

## ISRAEL

### **CEDAW A/52/38/Rev.1 (Part II) (1997)**

132. The Committee considered the combined initial and second reports of Israel (CEDAW/C/ISR/1-2) at its 350th, 351st and 353rd meetings, on 17 and 21 July 1997 (see CEDAW/C/SR.350, 351 and 353).

133. The representative of Israel indicated that her country saw the signing and ratification of the Convention as natural and important steps in the general process of ensuring the achievement of equality between women and men. She noted that Israel attached great importance to the process of reporting to the Committee and considered the latter to be a vehicle to achieve the advancement of women.

134. The representative observed that the compilation of the report had afforded an opportunity to take a comprehensive view of the achievements in and the obstacles to the advancement of women in Israel. It had created an institutional awareness of women's social concerns and needs. Non-governmental organizations had had the opportunity to offer feedback on the report and this had led to a new forum of ongoing dialogue between government and civil society.

135. She stated that Israel placed great importance on the situation and status of women in society, and noted that the issue of women's status in society had constantly been on the national agenda. A constitutional and normative infrastructure had been established and a continuous process of review and passage of legislation was taking place with regard to the status of women. Implementation mechanisms had been established and developed according to need. She noted that the process applied equally to all women in Israel - Jewish and Arab alike.

136. The representative elaborated the two parameters informing women's status. The first reflected the basic quality of women's lives, and the second involved the evaluation of participation of women in public life, the workplace, wage equity and educational opportunities.

137. She noted that discrimination against women was defined by Israel's legal system in conformity with the definition contained in article 1 of the Convention. The principle of equality was understood as being substantive and not merely formal and took into account de facto discrimination and the importance of affirmative action.

138. Legislative developments had done much to advance the status of all women in Israel and played an important role in educating the younger generation and the public in general concerning the special norms adopted for the advancement of women. The process of instilling norms and values of gender equality was an ongoing one, and several important bills in this area were at different stages of the legislative process.

139. The representative described various governmental initiatives to promote the advancement of women. Among them were the appointment of the Prime Minister's Adviser on the Status of Women, and the Knesset Committee for the Advancement of the Status of Women.

140. She indicated that education was a key factor in any real and stable change of perceptions and of gender roles. The reduction of illiteracy among women was encouraging and women's enrolment in universities was greater than that of men. Women's health was steadily improving among all population groups. Women's participation in the workforce was related to educational level and family situation but women had a greater tendency to work part time.

141. She explained that the scope of social and work-related benefits was one of the most influential factors affecting women's economic status in Israel. Maternity insurance and the system of alimony payments benefited women positively. She noted that despite the lack of sufficient data on the economic situation of single-parent families headed by women, legislation had been enacted to ensure generous support.

142. The representative described the situation in Israel with regard to marriage, age of marriage, cohabitation, child custody, property distribution, selection of family names and new reproductive technologies. She stated that much progress had been made with regard to gender-based violence in Israel. There had been legislative developments, to which the work of several investigative and reform committees had contributed extensively, as well as practical developments.

143. There was a lack of concrete data and information on the issues of prostitution and exploitation of women and the Israeli legal framework took an abolitionist approach to prostitution. The representative drew the Committee's attention to the position of certain groups of women in Israeli society, including Bedouin women and women immigrants from the former Soviet Union and Ethiopia.

144. She stated that social patterns, gender roles and stereotyping affected the advancement of women in any society. Women's involvement in the media was an example of this; the position of women vis-à-vis the Israeli media was inconsistent. Although employment of women in the media and coverage of certain women's issues were increasing, stereotyping of women as sex objects and victims continued to some extent.

145. While there had been little progress in the advancement of women at the national political level, women's participation in local politics was more positive. Women's participation at the senior levels of government and the civil service had shown gradual improvement as well. Following enactment of the relevant legislation, the introduction of affirmative action into the boards of directors of government companies and into the civil service had contributed significantly to the advancement of women.

146. The representative concluded by drawing the Committee's attention to the employment of women in the security and defence forces. That participation had received extensive attention and been the subject of debate because of the important social role played by army service in Israeli society. The "glass ceiling" phenomenon could be seen in the defence forces, with women's promotion taking, on average, nine months longer than that of men.

Concluding comments of the Committee

Introduction

147. The Committee thanked the State party for its very comprehensive and frank report, which dealt with all the articles of the Convention from both the juridical and the sociological perspectives. It also appreciated the high level of the delegation and complimented the representative of the State party for her lucid presentation.

148. The Committee appreciated the fact that the report was submitted on time and followed the Committee's guidelines.

149. The Committee was pleased that non-governmental organizations had been given an opportunity to consider the report and that they were able to submit supplementary reports.

150. The Committee was disturbed that all the questions put forward by members to the representatives of Israel were not responded to in the Government's written answers. The Committee is of the view that response to all the questions would have clarified issues and problems.

#### Positive aspects

151. The Committee commended the fact that Israel had developed progressive legislation as well as comprehensive programmes on violence against women and on equal employment opportunities.

152. Although equality was not part of the basic law of Israel, the Committee commended the fact that the Supreme Court could give effect to the principle of equality in its judgements.

153. The Committee noted with satisfaction that most Israeli women had a high level of education, especially at the tertiary level.

154. The Committee commended the very extensive analysis of women in the media and the programmes to reorient society against stereotypical images of women.

155. The Committee commended the existence of the compulsory National Health Insurance Law of 1995, which guarantees universal access to health care for all communities.

#### Factors and difficulties affecting the implementation of the Convention

156. The Committee considered that the fact that no basic law embodied the principle of equality or prohibited discrimination hindered the implementation of the Convention.

157. The Committee regretted the fact that Israel had maintained its reservations to articles 7 (b) and 16 of the Convention. It also regretted the fact that women could not become religious judges and that the religious laws that to a considerable degree govern family relations discriminated against women.

158. The Committee considered that the persistence of conflict and violence hindered the implementation of the Convention. Moreover, as a consequence of the ongoing conflict, much power was concentrated in the armed forces. Women, who were not represented in senior leadership in the armed forces, were discriminated against and their perspective on peacekeeping and their

negotiating skills were not utilized.

### Principal areas of concern

159. The Committee noted with concern that the Government had not formulated an overall plan or measures to implement the Convention and the Beijing Platform for Action.

160. The Committee was very concerned about the fact that there was no specific governmental machinery responsible for promoting and coordinating policies for women.

161. The Committee was concerned about the fact that non-Jewish women had worse living conditions than Jewish women. They received a lower level of education, participated less in the government service and occupied limited decision-making posts.

162. The Committee was also concerned because non-Jewish women enjoyed poorer health, resulting in very high maternal and infant mortality rates. There were also fewer employment opportunities available to them.

163. The Committee was concerned about remaining instances of polygamy, forced marriage and genital mutilation, as well as "honour killings".

164. The Committee noted with concern that a very low percentage of women occupied political decision-making posts and that the situation had barely changed over the years.

165. The Committee noted with concern that a marked disparity existed between the average earnings of women and men in many sectors and that women were also disproportionately represented in part-time employment.

166. The Committee was concerned about the fact that many more women than men worked in the informal sector and performed unpaid work, thereby prospectively limiting their access to benefits associated with the formal sector.

167. The Committee noted with concern that the public health system allocated considerable resources to in vitro fertilization, yet contraceptives were not free of charge.

168. The Committee was concerned about the fact that a large number of women were arrested for prostitution. The Committee was likewise concerned about the large number of advertisements for sex services in daily newspapers, which contributed significantly to the spread of prostitution.

169. The Committee was concerned because despite the existing legislation, cases of violence against women still occurred frequently, owing in large measure to traditional ideas of the roles of women and negative societal attitudes towards the problem of violence against women.

### Suggestions and recommendations

170. The Committee recommended that the Government of Israel should ensure that the Convention

was implemented throughout the territory under its jurisdiction.

171. The Government or the parliament should adopt an overall plan for the implementation of the Convention and the Beijing Platform for Action through specific measures and within a definite time-frame.

172. The Committee recommended that the right to equality and the prohibition of both direct and indirect discrimination against women should be reflected in a basic law.

173. The Committee suggested that in order to guarantee the same rights in marriage and family relations in Israel and to comply fully with the Convention, the Government should complete the secularization of the relevant legislation, place it under the jurisdiction of the civil courts and withdraw its reservations to the Convention.

174. The preamble to the Convention states that full development and the cause of peace require the maximum participation of women on equal terms with men in all fields. The Committee thus recommended that all necessary measures be taken to ensure peace with the full participation of all women, Jewish and Christian, Muslim and Druze alike. This was necessary to create an environment where women could enjoy their rights fully and so that equality of opportunities in economic and social development, especially of rural women, could be assured.

175. The Committee looked forward to the adoption of the bill creating the governmental machinery to be known as the "Authority on the Status of Women" and hoped that the machinery would be given sufficient resources to carry out its work.

176. The Committee recommended that measures to guarantee the exercise of human rights of non-Jewish women, including those living in the rural areas, particularly in relation to health, education and employment, should be intensified. Special measures should be taken to close the gap between Arab and Jewish schools and address the higher drop-out rates of Arab and Bedouin girls. Adequate resources should be allocated for school facilities and education opportunities, including scholarships. Further, the participation of Arab women in the civil service and in decision-making posts should be increased.

177. The Committee recommended that the Government strengthen its efforts and expand its actions to eliminate violence against women, especially violence within the family, in all communities.

178. The Committee strongly suggested that the Government of Israel take necessary steps to eliminate practices which could not be justified on any grounds, such as forced marriages, female genital mutilation, honour killings and polygamy.

179. The Committee recommended that satellite accounts should be used to evaluate the value of unpaid work and that they should be incorporated into the national accounts.

180. The Committee recommended that some of the resources allocated to the treatment of infertility should be used to study its causes and its prevention.

181. The Committee recommended that public health services supply free and accessible contraceptives.

182. The Committee requested the Government of Israel to address the following issues in its next report: the status of disabled women; how indirect discrimination in the workplace is dealt with; the leave entitlement of mothers and fathers for the birth of a child or when they have young children, and the actual use made of such entitlement; the impact on the social roles of women and men of programmes aimed at changing stereotypes; programmes for gender sensitization of the judiciary, police and health professionals; and financial support provided by the Government for all non-governmental organizations in the territory of Israel.

183. The Committee requested the wide dissemination in Israel of these concluding comments so as to make individuals aware of the steps that have been taken to ensure de facto equality for women and the further steps required in this regard.