



INFORMATION NOTE

2nd Universal Periodic Review of Israel (29 October 2013)

Previous UPR of Israel: 4 December 2008 (3rd session of the UPR)

17th session of the UPR – Human Rights Council

Summary of child related issues

Troika: Maldives, Sierra Leone, Venezuela

I- Issues pertaining to juvenile justice and the rights of the child in general

1. Issue n°1: Prisons & Torture

Delegations	Recommendations	Responses by Israel
Norway, Slovenia, Sweden, Bahrain, Estonia, Finland, Ireland, Iraq,	Use alternatives to imprisonment for children.	Judicial reforms for the prosecution of Palestinian minors are discussed. But difficult to put in place rehabilitation measures in the West Bank because the majority of offences are committed for ideological reasons with the support of the community.
Oman, Palestine, Qatar, Saudi Arabia, UK	Release Palestinian children from Israeli prisons.	We have to use administrative detention due to the complex security situation. But there was a significant decrease of administrative detention in the last few years.
Oman, Turkey, Bahrain	Protect children in detention against torture and ill-treatment.	ISA interrogators have no rights to use any physical pressure, and it is used very rarely.
Netherlands	Ensure that Palestinian children in military custody receive the same level of care and have the same rights as provided by the Israeli criminal law for youth offenders.	Detainees are treated according to Israeli law and thus receive medical care, representation by a lawyer and visits by the ICRC often take place.

2. Issue n°2 : Education & Health

Delegations	Recommendations	Responses by Israel
Belgium	Reduce the school dropout rate of Bedouin girls.	A plan for the economic growth of the Bedouin population began in 2012, including education. <i>(but no mention about the specific issue of girls)</i>
Japan, Malaysia, Mexico, USA, Australia	Ensure equal access to education.	The State of Israel and its education system invest significant budgets and efforts in the promotion and advancement of equal opportunity for the various minority communities and implements programs towards equality



		in education together with affirmative action where necessary.
Norway	Build new schools.	In 2012 NIS 400 Million (\$111.4 Million) was budgeted for the planning and building of 400 new classrooms in the eastern neighborhoods of Jerusalem and in the 2012-2013 school year, 34 new classes were opened, 24 in a new high school in Ras Al-Amud, and 10 in a new kindergarten in Beit Hanina.
Belgium, New Zealand	Reduce the gap between the infant mortality rate of Bedouin children and others.	<i>*not mentioned*</i>

3. Issue n°5: Violence & Poverty

Delegations	Recommendations	Responses by Israel
Iceland, Sweden.	Protect girls from domestic violence.	<i>*not mentioned*</i>

4. Issue n°6: Convention on the Rights of the Child and other legislations

Delegations	Recommendations	Responses by Israel
Portugal	Sign and ratify OP3.	<i>*not mentioned*</i>
Slovenia, Uruguay, Italy	Take measures to implement the CRC in the OPT.	Israel maintains an extensive system of laws designed to protect children's rights. For example, the National Program for Children and Youth at Risk was launched in 2007.
Tunisia	Repeal all discriminatory legislation towards non-Jew children.	<i>*not mentioned*</i>
Finland, Latvia	Take into consideration the recommendations of the CRC Committee (in particular concerning juvenile detention).	

II- Other relevant issues with positive feedbacks by the States present at the review:

- Ratification of the UN Convention on the Rights of Persons with Disabilities (28 September 2012).
- The Witness Protection Authority was established in 2008 to protect witnesses and their family prior to, during and after trial.
- The Knesset enacted the *Expansion of the Appropriate Representation of Women Law 5771-2011* (Legislative Amendments) which obligates appropriate representation for women in inquiry commissions and national examination committees.
- In 2011, two Knesset Members initiated a lobby to promote legislation in the struggle against homophobia.



III- Adoption of the report :

- **244 recommendations were made to Israel. 237 will be examined and Israel will provide a response no later than the 25th session of the HRC. 7 recommendations did not enjoy the support of Israel.**

- **Recommendations pertaining to children:**
 - Abrogate all discriminatory laws against non-Jewish children [137.20]
 - Intensify its efforts to combat gender-based violence against women and girls, including from minority communities [137.64]
 - Take steps to ensure the rights to health, education, and other rights dependent on freedom of movement are protected [137.67]
 - Strengthen its efforts to close the gaps in the infant and maternal mortality rates [137.83]
 - Redouble efforts to fill the gaps among the infant and maternal mortality rates of Jewish, Arab-Israeli and Bedouin children and women [137.84]
 - Take measures to ensure a fair access to education, without distinction of the origin or gender of the person [137.85]
 - Enhance its efforts to further promote the human rights of minorities, including citizens of Arab origin, by promoting their participation in politics, the economy and various sectors of society as well as by ensuring their equal access to education, health care and other social services [137.91]
 - Ensure the enjoyment of economic, social and cultural rights in equal conditions for minorities, particularly their right to work and to education [137.93]
 - Continue efforts to ensure equal access of Bedouin communities to education, work, housing and public health [137.98]
 - Take additional measures in order to reduce the school dropout rate of Arab-Israeli and Bedouin girls and increase the number of these women in higher education institutions [137.102]
 - Implement previous commitments to increase state resources allocated to Arab Israeli and Bedouin communities, especially for education, and ensure equal access to education, housing, healthcare and employment for individuals in these communities [137.103]
 - Fully restore the rights and dignity of the Palestinian people, including their rights to life, to live in dignity, adequate food, housing, health and education, as well as their freedom of movement [137.109]
 - Ensure non-discrimination to the Palestinian families in Israel regarding health and education of children, in particular those living in poverty, rural areas and refugee camps [137.110]



- **Take measures to provide for the safety and protection of the Palestinian civilian population and adhere to international standards on juvenile detention [137.12]**
- **Ensure that detention of civilians, especially children, is carried out in accordance with international law and standards and without any discrimination paying particular attention to the recommendations of the CRC [137.113]**
- **Take all steps necessary to ensure that Palestinian children in military custody receive the same level of care and have the same rights as provided by Israeli criminal law to youth offenders [137.114]**
- **Release all the Palestinian and Arab prisoners and detainees in the Israeli prisons, including women and children, and put an end to all forms of torture exercised against them [137.116]**
- **Immediately halt all administrative detention and release all Palestinian detainees and captives in Israeli prisons especially women and children [137.123]**
- **End the solitary confinement of child detainees, and that audio-visual recordings are made of all interviews with child detainees by the Israeli police and security forces [137.126]**
- **Release all children in solitary confinement [137.127]**
- **Put an end to the ill-treatment of suffering Palestinian prisoners, particularly children, held in Israeli prisons [137.128]**
- **Unconditionally release all Palestinian prisoners especially children and women [137.129]**
- **Use alternatives to detaining children, and enact regulations to ensure greater protection of children's rights particularly such as the use of restraints and strip searches [137.134]**
- **Discontinue criminal proceedings against Palestinian children in military courts and ensure that children are not detained [137.136]**
- **Do not undertake criminal proceedings against Palestinian juveniles in military courts [137.137]**
- **Stop taking any penal actions against Palestinian children in military courts and halt detention of all children [137.138]**
- **End urgently night arrests of Palestinian children, the admissibility in evidence in military courts of written confessions in Hebrew signed by them, their solitary confinement and the denial of access to family members or to legal representation [137.139]**
- **Conduct an immediate and independent investigation into all cases of torture and ill-treatment of Palestinian children and ensure that all persons responsible for such practices are brought to justice and punished in a manner proportionate to the gravity of their crimes [137.140]**
- **Ensure that an independent body is established to investigate reports of detained children's exposure to torture and to cruel, inhuman or degrading treatment [137.141]**
- **End discrimination against Palestinian households and children when loans are made available in areas such as healthcare and create a strategy for children in disadvantaged areas, in particular the Bedouin communities, migrants and asylum seekers [137.146]**



- Adopt legal measures and other measures to supervise the implementation of the CRC in the occupied Arab territories and, in conformity with this convention, apply a definition of the child as a person under the age of 18 in the Palestinian territories as well [137.159]
- Develop mechanisms for overseeing the implementation of the CRC in the OPT [137.194]
- Set up an independent commission of inquiry to investigate the cruel, inhuman and degrading treatment suffered by children in the OPT and stop such actions [137.208]
- **Recommendations [138.1] – [138.7] were not supported by Israel due to the fact that they contain the term “State of Israel”. One of them involves children:**
 - Mainstream the principle of non-discrimination and equality in the Basic Law of Israel that discriminate against non-Jewish children and undertake measures necessary to stop policies and measure that affect Palestinians resident in the occupied State of Palestine [138.2]