

Responses to Recommendations

ISRAEL

Review in the Working Group: 4 December 2008
 Adoption in the Plenary: 19 March 2009

Israel's responses to recommendations:

In the Report of the Working Group:	In the Addendum:	During the plenary:	Recommendations pending responses:	Summary:
No response, all pending	No addendum	The delegation accepted 3 REC and, following a point of order of Egypt requesting a response, took note of the other recommendations	51 REC	Accepted: 3 Rejected: 0 No clear position: 0 Pending: 51

List of recommendations contained in Section II of the Report of the Working Group A/HRC/10/76:

“100. In the course of the discussion, the following recommendations were made to Israel to:

- 1. Continue its efforts to overcome constraints and difficulties in order to implement all human rights and fundamental freedoms for everyone (Burkina Faso); take all necessary measures to ensure that it fulfils all of its obligations under international human rights instruments, particularly the International Covenant on Economic Social and Cultural Rights and the International Covenant on Civil and Political Rights with regard to the situation in Gaza (Ireland);
- 2. Evaluate the possibility of ratifying the second optional protocol to the International Covenant on Civil and Political Rights to abolish the death penalty (Argentina); consider the possibility of signing and ratifying the International Convention for the Protection of All Persons from Enforced Disappearance and accept the competence of its Committee (Argentina, France); ratify the Optional Protocol to the Convention against Torture (Denmark, Mexico, Brazil), recognize the competence of the Committee against Torture to examine complaints against Israel (Denmark) and ratify the Convention on the Rights of Persons with Disabilities (Mexico, Romania) and the optional protocol thereto (Mexico); ratify/consider ratifying the Rome Statute of the International Criminal Court (Jordan, Brazil);

- 3. Accelerate the process of bringing its national legislation into compliance with the provisions of the main international instruments to which it is a party (Azerbaijan);
- 4. Incorporate the Convention on the Elimination of All Forms of Discrimination against Women, the International Covenant on Economic, Social and Cultural Rights and the Convention against Torture into national legislation as soon as possible (Switzerland);
- 5. Bring the existing criminal provisions that could be seen as inconsistent with the Israeli Basic Law on Human Dignity and Liberty and basic human rights law provisions guaranteeing freedom of speech into conformity with modern human rights law standards (Norway);
- 6. Ensure best protection of human rights and follow-up to the implementation of international instruments (France); establish an independent national human rights institution in accordance with the Paris Principles (France, Jordan, Philippines);
- 7. Consider strengthening dialogue and cooperation by issuing a standing invitation to all special procedures of the Council (Latvia, Jordan, Brazil); reach the human rights goals set by the Council in its resolution 9/12 (Brazil);
- 8. Increase efforts to implement the recommendations of treaty bodies and to use the ongoing negotiations on a new constitution to include general non-discrimination provisions for all Israeli citizens (Austria); follow-up the recommendations made by the Committee on the Elimination of Racial Discrimination, the Committee on Economic, Social and Cultural Rights, the Committee on the Elimination of Discrimination against Women and the special procedures that visited in September 2006, in the areas of equality and non-discrimination, paying particular attention to women and ethnic, national and religious minorities, the elimination of any distinction, exclusion or preferential treatment among groups of population in all the territories under State jurisdiction, particularly in the areas of access to justice, employment, education, health services, property rights, housing rights, family reunification, freedom of expression, belief and religion (Mexico);
- 9. Redouble efforts to increase women's representation in society and to join the Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women (Azerbaijan); continue and strengthen its efforts to achieve gender equality in Government and public services at all levels (Guatemala);
- 10. Take all necessary measures to reduce the existing situation of discrimination and proceed in the near future to the equal allocation of lands, irrespective of the nationality of the owners (Greece);
- 11. Move towards the formal and final legal abolition of the death penalty (Slovenia);
- 12. Ensure that human rights defenders are able to carry out their legitimate work in a secure and free environment (Austria);
- 13. Respect the principles of the protection of persons subjected to detention or imprisonment and implement the recommendation of the Committee against Torture that specific legislation to ban torture be adopted (France); ensure prompt and impartial investigations of allegations of ill treatment, in accordance with its obligations under the Convention against Torture (Canada); commit to implementing the recommendations made after the review of its report submitted to the Committee against Torture and end physical and mental torture of Arab prisoners (Syrian Arab Republic); put an end to all forms of torture and other cruel, inhuman or degrading treatment or punishment, give families the right to visit detainees in places of detention wherever they are (Yemen); suppress all decisions allowing the use of torture in accordance with the Convention against Torture, and refrain from using arbitrary and summary executions (Palestine);
- 14. Spare no effort to investigate allegations of violence and killings committed by the police and also ensure that the State, at all levels, fully respects international human rights standards (Sweden);
- 15. Take immediate action to ensure all cases are reviewed by a court in accordance with fair procedures and that the rights of detainees, particularly the right to a fair trial and family visitations, are upheld (United Kingdom);

- 16. All detainees be given the reasons for their detention respecting their fundamental rights during detention (Chile); ensure that prisoners are informed of charges and evidence against them, have prompt access to counsel of their choice, be charged with a recognizable criminal offence and be given a fair trial (Canada);
- 17. Ensure that administrative detention is carried out in accordance with international human rights standards (Denmark); actively seek to address these concerns and review the use of administrative detention, which denies people their rights to liberty, due process and fair trial (Ireland);
- 18. Put the law on polygamy in effect (Chile);
- 19. Respect freedom of movement in all territories under State jurisdiction in conformity with international standards (Mexico);
- 20. Do not renew the Citizenship and Entry into Israel Law after its expiration in July 2009 and re-examine its scope with a view to respecting the obligation of nonA/ discrimination (Switzerland); suspend the Citizenship and Entry into Israel Law (Temporary Order of 31 May 2003) (Holy See);
- 21. Lift unnecessary restrictions on the granting of visas, in particular multiple entry visas, to members of the Christian clergy in the exercise of their religious duties (Italy);
- 22. Cease imprisoning conscientious objectors and consider granting them the right to serve instead with a civilian body independent of the military (Slovenia);
- 23. Refrain from interfering in the affairs of religious institutions, especially with respect to the rights of ownership and property (Jordan);
- 24. Implement all international resolutions confirming the need to preserve the character and characteristics of Jerusalem, not to change its legal status and to preserve its Islamic and Christian spiritual monuments and symbols (Morocco);
- 25. Guarantee equitable protection to all places of worship in the country, including all Muslim and Christian sacred places (Italy); refrain from preventing or hindering the restoration of Islamic holy shrines by the Waqf (Jordan); stop all illegal measures aimed at annexing East Jerusalem and at erasing its Arabic, Christian and Islamic characteristics, and respect religious freedom and the access to places of worship (Palestine, Pakistan);
- 26. Ensure access of Bedouin populations to basic public services, such as sanitation, electricity and water (Canada);
- 27. Refrain from evicting Arab residents from their homes in Jerusalem (Jordan);
- 28. Ensure that the rights of minorities are fully protected (United Kingdom);
- 29. Address the problem of discrimination against minorities and implement the recommendations made by the Or Commission in 2003 in this regard (Finland); strengthen efforts to ensure equality in the application of the law, counter discrimination against persons belonging to all minorities, promote their active participation in public life, and provide public services and infrastructure fairly (Canada);
- 30. Intensify its efforts to ensure that human rights are fully respected in the fight against terrorism (Sweden); redouble efforts to guarantee the protection of human rights and fundamental freedoms in the fight against terrorism, paying particular attention to the recommendations made by the Special Rapporteur on this subject (Mexico);
- 31. A sustained improvement of the humanitarian situation in the Palestine territories can only be achieved by the permanent settlement of the conflict. Encouraged the international community to continue its efforts to that end; necessary measures must be taken to ameliorate the living conditions of the Palestine people. Call on all parties concerned to refrain from any action that could undermine the process leading to a durable solution (Turkey);

- 32. Respect its obligations under international human rights and humanitarian law with respect to the Palestinian people (Maldives); fully respect its human rights obligations, not only in its own territory, but also in places under its control, such as the Occupied Palestine Territories, as recalled by treaty bodies and the International Court of Justice (Switzerland); comply with obligations under international human rights and humanitarian law, and ensure the rights to health, education, work and protection of family rights in the West Bank, including East Jerusalem, the Gaza Strip and the Golan Heights (Canada); honour its obligations under international humanitarian law with regard to the situation in the Occupied Palestinian Territories (Azerbaijan); apply international human rights and humanitarian law in the Occupied Palestinian Territories and the occupied Syrian Golan (Kuwait); set a clear timetable to commit itself to the principles of human rights and humanitarian laws in all occupied Arab territories (Syrian Arab Republic); guarantee the enjoyment of human rights and humanitarian law for those living in the occupied territories (Chile); respect all United Nations resolutions and its obligations under international human rights law and international humanitarian law, with a view to guaranteeing fundamental rights and freedoms to all Palestinians in the Occupied Palestinian Territories, including East Jerusalem, by combating all forms of discrimination; and ensure the enjoyment of the rights of the Palestinian people, inter alia, to housing, education, health, freedom of expression and freedom of movement (Morocco);

- 33. Abide by its international obligations, including those under the Fourth Geneva Convention (Ireland); meet provisions of international humanitarian law, particularly the Fourth Geneva Convention (Cuba); fully implement its obligations under international law, including international humanitarian law, in particular the Fourth Geneva Convention of 1949 relating to treatment of non-combatants in the hands of the occupying power (Malaysia); respect and ensure respect of international humanitarian law, particularly the 1949 Geneva Conventions and the Optional Protocol I thereto, including in the Occupied Palestine Territories (Mexico);

- 34. Recognize and respect the right of the Palestinian people to self-determination (Malaysia, Maldives) and their right to establish an independent sovereign Palestinian State (Maldives); fully restore the rights and dignity of the Palestinian people, including their rights to life, to live in dignity, adequate food, housing, health, education as well as their freedom of movement (Malaysia); grant Palestinians economic, social and cultural rights as well as civil and political rights; allow Palestinians to reach places of worship, and protect religious freedom in accordance with article 27 of the Fourth Geneva Convention, as the occupying power, and bear its responsibility in this respect; and allow the international community organizations, particularly ICRC, to ascertain the health conditions of Arab detainees in Israeli prisons (Bahrain); respect religious and cultural rights of the Palestinian people in the Occupied Palestinian Territories, including Jerusalem, in accordance with Council resolution 6/19 (Syrian Arab Republic); end the occupation of the Occupied Palestinian Territories and other Arab territories occupied since 1967, including Jerusalem and the Syrian Golan (Egypt, Kuwait, Cuba); end Israeli violations in the Occupied Syrian Golan (Kuwait); end the occupation of all Palestinian and Arab territories occupied, including Jerusalem (Yemen, Maldives, Jordan, Palestine, Pakistan); and withdraw from all the territories since 5 June 1967 (Jordan); respect the inalienable rights of Palestinians and end all occupation of occupied Arab territories (Saudi Arabia); end the occupation of all Palestinian and Arab territories occupied since 1967, including Jerusalem and occupied Syrian Golan, and recognize and respect the right of the Palestinian people to self-determination and their right to establish an independent sovereign Palestinian State with Jerusalem as its capital (Sudan); in the light of the concerns expressed by the Special Committee to Investigate Israeli Practices in the Occupied Territories, the Special Rapporteur on human rights and counter-terrorism and the High Commissioner for Human Rights regarding the continued deterioration of human rights and the humanitarian situation in the Occupied Palestinian Territory emanating from, among others, the construction of the security wall, address the violations immediately, including through the cessation of the occupation (Democratic People's Republic of Korea); respect the right of the Palestinians to self-determination and the establishment of their independent State with Jerusalem as its capital (Egypt, Kuwait, Palestine), as stipulated in various international treaties (Palestine, Pakistan);

- 35. Acknowledge/recognize, accept and fully implement the advisory opinion of the International Court of Justice on the wall (Egypt, Maldives, Jordan, Palestine, Pakistan) that Israel immediately cease work on the construction of the wall being built in the Occupied Palestinian Territories, and begin dismantling it (Maldives); end construction of, and dismantle the already built, illegal separation

wall (Cuba); dismantle the wall in the Occupied Palestinian Territories and refrain from expansion of settlements (Brazil); dismantle the separation wall (South Africa).

- 36. Take urgent and immediate steps to end its occupation of all Palestinian and Arab territories occupied since 1967; implement all Human Rights Council, General Assembly and Security Council resolutions on the Occupied Palestinian Territories and other Arab territories; introduce measures to respect the right of the Palestinian people to self-determination and their right to return; accept its obligations under international human rights and humanitarian law; cease action that would alter the demographic situation of Palestine; and grant access to safe drinking water to Syrian citizens living in the occupied Syrian Golan (South Africa);

- 37. Develop mechanisms for overseeing the implementation of the Convention of the Rights of the Child in the West Bank and Gaza (Slovenia); apply the definition of a child as a person under 18 also in the Palestinian territories, in line with article 1 of the Convention on the Rights of the Child (Italy);

- 38. Immediately cease its military operations in the Occupied Palestinian Territories and lift the closure and seizure it imposes on the Gaza Strip (Egypt); end military attacks against the civilian Palestinian population (Cuba); ensure safe and unhindered access to all humanitarian personnel and humanitarian assistance to the civilian population, and most importantly refrain from imposing blockades on the Gaza Strip (Jordan); refrain from subjecting the civilian population to collective punishment (Jordan); ensure the protection and welfare of civilians in the Occupied Palestinian Territories (Jordan); end collective punishment in the Occupied Palestinian Territories, in particular in the Gaza Strip (Palestine, Pakistan);

- 39. End all settlement activities in the Occupied Palestinian Territories, in particular in and around occupied Jerusalem (Egypt); stop the policy of colonization through illegal settlement (Cuba); annul its illegitimate decision to annex the occupied Syrian Golan and end all settlement activities therein (Egypt); cease immediately the expansion of settlements and the operations of destruction, inter alia, in East Jerusalem of houses belonging to Palestinian families (Switzerland); stop all settlement activities (Jordan); end all construction in the Occupied Palestinian Territories and the destruction of natural and agricultural resources of the Palestinian people (Palestine, Pakistan);

- 40. Improve and strengthen cooperation with all relevant United Nations special procedures and mechanisms to, inter alia, improve the enjoyment of human rights by populations in the Occupied Palestinian Territories and to reverse the dire humanitarian situation there (Azerbaijan);

- 41. Fully and immediately implement all Council resolutions (Qatar, Kuwait, Maldives, Palestine, Pakistan) in relation to the situation of human rights in the occupied territories (Maldives) and respect the human rights and fundamental freedoms of the Palestinian people, in particular their right to self-determination (Qatar); implement all resolutions adopted by the Council, in particular resolution 7/18, in which the Council requested Israel to cooperate with the Special Rapporteur on the human rights situation in the Palestinian territories occupied since 1967 and to immediately withdraw all legislative and administrative measures aiming at making the occupied East Jerusalem Jewish, including measures that allow archaeological digging around the Aqsa Mosque, the building of a synagogue, the establishment and expansion of settlements and the shutting down of Palestinian institutions (Morocco); implement the recommendations of the Council (Kuwait, Palestine, Pakistan) and special procedures, particularly the Special Rapporteur on the situation of human rights in the Palestinian territories occupied since 1967 and the Special Committee on Israeli Practices in the Occupied Palestinian Territories (Palestine, Pakistan); endorse the recommendations of the Special Rapporteur on the situation of human rights defenders (Pakistan);

- 42. Ensure prompt investigation into allegations of and bring to justice those committing attacks against Palestinian human rights defenders (Denmark); issue a directive to the military with a view to expanding the category of "humanitarian exceptions" to permit human rights defenders to enter and leave Gaza for their work (Norway);

- 43. Immediately release all Palestinian, Syrian and other Arab prisoners and detainees (Egypt); release all Palestinian and Syrian detainees and put an end to all the practices that seek to modify the demographic composition and architecture of Jerusalem and the Syrian Golan (Qatar); free all Palestinians, Syrian and Arab detainees, including women, children and journalists, and allow

international organizations, including ICRC, to visit these detainees and examine their situation in all Israeli prisons to ensure that detention conditions conform to minimum standards (Yemen); commit itself to releasing all Arab prisoners and detainees in Israeli prisons imprisoned for years without trial; enable ICRC to provide for needs and health care in conformity with Council resolution 7/30, as the state of health is deteriorating on an ongoing basis (Syrian Arab Republic); ensure the release of all prisoners and administrative detainees (Palestine, Pakistan);

- 44. Refrain from subjecting the civilian population to collective punishment (Jordan);

- 45. Establish a separate juvenile justice system to try accused Palestinian children (Slovenia);

- 46. Guarantee access and freedom of movement to the inhabitants of Gaza and the West Bank notwithstanding the necessary security measures (Netherlands); limit the cases in which restrictions to free movement are applied to situations that require guaranteeing its security, in accordance with international law, in particular with the International Covenant on Civil and Political Rights, non-discriminative and proportionate to the desired aim (Belgium);

- 47. Expeditiously open crossing points and checkpoints (Qatar); lift blockades in the Gaza Strip and remove restrictions of movement currently placed in the Occupied Palestine Territories that gravely harm the human rights of Palestinians (Switzerland); reopen points of passage to and from the Gaza Strip (France); end the blockade in the Gaza Strip and guarantee full access of the Palestinian population to all basic services (Cuba); lift all military checkpoints and end all restrictions on the rights of Palestinians to movement and their rights to health and education (Palestine, Pakistan); ensure more freedom of movement for the Palestinians in the West Bank and particularly Gaza in order to assure adequate standards of living of the Palestinian people and improve their access to health, education and work (Italy); open crossing points (Yemen);

- 48. Ensure the enjoyment by the Palestinians of all their cultural and religious rights, as contained in the Universal Declaration for Human Rights, and allow them to have access to all places of worship, in accordance with the Fourth Geneva Convention, without any restriction, and in order to preserve the cultural heritage, take all measures to protect these places and preserve their dignity (Morocco); take positive and constructive measures in order to effectively reduce the deprivation under which the Palestinian people are living (China); take action to ensure that Palestinians are fully able to enjoy their economic, social and cultural rights (United Kingdom);

- 49. Ensure access to religious sites, especially in the Holy City of Jerusalem, and abolish all restrictions imposed on the right to freedom of movement and the right to manifest one's religion; ensure the preservation of the cultural and religious heritage in the Occupied Palestinian Territories, particularly in Jerusalem, and refrain from any actions that aim at changing the character and/or status of these sites (Jordan);

- 50. Progressively remove restrictions that prevent Palestinian children from having access to basic services, including schools and health care (Italy);

- 51. Respect the right of Palestinian refugees to return to their homelands and to be compensated for losses and damages incurred and to retrieve their properties (Egypt, Jordan), in accordance with relevant United Nations resolutions and international law (Jordan); acknowledge the right of refugees to return to their homes, according to the Fourth Geneva Convention (Palestine, Pakistan);

- 52. Submit a report on the situation of human rights in the Occupied Palestinian Territories since Israel is in charge as the occupying power (Palestine, Pakistan);

Follow-up to the universal periodic review

- 53. Include in its next review report measures taken to comply with the recommendations of treaty bodies, especially with regard to the situation of human rights in the Occupied Palestinian Territories (Malaysia);

- 54. Engage with civil society in the follow-up to and implementation of the universal periodic review process (United Kingdom).

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