

UN CRC	Ratification Date	Care-Related Concluding Observations
<p>CRC/C/ISR/CO/2-4</p> <p>Concluding observations on the second to fourth periodic reports of Israel, adopted by the Committee at its sixty-third session (27 May – 14 June 2013)</p>	<p>3 Oct 1991</p>	<p>4 July 2013</p> <p><a href="http://tbinternet.ohchr.org/Treaties/CRC/Shared%20Documents/ISR/INT_CRC_COC_ISR_13827_E.pdf">http://tbinternet.ohchr.org/Treaties/CRC/Shared%20Documents/ISR/INT_CRC_COC_ISR_13827_E.pdf</a></p> <p><b>IV. Main areas of concern and recommendations</b></p> <p><b>C. General principles (arts. 2, 3, 6 and 12 of the Convention)</b></p> <p><b>Respect for the views of the child</b></p> <p>27. (a) In proceedings involving conversion, or admission to a psychiatric hospital, courts are not obliged to hear the opinions of the child if it would cause harm to the child, and that derogation to the right of the child to be heard in adoption proceedings is permissible when children are not aware of being adopted. The Committee is further concerned that migrant and asylum-seeking children are rarely heard in proceedings that concern them;</p> <p>28. Referring to its general comment No. 12 (2009) on the right of the child to be heard, the Committee reminds the State party that this right applies to all relevant judicial and administrative proceedings affecting the child, without limitation, and that in decisions on adoption, the “best interests” of the child cannot be defined without consideration of the child’s views. The Committee recommends that the State party reconsider the limits it has posed on the right of the child to be heard in cases of conversion, admission to a psychiatric hospital or adoption and to take measures to effectively ensure the right of migrant and asylum-seeking children to be heard in proceedings that concern them. The Committee also recommends that the State party establish clear mechanisms and guidelines for an effective implementation in practice of the right of the child to be heard and ensure that the views of the child are taken into account by policymaking bodies and that children are provided with adequate responses to their proposals.</p>

		<p><b>D. Civil rights and freedom (arts.7, 8, 13-17, 19 and 37 (a) of the Convention)</b></p> <p><b>Right to identity</b></p> <p>31. The Committee is concerned about the provisions of the Adoption of Children Law which allows hiding from a child the fact that he or she has been adopted. The Committee is also concerned about the 2008 reasoning of the Family Matters and District court of Haifa which considered that allowing a paternity test was not in the best interests of the child as it might result in the child being labelled as a “bastard” according to Jewish Halasha.</p> <p><b>32. In the light of article 7 of the Convention, the Committee recommends that the State party ensure, as far as possible, respect for the child’s right to know his or her parents’ identity in the case of an adopted child or a child born out of wedlock who has not been recognized by either of his or her parents. It also urges the State party to ensure that religious laws be brought in line with the Convention and do not contain derogatory language against children born out of wedlock.</b></p> <p><b>Abuse and neglect</b></p> <p>39. The Committee notes as positive the State’s appeals against court decisions pronouncing light sanctions for parents abusing and neglecting their children (e.g. Cr.A (Be’er-Sheva) 7161/02 The State of Israel v. Z.Y. (12.2.2003). The Committee also welcomes the 2007 decision of the Jerusalem Magistrate Court (C.C. 3970/98 Yitzhak Goldstein v. The State of Israel (14.01.2007) condemning the Municipality of Tel-Aviv for its failure to remove a child from his home and to protect him from abuse and neglect despite evidence available to the Department of Welfare that the child was mistreated. The Committee however expresses concern about insufficient support and services to promote responsible parenting and the shortage of placement for children at risk which lead some children to be held in detention facilities, as in the case of 153 teenage girls reportedly held in detention facilities awaiting placement in May 2012.</p>
--	--	---

		<p><b>40. The Committee recommends that the State party strengthen its efforts to protect children from abuse and neglect and to promote positive parenting and take all appropriate measures to increase the number of protective shelters available to children at risk who should benefit from psychosocial assistance and appropriate care. As a matter of priority, the State party should remove all children at risk currently held in detention facilities and place them in appropriate rehabilitation and care facilities.</b></p> <p><b>F. Family environment and alternative care (arts. 5, 18 (paras. 1-2), 9-11, 19-21, 25, 27 (para. 4) and 39 of the Convention)</b></p> <p><b>Family environment</b></p> <p>45. The Committee welcomes the measures adopted by the State party to provide assistance and support services to parents and legal guardians in the performance of their child-rearing responsibilities, including the provision of income support benefits to families which do not earn the minimum level of income, as well as the 2007 amendment to the Sick Day Payment Law which entitles parents of children with disabilities to additional leave days to care for their children. The Committee is however concerned about the situation of children of asylum seekers, refugees and migrant workers who are left in mass babysitting or alone in apartments or in the streets without any support from social services during the time their parents work outside the home.</p> <p><b>46. The Committee urges the State party to take concrete measures to ensure that social support is provided to all parents who cannot afford private after school programmes for their children and have no choice but to leave their children alone while they work. Special attention should be paid to children in particularly vulnerable situations, such as children of asylum seekers, refugees and migrant workers.</b></p> <p><b>Children deprived of a family environment</b></p> <p>47. While noting the positive efforts made by the State party to accelerate the development of new residential-care models, such as community-based residential settings and group homes in the child's home community, the Committee remains concerned that only a small proportion of children are placed in foster care compared to those placed in residential institutions. The Committee also expresses concern that in</p>
--	--	---

		<p>2008, the Israeli Defence Forces closed down two institutions for children in Hebron without any written instructions and proper alternative plans, evicting 3,192 children and confiscating all clothing, food, stationary and other supplies, as reported by the High Commissioner for Human Rights (A/HRC/8/17, para. 50).</p> <p><b>48. The Committee reiterates its recommendation (CRC/C/15/Add.195, para. 41) that the State party further strengthen the foster care system. The Committee also urges the State party to investigate the responsibilities in the closure of the child institutions in Hebron and ensure that human, financial and technical resources are provided for all evicted children to be sheltered and cared for in appropriate conditions.</b></p> <p>49. The Committee expresses concern that thousands of Palestinian children are deprived of their right to live and grow up in a family environment with both of their parents or with their siblings and that thousands live under the fear of being separated because of the severe restrictions on family reunification under the Citizenship and Entry into Israel Law as amended in 2005 and 2007. The Committee is particularly concerned about the State party's decision to stop processing residency applications for Palestinian children since 2000 and to revoke the residency status of Palestinians living in East Jerusalem. The Committee notes with deep concern that even children who have lost one of their parents are prevented from reuniting with their surviving parent in the West Bank.</p> <p><b>50. The Committee urges the State party to take immediate measures to ensure that all separated Palestinian children are reunited without delay with both of their parents and with their siblings, and that all family members obtain proper registration to avoid any further risk of separation. The State party should revoke the Citizenship and Entry into Israel Law and all policies which are in breach of articles 9 and 10 of the Convention and which prevent family reunification, as previously recommended by the Human Rights Committee (CCPR/C/ISR/CO/3, para.15, 2010), the Committee on the Elimination of Discrimination against Women (CEDAW/C/ISR/CO/5, para. 25, 2011) and the Committee on the Elimination of Racial Discrimination in 2012 (CERD/C/ISR/CO/14-16, para. 18).</b></p> <p><b>I. Other special protection measures (arts. 22, 30, 38, 39, 40, 37 (b)-(d), 32-36 of the Convention)</b></p>
--	--	--

		<p><b>Asylum seeking and refugee children and children of migrant workers</b></p> <p>69. The Committee welcomes the creation of a Youth Village in Nitzana in 2011 for unaccompanied children. The Committee also notes as positive the attention that the situation of children without legal status has recently received from the State Comptroller and the Knesset Child Rights Committee. The Committee is however concerned about the increased marginalization of children of asylum seekers and migrant workers as well as unaccompanied children in the State party, who are often left without any support from welfare authorities. The Committee is further concerned that these children are often denied access to day-care centres, education, and health services and therefore stay alone while their parents work outside of their home or are exposed to various forms of exploitation. The Committee also expresses concern about:</p> <ul style="list-style-type: none"> <li>(a) The Anti-Infiltration Law enacted in January 2012 which allows for the prolonged detention of children, including child victims of exploitation, torture and trafficking who migrate illegally to the State party;</li> <li>(b) The rise in arrests since August 2011 of children of migrant workers, including children born in the State party, in extremely stressful conditions such as those conducted at night. These children and their mothers are then placed in Yahalom detention facility at Ben Gurion International Airport until their deportation, in small cells that are unsuitable for families without the possibility to contact their father or any other family members and without access to health services, social workers or legal counselling;</li> <li>(c) The conditions of detention of children in Saharonim detention centre which were judged harsh and overcrowded by the Public Defender in his August 2011 report. In 2011, 19 boys attempted suicide in the Matan detention facility of Harera and in the Givon detention facility, girls have been detained together with adults. Child victims of abuse, torture or trafficking are not provided with appropriate psychosocial care and support;</li> <li>(d) The arrest, imprisonment in harsh conditions and deportation in 2012 of Sudanese children, including children who had been placed in protective care services due to violence and severe neglect by their parents, following arrest and imprisonment of the parents in harsh conditions, causing serious emotional damage to these children.</li> </ul>
--	--	--

		<p><b>70. The Committee draws attention to its general comment No. 6 (2005) on the treatment of unaccompanied and separated children outside their country of origin and reminds the State party that all children involved in or directly affected by international migration are entitled to the enjoyment of their rights, regardless of age, sex, ethnic or national origin and economic or documentation status, in both voluntary and involuntary migration situations, whether accompanied or unaccompanied, on the move or otherwise settled, documented or undocumented or any other situation. The Committee urges the State party to:</b></p> <ul style="list-style-type: none"> <li><b>(a) Guarantee the right for all asylum-seeking children and children of migrant workers to access public schools, boarding schools, kindergartens, nurseries and health services and ensure coordination among responsible government actors with the view to protecting and adequately supporting these children;</b></li> <li><b>(b) Develop and enact as a matter of priority a national legal framework to regulate the Israeli asylum procedure, including the principle of non-refoulement, and repeal the provisions of the Anti-Infiltration Law which allow for the prolonged detention of children;</b></li> <li><b>(c) Take all appropriate measures to promote physical and psychological recovery, as well as social reintegration of child victims of any form of neglect, exploitation, abuse, torture or any other form of cruel, inhuman or degrading treatment or punishment;</b></li> <li><b>(e) Cease with immediate effect the detention of children on the basis of their immigration status;</b></li> <li><b>(f) Conduct individual assessments and evaluations of the best interests of the child at all decision stages of the migration process affecting children, and with the involvement of child protection professionals, the judiciary as well as children themselves. Primary consideration should also be given to the best interests of the child in any proceeding resulting in the child's or their parents' detention, return or deportation;</b></li> <li><b>(g) Consider ratifying the 1961 Convention on the Reduction of Statelessness, and review nationality legislation and existing procedures to bring them in line with international standards for the prevention and reduction of statelessness.</b></li> </ul>
--	--	---

		Country Report
		<p>CRC/C/ISR/2-4  3 June 2013  <a href="http://docstore.ohchr.org/SelfServices/FilesHandler.ashx?enc=6QkG1d%2fPPRiCAqhKb7yhsv1txuQys3LgW60cwoE2%2bBVrOOZnZ33AveYzcZvR4u%2fiY9ac2C33mbAErsM%2bvVbNPXumklikzdbq">http://docstore.ohchr.org/SelfServices/FilesHandler.ashx?enc=6QkG1d%2fPPRiCAqhKb7yhsv1txuQys3LgW60cwoE2%2bBVrOOZnZ33AveYzcZvR4u%2fiY9ac2C33mbAErsM%2bvVbNPXumklikzdbq</a></p>
OPSC to CRC	Ratification Date	Care-Related Concluding Observations
	23 Jul 2008	
OPAC to CRC	Ratification Date	Care-Related Concluding Observations
	18 Jul 2005	<a href="http://docstore.ohchr.org/SelfServices/FilesHandler.ashx?enc=6QkG1d%2fPPRiCAqhKb7yhsg3bGBgi7nnUgqOo%2fynBtO8KkD4SHWdCIDKID01Dtj6PcrHkw92Ql%2bNS6UQ01V4k%2bUkluFyY%2fszsSggW%2bqMW0rRgP6nsD70oFDvIbE%2fMPuuecBDC3xRE8%2fq">http://docstore.ohchr.org/SelfServices/FilesHandler.ashx?enc=6QkG1d%2fPPRiCAqhKb7yhsg3bGBgi7nnUgqOo%2fynBtO8KkD4SHWdCIDKID01Dtj6PcrHkw92Ql%2bNS6UQ01V4k%2bUkluFyY%2fszsSggW%2bqMW0rRgP6nsD70oFDvIbE%2fMPuuecBDC3xRE8%2fq</a>
ICCPR	Ratification Date	Care-Related Concluding Observations
	3 Oct 1991	
ICESCR	Ratification Date	Care-Related Concluding Observations
	3 Oct 1991	
CEDAW	Ratification Date	Care-Related Concluding Observations
	3 Oct 1991	
CRPD	Ratification Date	Care-Related Concluding Observations

	28 Sep 2012	
<b>UPR</b>	<b>Date of Consideration</b>	<b>Link to Page</b>
	29 Jan 2013	<a href="http://www.ohchr.org/EN/HRBodies/UPR/Pages/ILSession15.aspx">http://www.ohchr.org/EN/HRBodies/UPR/Pages/ILSession15.aspx</a>
<b>Hague Intercountry Adoption</b>	<b>Accession Date</b>	<b>Link to Country Profile</b>
	3 Feb 1999	<a href="http://www.hcch.net/index_en.php?act=states.details&amp;sid=45">http://www.hcch.net/index_en.php?act=states.details&amp;sid=45</a>

**Acronyms and Abbreviations:**

CEDAW	Convention on the Elimination of All Forms of Discrimination against Women
CRC	Convention on the Rights of the Child/Committee on the Rights of the Child
CRPD	Convention on the Rights of Persons with Disabilities
ICCPR	International Covenant on Civil and Political Rights
ICESCR	International Covenant on Economic, Social and Cultural Rights
OPAC to CRC	Optional Protocol to the Convention on the Rights of the Child on the Involvement of Children in Armed Conflict
OPSC to CRC	Optional Protocol to the Convention on the Rights of the Child on the Sale of Children, Child Prostitution and Child Pornography
UN	United Nations
UPR	Universal Periodic Review