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Committee on Economic, Social and Cultural Rights

Pre-sessional working group

22–26 November 2010

**Implementation of the International Covenant on Economic,
Social and Cultural Rights****List of issues to be taken up in connection with the consideration of the
third periodic reports of Israel concerning articles 1 to 15 of the
International Covenant on Economic, Social and Cultural Rights
(E/C.12/ISR/3)****I. General information**

1. Please provide recent data, disaggregated on the basis of the prohibited grounds of discrimination, on a yearly comparative basis, on the implementation of the rights enshrined in the Covenant.
2. Please indicate how the State party ensures the implementation of the International Covenant on Economic, Social and Cultural Rights in the Occupied Palestinian Territories.

**II. Issues relating to the general provisions of the Covenant
(arts. 1-5)****Article 1 – Self-determination**

3. Please explain why, despite a 1951 Supreme Court decision and the 1977 Libai Committee findings, there has been no progress in finding a satisfactory solution towards granting the petition of Palestinians with full Israeli citizenship seeking permission to return to their original towns of Iqrit and Bir'im. In addition, please comment on information that the newly-enacted legislation—the Israel Land Administration Law (2009)—enables the State to sell land that belongs to Palestinian refugees and Palestinian citizens of Israel who have been internally displaced.
4. Please provide information on action taken to implement the recommendations of the Advisory Committee on the Policy regarding Bedouin towns (the Goldberg Committee), including the settlement of individual and collective Bedouin land claims. In

this connection, please indicate how the State party has considered the application of relevant international norms and jurisprudence in the settlement of such claims.

5. Please provide information on legislation adopted by the State party since its previous report, that has affected the disposition of land resources, as well as the subsequent role played by the Jewish National Fund and the Jewish Agency in the control of such resources so as to ensure that everyone under the jurisdiction of the State party is able to fully enjoy economic, social and cultural rights.

6. Please explain why the Knesset has deferred local elections for the appointed Abu Basma Council. In the light of this deferral, how does the State party ensure that Arab communities participate genuinely and effectively in their own local governance including land-use, planning and public services?

Article 2 paragraph 2 - Non-discrimination

7. Please provide information on the impact of the multi-year plans (2006-2009) for the Druze and Circassian populations (resolution No.412) and the Bedouin population (resolution No.413), particularly concerning education, housing, employment and social assistance.

8. Please provide information on measures taken to address the marginalized position of Bedouin women with regard to various economic, social and cultural rights, especially those living in unrecognized villages.

Article 3 - Equal rights of men and women

9. Please provide information on the impact of the various State party initiatives taken to address the inequalities between men and women in the civil service, as well as on specific measures taken to address the low rate of representation of women in decision-making positions in the civil service and in local authorities.

III. Issues relating to the specific provisions of the Covenant (arts. 6-15)

Article 6 - The right to work

10. Please provide up-to-date information on employed persons by occupation, sex and population group since 2005. Please also elaborate upon steps taken to address the following reported obstacles to employment by the Arab Israeli population:

- The use of the military service criterion;
- The limited employment opportunities in towns and villages;
- The shortage of State-run day-care centres for children;
- A near absence of public transportation from towns and villages to central cities.

11. What steps have been taken to address the high unemployment levels of persons with disabilities, including persons with severe disabilities?

12. Please indicate how the State party ensures the right to work of: (a) Palestinians in the West Bank whose agricultural land has been rendered inaccessible by the construction of the barrier and the State party's permit system; (b) Palestinian farmers in the Gaza Strip

whose agricultural land lies in or near the “exclusion zone”; and (c) Palestinian fishermen in Gaza.

Article 7 - The right to just and favourable conditions of work

13. Please provide up-to-date information on the wage differences between men and women by sectors, and indicate what measures have been taken to ensure equal pay for work of equal value.

14. Please provide information on the number and nature of complaints received by the Ombudswoman for the Complaints of Foreign Workers, on a yearly basis, as well as action taken after referral to the Ministry of Industry, Trade and Labor.

15. Please provide information on the wage levels by occupation, disaggregated by population group, in particular Jews and Arab Israelis.

16. Please explain how the right to a minimum wage is respected for persons with disabilities, in particular for those with diminished work capacity.

Article 8 - Trade union rights

17. Please clarify whether Palestinians living in the Occupied Palestinian Territories and working in Israel can join trade unions, and if so, please provide statistics on the number of such workers who have done so over the past five years. .

Article 9 - The right to social security

18. Please clarify why, since 2002, the number of persons eligible for unemployment benefits has reportedly been reduced by half, and why, in 2007, only a quarter of the unemployed were entitled to unemployment benefits.

19. Please provide an update on the status of the draft law that entitles all non-resident children to the national health insurance.

20. Please describe the impact of the revocation of residency rights of Palestinians living in East Jerusalem on their right to social services.

Article 10 - Protection of the family, mothers and children

21. Please indicate whether the State party is planning to revoke the Citizenship and Entry into Israel Law (Temporary Provision) 5763-2003 and take alternative measures that would guarantee and facilitate family reunification for all citizens and permanent residents. In addition, please provide information on the number of requests for entry into Israel received on a yearly basis since 2003, and specify the number of those that have been denied entry and the reasons why.

Article 11 - The right to an adequate standard of living

22. Please provide up-to-date information on the number of households that live below the national poverty line, in the State party, including in the Occupied Palestinian Territories, disaggregated by population group. Please also provide detailed information on public expenditure to fight poverty in particular for the most marginalized and

disadvantaged groups in society, and indicate its effect on reducing the extent and depth of poverty.

23. Please provide information on measures taken to ensure affordable housing, including through the increase in public housing units, and to address the lack of regulation of the private rental market. Please elaborate how effective the 2008 Law of Execution 5678-2008 has been in providing for the protection of the right to adequate housing, particularly in the context of evictions carried out due to reasons other than “debt, mortgage or pledge”, as referred to in paragraph 4 of the periodic report.

24. Please indicate whether the State party’s policies on home demolitions and evictions in Area C meet its obligations arising from the Covenant: (a) to consult with the affected persons; (b) to explore all possible alternatives prior to evictions; and (c) to provide effective remedies to those affected by forced evictions carried out by the State party’s military. Please indicate if the development of special outline plans and closed military zones is preceded by consultations with affected Palestinian communities, so as to obtain their informed consent.

25. Please indicate what measures the State party is planning to take to review its housing policy and the issuance of construction permits in East Jerusalem, in order to prevent demolitions and ensure the legality of construction in those areas?

26. Please indicate what measures are taken to address the increasing food insecurity among older persons, the Jewish Ultra-Orthodox population group, and Palestinians living in the Occupied Palestinian Territories. Please also provide information on the implementation of the recommendations of the Inter-ministerial Committee set up to examine the Government’s role and responsibility for ensuring food security for all its citizens.

27. Please provide information on measures taken by the State party to restore the water infrastructure of the West Bank including in the Jordan Valley, after the destruction of the local civilians’ wells and other water and irrigation facilities under military and settler operations since 1967. Please indicate what measures the State party has undertaken to ensure equal and equitable availability, access, affordability, acceptability and quality of water across the Occupied Palestinian Territories, as indicated in the Committee’s general comment No.15 (2002) on the right to water?

Article 12 - The right to physical and mental health

28. Please clarify how the State party ensures access to medical care for Palestinians living in the Occupied Palestinian Territories, especially those living in the closed zones between the wall and the Green Line. Please also indicate what remedies are provided in the case of unattended roadside births, miscarriages, maternal deaths resulting from delays at checkpoints, and maltreatment of Palestinian ambulance drivers, and indicate whether disciplinary action has been undertaken against checkpoint officials.

29. Please clarify how the State party ensures the right to the highest attainable standard of health for civilians in the Gaza Strip, including the provision of urgent medical care and measures to address psychological trauma in people living in Gaza.

30. Please provide information on measures taken by the State party to ensure the availability of sufficient and safe drinking water and adequate sanitation for civilians living in Gaza. In this light, please comment on the fact that water disinfectants and equipment for the production of water from drillings are part of the banned product list.

31. Please indicate which measures the State party has taken to protect asylum-seekers with “conditional release” visas from dangerous working conditions as well as to ensure

their access to basic medical assistance. Please also explain the medical insurance coverage provided for by the Foreign Workers Law to migrant workers.

Articles 13 and 14 - The right to education

32. Please indicate the reasons why the dropout rate is systematically higher in Arab education compared to Hebrew education, especially in Grade 9, as illustrated in table 40 of paragraph 566 of the periodic report. Please indicate which measures have been taken to address this issue.

33. Please indicate measures taken to address the serious shortage of classrooms in schools for Arab Israeli children.

34. Please provide information on the provision of human rights education throughout the school system at all levels.

35. Please provide statistics on the number of children with disabilities attending primary school, secondary school and high school.

36. Please indicate the measures taken to ensure the right to education for Palestinian children living in the Occupied Palestinian Territories. Please also indicate the measures taken to address serious violations thereof, including attacks by the Israeli military and settlers on school children and educational facilities.

Article 15 - Cultural rights

37. Please provide information as to whether the Arabic language is systematically used, in addition to Hebrew, in public administration at the local and national level, in the court system, as well as with regard to road signs.

38. Please indicate how the State party effectively guarantees the preservation of non-Jewish holy sites and their protection from desecration, as well as peaceful access to these sites by their respective local and international religious communities.

39. Please provide information on measures taken to guarantee the protection of the cultural heritage of the various population groups in the State party. Please also provide information on how the cultural heritage is reflected in the school curriculum as well as in the cultural events and activities in the State party.
