



# General Assembly

Distr.: General  
19 December 2013

Original: English

---

## Human Rights Council

Twenty-fifth session

Agenda item 6

Universal Periodic Review

## Report of the Working Group on the Universal Periodic Review\*

### Israel

---

\* The annex to the present report is circulated as received.

GE.13-19045



\* 1 3 1 9 0 4 5 \*

Please recycle A small graphic of a recycling symbol, consisting of three chasing arrows forming a triangle.



## Contents

	<i>Paragraphs</i>	<i>Page</i>
Introduction.....	1–5	3
I. Summary of the proceedings of the review process.....	6–135	3
A. Presentation by the State under review.....	6–22	3
B. Interactive dialogue and responses by the State under review.....	23–135	5
II. Conclusions and/or recommendations .....	136–138	13
Annex		
Composition of the delegation .....		29

## Introduction

1. The Working Group on the Universal Periodic Review, established in accordance with Human Rights Council resolution 5/1 of 18 June 2007, held its seventeenth session from 21 October to 1 November 2013. The review of Israel was held at the 14th meeting on 29 October 2013. The delegation of Israel was headed by Ambassador Eviatar Manor, Permanent Representative, Permanent Mission of Israel to the United Nations Office at Geneva. At its 19th meeting, held on 1 November 2013, the Working Group adopted the report on Israel.
2. On 14 January 2013, the Human Rights Council mandated the President to select the following group of rapporteurs (troika) to facilitate the review of Israel: Maldives, Sierra Leone and the Bolivarian Republic of Venezuela.
3. The Human Rights Council, in its decision OM/7/101, had decided to reschedule the review from 29 January 2013 to the seventeenth session of the Working Group on the Universal Periodic Review at the latest.
4. In accordance with paragraph 15 of the annex to resolution 5/1 and paragraph 5 of the annex to resolution 16/21, the following documents were issued for the review of Israel:
  - (a) A national report submitted/written presentation made in accordance with paragraph 15 (a) (A/HRC/WG.6/17/ISR/1);
  - (b) A compilation prepared by the Office of the United Nations High Commissioner for Human Rights (OHCHR) in accordance with paragraph 15 (b) (A/HRC/WG.6/15/ISR/2, A/HRC/WG.6/17/ISR/2 and Corr. 1);
  - (c) A summary prepared by OHCHR in accordance with paragraph 15 (c) (A/HRC/WG.6/15/ISR/3 and Corr.1 and A/HRC/WG.6/17/ISR/3).
5. A list of questions prepared in advance by Germany, Mexico, the Netherlands, Norway, Slovenia, Sweden and the United Kingdom of Great Britain and Northern Ireland was transmitted to Israel through the troika. These questions are available on the extranet of the universal periodic review (UPR). Summaries of additional questions made during the interactive dialogue are to be found in section I, subsection B, of the present report.

## I. Summary of the proceedings of the review process

### A. Presentation by the State under review

6. Eviatar Manor, the head of the delegation, noted that Israel came to its second review with strong reservations regarding the Human Rights Council. The discrimination against, and the unfair treatment of, Israel continued. The infamous item 7 still featured on the agenda of every Council session and Israel was not a member of any geographical group.
7. In March 2012, Israel had said: "Enough." Israel suspended its relations with the Human Rights Council and with OHCHR. In June 2013, the Ambassador wrote to the President of the Council to reaffirm his intention to pursue a diplomatic engagement. The results of that dialogue and ongoing engagement had allowed Israel to undergo the UPR. Israel had made its decision because it respected United Nations resolutions, human rights in general, and human rights mechanisms in particular. But the unfair treatment of Israel must come to an end. The delegation hoped that the appearance by Israel under the

universal periodic review would go a long way to restore equality and fairness regarding Israel in Geneva.

8. Israel came to the review with respect for the process, belief in the importance of its universality and cooperative nature, and with great pride in its achievements.

9. The delegation referred to information contained in the national report, including the final chapter, which looked at challenges, constraints and opportunities. The main challenge Israel was facing was its relations with the Palestinians. Recent resumption of direct negotiations for peace was a welcome step. In that context, the delegation pointed out that Israel had agreed to release Palestinian prisoners as a confidence-building measure. A second group of prisoners was being released that night. Their release illustrated the determination of Israel to reach an agreement with its Palestinian neighbours that would, once and for all, end the conflict.

10. The engagement by Israel with human rights bodies and mechanisms reflected those principles. Israel was a party to the core human rights treaty bodies, and had, between 2009 and 2013, completed its examination by six treaty bodies. Moreover, during 2011, Israel had hosted the United Nations High Commissioner for Human Rights and the Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression. Israel also had hosted the Special Rapporteur on adequate housing as a component of the right to an adequate standard of living, and on the right to non-discrimination in this context, in February 2012, and the Special Representative of the Secretary-General for Children and Armed Conflict, in 2009.

11. Since its establishment, Israel had had to balance a difficult and complex security situation with democratic traditions and the respect for human rights. Such challenges strained the delicate balance between the effective steps necessary to overcome the various threats to a State's security and the protection of human rights.

12. The delegation noted that they had come to listen to comments and recommendations, which they would study closely, and that they would report on the implementation of recommendations received during the first cycle of the UPR.

13. Shai Nitzan, Deputy Attorney General (Special Affairs), Ministry of Justice, noted that the national report, the presence of the members of the delegation, the periodic reports submitted by Israel to human rights treaty bodies and the State's interactive dialogue with such bodies were opportunities for in-depth self-examination and identification of challenges.

14. Israel had been subjected regularly to significant, and often politically motivated, scrutiny over the years, disproportionate to the worldwide human rights situation. Israel worked regularly with various international and domestic bodies and non-governmental organizations (NGOs) involved with human rights issues, including with the Minerva Center and civil society on the reporting process and follow-up with the human rights treaty bodies.

15. Israel was aware of the complexity of its multicultural society and of the vital need to protect human rights, and to strike an appropriate balance between protection of human rights and the public interest.

16. Mr. Nitzan noted that the extremely limited scope of his statement did not permit him to cover all improvements pertaining to the implementation of human rights in Israel.

17. Israeli courts played a crucial role in anchoring and promoting human rights in Israeli society. The courts were empowered to conduct a judicial review of any act of legislation, in the light of the Basic Laws. Mr. Nitzan provided examples in that regard.

18. The delegate noted the establishment, in 2011, of a joint interministerial team for reviewing and implementing the concluding observations of human rights treaty bodies.

19. Reference was also made to the public commission of inquiry that was mandated, among other responsibilities, to assess whether the mechanisms for examining and investigating claims raised in relation to violations of the laws of armed conflict conformed with the obligations of Israel under international law. The commission, which was headed by a Supreme Court Judge and included two distinguished international observers, concluded in its comprehensive report that the State's mechanisms generally complied with those obligations. The Prime Minister decided to establish a professional team that would study the recommendations of the report, examine the need for modifications and improvements, and suggest specific modes of action.

20. Israel had given consideration to the recommendations from the previous review, including on the legal regime in the West Bank, especially regarding minors. A Juvenile Military Court had been established in the West Bank to guarantee adequate and professional care for juveniles. The age of majority had been raised from 16 to 18 years.

21. The delegate referred to steps taken to facilitate everyday life and the observance of religion for the Palestinian population in the West Bank, especially during the holiday of Ramadan, and to increases in the number of work permits for Palestinian workers.

22. Israel was open to constructive criticism and looked forward to working within the framework of the UPR mechanism, in a process conducted on the basis of universality, impartiality and professionalism, so that the shared goal of promoting and enhancing human rights could be fully achieved.

## **B. Interactive dialogue and responses by the State under review**

23. During the interactive dialogue, 73 delegations made statements. Recommendations made during the dialogue are to be found in section II of the present report. All written statements of the delegations, to be checked against delivery on the United Nations Webcast archives,<sup>1</sup> are posted on the extranet of the Human Rights Council when available.<sup>2</sup>

24. Nicaragua expressed its regret that many of the recommendations from the first review still had not been implemented.

25. Nigeria noted that the national report had been made available rather late, making it difficult to consider it before the review.

26. Norway recognized the continued interaction of Israel with the treaty bodies and welcomed the ratification of the Convention on the Rights of Persons with Disabilities (CRPD).

27. Oman noted that many recommendations had not been implemented, and called upon the international community to take necessary actions to stop Israel's aggression.

28. Pakistan condemned the human rights violations in the occupied Arab territories.

<sup>1</sup> United Nations webcast archives. Available from <http://webtv.un.org/meetings-events/human-rights-council/universal-periodic-review/17th-upr/watch/israel-review-17th-session-of-universal-periodic-review/2782065993001>.

<sup>2</sup> Available on the UPR Extranet at <https://extranet.ohchr.org/sites/upr/Sessions/17session/Israel/Pages/default.aspx>.

29. On a point of clarification, the State of Palestine stated that the presence of Israel that day was partial and had no value; there could be no selectivity for any country or any member and therefore Israel was obliged to comply with the resolution establishing the Human Rights Council. It stated that the report submitted by Israel had no value, since it failed to address at all human rights in the land of the State of Palestine which was under occupation by Israel. Turning to the review, it asked about the legal basis for the confiscation of the identity cards of Palestinians residing in Jerusalem and where the border of Israel was located.

30. In response, Israel indicated that the statement made by the Palestinian representative was neither a point of clarification nor a procedural motion, but rather the use of extra time to make his statement. Israel had come to the meeting in the spirit of dialogue and the delegation was prepared to answer all questions regarding the territories under the State's control.

31. Poland welcomed the national report and the return of Israel to the Human Rights Council.

32. Portugal expressed concern about discrimination and inequality, inter alia, the distinction between Jewish and Arab citizens, and discrimination against women.

33. Qatar referred to the failure by Israel to cooperate with the Human Rights Council and the United Nations mechanisms responsible for monitoring the human rights situation in the occupied Palestinian territories.

34. The Republic of Korea noted that the promotion and protection of human rights was ensured in institutional and practical terms.

35. The Russian Federation drew attention to the human rights concerns in the occupied Palestinian territory.

36. Morocco referred to issues such as the lack of measures to protect Palestinian civilians and attempts to change the nature of Jerusalem.

37. Saudi Arabia made only recommendations.

38. Slovakia encouraged Israel to ensure a balance between the rights of migrants and national interests and legislative measures related to freedom of religion.

39. Slovenia welcomed progress made regarding children in Israeli military detention.

40. While acknowledging the Government's efforts to strengthen the promotion and protection of human rights, South Sudan also called for strengthened efforts to protect the rights of all citizens.

41. South Africa expressed support for the mediation efforts and welcomed the re-establishment by Israel of normal relations with the Human Rights Council.

42. Spain welcomed the participation by Israel in the review.

43. The Sudan noted the negative consequences that the State's nine-month period of non-cooperation had on the work of the Human Rights Council and the UPR.

44. Sweden asked about measures to limit the use of administrative detention, and requested more information about efforts to protect women and girls from gender-based violence.

45. Switzerland referred to the situation of minorities, asylum-seeking procedures, the settlements and the blockade affecting the civilian population in Gaza.

46. The Syrian Arab Republic hoped that the Human Rights Council would be able to contribute to implementing United Nations resolutions aimed at ending the Israeli occupation of Arab territories.
47. Thailand called on Israel to, inter alia, end the blockade of the Gaza Strip, lift restrictions on movements and ensure non-discriminatory treatment of Jewish and non-Jewish peoples.
48. The former Yugoslav Republic of Macedonia asked to be informed about progress in the implementation of recommendations under the first UPR as well as those of the treaty bodies.
49. Tunisia deplored the non-submission of a national report and the considerable delay in the review, which, added to the boycott of the human rights mechanisms, constituted a case of persistent non-cooperation that the Human Rights Council and the General Assembly should take seriously in order to preserve the universality and credibility of the UPR.
50. Turkey considered that the improvement of the human rights record primarily required the ending of the occupation in the territories of the State of Palestine.
51. The United Arab Emirates asked what steps would be taken to implement Human Rights Council resolutions and, in particular, the conclusions of various reports of human rights mechanisms.
52. The United Kingdom of Great Britain and Northern Ireland expressed concern over Israeli practices in the occupied Palestinian territories, including the extensive use of administrative detention.
53. The United States of America noted its strong belief that every State Member of the United Nations should fully participate in the UPR, and commended Israel for its commitment to upholding human rights.
54. Uruguay encouraged progress in the peace negotiations between Israelis and Palestinians.
55. The Bolivarian Republic of Venezuela regretted the disregard by Israel for the recommendations of the Human Rights Council.
56. Algeria was gravely concerned by the serious non-compliance with UPR procedures and rules and by such a dangerous precedent.
57. Argentina highlighted the ratification of CRPD and encouraged Israel to continue to advance in the adoption of the remaining human rights instruments.
58. Australia welcomed several measures, remained concerned at restrictions on freedom of movement, and noted the concern expressed by Israel about being singled out in item 7 of the Human Rights Council agenda.
59. Austria asked whether the position of Israel had evolved on the issues of discrimination against Arab Israeli citizens and the protection of human rights defenders.
60. Bahrain expressed its concern about the delay in the review of Israel and about the situation of Palestinian children.
61. Referring to comments made by the Syrian Arab Republic, the head of the delegation noted that he had not seen masses of Golan Heights inhabitants rushing to visit their families in the Syrian Arab Republic.
62. In response to an advance question by Norway, the delegation noted that, despite increasing challenges, and in line with the State's responsibility under international law,

Israel took significant steps to promote the standards of living of Palestinians and cooperated with the Palestinian Authority, which had the responsibility for the vast majority of the Palestinian population. The United Nations Development Programme development index showed that the Palestinian Authority was above the regional average.

63. Israel was also working to improve the movement of people and goods in the West Bank. Currently there were only a few checkpoints in place, which were normally open.

64. Responding to an advance question by Mexico and Slovenia, the delegation stated that, as enshrined in the declaration of independence and in many basic laws and court rulings, equality and non-discrimination was the cornerstone of Israel's democratic society.

65. In response to another question by Norway, the delegate noted that, as of August 2013, 126 of 133 localities with a predominantly Arab population had approved outline plans.

66. Referring to a question on the Israel Defense Forces (IDF) and the Israel Security Agency (ISA), the delegate said that both had supervising mechanisms. Regarding a question from the United Kingdom of Great Britain and Northern Ireland and the Netherlands, he noted that the IDF had established a system to investigate and pursue allegations of misconduct. The Attorney General provided civilian oversight for any decision of the Military Advocate General on whether or not to investigate or indict a person suspected of war crimes and other crimes.

67. Responding to questions from Sweden, the Russian Federation, Spain and other countries, Mr. Nitzan noted that administrative detention was a lawful security measure under international law. It was used as a preventive measure against persons who posed grave threats to the security of the West Bank and Israel and its population.

68. Another issue that had been raised by several countries, including the United Kingdom of Great Britain and Northern Ireland, the Russian Federation, Spain and Portugal, was connected to claims of torture by the ISA. The ISA was responsible by law for the protection of Israel's security against terrorist threats, espionage and other threats. The ISA operated in accordance with the ruling of the High Court of Justice, and especially the ruling from 1999 concerning ISA interrogations, forbidding any use of physical pressure.

69. The prohibition of torture, as an offence, had not been legislated yet in Israel, however, acts and behaviours defined as torture under article 1 of the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment constituted offences under the Penal Code.

70. Hila Tene-Gilad, Director, Human Rights and Relations with International Organizations, Ministry of Justice, addressed questions raised by Germany, the United Kingdom of Great Britain and Northern Ireland and the Netherlands, as well as additional questions by Switzerland and the United States of America.

71. The issue of the Bedouin population in the Negev presented a great challenge to Israel in many aspects. With regard to planning, 18 Bedouin localities had approved outline plans, and the planning procedures of six additional localities were ongoing. The Government of Israel was encouraging movement to regulated localities by providing financial benefits. Following the report of the Goldberg Committee, the governmental plan for regulation of Bedouin housing in the Negev had been submitted. The Government had resolved to anchor the implementation framework in legislation, a process carried out in consultation and cooperation with the Bedouin population.

72. Nir Keidar, International Law Department, Israel Defense Forces, addressed the issue of law enforcement regarding Palestinian minors in the West Bank, which had been



raised by several States, including Germany, the Netherlands, Norway, Thailand and the United Kingdom of Great Britain and Northern Ireland.

73. Israel has taken the utmost precautions in handling cases of crime perpetrated by minors, which presented a specific set of challenges. Israeli authorities had to balance the need to deal with serious, life-threatening crimes, often instigated or encouraged by terrorist organizations, and the lack of cooperation from Palestinian authorities, which led to a lack of alternatives to arrest and an environment of hostility towards the Israeli authorities, with a fundamental need to act compassionately in accordance with the relevant international standards.

74. All aspects of the criminal process were conducted according to clear and published procedures and were frequently subject to judicial review. Throughout the process minors were informed of their rights and had a right to legal representation.

75. In the past years an extensive and ongoing review of the criminal law framework applicable in the West Bank had been carried out and had led to substantial amendments, including the raising of the age of majority and the substantial shortening of detention periods, the granting of status to parents during the proceedings, limitation periods for the prosecution of minors and the possibility to order a probation officer's report following the criminal conviction of a minor.

76. Belgium commended the ratification of the majority of the human rights instruments and asked whether Israel had considered ratifying the Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty (ICCPR-OP 2) and the Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women.

77. Cuba regretted Israel's lack of cooperation with the Human Rights Council. It referred to Israel as an occupying power violating international law.

78. Brazil acknowledged some important progress in realizing human rights, but expressed concern about settler violence against Palestinian civilians.

79. Canada welcomed the participation of Israel and, referring to the section on minority rights in the national report, asked about further developments towards equality, participation in public life, and fair provision of public services and infrastructure since the first UPR of Israel.

80. Chile reiterated the need to put an end to acts of violence and economic deprivation affecting the Palestinian population. Chile called on Israel to end all expansion of settlements.

81. China called for the release all Palestinian prisoners and the improvement of their living conditions. It also expressed hope that Israel would lift the blockade on the Gaza Strip as soon as possible.

82. Costa Rica noted the ratification of CRPD. In relation to the Palestinians and the occupied Palestinian territories it called on Israel to respect international humanitarian law.

83. The Plurinational State of Bolivia noted that Israel had re-established its commitment to the UPR, albeit with a delay.

84. Cyprus commended several aspects of human rights protection in Israel. It urged all interested parties to refrain from actions that could undermine the negotiation process between Israel and the Palestinians.

85. The Czech Republic expressed concern over the continued discrimination against minorities, referring particularly to the situation of the Bedouins.

86. Denmark recognized an overall decline in the use of administrative detention, but remained concerned about the practice and continued allegations of torture and ill-treatment.
87. Ecuador noted the commitment of Israel to ensure gender equality. It expressed its belief that Israel should make efforts to eliminate discrimination against the Palestinian population.
88. Egypt condemned, inter alia, the disrespect shown by Israel for United Nations resolutions.
89. Estonia called on Israel to investigate all allegations of ill-treatment and bring to justice those responsible. It expressed concern over military court proceedings involving minors.
90. Finland noted the cooperation by Israel with the United Nations Children's Fund (UNICEF), and asked to hear about the steps taken to implement recommendations put forward by UNICEF.
91. France welcomed the return of Israel to the UPR.
92. Germany asked what steps were being taken to implement the recommendations of the Turkel Commission and about measures to reduce the use of administrative detention.
93. Greece expressed concern about settlement activities, and commended progress in achieving equal treatment in relation to sexual orientation and gender identity.
94. Guatemala welcomed Israeli-Palestinian discussions, which constituted a significant advance towards peace in the Middle East. It noted concerns about the increase in demolitions in the occupied Palestinian territory.
95. Hungary noted the continuing cooperation with treaty bodies, and asked about steps envisaged to improve the rights of minorities.
96. Iceland urged the halting of all settlement activities and the withdrawal of settlers from the occupied Palestinian territory. It encouraged the effective implementation of legislation and dialogue with the Palestinian authorities on violence against women, as well as the withdrawal of the reservation to the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW).
97. Indonesia noted the ratification by Israel of CPRD, but expressed concern about policies such as the wall in the occupied Palestinian territories.
98. Ireland raised several human rights concerns, and urged Israel to implement the recommendations of a March 2013 UNICEF report.
99. The Islamic Republic of Iran stated that persistent non-cooperation of the Israeli regime with the UPR mechanism seriously jeopardized the periodicity, sanctity, reliability, credibility and integrity of the whole UPR process. Despite systematic and flagrant violations of international obligations by the Israeli regime, no concrete actions had yet been taken. It further reiterated that the time was right for collective action to protect the rights of Palestinians and alleviate the suffering of innocent people.
100. Israel made a point of order objecting to the use of the term "Israeli regime" by the Islamic Republic of Iran in its statement.
101. The President of the Human Rights Council reminded delegates that it was of the utmost importance that, when discussing human rights issues, everybody respected each other's views and upheld United Nations terminology and standards when referring to countries.

102. Iraq asked what measures ensured that the births of Palestinian children were registered so that they could obtain identity documents.
103. Italy asked about measures to implement the Convention on the Rights of the Child (CRC) and the law on youth in the West Bank, and to improve the socioeconomic conditions of minorities.
104. Japan appreciated efforts by Israel to advance the rights of women and ethnic minorities, but expressed concern over the reports of forced eviction of Palestinians.
105. Jordan expressed alarm that the right of self-determination of the Palestinian people was still being violated by Israel.
106. Kuwait recommended that the international community take measures to protect the rights of the Palestinian people and shoulder its responsibilities to hold accountable those responsible for grave human rights violations which were committed daily against the Palestinian people under occupation.
107. Latvia asked about measures envisaged to implement the recommendation of the Committee on the Rights of the Child to ensure that children accused of having committed security offences were detained only as a measure of last resort, in adequate conditions and for the shortest possible period of time.
108. Libya referred to the indifference shown by Israel to the UPR. It commended the release of Palestinian prisoners, and called for the withdrawal of Israel from the occupied Palestinian territories.
109. Malaysia expressed its view that the situation in the occupied Palestinian territories was worsening.
110. Maldives was deeply concerned by Israeli practices in Palestine, the lack of commitment to the United Nations bodies, and violations of international human rights and humanitarian law.
111. Mexico expressed its hope that the review would contribute to efforts to improve the human rights situation in Israel, and congratulated the State for its ratification of CRPD.
112. Rwanda commended Israel for resuming its cooperation with the universal periodic review mechanism.
113. The Netherlands commended the efforts made by Israel, but remained concerned about the rights of Palestinian children in military custody and of the Bedouin community.
114. New Zealand welcomed the ratification of CPRD and Israel's vibrant democracy, independent judiciary and active civil society.
115. Lebanon made a point of order. Lebanon was among the countries which had not registered on the list of speakers, because, among other principled reasons, the report had not been made available for comment. It referred to paragraph 105 of the national report of Israel, in which the Amal organization, which was a Lebanese nationalist resistance movement that had a history in combating Israeli occupation, was labelled as a "terrorist organization".
116. In responding to the issues raised by Lebanon during a point of order, Israel recalled that in July, the European Union had designated the Hezbollah military wing as a terrorist organization. It noted that the report had mentioned the fact that a senior member of that organization had been able to address courts in Israel and had received remedy.
117. Lebanon made a point of order. It noted that its previous comment was specific to the reference to the Amal organization in the national report and not to any other political faction referred to by the previous speaker.

118. The President of the Human Rights Council recalled that it was the responsibility of the State under review to draw up a national report as a basis for discussion in the session of the Working Group. The publication of a national report as an official document of the United Nations did not imply any official position on the content of that report.

119. The State of Palestine made a point of order. It noted that the current meeting was the UPR of Israel and, as such, Israel should not be mentioning members of parties that had nothing to do with the questions on the table. It asked for a legal opinion on whether it was possible to engage with the United Nations mechanisms but cease to engage with the Human Rights Council.

120. The President said he had already addressed that question.

121. In response to Canada, the head of the delegation referred to affirmative action regarding the Arab minority, in particular an increase of directors in public companies, and the intention to increase annually the number of minority individuals employed in the civil service and as judges.

122. Addressing additional comments, the delegation indicated that the Gaza Strip had not been under Israeli control since 2005, following the implementation by Israel of the disengagement initiative. Since then, Israel could clearly be said to have no effective control in the Gaza Strip. Any claim to the contrary had clearly distorted and misapplied the established rules of international law. As a consequence, as had also been affirmed in 2007 by the Israeli High Court of Justice, Israel did not have a general duty to ensure the welfare of the population of the Gaza Strip. The obligations of Israel towards the Gaza Strip stemmed from the continuing state of armed conflict with the Hamas terrorist organization.

123. He stressed that the Hamas terrorist organization had violently seized control of the Gaza Strip, and had established a terrorist entity. Israel had hoped that the disengagement from Gaza would lead to a reduction in terrorist attacks and ultimately to a comprehensive peace agreement with the Palestinians. However, attacks on Israeli civilians were still frequent.

124. The State of Palestine made a point of order. It refused to accept that Hamas or any other Palestinian faction be defined as terrorists. It suggested remaining focused on the UPR of the State under review.

125. Israel further noted that, due to the volatile security situation, and in the light of the obligations under international law, Israel had imposed a legal naval blockade to prevent weapons transfer to Hamas.

126. Cuba fully supported the point of order that had been made by the State of Palestine.

127. Israel asked for the practice of using points of order for issues that were not technical to be stopped.

128. The President of the Human Rights Council asked, in line with UPR modalities, that delegations refrain from interpreting the State under review.

129. The policy of Israel was that all goods could enter the Gaza Strip freely through the land passages that were open, with the sole exception of those goods that could pose a security risk to Israel. Israel had also allowed entry into its territory in humanitarian cases, such as for persons needing urgent medical care, and was very active in facilitating projects funded and implemented by the international community.

130. Mr. Nitzan responded to comments made by Denmark, France, Italy and others, noting that law enforcement against settlers' violence was given special attention through a combined interministerial team for addressing incitement, uprisings and ideological crimes. In September 2012, the Minister of Public Security had announced the establishment of a

new police unit which was intended to combat nationalist crimes and “price tag” offences, which were aimed against Palestinians. Great effort was also being made in the prevention of criminal activity.

131. Referring to incitement, and the criminal prosecution of racism in Israel, on which Nigeria and other countries had commented, the delegate said that the law provided for a penalty of up to five years’ imprisonment for publishing anything with the intent to incite to racism, regardless of the outcome or the truthfulness of it, and many indictments had been filed in recent years.

132. Ohad Zemet, Ministry of Foreign Affairs, Legal Department, responded to questions from Germany, Italy, Norway, Rwanda, Slovakia and the United States of America relating to immigrants. The history of the Jewish people made Israel highly sensitive to that humanitarian issue. However, the situation of Israel was more complicated than other developed countries and it was impossible to develop regional strategies for cooperation with neighbours or countries of origin, as other States with similar challenges did. Israel was currently granting protection to 60,000 people, who amounted to 95 per cent of all individuals who crossed the border from Egypt; Israel provided them with access to work, basic health care and education.

133. Ms. Tene-Gilad said that Israel had hundreds of NGOs active in a large number of issues, including human rights. Israel placed no legal restrictions on the right of organizations to engage in activities for the promotion and observance of human rights. Organizations or individuals that presented themselves as a human rights organization/activist/defender were not exempt from obeying the law.

134. In concluding, the delegation noted that, unfortunately, they were not able to address all issues raised, but would study the recommendations and return with a response at a later stage in the review process.

135. The delegation restated the respect Israel had for the UPR process, and noted that the high-level delegation, national report, presentations and answers to the many questions testified to that.

## II. Conclusions and/or recommendations\*\*

136. **The recommendations formulated during the interactive dialogue and listed below will be examined by Israel, which will provide responses in due time, but no later than the twenty-fifth session of the Human Rights Council in March 2014:**

- 136.1. **Ratify ICCPR-OP 2 (Portugal)/Abolish completely the death penalty and ratify ICCPR-OP 2 (Spain);**
- 136.2. **Consider withdrawing the reservations to articles 7 and 16 of CEDAW (Latvia);**
- 136.3. **Consider ratifying the ICRMW (Rwanda);**
- 136.4. **Sign and ratify the OP-ICESCR and the OP-CRC-IC (Portugal);**
- 136.5. **Ratify the OP-ICESCR, OP-CAT and CPED. Ratify furthermore the Rome Statute that Israel signed in 2000 (France);**
- 136.6. **Sign and/or ratify the OP-CAT, CPED and ICRMW (Ecuador);**

---

\*\* Conclusions and recommendations have not been edited.

- 136.7. Consider signing and ratifying the CPED and accept the competence of its Committee (Argentina);
- 136.8. Make the declarations under articles 21 and 22 of CAT and withdraw its reservation with regard to article 20 of CAT, as recommended by the Committee (Austria)/Accede to the OP-CAT and recognize the competence of CAT to receive and consider communications according to articles 21 and 22 of the CAT (Denmark)/Ratify the OP-CAT and recognize the competence of CAT to examine individual complaints (Poland)/Effectively ban torture in all its forms and ratify the OP-CAT (Portugal)/Recognise the competence of treaty bodies to examine individual complaints by ratifying the respective optional protocols, in particular OP-CAT (Czech Republic)/Ratify OP-CAT (Costa Rica)/ Ratify OP-CAT and, although not a human rights instrument per se, the Rome Statute of the International Criminal Court (ICC) (Hungary);
- 136.9. Ratify OP-CAT (Estonia);
- 136.10. Ratify the CPED, OP-CAT, the Rome Statute of the ICC, and the Additional Protocols I and II of the Geneva Conventions of 12 August 1949 (Austria);
- 136.11. Ratify the Rome Statute of the ICC and the Agreement on the Privileges and Immunities of the ICC, and to fully align its national legislation with all of the obligations under the Statute (Estonia);
- 136.12. Ratify the Rome Statute of the ICC and fully align its legislation with the Rome Statute (Slovenia)/Ratify the Rome Statute and integrate its provisions in the national legislation (Tunisia)/Consider the ratification of the Rome Statute of the ICC and prepare a law on cooperation between the state and the ICC (Uruguay);
- 136.13. Comply with international humanitarian law provisions, in particular with the IV Geneva Convention (Cuba);
- 136.14. Ratify Additional Protocols I and II to the Geneva Conventions of 12 August 1949 (Estonia);
- 136.15. Adhere to the Additional Protocols I and II to the Geneva Conventions (Uruguay);
- 136.16. Ratify the 1961 Convention on the Reduction of Statelessness, and take appropriate steps to ensure that the human rights of refugees and asylum-seekers are fully respected, including with regard to access to health care and social welfare services (Germany);
- 136.17. Revise fundamental and other relevant laws with a view to enshrining explicitly in those the principles of equality and non-discrimination (Tunisia);
- 136.18. Ensure the principles of equality and non-discrimination by including the principle in the Basic Law and legislation (Republic of Korea);
- 136.19. Consider including the provision on gender equality and non-discrimination in its Human Rights and Liberty Law (Thailand);
- 136.20. Abrogate all discriminatory laws against non-Jewish children (Tunisia);
- 136.21. Evaluate regulations and laws, including those which grant the Orthodox Rabbinate the right to determine policies affecting non-Orthodox Jews and non-Jews, to ensure that they do not discriminate against persons,

especially women, based on their religious beliefs or lack thereof (United States of America);

136.22. Incorporate CAT into domestic law and investigate and prosecute those suspected of torture and other cruel, inhuman or degrading treatment (Spain);

136.23. Introduce an alternative civil legal framework for marriage and divorce as an equally accessible option for everyone (Czech Republic);

136.24. Consider taking appropriate legislative steps to allow civil law marriage in Israel (Germany);

136.25. Establish a national human rights institution in line with the Paris Principles (Nigeria)/Establish an independent national human rights institution in compliance with the Paris Principles (Poland)/Establish a national human rights institution in conformity with the Paris Principles (Uruguay)/Establish an independent national human rights body (South Sudan);

136.26. Consider establishing a national human rights body that institutionalizes its efforts to promote human rights and engage all stakeholders (Thailand);

136.27. Ensure the full enjoyment of all persons under Israel's jurisdiction, including the Arab minority in Israel proper (Jordan);

136.28. Given continued concerns regarding lethal use of force, implement the recommendations of the second Turkel Commission report, concerning domestic mechanisms for investigating complaints in relation to violations of the laws of armed conflict (United Kingdom of Great Britain and Northern Ireland);

136.29. Respect international law and prevailing mechanisms of the United Nations (State of Palestine);

136.30. Uphold its obligations under international human rights and humanitarian law, and implement all relevant Human Rights Council resolutions including those under agenda item 7, not only in its own territory, but also in places under its control (Maldives);

136.31. Cooperate fully with all human rights mechanisms (Nigeria);

136.32. Resume full cooperation with the Human Rights Council and with OHCHR (Spain);

136.33. Cooperate with the human rights system by accepting to receive the missions of the Human Rights Council as established by its resolutions (Brazil);

136.34. Enhance cooperation with the Human Rights Council and continue to fully engage in the international human rights mechanisms (Republic of Korea);

136.35. Continue to cooperate with the Human Rights Council (the former Yugoslav Republic of Macedonia);

136.36. Restart its full participation with the Human Rights Council, including all its mechanisms and OHCHR (Bolivia (Plurinational State of));

136.37. Strengthen its cooperation with international human rights mechanisms, in particular with the Human Rights Council (Japan);

- 136.38. Implement immediately all United Nations resolutions, particularly those of the Human Rights Council (Saudi Arabia);
- 136.39. Implement all international resolutions, which emphasize the preservation of the character and the monuments of East Jerusalem and refrain from changing its legal status and threatening its sanctuaries and spiritual symbols (Morocco);
- 136.40. Participate in the Human Rights Council and its mechanisms with a view to preserve the universality of the universal periodic review (Guatemala);
- 136.41. Act in conformity with United Nations resolutions and the norms of international law and to resume full cooperation with the United Nations Human Rights Council (Turkey);
- 136.42. Address the recommendations from treaty bodies to which it is a State Party (Nicaragua);
- 136.43. Increase its efforts to implement the recommendations of the treaty bodies on equality and non-discrimination (Portugal);
- 136.44. Increase efforts to implement the recommendations of treaty bodies and include general non-discrimination provisions for all Israeli citizens in the framework of basic law (Austria);
- 136.45. Implement without delay the recommendations of treaty bodies and special procedures of the Human Rights Council (Tunisia);
- 136.46. Comply with its legal obligations under international law alongside its obligations deriving from international human rights treaties to which Israel is a party (Indonesia);
- 136.47. Abide by its international legal obligations, including those under the Fourth Geneva Convention (Ireland);
- 136.48. Comply with its international obligations, in particular the Fourth Geneva Convention, and comply with the resolutions on human rights of the United Nations (Venezuela (Bolivarian Republic of));
- 136.49. Fully implement its obligations under international law, including international human rights law and international humanitarian law, in particular the 1949 Fourth Geneva Convention, relating to the treatment of non-combatants (Malaysia);
- 136.50. Cooperate with all United Nations special procedures and mechanisms (Pakistan);
- 136.51. Extend an open invitation to the special procedures of the Human Rights Council and allow them to visit the country (Nicaragua)/Issue a standing invitation to the special procedures (Slovenia)/Extend a standing invitation to all the special procedures of the Human Rights Council (Uruguay)/Extend a standing invitation to all special procedure mandate holders to achieve the human rights goals mentioned in resolution 12/9 of the Human Rights Council (Saudi Arabia)/Extend an open invitation to the special procedures (Guatemala);
- 136.52. Implement the recommendations of the Special Rapporteur on freedom of religion or belief to Israel to issue non-selective rules for the protection and preservation of religious sites and to designate holy sites on a non-discriminatory basis (Morocco);



- 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 (Russian Federation);
- 136.54. Amend the basic laws and other legislation in order to include the prohibition of discrimination and the principle of equality, in accordance with the recommendations of United Nations human rights treaty bodies (Finland);
- 136.55. Abrogate all discriminatory laws and practices against some groups of populations under its jurisdiction, in particular in the areas of access to justice, employment, education, health, right to property, freedom of expression and opinion, and freedom of religion and belief (Tunisia);
- 136.56. Continue all efforts to eliminate discrimination based on sexual orientation and gender identity (Greece);
- 136.57. Review legislation which establishes direct and indirect discrimination of national and religious minorities (Russian Federation);
- 136.58. Increase efforts to ensure non-discrimination, particularly in the areas of access to justice, property rights and housing rights (Canada);
- 136.59. Accelerate the examination of complaints on discrimination and apply relevant judgments (Tunisia);
- 136.60. Consider additional measures to improve the status of women in all communities with a view to promote equality in law and practice (Canada);
- 136.61. Intensify efforts to fight racism and xenophobia (Nigeria);
- 136.62. Eliminate all forms of discrimination against persons of African descent (Tunisia);
- 136.63. Advance in the adoption of measures that are considered necessary to combat the discrimination that suffer the non-Jewish sectors of the population (Argentina);
- 136.64. Intensify its efforts to combat gender-based violence against women and girls, including from minority communities (Sweden);
- 136.65. Persist investigating allegations of violence and ill-treatment by the Police Forces and ensure that international human rights standards are respected at all levels of public administration (Cyprus);
- 136.66. Fight impunity by thorough and impartial investigations on all the allegations of human rights violations, including when these allegations involve members of security forces or settlers (France);
- 136.67. Take steps to ensure the rights to health, education, and other rights dependent on freedom of movement are protected (Australia);
- 136.68. Intensify efforts to prevent and tackle any act aimed at reducing or impeding the full enjoyment of the freedom of religion for any individual (Italy);
- 136.69. Ensure freedom of religion or belief, including access to places of worship (France);
- 136.70. Take all necessary measures to fight against manifestation of religious intolerance and to thoroughly investigate all cases of religious hatred, including acts of vandalism of religious sites (Slovakia);

- 136.71. Adopt norms, and apply existing provisions, with a view to protect the rights of religious minorities and ensure the preservation of religious sites (Argentina);
- 136.72. Protection of and access to all sacred places of worship belonging to Muslims, Christians and others (Pakistan);
- 136.73. End all violations of Muslim and Christian holy sites (Egypt);
- 136.74. Safeguard equitable protection to all places of worship, including all Muslim and Christian sacred places (Cyprus);
- 136.75. Ensure access to religious sites, particularly in the Holy City of Jerusalem (Jordan);
- 136.76. Ensure full and unrestricted access to holy sites for all members of the clergy and worship without discrimination (Italy);
- 136.77. Refrain from preventing or hindering the restoration of Islamic holy shrines by the Waqf (Jordan);
- 136.78. End the policy of Judaizing Jerusalem and end all the violations against the sanctity of the Al-Aqsa mosque and other places of worship (Qatar);
- 136.79. Lead progress made to a systemic solution of the issue of conscientious objectors (Slovenia);
- 136.80. Ensure that human rights defenders are able to carry out their legitimate work in a secure and free environment (Austria);
- 136.81. Continue to further promote women's participation in all aspects of public life and especially in political life (Greece);
- 136.82. Take measures to ensure compliance of the principle of same salary for same work, putting special attention that distinctions due to religion, ethnic or gender do not prevent the respect of this principle (Mexico);
- 136.83. Strengthen its efforts to close the gaps in the infant and maternal mortality rates (New Zealand);
- 136.84. Redouble efforts to fill the gaps among the infant and maternal mortality rates of Jewish, Arab-Israeli and Bedouin children and women (Belgium);
- 136.85. Take measures to ensure a fair access to education, without distinction of the origin or gender of the person (Mexico);
- 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 (Spain);
- 136.87. Take further steps in the area of promotion and protection of the rights of persons with disabilities, to improve accessibility to services, including for persons with disabilities living in disadvantaged areas (Canada);
- 136.88. Continue progress on various relevant programs, including broad-based accessibility projects for persons with disabilities in the country (Indonesia);
- 136.89. Take further steps to overcome the obstacles faced by persons with disabilities in accessing the labour market, including through positive action measures (New Zealand);

- 136.90. Continue to strive to protect the rights of minorities (Cyprus);
- 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 (Japan);
- 136.92. Strengthen the protection of rights of persons belonging to non-Jewish minorities and to ensure an effective participation of all citizens in political and public affairs (Czech Republic);
- 136.93. Ensure the enjoyment of economic, social and cultural rights in equal conditions for minorities, particularly their right to work and to education (Belgium);
- 136.94. Reconsider the current proposal, in order to better meet both the State's interest to regularise the habitation in Negev and the fundamental rights of the Bedouin community (Netherlands);
- 136.95. Intensify efforts to advance the rights of the Arab minority population in Israel (Norway);
- 136.96. Ensure, in practice, the non-discrimination and respect of the rights of persons belonging to minorities, be they ethnic, cultural or religious, in particular the Bedouin and the Arab (France);
- 136.97. Respect the Bedouin population's right to their ancestral land and traditional livelihood (Switzerland);
- 136.98. Continue efforts to ensure equal access of Bedouin communities to education, work, housing and public health (Australia);
- 136.99. Protect the Bedouin citizens from discrimination and ensure their rights to property, housing and public service on an equal basis with others (Czech Republic);
- 136.100. Find a durable and equitable solution to the problems faced by the Bedouin communities, particularly in the area of possession of land (Belgium);
- 136.101. Continue taking effective measures to eliminate discrimination against Bedouin women and strengthen the respect of their fundamental rights through concrete and voluntary measures (Belgium);
- 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 (Belgium);
- 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 (United States of America);
- 136.104. Treat asylum seekers on its territory in compliance with the 1951 Convention relating to the Status of Refugees (Switzerland);
- 136.105. Ensure asylum seekers have access to a timely individualized refugee status determination and provide for the release of those detained under the Anti-Infiltration Law, in accordance with the recent decision by the Israeli High Court of Justice (United States of America);

136.106. Safeguard the rights of individual refugees and asylum seekers and ensure their access to a fair procedure for examining their asylum requests (Rwanda);

136.107. Change the public policies and abolish legislation, norms, mechanism or discriminatory provisions against Palestinians living in Israel and in the occupied territories, including putting an end to the segregated roads for the exclusive use of the Israeli population, the settlements, the restrictions to the freedom of movement of Palestinians, the control posts, and the separation walls, the use of human shields in operations of the Israeli military and the practice of selective killings through the use of drones (Ecuador);

136.108. Put an end to the policy of colonization with illegal settlements (Cuba)

136.109. Fully restore the rights and dignity of the Palestinian people, including their rights to life, to live in dignity, adequate food, housing, health and education, as well as their freedom of movement (Malaysia);

136.110. Ensure non-discrimination to the Palestinian families in Israel regarding health and education of children, in particular those living in poverty, rural areas and refugee camps (Tunisia);

136.111. Put an end to the military attacks against the civilian population, the practice of targeted killings, and the torture and ill treatment of Palestinian prisoners (Cuba);

136.112. Take measures to provide for the safety and protection of the Palestinian civilian population and adhere to international standards on juvenile detention (Norway);

136.113. Ensure that detention of civilians, especially children, is carried out in accordance with international law and standards and without any discrimination paying particular attention to the recommendations of the CRC (Finland);

136.114. Take all steps necessary to ensure that Palestinian children in military custody receive the same level of care and have the same rights as provided by Israeli criminal law to youth offenders (Netherlands);

136.115. End all Israeli arbitrary practices such as administrative detention of Palestinians, forced exile, and sanctions (Egypt);

136.116. Release all the Palestinian and Arab prisoners and detainees in the Israeli prisons, including women and children, and put an end to all forms of torture exercised against them (Oman);

136.117. Release immediately all political prisoners and administrative detainees (Pakistan);

136.118. Release all Palestinian prisoners in Israeli prisons as there is no legal basis to which Israel has detained those political activists (State of Palestine);

136.119. End the illegal detention of Palestinians and the torture to which they are subjected (Venezuela (Bolivarian Republic of));

136.120. Undertake an independent evaluation of its policy of administrative detention with a view to ending this practice, guaranteeing that all those detained without exception are brought before a judge and have immediate access to a lawyer (Chile);

- 136.121. Release immediately all Palestinian, Syrian and other Arab political detainees, and allow representatives of humanitarian organisations to visit them and deal with their situation (Egypt);
- 136.122. Release all Arab prisoners and ensure that they are treated in accordance with international humanitarian law and international human rights law (Syrian Arab Republic);
- 136.123. Immediately halt all administrative detention and release all Palestinian detainees and captives in Israeli prisons especially women and children (Qatar);
- 136.124. Ensure that administrative detention is carried out in accordance with international human rights standards (Denmark);
- 136.125. Ensure that administrative detention complies with Israel's international commitments, and that it remains an exceptional measure and of a limited period, and that it is conducted in the respect of fundamental guarantees, in particular the rights of the defence of detainees and the right to a fair trial within a reasonable time (France);
- 136.126. End the solitary confinement of child detainees, and that audio-visual recordings are made of all interviews with child detainees by the Israeli police and security forces (United Kingdom of Great Britain and Northern Ireland);
- 136.127. Release all children in solitary confinement (Bahrain);
- 136.128. Put an end to the ill-treatment of suffering Palestinian prisoners, particularly children, held in Israeli prisons (Turkey);
- 136.129. Unconditionally release all Palestinian prisoners especially children and women (Libya);
- 136.130. Introduce limitations to the practice of administrative detention in conformity with international law and to desist from its multiple extensions, and eventually ending them (Slovenia);
- 136.131. Bring before a court all persons who are detained under an administrative detention order and have them properly charged with a crime in accordance with international standards (Spain);
- 136.132. Renounce the practices of arbitrary detention and end the use of torture in places of detention (Russian Federation);
- 136.133. Ensure that the use of administrative detention is minimised and that human rights are fully respected in the fight against terrorism (Sweden);
- 136.134. Use alternatives to detaining children, and enact regulations to ensure greater protection of children's rights particularly such as the use of restraints and strip searches (Slovenia);
- 136.135. End the criminal military attacks in which thousands of innocent persons have died and punish those responsible and who have gone unpunished up until now (Venezuela (Bolivarian Republic of));
- 136.136. Discontinue criminal proceedings against Palestinian children in military courts and ensure that children are not detained (Bahrain);
- 136.137. Do not undertake criminal proceedings against Palestinian juveniles in military courts (Iraq);

- 136.138. Stop taking any penal actions against Palestinian children in military courts and halt detention of all children (Saudi Arabia);
- 136.139. End urgently night arrests of Palestinian children, the admissibility in evidence in military courts of written confessions in Hebrew signed by them, their solitary confinement and the denial of access to family members or to legal representation (Ireland);
- 136.140. Conduct an immediate and independent investigation into all cases of torture and ill-treatment of Palestinian children and ensure that all persons responsible for such practices are brought to justice and punished in a manner proportionate to the gravity of their crimes (Bahrain);
- 136.141. Ensure that an independent body is established to investigate reports of detained children's exposure to torture and to cruel, inhuman or degrading treatment (Bahrain);
- 136.142. Ensure that the Palestinians enjoy the religious and cultural rights contained in the Universal Declaration of Human Rights and allow them unhindered access to places of worship in conformity with the Fourth Geneva Convention (Morocco);
- 136.143. Guarantee the enjoyment of all Palestinians with their culture, social, and religious rights as per the Universal Declaration of Human Rights, and allowing them to reach places of worship as per the fourth Geneva Convention (Saudi Arabia);
- 136.144. Ensure the respect of freedom of expression and freedom of movement of all; lift the ban on journalists from entering the Palestinian territories (France);
- 136.145. Guarantee the Palestinian people access to all basic services, especially drinking water (Venezuela (Bolivarian Republic of));
- 136.146. End discrimination against Palestinian households and children when loans are made available in areas such as healthcare and create a strategy for children in disadvantaged areas, in particular the Bedouin communities, migrants and asylum seekers (Iraq);
- 136.147. Allow the return of the refugees (Venezuela (Bolivarian Republic of));
- 136.148. Fully implement the advisory opinion of the ICJ concerning the separation wall (Egypt);
- 136.149. Demolish the shameful wall of separation which violates the human rights of the Palestinians (Venezuela (Bolivarian Republic of));
- 136.150. Put an end to the construction, and dismantle the illegal separation wall (Cuba);
- 136.151. Dismantle the separation wall and halt the expansion of illegal settlements (Maldives);
- 136.152. Cease immediately the colonization through construction of illegal settlements (Pakistan);
- 136.153. Halt the colonization with illegal settlements and the destruction of the homes, cultural and religious sites of the Palestinian people (Venezuela (Bolivarian Republic of));

- 136.154. Suspend, without conditions, the expansion of settlements that violate fundamental rights of the Palestinian population, and remedy the negative impact (Costa Rica);
- 136.155. Acknowledge the right of all Palestinian refugees to return to their homeland, as enshrined in the Fourth Geneva Convention (Pakistan);
- 136.156. Immediately ensure the right of return to all Palestinian refugees in line with international law and relevant resolutions, in particular resolution 194 (State of Palestine);
- 136.157. Put an end to its policies that are contrary to international law and international humanitarian law, respecting the enjoyment of the human rights of the Palestinian people (Bolivia (Plurinational State of));
- 136.158. Apply the Fourth Geneva Convention in relation to the OPT (Bolivia (Plurinational State of));
- 136.159. Adopt legal measures and other measures to supervise the implementation of the CRC in the occupied Arab territories and, in conformity with this convention, apply a definition of the child as a person under the age of 18 in the Palestinian territories as well (Uruguay);
- 136.160. Comply with the recommendations of its first UPR relating to human rights violations against the Palestinian people (Nicaragua);
- 136.161. Fully respect international human rights law and international humanitarian law, in particular the Fourth Geneva Convention on the Protection of Civilian Persons in Time of War, in the OPT (Portugal);
- 136.162. Accept and implement the ICJ Advisory Opinion on the Legal Consequences of the Construction of a Wall in the OPT (Brazil);
- 136.163. Respect all United Nations decisions and the withdrawal of Israel from all the occupied Arab and Palestinian Land (Libya);
- 136.164. Stop building settlements in the Arab occupied territories and implement the United Nations decisions in this regard (Oman);
- 136.165. Respect all the historical and human rights of the Palestinians (Sudan);
- 136.166. Comply with resolutions that different organs of the United Nations have adopted in relation to the conflict and occupation in Palestine (Nicaragua);
- 136.167. Recognise the birth right of the Palestinian people to self-determination and take concrete measures for the establishment of their independent State with Jerusalem as its capital (Pakistan);
- 136.168. Complete Israeli's withdrawal from all occupied Palestinian and Arab territories (Qatar);
- 136.169. Immediately stop the blockade on the Gaza Strip (Qatar);
- 136.170. Bring all settlements building in the occupied Palestinian and Arab Territories to a halt (Qatar);
- 136.171. Take urgent and immediate steps to end its occupation of all Palestinian and Arab Territories occupied since 1967 (South Africa);

- 136.172. Put an end to the occupation of all occupied Arab land, including East Jerusalem and the Golan Heights (Sudan);
- 136.173. Stop the transfer of its population to the occupied territory and put an end to all measures that encourage or perpetuate the settlements (Switzerland);
- 136.174. Withdraw unconditionally and put an end to the construction of illegal settlements, including the so-called natural growth of existing settlements in the West Bank, especially in and around Jerusalem, and restore other occupied Arab territories (United Arab Emirates);
- 136.175. End the illegal occupation of Palestinian territory and of the Golan Syria (Venezuela (Bolivarian Republic of));
- 136.176. End the inhuman blockade of Gaza (Venezuela (Bolivarian Republic of));
- 136.177. Put an end to the occupation of all Arab and Palestinian territories, including the Syrian Golan (Cuba);
- 136.178. Put an end to the blockade of the Gaza strip, and guarantee full access to the Palestinian population to all basic services (Cuba);
- 136.179. Refrain from all settlement activities in occupied territories (Brazil);
- 136.180. End the occupation of all Palestinian territories, the Syrian Arab Golan, and the occupied Lebanese territories (Egypt);
- 136.181. Lift immediately the blockade on the Gaza strip, and stop any Israeli attacks on the Gaza strip (Egypt);
- 136.182. End all settlement activities in the occupied Arab territories, including the West Bank and East Jerusalem (Egypt);
- 136.183. End its occupation of Palestinian and Arab territory (Jordan);
- 136.184. End the construction of all Israeli settlements in the occupied Arab territories (Libya);
- 136.185. Immediately cease its illegal settlement activities (Turkey);
- 136.186. End its illegal and unlawful occupation of all Palestinian and Arab Territories occupied since 1967, including Jerusalem (Malaysia);
- 136.187. Bring an end to the illegal construction of Jewish settlements and the transfer of Jewish populations to the OPT without delay (Russian Federation);
- 136.188. Cease immediately all human rights violations in the occupied Arab territories and implement all relevant United Nations resolutions (Pakistan);
- 136.189. Restore all victims of the occupation of Palestinian and Arab territories, in conformity with international law norms (Bolivia (Plurinational State of));
- 136.190. Stop all settlement activities (Jordan);
- 136.191. Ensure safe and unhindered access for all humanitarian personnel and humanitarian assistance to the civilian population (Jordan);
- 136.192. Refrain from subjecting the civilian population to collective punishment (Jordan);



- 136.193. Take urgent measures for the promotion and protection of the rights of the Palestinian population (Russian Federation);
- 136.194. Develop mechanisms for overseeing the implementation of the CRC in the OPT (Slovenia);
- 136.195. Commit as an occupying power to allowing the access for the Special Rapporteur on the situation of human rights in the Palestinian territories occupied since 1967 (Saudi Arabia);
- 136.196. Fully cooperate with the Special Rapporteur on the situation of human rights in the Palestinian territories occupied since 1967 (Turkey);
- 136.197. Put forward the utmost efforts to implement all recommendations made by the human rights mechanisms to provide people in the occupied territories with the civil, political, economic, social and cultural rights in equal manners (Republic of Korea);
- 136.198. Submit a report on the human rights situation in the OPT since Israel assumed the responsibility for this territory as the occupying power (Saudi Arabia);
- 136.199. Implement all Human Rights Council, General Assembly and Security Council resolutions with regard to the OPT and other Arab territories (South Africa);
- 136.200. Abide, as an occupying power, by all its obligations under international law in the Palestinian territories (Turkey);
- 136.201. Cooperate fully with the United Nations mechanisms established to follow the situation of human rights in the occupied Arab territories, especially the Special Committee to investigate Israeli practices affecting the human rights of the Palestinian people and other Arabs of the territories occupied by Israel since 1967, and allow the Committee to visit the occupied Syrian Golan (Syrian Arab Republic);
- 136.202. Prohibit policies and practices of racial segregation that disproportionately affect the Palestinian population in the OPT (South Africa);
- 136.203. Give up racist and discriminatory laws and practices accompanying the colonies in all the OPT, including Al Qods Asharif (Tunisia);
- 136.204. Put an end to the process of expanding colonies and to racial discrimination which are an inadmissible violation of elementary rights of Palestinians in the occupied territories, including Jerusalem (Algeria);
- 136.205. Effectively protect the Palestinian population in the occupied West Bank, including East Jerusalem, against any form of discrimination which impairs the equitable access to basic services or natural resources, including water and land, or else the equal enjoyment of fundamental rights and freedoms, particularly the right to equal protection before the law (Brazil);
- 136.206. Respect all human rights and fundamental freedoms of the Palestinian people, especially their right to self-determination (Oman);
- 136.207. Cease immediately the demolition and destruction of public and private Palestinian properties which constitute a violation of article 53 of the Fourth Geneva Convention and articles 46, 53 and 55 of the Hague Regulations (United Arab Emirates);

- 136.208. Set up an independent commission of inquiry to investigate the cruel, inhuman and degrading treatment suffered by children in the OPT and stop such actions (Iraq);
- 136.209. Strengthen its efforts to ensure all violent attacks in the West Bank are investigated, and prosecuted by competent authorities (New Zealand);
- 136.210. Investigate all allegations of human rights violations and other crimes committed on Palestinian land and prosecute those responsible (Denmark);
- 136.211. Enable the Syrian citizens in the occupied Golan to visit their relatives in the motherland through the Al Quneitra crossing (Syrian Arab Republic);
- 136.212. Stop the revocation of residency permits for Palestinians in East-Jerusalem (Mexico);
- 136.213. Stop the revocation of permanent residency status of Palestinians in East Jerusalem and provide adequate resources for the development of services and infrastructure, including the creation of new schools (Norway);
- 136.214. Take immediate measures with a view to lifting the blockade and guarantee freedom of movement of goods and persons between Gaza and West bank, including East Jerusalem (Switzerland);
- 136.215. Adopt measures to ensure the freedom of movement of the Palestinians within the OPT and lift the travel bans imposed on human rights defenders (Chile);
- 136.216. Lift the military blockade imposed on the Gaza Strip and guarantee access to goods and persons without restrictions (Bolivia (Plurinational State of));
- 136.217. Immediately lift the on-going regime of military closures imposed on the occupied Gaza Strip and guarantee unrestricted access of goods and individuals in and out of the Gaza Strip (Malaysia);
- 136.218. Repeal all legislative and administrative measures aimed at the judaization of occupied East Jerusalem, including those that allow excavations in the vicinity of the Al Aqsa Mosque (Morocco);
- 136.219. End the judaization of Jerusalem (Libya);
- 136.220. Undertake necessary measures to guarantee the respect for the freedoms and fundamental rights in the occupied territories such as, for example, the right to freedom of movement of all persons (Spain);
- 136.221. Recognize the rights of the Palestinian people to self-determination and respect their right to establish an independent state of which East Jerusalem is the capital (Sudan);
- 136.222. Respect the right to self-determination of Palestine as an independent and sovereign state with East Jerusalem as its capital (Venezuela (Bolivarian Republic of));
- 136.223. Respect the rights of the Palestinian people to self-determination and to have their sovereign independent state with East Jerusalem as its capital (Egypt);
- 136.224. Recognize and respect the rights of the Palestinian people to self-determination (Malaysia);

136.225. Recognize and respect the right of Palestinian people to self-determination and end the occupation of all territories occupied since 1967 (Maldives);

136.226. Take all the necessary measures to guarantee for the Palestinians who live in the occupied Palestinian territories access to adequate quantities of drinking water and to appropriate sewage systems, including by facilitating the entry of the materials required to reconstruct the water supply system and sewage system in these territories (Uruguay);

136.227. Implement measures to facilitate the renovation of the infrastructure for the supply of water in the occupied Arab territories (Uruguay);

136.228. Comply with the obligations of an occupying power, in line with international humanitarian law, providing water and sanitation to the occupied population (Bolivia (Plurinational State of));

136.229. Guarantee the right to housing of the Palestinians in the occupied territories, including East-Jerusalem, stopping the demolition of Palestinian houses and guaranteeing the property rights of the Palestinian population (Mexico);

136.230. Respect the cultural identity of the Syrian citizens in the occupied Syrian Golan and allow them to apply the national curricula (Syrian Arab Republic);

136.231. Take practical measures to protect and respect the rights of Palestinian refugees and the internally displaced Palestinians and give them access to their homeland and their right to compensation for the losses and prejudices they have endured throughout (Saudi Arabia);

136.232. Respect the right of return for all Palestinian refugees so that they can return to their homeland, and be duly compensated for the damages they and their property suffered from (Egypt);

136.233. Recognize the right of refugees to return to their homes (Jordan);

136.234. Commit to its obligations as an occupying power in the conservation of natural resources and the environment in the occupied Arab territories (Syrian Arab Republic);

136.235. Ensure for the Palestinians of the occupied territories access without hindrance to their natural resources, particularly water resources, and implement in this context the obligations stemming from international humanitarian law (Algeria);

#### **Follow-up to UPR**

136.236 Commit to the implementation of all the recommendations received at the first UPR (Oman);

136.237 Commit completely to implement the outcome of the first UPR (Libya).

137. The recommendations listed below do not enjoy the support of Israel because they contain the term “State of Palestine”. Israel considers that the term “State of Palestine” was adopted as a result of General Assembly resolution 67/19 and at the request of the PLO delegation to the United Nations. Israel wishes to reiterate that the term does not imply the existence of a sovereign State of Palestine, nor recognition as

such; the issue of statehood, as well as all other permanent status issues, will be decided between the parties only as part of a process of direct bilateral negotiations.

137.1. Ensure the preservation of the cultural and religious heritage in the occupied State of Palestine, particularly in the Holy City of Jerusalem (Jordan);

137.2. Mainstream the principle of non-discrimination and equality in the Basic Law of Israel that discriminates against non-Jewish children and undertake measures necessary to stop policies and measure that affect Palestinians resident in the occupied State of Palestine (Saudi Arabia);

137.3. Guarantee freedom of movement for all people as well as free movement of all goods within the Occupied State of Palestine and to and from foreign countries (Saudi Arabia);

137.4. Prevent acts of torture and ill-treatment of children living in the occupied State of Palestine and eliminate these acts which constitute a flagrant violation of article 37 (a) of the CRC, and article 32 the Fourth Geneva Convention (Bahrain);

137.5. Put an end to racial and discriminatory measures against the Palestinians in the Occupied State of Palestine, including in East Jerusalem, especially by continuing to building settlements (Saudi Arabia);

137.6. Ensure the protection and welfare of civilians in the occupied State of Palestine (Jordan);

137.7. Withdrawal of Israel from the Gaza strip, East Jerusalem and the West Bank, these are occupied territories of the State of Palestine that have been recognised as such by 138 States on 29 November last year by the General Assembly (State of Palestine).

138. All conclusions and/or recommendations contained in the present report reflect the position of the submitting State(s) and/or the State under review. They should not be construed as endorsed by the Working Group as a whole.

## Annex

*[English only]*

### **Composition of the delegation**

The delegation of Israel was headed by H.E. Ambassador Eviatar Manor, Permanent Representative, Permanent Mission of Israel to the United Nations in Geneva and composed of the following members:

- Mr. Shai Nitzan, Deputy Attorney General (Special Affairs), Ministry of Justice, Jerusalem;
  - Ms. Hila Tene-Gilad, Adv., Director, Human Rights and Relations with International Organizations, Ministry of Justice, Jerusalem;
  - Mr. Daniel Meron, Head of Bureau United Nations and International Organizations Division, Ministry of Foreign Affairs, Jerusalem;
  - Mr. Ohad Zemet, Attorney, International Law Department Office of the Legal Advisor, Ministry of Foreign Affairs, Jerusalem;
  - Mr. Nir Keidar, Adv. International Law Department, Israel Defence Forces;
  - Mr. Omer Caspi, Minister-Counsellor, Deputy Permanent Representative, Permanent Mission of Israel, Geneva;
  - Ms. Jennifer Motles Svigilsky, Human Rights and Humanitarian Affairs Officer, Permanent Mission of Israel, Geneva.
-