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COMMITTEE ON THE ELIMINATION OF RACIAL DISCRIMINATION

Fortieth session

SUMMARY RECORD OF THE 929th MEETING

Held at the Palais des Nations, Geneva,  
on Thursday, 15 August 1991, at 10 a.m.

Chairman: Mr. VIDAS

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under article 9 of the Convention

Fifth and sixth periodic reports of Israel

The meeting was called to order at 10.10 a.m.

CONSIDERATION OF REPORTS, COMMENTS AND INFORMATION SUBMITTED BY STATES PARTIES  
UNDER ARTICLE 9 OF THE CONVENTION (agenda item 3) (continued)\*

In the absence of the Chairman, Mr. Vidas took the Chair.

Fifth and sixth periodic reports of Israel (CERD/C/192/Add.2)

1. The CHAIRMAN invited the Committee to consider the fifth and sixth periodic reports of Israel (CERD/C/192/Add.2), and announced that the State party would be represented by a delegation composed of Mr. Robbie Sabel, Ambassador and Legal Adviser in the Ministry of Foreign Affairs, and Mr. Alexander Bligh, Adviser to the Prime Minister on Arab Affairs.

At the invitation of the Chairman, Mr. Sabel and Mr. Bligh (Israel) took seats at the Committee table.

2. Mr. SABEL (Israel) said that his country's first report had already described the legal and sociological bases of Israeli society. It had shown that it was a traditionally pluralistic society: throughout its history and the diaspora, the Jewish people had welcomed converts of very different races and colours. In fact, pluralism was one of the greatest assets of Israeli society. Striking evidence of that fact had been provided recently during the Gulf war, when all citizens had benefited from the measures taken to protect the Israeli population against Iraqi attacks (in particular, the distribution of masks against chemical weapons), and everyone had complied with them. The radio had given information on how they should be used and on the precautions to be taken, in six different languages. The war had also demonstrated that the Arab citizens of Israel, who accounted for 16 per cent of the population and were fully-fledged citizens enjoying equality before the law, had not responded to Iraq's appeals, inspired by fundamentalism, for the destruction of Israel.

3. The fifth and sixth periodic reports described a series of programmes benefiting minorities. As they had been submitted in May, they had not included any reference to the arrival in Israel of 14,500 Ethiopian Jews on 24 and 25 August. Twenty thousand Ethiopian Jews had already come to the country over the previous decade. "Operation Solomon", under which they had been brought to Israel, had been well received by the people, who had warmly welcomed the new arrivals. Mention should also be made of the arrival of hundreds of thousands of Soviet Jews in recent years; there had been another 90,000 in the first six months of 1991. The intake of Ethiopian and Soviet Jews, unprecedented in the world, was evidence, in terms of its scale and the lack of subsequent racial tension, that there was no xenophobia or racism in Israel.

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\* Resumed from the 926th meeting.

4. The fourth periodic report of Israel (CERD/C/144/Add.2) had described Israel's legislation against racial discrimination, which had recently been supplemented by a Penal Law amendment making it a criminal offence to publish and possess written material involving incitement to racism. In Israel, the independence of the judiciary was conducive to the protection of human rights and the fight against racial discrimination. In that connection, he quoted a Supreme Court decision stating that the fundamental doctrine of human rights set forth in the Universal Declaration of Human Rights of 1948 and the two International Covenants of 1966 constituted a heritage common to all enlightened people (vol. 20 of Supreme Court judgements, p. 333). Lastly, he quoted David Ben-Gurion, the former President of Israel, as saying "In the long run nations will be judged by how they treat minorities: Israel will be judged by how it treats its minorities".

5. Mr. BLIGH (Israel) gave statistics on the composition of the Israeli population. At the end of 1990, there had been 880,000 non-Jews in the country, of whom some 680,000 had been Muslims (including 110,000 Bedouins), 115,000 Christians, 83,000 Druze and 3,000 Circassians.

6. He might describe himself as a kind of affirmative action commissioner;

his office was responsible for developing detailed programmes for minorities. The programmes had the following aims: to diagnose acute problems, take measures to close the gaps in infrastructure and strengthen the identification of non-Jews with the State of Israel. He gave details of some programmes in which his office had been involved. One of them concerned villages which for historical reasons were not officially recognized and for that reason could not receive subsidies; the purpose of the programme was to allocate budgets to them by setting up local councils, by annexing them to other councils, or again by annexing them to mixed Jewish and Arab villages. His office had also drawn up a pluriannual programme for Arab villages, with a budget equivalent to US\$ 100 million. In the previous two years, \$75 million had been or would be allocated under that special budget to the Arab sectors of Israel. Another programme, spread over five years and also with a budget allocation of \$100 million, was aimed at improving education in the Arab sectors with the building of 855 classrooms. He also mentioned a university scholarship programme for Arab students and a special course at the University of Beersheba designed to preserve the heritage of the Bedouins and enable them to obtain university degrees. His office had also been involved in the establishment of two Muslim colleges to train religious leaders.

7. In the health sphere, 135 clinics had been opened in 107 Arab towns and villages; today, between 85 and 90 per cent of pregnant Arab women could be treated in those clinics. Still in connection with the health sector, it was significant that 152 Arab doctors were now working in non-Arab sectors (as against 26 in 1979); the same applied to 38 chemists (there had been none at all in 1979). The trend would be confirmed with the arrival of new graduates.

8. It was also interesting to note that five Arabs, including one Druze, had seats in the Knesset. The part played by those members of the Knesset was reflected in the fact that, out of 196 parliamentary questions they had raised, 142 had received a reply; 115 questions asked in the Knesset had all been debated. He further referred to the efforts made to ensure that, despite the difficulties raised by the Gulf war, Israeli Muslims had been able to make the pilgrimage to Mecca and Medina in 1991. Saudi Arabia had initially announced that they would not be allowed to do so. In the end, 1,500 Israeli Muslims had been to Mecca and Medina; that was far fewer than in previous years, when there had been an average of 6,000 - with a maximum of 10,000 - but the fact that there had been no interruption in the pilgrimage was a major achievement. Another matter to report in that connection was that his office, together with other agencies, was in the process of drafting a law for the satisfactory organization of all Muslim religious services.

9. Lastly, he reported that in the past three months his office, which was responsible for advising the Prime Minister on Arab affairs, had recruited four Arabs, including three Muslims and one Christian, out of a staff of 14.

10. The CHAIRMAN thanked the representatives of Israel for the presentation of the fifth and sixth periodic reports (CERD/C/192/Add.2), and for the additional information they had just given orally.

11. Mr. YUTZIS Country Rapporteur, thanked the Israeli delegation for attending the session and thus consolidating the dialogue. The delegation was composed of persons responsible for matters closely connected with the Convention. He drew a distinction between the universal character of the issues with which the Committee was concerned and the specific nature of the social and historical situations it had to deal with, analysing them empirically. That distinction was particularly important in the case of Israel. The huge contribution made by the culture of Israel throughout its history must be recognized. That contribution could be seen in many cultures of the present day, even in spheres in which its influence was not consciously felt. As a theologian, he drew attention to the influence of the God of the Old Testament, a God seen as real and present (Jehovah, "He who is"), on the cultures of many peoples, even remote ones. Moreover, in the course of history the people of Israel had experienced a long exodus, during which it had often been treated as a scapegoat. That still needed saying today, when

attempts were being made in some quarters to deny the historical truth of such painful ordeals. Israel, whose reports were being considered by the Committee, was now a people which had built a nation, deserving, like any other, to live in peace and security.

12. Going on to assess the fifth and sixth periodic reports (CERD/C/192/Add.2), he was gratified to note that they contained new information; the oral statements had also provided further details. Something that had not been said - and should be - was that there was a national Civil Rights Commission in Israel which concerned itself with human rights. Another point to make was that the Committee must take account of all persons coming under the jurisdiction of the State of Israel in examining Israel's reports. It could not exclude certain sectors of the population from its examination, as certain States were apt to do, thus limiting their responsibility. Although in its work the Committee should not go into geopolitical conflicts falling outside its mandate, it could hardly escape the fact that some issues coming within its mandate were political in scope.

13. Looking at the fifth and sixth periodic reports in detail, he noted that there were some inconsistencies with the Committee's guidelines. First of all, the demographic statistics given raised what might be termed an epistemological problem. There was some ambiguity in the data between religious and ethnic criteria. He referred in that connection to the information contained in the third periodic report of Israel (CERD/C/113/Add.2) to the effect that, in practice, private individuals could use Hebrew, Arabic and English in their dealings with the administration, and government officials could reply in any of those languages (para. 19), while the Shari'a courts (Muslim courts), which were competent to deal with personal matters, used Arabic. There, too, there was some ambiguity: was it to be presumed that all Muslims were Arabs and all Arabs, Muslims?

14. That concern prompted him to ask what was meant by "minority groups in Israel" in paragraph 15 of the report (CERD/C/192/Add.2). Were they religious, ethnic or linguistic groups? In paragraph 24 as well, the term "minority populations" required clarification. In general terms, the Committee needed clear statistical data to be able to form an opinion. It also needed more precise information on certain characteristics of those minorities, particularly their employment and income levels. He had noted in that connection that one of the representatives of Israel had referred to major projects and substantial funds available to Arabs.

15. Some information had been given on the participation of minorities in political life, but details were also needed on their participation in the administration. Continuing with his analysis of the report, he noted that in paragraph 15 reference was made to "villages" and "settlements" benefiting from measures taken for minority groups in accordance with a decision adopted by the Israeli Government on 21 April 1987; it would be useful to know which were the villages and settlements concerned. In the same vein, reference was made in paragraph 18 to programmes aimed at improving the physical infrastructure of "Arab communities", but paragraph 19 mentioned only one town, Um-El-Fahm. The information given on the representation of minorities in medical professions might usefully be supplemented by data on the paramedical professions or "auxiliary medical staff", such as nurses, physiotherapists and others.

16. He would like to know what percentage of the population reached the various levels of education, particularly university level, and would appreciate information on the number, location and functioning of multiracial, multi-ethnic or multilingual schools. Paragraph 22 of the report submitted by Israel gave the impression that certain university studies were reserved for young people who had completed their military service; further information was needed on that subject. According to the same paragraph, military service was not compulsory for certain non-Jewish citizens (Druze and Circassian citizens), which made him wonder which citizens were required to do military service. He pointed out that, according to Amnesty International's latest

report, dozens of Druze or Jewish Israelis had been imprisoned for refusing to do their military service on grounds of conscientious objection; that was in contradiction with the information contained in the report and required explanation.

17. With regard to the Penal Law provisions aimed at eliminating racial discrimination, he noted in paragraph 11 of the report that any person making a statement or committing an act constituting an incitement to racism could be charged and tried. While recognizing the importance of such a provision, he observed that none of the reports had referred clearly to the implementation of article 4 of the Convention. It would also be useful to have figures on complaints filed concerning acts of racial discrimination, and, if there had been none, it would be interesting to know why.

18. On the subject of the Temple Mount Faithful case and the case concerning Mr. Kahane, he wondered whether they were isolated cases or whether they had social origins.

19. With regard to the implementation of article 5 of the Convention, he would like to know whether the right to work was recognized in Israel and whether it was true that, after the Gulf war, the number of vacancies for the Arab population had declined. According to a report drawn up by the Lutheran World Federation in 1991, certain private vehicles with a blue number-plate had been banned from Jerusalem and very few work permits had been issued. He would like details on that subject and on the "labour exchange" system whereby persons who had come to work in Israel and subsequently lost their jobs were entitled to compensation.

20. He would also like to know more about the status of Jews from the Soviet Union. Were they regarded as immigrants or refugees? He was aware of the fact that, in order to emigrate to Israel, such persons were required to follow a predetermined route, that they did not have passports and that, on arrival in Israel, they had to sign a document in which they undertook to reimburse the travel and other expenses and which subsequently served as an identity document. According to information in his possession, immigrants between the ages of 18 and 45 were required to complete their military service and those who were not orthodox Jews had to complete a three-year period of service. He wished to know whether that was true and, if so, whether it did not constitute discriminatory treatment. And lastly, he inquired where Jews from the Soviet Union lived and whether there were any transit camps.

21. Turning to the implementation of the provisions of the Convention in the territories under Israel's control, he asked about the living conditions of the population of those regions and whether it was true that the authorities resorted to indiscriminate force. In what way was personal safety guaranteed in those territories? What were the legal provisions in force? Were the acts reported by various organizations legitimized in any way, either consciously or unconsciously? Referring to the report of the Lutheran World Federation that four citizens had been expelled from the Gaza Strip on 23 April 1991, he asked what procedure had been applied, which courts had handed down the decisions, whether the persons concerned had been able to appeal and which authority was responsible for ensuring that the decisions handed down were put into effect. He also wished to know what was meant by "administrative detention". With regard to the administration of justice as such, the legal adviser to the Association for Civil Rights in Israel considered illegal prolonged detention based on presumption, with no obligation for the defence to be informed, and expressed his concern on the subject of arrests about which no information was available.

22. On the subject of the right to housing in the territories under Israeli control, he wished to know the reasons for the demolition of homes reported by Amnesty International. As to the economic situation of the occupied territories, especially with regard to employment, it was critical. There were reported to be over 75,000 unemployed in the Gaza Strip and workers had allegedly been dismissed without compensation. The economic situation

inevitably affected the right to health. Nearly 50 per cent of children living in the territories under Israeli control were reported to be suffering from anaemia and malnutrition. In those territories, the expenses covered by sickness insurance were reported to have declined by 15 per cent, and between 30 and 40 per cent of Arab patients were unable to pay for the treatment prescribed. The report of the Lutheran World Federation also described the difficulties of the population of the Gaza Strip in receiving medical care.

23. If the Israeli delegation was unable to reply orally to all his questions, it was very important that the next report should include the information requested because until the Committee had such information in its possession, it would be unable to say whether Israel was complying with its obligations under the Convention.

24. Mr. LECHUGA HEVIA thanked Mr. Yutzis for his very detailed and comprehensive report. He welcomed the presence of the Israeli delegation, but did not consider the report submitted by Israel to be satisfactory since it contained no information on the implementation of the Convention in the occupied Arab territories. In accordance with article 3 of the Convention, States parties were required to provide information on all territories under their jurisdiction.

25. On the subject of relations between Israel and South Africa, he observed that Israel had maintained economic relations and, what was even more serious, military relations with South Africa. Referring to paragraph 31 (c) of the report, he wondered whether the decision to refrain from any new common undertakings with South Africa in the realm of defence implied that previous contracts were still in force.

26. Mr. de GOUTTES considered that Mr. Yutzis had been quite right to emphasize the complexity of the situation in Israel in his report. He thanked the Israeli Government for submitting a report on time and for having sent a delegation. That being said, he deplored the tone of paragraphs 3 to 5 of the report, which gave the impression that Israel's behaviour in the fight against racial or ethnic discrimination, towards the Arab population in particular, was irreproachable. The Committee had always rejected hackneyed statements to the effect that there was no racial discrimination in a country, and that went for Israel as well.

27. Seeking to clarify the Committee's position, he pointed out that the members of the Committee had decided to question the Israeli delegation on Israel's compliance with the Convention in all the territories under its control, including the occupied territories, since article 3 of the Convention committed States parties to preventing, prohibiting and eradicating all discriminatory practices in all territories under their jurisdiction. He wished to make it clear that the Committee's consideration of the situation in those territories had no implications in terms of recognition of the occupation of those territories. That being said, he would appreciate explanations concerning the detailed information contained in the "Country Report on Human Rights Practices 1990", which had been published in February 1991 by the foreign affairs commissions of the United States Senate and House of Representatives and referred to numerous discriminatory acts and human rights violations allegedly suffered by the Palestinians living in the occupied territories, in the context of the intifada. That information was in fact corroborated by Amnesty International in its latest report.

28. Mr. WOLFRUM said that the composition of the Israeli delegation was evidence of the Israeli Government's willingness to engage in a constructive dialogue with the Committee.

29. He thanked Mr. Yutzis for his excellent analysis of Israel's report, and fully associated himself with the views expressed by Mr. de Gouttes on Israel's obligation to report also on all territories under its jurisdiction.

30. Since 1967, the inhabitants of the territories administered by Israel

had been authorized to lodge complaints against the State and the military authorities with the High Court of Justice. Subsequently, Lebanese citizens living in the part of southern Lebanon administered by Israel had been granted the same right. Had the High Court received any complaints of racial discrimination? To what extent had that court been able to restrict the scope of the clause relating to military secrets or national defence, as it had previously done in the Rafah Approach case (1972) and the Eilon Moreh case (1979)?

31. It was stated in paragraph 44 of the report that the Basic Law on the Knesset had been amended to prevent a candidate advocating racism from standing for election to the Knesset. Had that new provision ever been invoked before the courts? Again according to paragraph 44, the amendment was said to be the consequence of the election of Mr. Meir Kahane. It so happened that he, the speaker, had read in the Israel Yearbook that the amendment was due to a decision by the Supreme Court annulling the order banning one or two Arab political parties from putting up candidates for election. What exactly was the situation?

32. The next report should deal with the question of education in greater depth. In that connection, was it true, as paragraph 9 seemed to suggest, that educational establishments in a given region were financed by taxes collected in that region? If that were the case, were the poorer regions educationally disadvantaged as compared with the richer ones? Might that not be a source of discrimination?

33. Were measures being taken to improve the level of education of groups with problems in that respect?

34. The representative of Israel had spoken of special education for the Muslim population and nomads. Did that mean that the Government was not seeking to integrate Arab students into society? What was the percentage of non-Jews among students and teachers in universities?

35. Was it true that in the territories administered by Israel there were more expropriations of non-Jewish property than Jewish property?

36. He concluded by expressing the hope that in its next report the Israeli Government would give the Committee detailed information on the implementation of the Convention in the territories under its administration.

37. Mrs. SADIO ALI welcomed the dialogue which had been established between Israel and the Committee, and thanked Mr. Yutzis for his very comprehensive report.

38. She associated herself with the views expressed by Mr. Wolfrum and with Mr. de Gouttes' comments on the occupied territories. She also agreed with what Mr. Lechuga Hevia had said about relations between Israel and South Africa, particularly with regard to defence.

39. She would like to know which were the six languages in which the safety instructions had been given at the time of the Gulf war and whether they were the only languages recognized in Israel.

40. The representative of Israel had said that Jews from the USSR had received work, housing and health care. He had said nothing about such benefits for Ethiopian Jews. Were they in transit camps or were they already settled? If so, where?

41. With reference to article 7 and article 2 (1) (e) of the Convention, she asked what measures were being taken to foster exchanges between Jewish and Muslim Israelis, since it appeared that contacts between the two communities were somewhat limited.

42. It was stated in paragraph 22 that the State provided benefits to young

people wishing to pursue university studies and that those benefits, in particular loans and grants, were linked to military service. For security reasons, the Arabs were at a disadvantage in that regard. Would it be possible to adopt a more equitable system?

43. Mr. RESHETOV commended the competence of the Israeli delegation, and stressed the importance of the contribution made by the Jewish people to the development of civilizations and world culture. He also spoke of the indignation aroused in everyone by the injustices suffered by the Jewish people in the course of history.

44. The Union of Soviet Socialist Republics (USSR) had a special relationship with Israel because many Israelis were of Soviet origin.

45. In that connection, the 1967 decree which had provided that any Soviet citizen of the Jewish religion emigrating to Israel ipso facto lost his or her Soviet nationality had been repealed; the Soviet Union now recognized dual nationality.

46. In response to the representative of Israel's statement that if Jews immigrated to Israel, it was because it was difficult to live in their country of origin and that they were subjected to racial discrimination there, he pointed out that the Soviet Union now genuinely enforced the laws prohibiting incitement to racial hatred and, particularly, manifestations of anti-Semitism. Soviet Jews could freely practise their religion and engage in cultural activities.

47. The Committee was sceptical of statements to the effect that there was no racial discrimination in a particular country. He doubted, for instance, that Israeli society was multiracial, democratic and pluralistic, as stated in paragraph 36 of the report.

48. He was pleased to note that the number of Arab students enrolled in universities had increased more than fivefold since 1971 (para. 49) and that some political parties had amended their constitutions in order to ensure the representation of members of Israel's minorities (para. 50). He wished to ask the Israeli delegation a few simple, specific questions, to which he would like clear answers.

49. Had there ever been a member of an Israeli Government who was not a practising or believing Jew?

50. Had representatives of national minorities ever had a seat in the Knesset? Were there any members of national minorities among high-ranking army officers and in the senior ranks of the Israeli police force?

51. Could believers practise their religion on an equal footing within the army?

52. In the USSR, there were many Jewish teachers in higher education. Were there any Muslims teaching in universities in Israel?

53. Were there mixed trade unions whose membership comprised both Jews and Muslims?

54. He would like to know what the requirements were for immigration into Israel. In that connection he quoted the example of a couple who had been on the point of emigrating to Israel. The husband, who had been Jewish, had suddenly died, and his wife, who was not Jewish, had found herself in a difficult situation. It appeared that the rights she could have claimed on arrival in Israel were denied her following the death of her husband. He wished to know what part blood relationship played in immigration.

55. In what way could Muslim Israeli citizens going on a pilgrimage to Saudi Arabia threaten the security of Israel? It did not seem that



the 100,000 or so Soviet citizens who had gone to Poland recently to attend a mass celebrated by the Pope constituted a threat to the security of the USSR.

56. Finally, he would appreciate a full version of the judgement recently handed down by the Supreme Court which was partly reproduced in paragraph 27 of the report.

57. Mr. FERRERO COSTA thanked the Israeli delegation for pursuing its dialogue with the Committee, and Mr. Yutzis for his detailed analysis of Israel's report. In that connection, he hoped that the next report of the Israeli Government would be consistent with the revised guidelines and the consolidated guidelines drawn up by the Committee.

58. The next report should also contain more detailed information on the demographic composition of the population, especially on the various ethnic groups which did not always coincide with religious groups.

59. He, too, drew attention to a serious omission from the report, i.e. the lack of information on the population of the occupied territories. It was particularly regrettable since, according to reliable sources (the reports of Amnesty International and the United States Senate), serious human rights violations were being committed there.

60. The Committee would also like to know whether Israel applied the provisions of the Fourth Geneva Convention to the population of the occupied territories.

61. Lastly, the Committee wished to have more detailed information on the implementation of article 5 of the Convention, particularly paragraphs (d) and (e) relating to various economic, social and civil rights, especially as it affected minority groups, whether within the territory of Israel or in the occupied territories.

62. Mr. ABOUL-NASR expressed disappointment with the report of Israel and the oral statements by the representatives of the State party, which painted an idyllic picture of the situation concerning racial discrimination in Israel. In fact, everyone was aware of the country's serious problems in that regard. Israel was certainly a multiracial and pluralistic society, but, depending on their race, the various populations did not enjoy the same rights in that self-proclaimed Jewish State.

63. Israel reported on the progress made in education. What, then, was the situation regarding the closing of universities in the occupied territories, as reported in detail by the United Nations Educational, Scientific and Cultural Organization (UNESCO)?

64. With regard to health, Israel stated that some progress had been made since 1967. All countries had progressed in the field of health since then, but the problems which persisted in Israel reflected the fact that people were treated differently according to their race.

65. The interest shown by Israel in those who were denied the right to go on the pilgrimage to Mecca was praiseworthy. It was to be hoped that it would be equally sensitive to the situation of those who were prevented from going to the Al-Aqsa Mosque, the second holy place of Islam, renamed the Temple Mount. Israel might also usefully take an interest in the fate of those who wished to return to their homes and, like the Israelis, exercise their right to have a nation and to live in a land of their own. He saw no reason other than racism to explain the fact that an Arab, whether Muslim or Christian, should be denied the right to return home, whereas considerable efforts were made to settle Ethiopian and Russian Jews who had never set foot in Israel. Could it not be said that to grant Israeli citizenship automatically to any Jew settling in Israel, while denying Arabs the right to return there, amounted to a legalization of discrimination?

66. Ben-Gurion's statement that nations should be judged on the way they treat their minorities was quite right. It might also be recalled that Ben-Gurion had described some of Israel's present leaders in well-known terms. Had not some ministers now in office - as well as a former Israeli Prime Minister, Mr. Begin - been terrorists? It was true that measures had been taken in response to Meir Kahane's activities, but he asked what difference there was between what that Member of Parliament stood for and the policy advocated by certain current Israeli ministers, namely, the destruction of Arab homes, the establishments of settlements in the occupied territories, the expulsion of Arabs and the establishment of a single-race Jewish State.

67. In conclusion, he believed that in that region of the world, to which his country belonged, nations could coexist peacefully provided they recognized that others were entitled to the rights they bestowed upon themselves.

68. Mr. BANTON said that he would have liked to have demographic data comprising a breakdown by race, colour and national and ethnic origin in Israel. It would have been far more useful if the table given in paragraph 5 of the report had indicated not only the religion of the population, but also the place of birth, which would have shown national and ethnic origin.

69. Like Mr. Wolfrum, he had noted with interest the decisions of the Israeli courts. As to the expression "[distinction] based on race" (para. 6), which was actually taken from the text of the Convention, he asked how it was interpreted in Israeli law and whether Israeli courts had ever distinguished between racial and political grounds. Drawing a parallel between the situation in Israel and the situation in Northern Ireland, he said that in certain areas controlled by Israel there was a political conflict in which the parties were identified by religion, but also by their ethnic origin. It might happen, therefore, that Israeli courts had to determine whether the grounds for discriminatory treatment were race, political opinion or, as Mr. Wolfrum had mentioned, military necessity. Decisions of that kind were of great interest to the Committee because they enabled it to understand how human rights legislation was drawn up in different parts of the world.

70. Regarding the implementation of article 2 of the Convention, he asked how the Israeli Government supervised its policy for the elimination of racial discrimination. The comparative figures given in paragraph 20 concerning average life expectancy and infant mortality were useful both to the Committee and to the Israeli Government. The same paragraph stated that efforts had been made "to reduce pre-existing gaps between various sectors of the population". A distinction should be drawn in that connection between the Israeli population and the population under Israel's control.

71. In connection with the implementation of article 2 (1) (e) of the Convention, under which "each State Party undertakes to encourage ... integrationist multiracial organizations", the report mentioned only the Association for Civil Rights in Israel (para. 47). Could the representatives of Israel give any further information on that subject?

72. He, too, considered that the information given on the implementation of article 5, paragraphs (a) to (c), was inadequate, but was pleased to note that in their oral statements the representatives of Israel had reported some progress in equal access to public service.

73. With regard to the implementation of article 5 (d), was the exercise of the civil rights set forth therein guaranteed without discrimination? In that connection, he asked whether it was true that Arab land had been taken to build roads serving Jewish settlements; whether the water allocation for Palestinian agriculture or domestic consumption was less than the allowance for the Jewish population; and whether, unlike Palestinian farmers, Israeli farmers were cushioned against recession by substantial subsidies. Article 5 referred to "the right of everyone", a term which covered the rights of all persons working in Israel, even if they were resident in the occupied

territories. How were the economic rights of those workers protected? What wage levels could they expect as compared with the Israeli population? Could they join trade unions?

74. He would like confirmation that Israeli law prohibited discrimination by private individuals and, when it occurred, that action was taken against persons committing discriminatory acts.

75. Paragraph 9 of the report stated that "taxes collected by local authorities are spent only on services enjoyed by residents". Which services were financed by those local taxes, bearing in mind, in particular, the provisions of article 5 (e) (v) concerning the right to education?

76. Noting that reference was made in paragraph 49 of the report to the "relative weakness of the Arab educational system", he asked to what extent that educational system was separate from the Jewish system; whether there were any integrated schools; whether any figures were available on comparative class sizes in Arab and Jewish schools; and what was the expenditure per Arab pupil and per Jewish pupil.

77. Recalling that Mr. Wolfrum had drawn Committee members' attention to the fact that measures which were not intentionally discriminatory might be discriminatory in effect, he asked, with reference to the provisions of article 6, how Israel ensured "effective protection and remedies".

78. Lastly, referring to the statement by Mr. Aboul Nasr, who had spoken of a "Jewish State" apropos of Israel, he hoped that the representatives of Israel would point out in their reply that that term was incorrect, since he understood that the Israeli authorities had recently spoken of Israel as "the State of the Jews" and not "the Jewish State".

79. Mr. AHMADU agreed with Mr. Banton that some points in Israel's report were not entirely satisfactory; however, he welcomed part B of the document as it was the first time that the State of Israel was taking concrete measures against apartheid. Noting that the Israeli Government had stated, in paragraph 37 of its report, that it had "severed all cultural ties with South African organizations connected in any way with the apartheid regime", he asked whether cultural links with the South African Government had remained intact and whether there was still any military cooperation between Israel and South Africa. Had Israel withdrawn its military attachés from South Africa as the countries of the European Economic Community had done?

80. He also wished to know the percentage of Muslims, Christians and Druze (who were mainly Arabs) in the total population living in the Golan Heights and East Jerusalem.

81. Referring to a question asked by Mr. Aboul-Nasr, he inquired, further, whether Jews from all over the world were encouraged to settle in Israel and whether Palestinians, who were also scattered around the world, were authorized to return to Israel, either for short visits or to settle permanently.

82. It appeared that the Government of the United States and other countries disapproved of the settlement of immigrants in the occupied territories, but that the Israeli Housing Minister was determined to pursue that policy. How much Arab land was confiscated by the Government to build housing for immigrants in those territories?

83. Lastly, he asked to which party the five Arab members of the Knesset belonged.

84. Mr. GARVALOV welcomed Israel's willingness to cooperate with the Committee.

85. While he, like Mr. Reshetov, recognized the Jews' contribution to the

civilization and culture of mankind, the consideration of the reports submitted by Israel undoubtedly prompted a number of questions, doubts and disagreements. For his part, he had expected more of the sixth periodic report of Israel. The report had not followed the guidelines given to States parties by the Committee, contained the kind of peremptory statements to which the Committee had always taken exception, and gave no information about the Palestinians and the Palestinian and Arab populations of the occupied territories that was of relevance to the Convention. He was, however, satisfied with the analysis contained in paragraphs 9, 10, 18 and 39 to 45 of the report.

86. It was true, as the representative of Israel had said, that Israeli society was pluralistic and multiracial. However, he asked whether there was any racial discrimination in the enrolment of Israeli citizens into the Israeli Defence Force (IDF), whether Israeli courts had received complaints alleging acts of racial discrimination, and whether Israel's legislation authorized the establishment and operation of political parties of a racial or ethnic hue. The latter question was to be considered in connection with the content of paragraphs 39 to 45 of the report concerning, in particular, the activities of the late Rabbi Meir Kahane, whose ideology had been notoriously racist.

87. The expression "the principle of equal application of the law" (para. 7) did not necessarily reflect the practice followed in Israel.

88. It emerged from paragraph 14 that Israeli society was multi-ethnic and multi-religious, and yet it appeared that that society was faced with very serious problems.

89. Lastly, it was stated in paragraph 28 of the report that "a careful balancing of the rights guaranteed in a democratic society" had been necessary. Bearing in mind the provisions of the Convention, did that mean that Israeli society attached special importance to certain rights?

The meeting rose at 1.10 p.m.