



Maat for Peace' submission on Israel

Maat presents this report on the sidelines of Israel's submission to the 4th cycle of the UPR, scheduled for May 2023. Maat for Peace regrets that Israel ignored more than 71 % of the recommendations it received during the last periodic review of its human rights file. During the last review, Israel received 240 recommendations, 70 were accepted, and 170 others were taken note of.¹ This highlights Israel's unwillingness to cooperate with the UPR mechanism, its clear disregard for the recommendations made by the state parties, which urge it to improve the human rights conditions.

First: Cooperation with international bodies and the institutional framework for human rights

1. Cooperation with international human rights bodies

Israel received about 35 recommendations in the 3rd cycle of the UPR related to cooperation with international human rights bodies and accession to international conventions. 4 out of these recommendations were fully accepted, 3 were partially accepted, and 28 others were taken note of, with 6 out of them relating to accession to the International Convention for the Protection of All Migrant Workers and Members of their Families and the International Convention for the Protection of All Persons from Enforced Disappearance. Israel is a state party to seven out of the nine core human rights treaties. Except for the two protocols annexed to the Convention on the Rights of the Child, Israel has not acceded to any other protocols annexed to the conventions it ratified².

Maat notes that Israel deals uncooperatively with the UPR mechanism. Israel refused to attend the session on adopting the outcomes of its UPR at the 38th session of the Human Rights Council, according to the statement of the

¹ Report of the Human Rights Council on its thirty-eighth session, Page 101, Para 782, <https://bit.ly/3LtKx7O>

² Available at the following link: https://tbinternet.ohchr.org/_layouts/15/TreatyBodyExternal/Countries.aspx

Council president at the time³. Maat stresses that refusing to cooperate with this mechanism aiming at improving the human rights situation in Israel is part of a broader Israeli policy.

At the same time, Israel refuses to cooperate with the UN special procedures and does not issue a permanent invitation to UN special procedures. The last visit by a Special Rapporteur to Israel was in September 2016, when Israel hosted the Special Rapporteur on violence against women and girls⁴. While Israel did not respond to visit requests submitted by a group of special procedures mandate holders, such as the Special Rapporteur on the right to water and sanitation, the Special Rapporteur on extrajudicial, summary, or arbitrary executions, and the Special Rapporteur on the promotion of freedom of opinion and expression⁵.

Finally, the occupation authorities refused to cooperate with the new independent UN International Commission of Inquiry on the Occupied Palestinian Territory, including East Jerusalem and Israel. The committee requested to visit Israel in the framework of preparing its first report. On May 27, 2021, the Israeli Foreign Ministry confirmed that it could not cooperate or deal with the investigation committee⁶.

2. Institutional framework supporting human rights

Israel received about 30 recommendations related to the institutional framework; 11 were completely accepted, 3 were partially accepted, and 16 were taken note of. Several bodies are working on human rights in Israel, including the Ombudsman's Office, the Committee for Equality in the Personal Rights of Persons with Disabilities, the Committee for Equal Employment Opportunities, and other bodies. However, according to human rights organizations in Israel, the composition and scope of these bodies do not comply with international human rights standards for accreditation as a national body in compliance with the Paris Principles and membership in the Global Alliance of National Human Rights Institutions⁷.

During the 3rd cycle of its UPR, Israel received 11 recommendations calling for the establishment of a national human rights institution. Although Israel

³ Report of the Human Rights Council on its thirty eighth session, Page 98, <https://bit.ly/3QYaoWs>

⁴ View Country visits of Special Procedures of the Human Rights Council since 1998, <https://bit.ly/3Bz1n0m>

⁵ Ibid

⁶ Report of the Independent International Commission of Inquiry on the Occupied Palestinian Territory, including East Jerusalem, and Israel, <https://bit.ly/3QWygdf>

⁷ Page 7, <https://bit.ly/3DAGkgH>

accepted most of these recommendations, it has not yet initiated the establishment of any institution⁸

Second: civil and political rights

1. Equality and non-discrimination

Israel received 19 recommendations related to equality and anti-discrimination; 9 were completely accepted, 3 were partially accepted, and 7 others were taken note of. Israel emphasizes its realization of the principles of equality and non-discrimination in its constitutional framework or national laws. Israel's periodic report submitted to the International Committee on the Elimination of All Forms of Racial Discrimination affirmed that racial discrimination is prohibited in accordance with Article 2 of the Convention on the Elimination of Racial Discrimination. However, in reality, Israel witnessed discriminatory practices at different levels.

Israel ranked second in the OECD countries in the highest wage gap between women and men, as women's incomes are 22.7% lower for equal-paid work than men.⁹

Falasha Jews of African decent usually do low-wage work, such as cleaning and food sectors.¹⁰ In addition, Maat reviewed reports confirming that the total income of people of African descent in Israel is about 35% lower than that of Israeli families from other groups¹¹.

In terms of personal rights, especial. A woman cannot divorce without her husband's consent. Men require a woman to obtain a divorce when she gives up housing and child custody, at a time when courts are lacking under Jewish religious law to grant a divorce to a woman without the husband's consent¹². Despite Israel's position that international human rights law does not apply extraterritorially, Israel applies some of its domestic laws to settlers in the West Bank; Palestinians are subject to Israeli military law.

2. The right to life and the execution of the death penalty

⁸ Report of the Working Group on the Universal Periodic Review*, Israel, https://www.upr-info.org/sites/default/files/documents/2018-06/a_hrc_38_15_e.pdf

⁹ International Women's Day 2022: gender wage gaps in Israel and the impact of research, Taub Center for Social Policy Studies in Israel - English site, <https://bit.ly/3f2scm2>

¹⁰ العنصرية في إسرائيل.. من هم يهود الفلاشا ولماذا ينتفضون؟، <https://bit.ly/2NDD3ok>

¹¹ Ethiopian Jewry: The Situation of Ethiopian Jews in Israel, <https://www.jewishvirtuallibrary.org/the-situation-of-ethiopian-jews-in-israel>

¹² Israel 2021 Human Rights Report 2021 Page 58, <https://bit.ly/3QXMwIV>

Israel received seven recommendations regarding the non-excessive use of force and the death penalty abolition; 2 were completely accepted, one was partially accepted, and 4 others were taken note of. Although Israel does not apply the death penalty according to the World Coalition Against the Death Penalty, Maat noted that the Israeli Knesset intended, in May 2022, to discuss a bill that would implement the death penalty against Palestinians whom the bill claims might kill Israelis with racial motives. Israel continues to violate the Palestinians' right to life, whether in the Gaza Strip or the West Bank¹³. During the past two years, the Israeli forces killed about 328 Palestinians, whether in separate incidents or attacks on the Gaza Strip. For example, in August 2022, the Israeli forces carried out continuous attacks on the Gaza Strip, killing 44 people, including 15 children and four women, and injuring 360 others¹⁴.

According to other reports reviewed by Maat, the Israeli forces killed 47 Palestinians, including eight children and two women, through shooting operations and in various incidents, in the principles, precaution, and caution violation¹⁵. These practices also violate the United Nations Basic Principles on the Use of Force and Firearms by Law Enforcement Officials.

In May 2021, the Israeli forces carried out an escalation against the Palestinian factions in the Gaza Strip in attacks that lasted 11 days. That killed at least 242 people in the Gaza Strip, including 63 children, while 9,000 others were injured. The Commission of Inquiry on Violations in the Palestinian Territories concluded that the Israeli attacks on residential buildings. It made women and children more vulnerable to death and injury than any previous attacks by Israeli forces.

In specific incidents, in May 2022, Israeli security forces killed Shireen Abu Akleh, a journalist and news reporter in the occupied West Bank, while she was carrying out her work documenting the incursion of Israeli forces into the Jenin camp. Journalist Ali al-Samudi was also shot in the back, even though the journalists were wearing protective coverings that distinguish them as journalists¹⁶.

¹³ الكنيست الإسرائيلي يعتزم مناقشة مشروع قانون يجيز إعدام فلسطينيين، الوطن، على الرابط التالي: <https://bit.ly/3qVBJy1>

¹⁴ “Horrrifying”: Gaza Assault Kills 44 Palestinians, 15 Children. Will Ceasefire End Bloodshed? Democracy Now!

<https://bit.ly/3UqQp5C>

¹⁵ إسرائيل قتلت في 2022 خمسة أضعاف من قتلهم في المدة نفسها في 2021، المرصد الأور متوسطي لحقوق الإنسان، على الرابط التالي:

<https://bit.ly/3f4pmgv>

¹⁶ ماعت تدين مقتل الصحفية الفلسطينية شيرين أبو عقلة، <https://bit.ly/3LAso8w>

Israel does not open investigations into the killings in the West Bank and Gaza Strip. The Israeli army suggested that Shireen Abu Akleh may have been shot dead by a stray bullet. The case was closed without a criminal investigation, which reinforces lack of accountability and impunity against the right to life violation and the killing of civilians¹⁷.

3. The right of association

Israel received ten recommendations in the third cycle of the UPR to ensure the work of civil society organizations, all of which were accepted. Nevertheless, Israel continued to violate the right to freedom of association. On October 19, 2021, the Israeli Minister of Defense classified six Palestinian organizations working in human rights and humanitarian work as terrorist organizations. The United Nations' bodies criticized this classification, and it considered that the use of terrorism laws to restrict the freedom of civil society creates an unfavorable environment for the work of these organizations. In the right of association violation, on August 18, 2022, the Israeli authorities stormed the former organization's offices, confiscated the documents of these organizations and computers, and closed the doors of these organizations.

4. The right to freedom of peaceful assembly

The law guarantees freedom of assembly in Israel, yet the Israeli police often attempt to restrict peaceful demonstrations. In 2020, the police also prevented peaceful protests more than a kilometer from the citizens' homes under the pretext of precautionary measures to address Covid 19. The Israeli police have confronted peaceful assemblies, both inside and outside the administrative division of Israel.

On February 26, 2021, the Israeli police used excessive force and riot control measures, rubber bullets, and tear gas canisters, against peaceful gatherings organized by Arab citizens in Umm al-Fahm to demand to confront the violence and organized crime in their community¹⁸. Israeli police injured 14 people after the use of force, including a member of the Knesset. In May 2021, peaceful gatherings in the Sheikh Jarrah neighborhood in the East Jerusalem area were under the control of the Israeli authorities in protest against the forced

¹⁷ Shireen Abu Akleh: Israeli army admits 'high possibility' that soldier killed journalist, euro news, <https://bit.ly/3DF5c6R>

¹⁸ ISRAEL 2021 HUMAN RIGHTS REPORT, Page 38, <https://bit.ly/3BS9pmy>

eviction of Palestinian families from the neighborhood. As a result of these gatherings, a person named (MA) was killed, while 31 others were injured. The Israeli police arrested more than 2,000 people, most of whom were Arabs.

Third: the rights of specific groups

1. Children

About 9 recommendations were made to Israel regarding violations against Palestinian children, particularly ending the administrative detention of children, as this phenomenon has been practiced by the Israeli security forces since the third cycle of the review. Out of these recommendations, Israel accepted 6 and took note of 3 others. By 2021, Israeli authorities held about 157 Palestinian children in prisons, some of them in the facilities of the Israeli Prison Service, and some children held in Israeli army detention facilities. Maat believes that the number of children held in administrative detention is higher, especially after Israel passed a special information law that restricts civil society organizations' access to these statistics. It is clear through these practices that Israel has not addressed the recommendations regarding the status of children in administrative detention. In specific incidents, an Israeli military court ruled on February 13, 2022, to extend the administrative detention of the child (M.G).

The administrative detention order issued against the child was the third in a row against the same child; who was detained in Megiddo Prison in northern Israel¹⁹.

2. Women

Israel received about 15 recommendations about women in the third cycle of the UPR; it accepted 14 recommendations, and took note of one other. However, Palestinian women residing in areas under the actual control of the Israeli authorities continue to face multiple violations, including physical and verbal abuse and sexual harassment. According to the Committee on the Elimination of All Forms of Discrimination against Women²⁰, women were attacked at checkpoints by Israeli security forces on roads leading to schools and workplaces by settlers. In particular, Palestinian women were subjected to sexual harassment in Israeli detention centers and deliberate acts of ramming.

¹⁹ الملاحظات الختامية بشأن التقارير الدورية الثاني إلى الرابع المقدمة لإسرائيل، على الرابط التالي: <https://bit.ly/3f2fL9P>

²⁰ Concluding observations on the sixth periodic report of Israel, <https://bit.ly/3qWL6xm>

For example, in December 2021, an Israeli settler ran over a Palestinian citizen named (G.A) in the Sinjil municipality in the West Bank, killing her instantly²¹. The Israeli police did not intervene to prevent the attacks²².

3. Indigenous peoples

Israel received approximately 13 recommendations related to minorities, immigrants, and indigenous peoples. Out of these recommendations, 7 were completely accepted, 4 were partially accepted, and 2 others were taken note of. About 250,000 indigenous peoples live in Israel. Maat noted a lack of services in the areas where this group lives. For example, the Bedouins of the Negev, the indigenous to Israel²³, face discrimination in accessing economic and social rights. About 50% of these Bedouins live in villages that Israel does not recognize or provide the services guaranteed under the International Covenant on Economic, Social, and Cultural Rights and other international treaties²⁴.

In February 2017, the Israeli government adopted a five-year plan for the social and economic development of the Bedouin communities in the Negev region. However, with the expiry of this plan's time frame, the situation in the Negev has not undergone a fundamental change. Even with Ra'im Muslim, the party that defends the Bedouin cause, joining the coalition that formed the current government in Israel, ending years of underrepresentation of the Bedouin in the Negev at the government level²⁵. Although the June 2021 agreement gave importance to the situation of the Bedouins in the Negev, these villages in the Negev are still without necessities of life such as water, electricity, and other social services; more than a year has passed since this agreement.

The Bedouin population of the Negev is still the poorest group in Israel who suffer from poor infrastructure and lack of access to quality education. live in constant fear of having their homes demolished due to their illegal status²⁶. As for education, the education system in the Bedouin villages in the Negev impedes integration into the labor force. In addition, the dropout rate from the

²¹ Israeli settler runs over, kills middle-aged Palestinian woman in occupied West Bank, <https://bit.ly/3dzDEFj>

²² How settler violence is fueling West Bank tension, <https://bit.ly/3BWGL3M>

²³ من هم السكان الأصليون لمنطقة الشرق الأوسط؟، بي بي سي، 10 أغسطس 2019، على الرابط التالي: <https://bbc.in/34XIV6f>

²⁴ المرجع السابق

²⁵ History made as Arab Israeli Ra'am party joins Bennett-Lipid coalition, The Times of ISRAEL, 3 JUNE 2021, <https://bit.ly/3FAduD>

²⁶ تجاوزوا الحد السلطات الإسرائيلية وجريمتا الفصل العنصري والاضطهاد، هيومان رايس ووتش، 27 أبريل 2021، على الرابط التالي: <https://bit.ly/3I83RVc>

educational process in the Negev is the highest in Israel, approaching 31%, which exceeds the dropout rate in all other Israeli regions, where the percentage does not reach about 10%²⁷.

Recommendations:

- The necessity of putting pressure on Israel to join the International Convention on the Protection of the Rights of Migrant Workers and Members of Their Families;
- The necessity of putting pressure on Israel to join the International Convention for the Protection of All Persons from Enforced Disappearance;
- Urging Israel to accede to all the optional protocols attached to the basic conventions Israel has not yet acceded;
- Upping pressure on Israel to cancel the draft law to be discussed that applies the death penalty to Palestinian citizens;
- Revoking the Israeli Defense Minister's designation of six Palestinian organizations working in the human rights and humanitarian work as terrorist organizations and allowing them to practice their work freely;
- The necessity of putting pressure on Israel to release children held in administrative detention and to stop all forms of torture and cruel treatment against them;
- Intervening to prevent women from being physically assaulted and sexually harassed at checkpoints by the Israeli police;
- Ensuring that the Bedouins of the Negev have access to all human rights, including the equitable distribution of development projects in this area. Implementation of the principles of the United Nations Declaration on Indigenous Peoples.

²⁷ Report finds Negev Bedouins remain poorest population in Israel, Al-Monitor, 30 September 2021, Available at the following link: <https://bit.ly/3FzKvqg>