

Universal Periodic Review (29th session, Jan-Feb 2018)
Contribution of UNESCO
Contribution of UNESCO to Compilation of UN information
(to Part I. A. and to Part III - F, J, K, and P)

[Israel](#)

I. Background and framework

Scope of international obligations: Human rights treaties which fall within the competence of UNESCO and international instruments adopted by UNESCO.

Title	Date of ratification, accession or succession	Declarations /reservations	Recognition of specific competences of treaty bodies	Reference to the rights within UNESCO's fields of competence
Convention against Discrimination in Education 1960	State Party to the Convention (22/09/1961)	Reservations to this Convention shall not be permitted		Right to education
Convention on Technical and Vocational Education 1989	Not a State Party to the Convention			Right to education
Convention concerning the Protection of the World Cultural and Natural Heritage 1972	06/10/1999 Acceptance	On 31 January 2012, the Director-General received a communication dated 17 January 2012 from the Permanent Delegation of Israel to UNESCO containing the following declaration: "The Embassy of the State of Israel presents its compliments to the Secretariat of UNESCO and has the honour to refer to the notification regarding the accession of "Palestine" to the Convention concerning the Protection of the World Cultural		Right to take part in cultural life

		and Natural Heritage of 1972. The Government of the State of Israel objects to that accession as it contradicts Article II of the Constitution of UNESCO as well as the established norms and practices of International Law. [Original: English]		
Convention for the Safeguarding of the Intangible Cultural Heritage 2003	Not ratified			Right to take part in cultural life
Convention on the Protection and Promotion of the Diversity of Cultural	Not ratified			Right to take part in cultural life

Right to education

II. Promotion and protection of human rights on the ground

1. Israel's **constitutional framework** is made up of Basic Laws¹ but none of them explicitly guarantees the right to education. The **main laws** adopted in relation to education include the Compulsory Education Law (1949), the State Education Law (1953), the School Inspection Law (1968), the Special Education Law (1988), the Long School Day and Enrichment Studies Law (1997), the Pupils' Rights Law (2000) and the Law governing free education for sick children (2000).
2. In terms of reporting to UNESCO, within the framework of the latest Consultations of Member States on the measures taken to implement the UNESCO Convention against Discrimination in Education, Israel did not submit national reports for the 8th (2011-2013) and 9th (2016-2017) Consultations of Member States. Similarly, Israel did not report on the measures taken for the implementation of the UNESCO Recommendation concerning Education for International Understanding, Co-operation and Peace and Education relating to Human Rights and Fundamental Freedoms within the framework of the 5th (2012-2013) and 6th (2016-2017) Consultations of Member States.

¹ The Knesset's official website, The existing Basic Laws, http://www.knesset.gov.il/description/eng/eng_mimshal_yesod1.htm

Freedom of opinion and expression

➤ Constitutional and Legislative Framework:

3. As Israel has no formal written constitution, a series of basic laws² govern the formation and role of state institutions as well as their relations and the civil rights of its citizens. However, there is no explicit commitment to guaranteeing freedom of the press in the basic laws. The Supreme Court of Justice, through its rulings, has filled this space by affirming that freedom of expression is a guaranteed right in the State of Israel. The Supreme Court's jurisprudence is a key element in upholding the rights to freedom of expression.
4. The Freedom of Information Law³ (5758-1998) allows every Israeli citizen and resident to access records that are held by government offices, local councils and government-owned firms.
5. Defamation continues to be classified as a criminal offence under the Defamation Act (1965) and the confidentiality of journalistic sources is not explicitly protected under Israeli law.

➤ Implementation of legislation:

6. Three regulatory bodies supervise audiovisual media. In July 2014, Israel's parliament passed the Public Broadcasting Law⁴, which establishes the Public Broadcasting Corporation⁵. The body replaces the Broadcasting Authority that was established under the Broadcasting Authority Law, 5725-1965. The Public Broadcasting Corporation's Council is composed of 12 members, appointed by the Minister of Communications. The Second Authority for Television and Radio⁶, established by the Law 5750-1990⁷, supervises commercial television and radio broadcasts through the Council, which is composed of 15 members, appointed by the government according to the proposal of the Minister.
7. The Council for Satellite and Cable TV Broadcasting⁸, also established under the Telecommunications Law of 1982⁹, is in charge of protecting the interest of multi-channel TV public.

➤ Safety of journalists:

² https://www.constituteproject.org/constitution/Israel_2013?lang=en

³ http://www.wipo.int/wipolex/en/text.jsp?file_id=346740

⁴ http://www.wipo.int/wipolex/en/text.jsp?file_id=379986

⁵ <http://www.kan.org.il/>

⁶ http://www.rashut2.org.il/english_index.asp

⁷ http://www.moc.gov.il/sip_storage/FILES/2/3892.pdf

⁸ <http://www.moc.gov.il/8-he/MOC.aspx>

⁹ http://www.moc.gov.il/sip_storage/FILES/9/3889.pdf

8. UNESCO¹⁰ did not report any killing of journalists within Israel between 2008 until present time.

III. Recommendations

9. Below are the recommendations made within the framework of the 2nd cycle of the Working Group (23rd session) on the Universal Periodic Review (March 2013)¹¹:

136.53. *Provide equal rights for all citizens of Israel regardless of their origin and confession, allowing them equal access to employment, education and other socio-economic rights as well as participation in political processes,*

136.67. *Take steps to ensure the rights to health, education, and other rights dependent on freedom of movement are protected,*

136.85. *Take measures to ensure a fair access to education, without distinction of the origin or gender of the person,*

136.86. *Put into practice additional measures which encourage a larger presence of Arab students in university lecture halls as well as a policy encouraging the inclusion of Arab lecturers in the universities*

136.91. *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*

136.93. *Ensure the enjoyment of economic, social and cultural rights in equal conditions for minorities, particularly their right to work and to education,*

136.98. *Continue efforts to ensure equal access of Bedouin communities to education, work, housing and public health,*

136.102. *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,*

136.103. *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.*

Review and specific recommendations

10. The vast majority of the recommendations made during the last UPR cycle in relation to education referred to measures supporting equal access to education, including for minority groups and communities. Record of specific legal or policy action on this issue could not be identified. More generally, and to the extent of our knowledge, no recent legal or policy measure pertaining to the right to education could be identified. Further steps could be taken to improve equitable access to education and foster education opportunities for disadvantaged and marginalised groups.

¹⁰ <http://en.unesco.org/unesco-condemns-killing-of-journalists>

¹¹ <https://documents-dds-ny.un.org/doc/UNDOC/GEN/G13/190/45/PDF/G1319045.pdf?OpenElement>

➤ **Specific recommendations:**

1. Israel could be encouraged to take further steps towards improving equitable access to education and to adopt additional measures directed at fostering education opportunities for disadvantaged and marginalised groups.

Freedom of expression

11. Israel is further recommended to decriminalize defamation and place it within a civil code that is in accordance with international standards.

Cultural Rights

12. As a State Party to the Convention concerning the Protection of the World Cultural and Natural Heritage (1972)¹², Israel is encouraged to fully implement the relevant provisions that promote access to and participation in cultural heritage and, as such, are conducive to implementing the right to take part in cultural life as defined in article 27 of the Universal Declaration of Human Rights and article 15 of the International Covenant on Economic, Social and Cultural Rights. In doing so, Israel is encouraged to give due consideration to the participation of communities, practitioners, cultural actors and NGOs from the civil society as well as vulnerable groups (minorities, indigenous peoples, migrants, refugees, young peoples and peoples with disabilities), and to ensure that equal opportunities are given to women and girls to address gender disparities.
13. Israel is also encouraged to ratify the Convention for the Safeguarding of the Intangible Cultural Heritage (2003) and the Convention on the Protection and Promotion of the Diversity of Cultural Expressions (2005) as a means to promote access to and participation in creative expressions and as such contribute to implementing the right to take part in cultural life.

Freedom of scientific research and the right to benefit from scientific progress and its applications

14. Israel has not submitted its National Report on the implementation of the **Recommendation on the Status of Scientific Researchers** (1974) for the **Second Consultation** covering the period from 2013 to 2016 (<http://on.unesco.org/2hL0xGz>). Therefore **Israel** is encouraged to report to UNESCO on any legislative or other steps

¹² Periodic Report available at: <http://whc.unesco.org/document/116967>

undertaken by it with the aim to ensure the application of this international standard-setting instrument in line with the online monitoring questionnaire (<http://unesdoc.unesco.org/images/0024/002468/246830E.pdf>). When replying to the 2013-2016 monitoring questionnaire, **Israel** is kindly invited to pay particular attention to the legal provisions and regulatory frameworks which ensure that scientific researchers have the responsibility and the right to work in the spirit of the principles enshrined in the 1974 Recommendation. The issues under consideration are: autonomy and freedom of research and expression; academic freedom to openly communicate on research results; participation of scientific researchers in the definition of the aims and objectives of research; compliance of research methods with respect for universal human rights and fundamental freedoms, as well as ecological and social responsibility; freedom of movement of researchers and respect for their economic, social and cultural rights.