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Report of the Working Group on the Universal Periodic Review*

Israel

Addendum

**Views on conclusions and/or recommendations, voluntary commitments
and replies presented by the State under review**

* The present document is being issued without formal editing.



I. Methodology and consultation process

1. The State of Israel remains committed to the Universal Periodic Review (UPR). We are very grateful for the opportunity to engage in a constructive dialogue, aimed at exploring ways to improve Israel's human rights record and to learn from the experience of other countries.

2. Accordingly, we have carefully reviewed the 320 recommendations received during our fourth UPR cycle held on 9 May 2023, which were listed in the report of the Working Group (A/HRC/54/16, paras. 39–40, hereinafter: the Working Group's Report).

3. Within the process of preparing Israel's National Report, submitted on 14 February 2023 (A/HRC/WG.6/43/ISR/1), we made great efforts to consider the views expressed by civil society organizations through the "Round Tables" project, a series of meetings held with Academia. Following the receipt of the recommendations and observations, all relevant Government Ministries were consulted with within the process of drafting the replies. As a result of these consultations, we are pleased to report that Israel has been able to support **171** recommendations, in whole or in part.

4. The present Addendum is structured in accordance with the themes used on Israel's National Report. When reviewing recommendations and observations, the State of Israel implemented the following methodology:

(a) Recommendations that the State of Israel **supported** are those recommendations that are either already implemented or which underlying spirit is supported by the State. We recognize, realistically, that we may not fully accomplish what is described in the literal sense of the terms of the recommendation but we remain committed to making serious efforts towards achieving the said goals.

(b) Recommendations that the State of Israel **supported in part** are those recommendations with which it regards itself as partly compliant, or which are supported in principle, but where the State nonetheless objects to the suggestion that its current efforts are insufficient or fall short of good practice. Israel also **supported in part** recommendations that it could not commit to in full, but whose wording could be easily split in different logical and coherent parts, as indicated in the remarks attached to them.

(c) Recommendations that Israel **noted** are those recommendations that the State cannot commit to implement at this stage for legal, policy, or other reasons. These also include recommendations made, which we categorically denounce, based on gross misrepresentation or perversion of facts.

5. In the interest of concision and efficiency, we attempted to refrain from reiterating in this Addendum issues that have already been raised in Israel's National Report and therefore it is advised to review it in conjunction with the National Report.

6. As part of the consultations that led to the Working Group's Report, the State of Israel noted seven recommendations containing the term "State of Palestine". These recommendations are referenced in paragraphs 40.1–40.7 of the Report. Israel reaffirms the decision to note these recommendations, for the reasons clearly stated in paragraph 41 of the Working Group's Report.

II. Israel's position with respect to each recommendation is as follows

International instruments

No.	Israel's Position	Rationale / Remarks
39.1	Noted	
39.2	Noted	

<i>No.</i>	<i>Israel's Position</i>	<i>Rationale / Remarks</i>
39.3	Supported	
39.4	Noted	
39.5	Supported	
39.6	Supported	
39.7	Supported	
39.8	Supported	
39.9	Noted	
39.10	Supported	
39.11	Noted	
39.12	Noted	
39.13	Noted	
39.14	Noted	
39.15	Supported	
39.16	Supported	
39.17	Supported	
39.18	Noted	
39.19	Noted	
39.20	Noted	

Engagement with United Nations agencies and bodies

<i>No.</i>	<i>Israel's Position</i>	<i>Rationale / Remarks</i>
39.21	Noted	
39.22	Supported	
39.23	Supported in part	As stated in its National Report to the 4 th UPR (pp. 9–11), Israel protests the discriminatory treatment it is afforded in the HRC and multiple international human rights <i>fora</i> . In spite of that, Israel will continue to engage with the UPR and other non-politicized human rights mechanisms and special procedures mandates.
39.24	Noted	
39.25	Noted	
39.26	Noted	
39.27	Noted	
39.28	Noted	
39.29	Noted	

<i>No.</i>	<i>Israel's Position</i>	<i>Rationale / Remarks</i>
39.30	Supported in part	See remarks on recommendation 39.23.
39.31	Noted	
39.32	Noted	
39.33	Noted	
39.34	Noted	
39.35	Noted	

Domestic legislative and structural human rights frameworks

<i>No.</i>	<i>Israel's Position</i>	<i>Rationale / Remarks</i>
39.36	Supported	
39.37	Noted	
39.38	Noted	
39.39	Supported	
39.40	Supported	
39.41	Supported	
39.42	Supported	
39.43	Supported	
39.44	Supported	
39.45	Supported	

Combatting racism, discrimination, xenophobia and anti-discrimination

<i>No.</i>	<i>Israel's Position</i>	<i>Rationale / Remarks</i>
39.46	Supported	
39.47	Supported	
39.48	Supported in part	Although the principle of equality and non-discrimination is not specifically enshrined in Israel's Basic Laws, it is an integral part of Israeli law, and as such is protected and guaranteed by the courts and promoted in every field.
39.49	Supported	
39.50	Supported	
39.51	Supported	
39.52	Supported	

<i>No.</i>	<i>Israel's Position</i>	<i>Rationale / Remarks</i>
39.53	Supported in part	Israel is committed to protect the rights of members of all communities equally and without discrimination. At the same time, it also recalls the specific legal status of non-citizens.
39.54	Supported	
39.55	Supported	
39.56	Supported in part	Israel steadfastly promotes the rights of LGBTIQ+ persons, and protects them from violence and discrimination through a variety of policies and existing legislation.
39.57	Supported	
39.58	Noted	
39.59	Supported	
39.60	Supported	
39.61	Supported	
39.62	Supported	
39.63	Supported	
39.64	Supported	
39.65	Supported	
39.66	Noted	See the general remarks in paragraph 21, below.
39.67	Supported	

Fighting terrorism within the law, investigatory safeguards against abuse and conditions in detention

<i>No.</i>	<i>Israel's Position</i>	<i>Rationale / Remarks</i>
39.68	Noted	
39.69	Noted	
39.70	Noted	
39.71	Supported in part	Israel supports the second part of this recommendation, starting at the word "guarantee".
39.72	Supported in part	Israel supports the second part of this recommendation, starting at the word "consider".
39.73	Noted	
39.74	Noted	
39.75	Noted	
39.76	Noted	
39.77	Supported in part	Although there is no specific legislation criminalizing a torture offence, acts and behaviors

<i>No.</i>	<i>Israel's Position</i>	<i>Rationale / Remarks</i>
		defined as "torture" under Article 1 of the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (hereinafter: "CAT") constitute offences under the Israeli <i>Penal Law 5737-1977</i> .
39.78	Supported in part	See the remarks on recommendation 39.77.
39.79	Noted	
39.80	Noted	
39.81	Supported	
39.82	Supported	
39.83	Supported	
39.84	Supported	
39.85	Noted	
39.86	Supported	
39.87	Supported	
39.88	Noted	
39.89	Noted	
39.90	Supported	
39.91	Supported	
39.92	Noted	
39.93	Supported	
39.94	Supported	
39.95	Noted	
39.96	Supported	
39.97	Noted	
39.98	Supported	
39.99	Noted	
39.100	Noted	
39.101	Noted	
39.102	Supported	
39.103	Supported	
39.104	Noted	
39.105	Noted	
39.106	Supported	
39.107	Noted	
39.108	Supported	

<i>No.</i>	<i>Israel's Position</i>	<i>Rationale / Remarks</i>
39.109	Noted	
39.110	Supported	
39.111	Noted	
39.112	Noted	
39.113	Noted	
39.114	Supported	
39.115	Supported	
39.116	Supported	
39.117	Supported in part	<p>Israel supports the first part of this recommendation, until the word "Convention".</p> <p>Israel is committed to upholding in full its international legal obligations. With regards to UN human rights resolutions, Israel recalls that they are not legally binding instruments.</p>
39.118	Noted	
39.119	Supported	
39.120	Supported in part	<p>As a democratic state under the constant threat of terrorism, Israel is committed to protect the security of its citizens through policies and legislation that comply with international law, including international human rights law.</p> <p>We therefore support this recommendation until the word "obligations", in the understanding that the rest is not part of the recommendation but an expression of concern by the recommending state.</p>
39.121	Noted	

Justice system and rule of law

<i>No.</i>	<i>Israel's Position</i>	<i>Rationale / Remarks</i>
39.122	Supported	
39.123	Supported	
39.124	Supported	
39.125	Supported	
39.126	Supported	
39.127	Supported	
39.128	Supported	
39.129	Noted	
39.130	Supported	

<i>No.</i>	<i>Israel's Position</i>	<i>Rationale / Remarks</i>
39.131	Noted	
39.132	Noted	

Civil society

<i>No.</i>	<i>Israel's Position</i>	<i>Rationale / Remarks</i>
39.133	Supported	
39.134	Supported	
39.135	Supported	
39.136	Noted	
39.137	Supported	
39.138	Supported	
39.139	Supported	
39.140	Supported	
39.141	Noted	
39.142	Supported	
39.143	Supported	
39.144	Supported in part	Israel supports the first part of this recommendation, until the word "Israel".
39.145	Supported	
39.146	Supported	
39.147	Supported	
39.148	Supported in part	Israel supports the first part of this recommendation, until the word "association".
39.149	Supported in part	Israel supports the first part of this recommendation, until the word "journalists".
39.150	Supported	
39.151	Supported	
39.152	Noted	
39.153	Noted	
39.154	Supported	
39.155	Noted	
39.156	Noted	

Freedom of religion

<i>No.</i>	<i>Israel's Position</i>	<i>Rationale / Remarks</i>
39.157	Supported	
39.158	Supported	
39.159	Supported	
39.160	Noted	
39.161	Noted	
39.162	Noted	
39.163	Supported	
39.164	Supported	
39.165	Supported	
39.166	Supported	
39.167	Supported	
39.168	Supported	
39.169	Supported	
39.170	Noted	Israel is fully committed to respecting and upholding the <i>status quo</i> in the holy sites. However, it is unclear what situation the word "historical" refers to in the recommendation.
39.171	Supported	
39.172	Supported	

Freedom of expression and privacy

<i>No.</i>	<i>Israel's Position</i>	<i>Rationale / Remarks</i>
39.173	Supported in part	Arrangements for requests of exemption from military service for reasons of conscience are well known to security service candidates, and information about the Committee of examination of requests for exemption for reasons of conscience is published on the IDF website, including its mode of operation. However, the IDF does not publish campaigns to encourage referrals to the committee.
39.174	Noted	
39.175	Noted	

Economic, social and cultural rights, and protection of the environment

<i>No.</i>	<i>Israel's Position</i>	<i>Rationale / Remarks</i>
39.176	Noted	
39.177	Noted	
39.178	Noted	
39.179	Supported	
39.180	Supported	
39.181	Supported	
39.182	Supported	
39.183	Supported	
39.184	Noted	
39.185	Supported	
39.186	Noted	
39.187	Supported	
39.188	Noted	
39.189	Supported	
39.190	Supported	
39.191	Noted	

Gender equality, and combating discrimination and violence against women and girls

<i>No.</i>	<i>Israel's Position</i>	<i>Rationale / Remarks</i>
39.192	Supported	
39.193	Supported	
39.194	Supported	
39.195	Supported	
39.196	Supported	
39.197	Supported	
39.198	Supported	
39.199	Supported	
39.200	Supported	
39.201	Supported	
39.202	Supported	
39.203	Supported	
39.204	Supported	

<i>No.</i>	<i>Israel's Position</i>	<i>Rationale / Remarks</i>
39.205	Supported	
39.206	Supported	
39.207	Noted	See the general remarks in paragraph 21, below.
39.208	Supported	
39.209	Supported	
39.210	Supported	
39.211	Supported	
39.212	Supported	
39.213	Supported	
39.214	Supported	

Rights of the child

<i>No.</i>	<i>Israel's Position</i>	<i>Rationale / Remarks</i>
39.215	Supported	
39.216	Supported	
39.217	Supported	
39.218	Supported	
39.219	Supported	
39.220	Supported	
39.221	Supported	
39.222	Supported	
39.223	Supported	
39.224	Supported	
39.225	Supported	
39.226	Supported	
39.227	Supported	

Rights of older persons and persons with disabilities

<i>No.</i>	<i>Israel's Position</i>	<i>Rationale / Remarks</i>
39.228	Noted	
39.229	Supported	
39.230	Supported	
39.231	Supported	

<i>No.</i>	<i>Israel's Position</i>	<i>Rationale / Remarks</i>
39.232	Supported	
39.233	Supported	
39.234	Supported	

Minority rights

<i>No.</i>	<i>Israel's Position</i>	<i>Rationale / Remarks</i>
39.235	Supported	
39.236	Supported	
39.237	Supported	
39.238	Supported	
39.239	Supported	
39.240	Noted	

Ensuring the rights of LGBTIQ+ persons

<i>No.</i>	<i>Israel's Position</i>	<i>Rationale / Remarks</i>
39.241	Supported	
39.242	Supported	
39.243	Supported	
39.244	Supported	
39.245	Supported	
39.246	Supported	

Immigration and asylum matters

<i>No.</i>	<i>Israel's Position</i>	<i>Rationale / Remarks</i>
39.247	Supported	
39.248	Supported	
39.249	Supported	
39.250	Noted	

Israel and the Palestinian Authority

7. Israel recognizes the need to continue its dialogue with the Palestinian Authority and is committed to continue engaging bilaterally with the Palestinian side, including on human rights issues, with the hope of achieving a lasting solution to the Israeli-Palestinian conflict.

8. However, Israel does not consider that the UPR is the proper setting to address issues concerning the West Bank or the Gaza Strip, which are addressed in the context of a bilateral process, and is unable to support recommendations that disregard the legal framework applicable to these territories.

<i>No.</i>	<i>Israel's Position</i>	<i>Rationale / Remarks</i>
39.251	Noted	
39.252	Noted	
39.253	Noted	
39.254	Noted	
39.255	Noted	
39.256	Noted	
39.257	Noted	
39.258	Noted	
39.259	Noted	
39.260	Noted	
39.261	Noted	
39.262	Noted	
39.263	Noted	
39.264	Noted	
39.265	Noted	
39.266	Noted	
39.267	Noted	
39.268	Noted	
39.269	Noted	
39.270	Noted	
39.271	Noted	
39.272	Noted	
39.273	Noted	
39.274	Noted	
39.275	Noted	
39.276	Noted	
39.277	Noted	
39.278	Noted	
39.279	Noted	
39.280	Noted	
39.281	Noted	

<i>No.</i>	<i>Israel's Position</i>	<i>Rationale / Remarks</i>
39.282	Noted	
39.283	Noted	
39.284	Noted	
39.285	Noted	
39.286	Noted	
39.287	Noted	
39.288	Noted	
39.289	Noted	
39.290	Noted	
39.291	Noted	
39.292	Noted	
39.293	Noted	
39.294	Noted	
39.295	Noted	
39.296	Supported	
39.297	Noted	
39.298	Noted	
39.299	Noted	
39.300	Noted	
39.301	Noted	
39.302	Noted	
39.303	Noted	
39.304	Noted	
39.305	Noted	
39.306	Noted	
39.307	Noted	
39.308	Noted	
39.309	Noted	
39.310	Noted	
39.311	Noted	
39.312	Noted	
39.313	Noted	
