workers did have the right to rest and eat for 30 continuous minutes.

42. There was extensive enforcement of regulations for foreign workers. An active hotline had been established where foreign workers could ask for help, file appeals and receive information about such appeals. In 2018, 162 financial administrative sanctions, amounting to NIS 15,894,000, had been issued for violations with regard to the employment of foreign workers. In January 2019, a large conference with a focus on the rights of foreign workers had been held.

43. The delegation was not familiar with any obstacles to joining trade unions. The residents of the Golan Heights were able to unionize and could appeal to the courts if they encountered problems in doing so. Following an amendment to the Histadrut (General Federation of Laborers in Israel) Code, as of March 2010, foreign workers in Israel were able to join the Histadrut and exercise all relevant rights. Palestinians and foreign workers could also join trade unions.

44. **Mr. Salmon** (Israel) said that, although the State party did not have a major law on clinical trials in humans, the subject fell under the 1980 health law and a regulation authorized by the parliament and monitored by the Ministry of Health. Each institution in Israel had its own review board, and a supreme review board (both for general clinical trials and for genetic-related clinical trials) was based within the Ministry of Health. Sensitive clinical trials must be approved both by the institute and at the national level. There was a clear system of regulating and auditing clinical trials and examining whether they complied with legislation and regulations in force. In some instances, researchers who had not performed clinical trials properly were prosecuted.

45. **Ms. Saran** (Country Task Force) said that she would appreciate receiving data on school enrolment, disaggregated by gender, ethnicity and region, in order to gauge whether equitable opportunities were being provided to all sections of society, including minorities and vulnerable groups. In addition, it would be useful to learn why the funds allocated to education from 2008 to 2017 had remained stagnant, given that the documentation pointed to large-scale expansion and reform, and whether there had been a change in the funding for students with disabilities, in view of the increase in such students. The State party should provide additional information on whether the right to education in Israel and areas under its control had been applied uniformly and without discrimination, and in particular on why there was such a high and disproportionate dropout rate among Bedouin students and why there were such large gaps in investment and educational achievement between Arab and Jewish students. Furthermore, the State party should provide an update on the status of kindergartens that were usually used by families of asylum seekers, which were often of poor quality and unsupervised.

46. Forty-eight Palestinian schools across the West Bank, including East Jerusalem, had pending "stop work" or demolition orders owing to a lack of building permits, which were extremely difficult to obtain from Israeli authorities; another 44 were at risk of demolition; and there was a shortage of 4,000 classrooms and kindergartens in Jerusalem. The State party should indicate what steps were being taken to rectify that situation.

47. Armed and non-armed searches of Palestinian schools in the occupied territories had been an impediment to Palestinian children's right to a safe and protective learning environment. There was a shortage of school facilities in Area C. Over a third of the Palestinian communities did not have primary schools and children were forced to travel long distances and attend schools in shacks and temporary structures without heating or air conditioning, often with complete power outages. The harassment of girl children and girl students by Jewish settlers and security agencies remained a concern, and the Government should indicate if any disciplinary action had been taken against errant checkpoint officials.

48. Between 2011 and 2018, the United Nations had verified 448 violations of Palestinian children's access to education. The realization of the right to education had been compromised in Gaza since the armed conflict in 2014. Several schools had been damaged and students from Gaza had been banned from education in the West Bank. Students from Gaza, who had once represented 35 per cent of West Bank students, were almost absent from its universities. What steps were being taken to ensure Palestinian children's right to education?

49. She would be interested to learn how the State party ensured that the cultural rights of one ethnic or linguistic group were not prioritized over those of another and that no linguistic groups were discriminated against. She would appreciate clarification of the rationale behind the decision to reclassify Arabic from an official language to a language with special status, as well as details of the impact that decision was having on the cultural and linguistic rights of the Arabic-speaking population in the State party. It was unclear why the Arabic Language Academy had been allocated a budget of only NIS 1.45 million for 2019, given that around 20 per cent of the State party's population spoke Arabic.

50. The Committee would welcome details of the steps being taken by the Government to protect the cultural rights of the Arab minority, including the Bedouin community. It would also welcome information on any action taken, including the allocation of public funding, to preserve the many sites in the State party that were of cultural and historical significance to the Palestinian minority.

51. It would be useful to learn more about the measures in place to ensure that holy sites in the Occupied Palestinian Territory were protected. The delegation's comments would be appreciated regarding the accuracy of reports that restrictions of the freedom of movement continued to prevent other communities from obtaining access to, inter alia, the al-Aqsa Mosque and the Church of the Holy Sepulchre in Jerusalem, the Nativity Church and the Bilal Rabaj Mosque/Rachel's Tomb in Bethlehem and the Ibrahimi Mosque in Hebron.

52. Lastly, it would be helpful to know whether the barriers that students in the Occupied Palestinian Territory faced in obtaining access to higher education had an adverse impact on their right to the development and diffusion of science and culture.

53. **Mr. Maayan** (Israel) said that in 2017, the Government had allocated a budget of €1 billion to improving the education sector over a five-year period, including €300 million for the construction of new schools and classrooms. The Ministry of Education had already completed or almost completed the construction of approximately 1,000 new classrooms, with another 1,000 planned over the following three years. In 2018, the construction of 100 new kindergartens had enabled an additional 3,000 children in the Bedouin diaspora to receive preschool education. The Ministry of Education provided €40 million annually to regional councils for the provision of transportation services to facilitate children's access to educational facilities.

54. An additional NIS 1 billion had been allocated for the recruitment of a further 800 teachers from the Bedouin community, as well as for the implementation of measures to reduce school dropout rates and improve teacher training. The successful Gateway to Academia programme had provided support to 450 students annually during its four years of operation. Between 60 and 70 places on nursing courses were allocated annually to new students from all parts of the Negev. In recent years, additional classrooms had been constructed for approximately 30,000 students; one third of Bedouin students now attended new schools built to the highest standards. Programmes were also in place for outstanding science students and in the areas of youth leadership, business entrepreneurship, road safety and the prevention of accidents.

55. **Ms. Tene-Gilad** (Israel) said that Israel was deeply committed to the rule of law. The authorities spared no effort in investigating all complaints of ideologically motivated offences against Palestinians and prosecuting the perpetrators where appropriate. The Government operated a zero-tolerance policy with respect to so-called "price tag" attacks and had made available additional financial and human resources to tackle them. The number of such attacks had decreased significantly in the previous few years, while the number of related investigations and prosecutions had increased.

56. **Ms. Techelet** (Israel) said that five new childcare centres had opened in Tel Aviv for 700 children under the age of 3 years whose parents were migrants without legal status in Israel. Two additional centres for 50 children were due to open in the following six months. In the longer term, childcare would be provided for a total of 1,100 children. There had been some delays in the roll-out of the programme owing to difficulties in finding suitable premises and adapting them to meet the required health and safety standards. Instructors visited each centre once a week to provide training to the staff and volunteers there. The Ministry of Labour, Social Affairs and Social Services had allocated NIS 5 million to after-school clubs and programmes for children and parents.

57. **Ms. Levi** (Israel) said that in the previous three years, 13 substandard day-care centres had been closed down, including 9 for the children of foreign nationals. At 40 day-care centres, the necessary changes had been made to enable them to continue operating under the supervision of the Department of Social Services, while another 40 centres remained unrecognized.

58. **Mr. Katzir** (Israel) said that, while the Palestinian Authority was responsible for the education system in the West Bank, the Israeli authorities did everything in their power to promote education there. The Israel Defense Forces had been left with no choice but to conduct military operations in the West Bank in order to maintain security and public order, but military action in the vicinity of schools was undertaken with the utmost care. In Hebron, teachers and students at certain schools were exempt from the restrictions on movement in the area. Military forces escorted children to and from school in the Mount Hebron area.

59. The Palestinian Authority continued to encourage the illegal construction of schools and other infrastructure in the West Bank that did not conform to planning regulations. In Gaza, Hamas and other terrorist groups used schools, including those operated by the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA), to store weapons and launch rockets, thereby turning the schools into legitimate military targets. Although the Israeli authorities made every effort to avoid attacking educational facilities, it was not always possible.

60. Responsibility for many holy sites in Areas A and B of the West Bank lay in the hands of the Palestinian Authority. The Israeli authorities had made great efforts to ensure that Palestinian residents were able to gain access to those sites during religious holidays whenever the security situation allowed.

61. **Mr. Milikovsky** (Israel) said that the Ministry of Education had implemented programmes to improve equality in education and ensure that all communities had equal access to learning. The rate of eligibility for matriculation among the Arab population had risen from 60 per cent in 2016 to almost 65 per cent in 2018 and the dropout rate had decreased. The Ministry employed 743 attendance officers – 554 in Jewish localities and 189 in Arab localities – who made regular visits to schools to ensure that students continued to attend lessons. As of September 2019, 681 Arab schools were in operation. In 2018, NIS 239.3 million had been allocated to the creation of new classrooms in Arab and Bedouin localities.

62. The Government strove to encourage the development of the cultural heritage of all population groups, including the Arab population. The Ministry of Culture and Sport provided support to approximately 100 cultural projects, including in Arab, Druze and Circassian communities. Within the Ministry, the department responsible for matters related to Druze and Circassian culture promoted and developed culture and folklore, preserved cultural and ethnic uniqueness and granted financial support to cultural institutions. The budget allocated to cultural endeavours was distributed among all eligible cultural bodies, as determined by the relevant eligibility tests, without discrimination on the basis of language, geographical location or identity. A directive had been issued abolishing the two-year waiting period for financial support for new cultural institutions. The Ministry of Culture and Sport had concluded cooperation agreements to promote the languages and cultures of the population groups present in Israel and had provided NIS 1.45 million for the Arabic Language Academy, NIS 1 million to the National Authority for the Yiddish

Culture, NIS 3 million for the Druze Cultural Heritage Centre and NIS 3 million for the Ethiopian Jewish Community Heritage Centre.

63. As had been indicated by the Attorney General in a formal declaration, the Basic Law on Israel as the Nation-State of the Jewish People, which accorded special status to the Arabic language, did not derogate from any human rights obligations enshrined in other basic laws. The Government was in the process of drafting its response to the petitions lodged with the High Court of Justice regarding the Basic Law. Given that the response was not due to be filed until November 2019, it was not yet possible to provide specific answers to the Committee members' questions about it.

64. **Ms. Raz Shechter** (Israel) said that Israel was a strong democracy that faced enormous challenges with regard to terrorism and instability in the region. It was nevertheless committed to upholding international law and giving effect to human rights for all, without discrimination.

*The meeting rose at 12.55 p.m.*