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COMMITTEE ON THE RIGHTS OF THE CHILD

Thirty-first session

SUMMARY RECORD OF THE 829th MEETING

Held at the Palais Wilson, Geneva,
on Wednesday, 2 October 2002, at 10 a.m.

Chairperson: Mr. DOEK

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The meeting was called to order at 10 a.m.

CONSIDERATION OF REPORTS OF STATES PARTIES (agenda item 4) (continued)

Initial report of Israel (CRC/C/8/Add.44; CRC/C/Q/ISR/1; written replies of the Government of Israel to the questions in the list of issues (document without a symbol distributed in the meeting room in English only))

1. At the invitation of the Chairperson, the members of the delegation of Israel took places at the Committee table.
2. Mr. LEVY (Israel) said that the Government was committed to providing the basic necessities for happy, safe and healthy childhood. It had sent high-level delegations to the General Assembly special session on children in May 2002 and to the Second World Congress against Commercial Sexual Exploitation of Children in December 2001.
3. The Government had been working closely with non-governmental organizations (NGOs) and children to implement international instruments for the protection of the rights of the child. Civil society was involved in the dissemination of information, the promotion of appropriate legislation, the initiation of innovative projects and the provision of services to abused children.
4. Extensive efforts had been made to ensure that the domestic legislation protected children's rights. Some 20 bills had been enacted covering a wide range of issues. In 1997 the Ministry of Justice had appointed a special committee to bring Israeli law into line with the Convention, a major endeavour headed by his colleague, Ms. Rotlevy, that was still taking place.
5. The Israeli Supreme Court had endorsed the principles of the Convention, in particular the right to human dignity, and had prohibited the use of corporal punishment against children. The Government, in particular thanks to the work of a parliamentary committee on the rights of the child, had carried out extensive campaigns and adopted new laws to increase public awareness of child abuse and neglect, and it had developed facilities and programmes for abused children. Israel had signed the two optional protocols to the Convention, as well as the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime. As soon as the domestic legislation was adjusted accordingly, the three protocols would be sent to the Knesset for ratification.
6. Education, as a tool for peace, mutual respect, understanding and tolerance, was one of the most critical elements in the long-term protection of the rights of the child, both within Israel as a multicultural society and in the region as a whole. Therefore, efforts to bring Jewish and Arab children together through youth projects, seminars and summer camps were of prime importance. Incitement of hatred in curricular and extra-curricular activities must be avoided. He had written to the Chairperson of the Committee on a number of occasions to draw attention to the fact that school textbooks used in Palestinian and Arab schools depicted Israel and Israelis in a negative, stereotypical and false manner, encouraged hostility towards the State and the Jewish people and supported martyrdom and Jihad. A major effort must be made to correct that

situation. The indoctrination by Palestinian adults of young children, for example by means of plays which highlighted suicide bombings, must stop. Children must not be encouraged to take part in marches, parades and rallies that used violent symbols of hatred against Israel and Israelis.

7. To the dismay of Israelis, Palestinian terrorist organizations were making increasing use of children in attacks against Israelis, all too often resulting in the death or injury of Palestinian children. That was a blatant violation of international law and of children's rights. The death of any child, Israeli or Palestinian, was a terrible tragedy. Since September 2000, 90 Israeli children had been killed, and many more had been maimed, wounded or orphaned. Israel had unfortunately had to develop extensive expertise in dealing with terror trauma, especially with regard to children. Children must be kept out of the conflict; they must not be targets or victims, and they must not be placed in situations where adult judgement was expected of them.

8. Ms. ROTLEVY (Israel) said that in recent years there had been a gradual and meaningful change in the status of the rights of the child, as society had come to acknowledge that children were bearers of rights. Children's rights were the subject of discussion in many kindergartens and schools, and the language of rights had entered into children's vocabulary. It had become common for even very young Israelis to say "but this is my right". That change in perception had come about as a result of proactive efforts undertaken by the Government and NGOs, with the Convention serving as a guiding light. The process was continuing. The judiciary had referred specifically to the Convention in establishing its case law, and the Knesset had enacted a large number of laws inspired by the principles of the Convention.

9. In 1997 the Government had established a special committee on children's rights, known as the Public Committee on Children and the Law, to propose legislative and other reforms. That body had relied heavily on the work and publications of United Nations institutions, including the Committee on the Rights of the Child. The Public Committee had involved nearly 100 professionals and hundreds of children in its work, bringing together representatives of the Government, academics, practitioners and NGOs. The Public Committee's mandate included an extensive examination of existing law, the proposal of new laws and amendments to bring the legislation into line with the Convention, consideration of the possibility of adopting a comprehensive Children's Act and an evaluation of the need to establish various bodies and mechanisms for the practical implementation of children's rights. It had formed six sub-committees devoted respectively to the child in the family, child protection, out-of-home placement, legal representation, the criminal process and education. Both the Public Committee and its subsidiary bodies were composed of professionals from a cross-section of society, including lawyers, social workers, mental health experts, educators and psychologists, and comprised representatives of NGOs. A special effort had been made to include children, either as members of the bodies, consultants or partners in dialogue.

10. One of the Public Committee's main purposes and achievements had been to initiate a rights-based approach to the rights of the child.

11. The Public Committee was currently drafting recommendations for new bills and amendments, including laws to ensure the right to quality education on an equal basis and the consolidation of the right to information and the rights to freedom of expression, conscience,

religion, privacy, association, identity, due process in disciplinary proceedings and participation in complaints procedures. Comprehensive amendments had been proposed for a number of criminal law enactments affecting the juvenile justice system. In family law, amendments would be sought to ensure the child's right to be protected from corporal punishment and to protect the best interests of the child during divorce proceedings and mediation. A legal void relating to out-of-home care and relations between biological and foster parents would be addressed with the adoption of a bill on out-of-home placement, which would also incorporate children's rights and freedoms. Another proposal called for the definition of the principles of children's participation in legal proceedings. The Public Committee would also call for the adoption of an implementation bill specifically for the Convention, which would codify the instrument's main principles.

12. The Public Committee's proposals would be submitted to the Ministry of Justice, which would forward them to the Knesset for consideration and possible adoption. To that end, the Public Committee had prepared a manual that set out guidelines for the legislature. An unofficial English copy had been circulated to the Committee members.

13. The effects of the Public Committee's work had extended well beyond the legislative field. It had raised awareness of children's rights, not least through the children and others that it had involved in its forums and symposiums.

14. Lastly, on a personal note, she underscored her great personal sorrow over the plight of children on both sides of the continuing conflict who had been affected by the horror and terrorism currently afflicting both Arabs and Jews. She hoped that the situation would change quickly and that the children in the region would grow up in an atmosphere of peace and prosperity, where children's rights in all countries and regions would be realized and protected.

15. The CHAIRPERSON, speaking as a member of the Committee, said that the report had been submitted by the State party with a delay of some eight years, and that it was a voluminous document. It systematically followed the reporting guidelines, portraying the child protection system, the health-care system and the educational and social security structure in detail. In some places, the report included analysis and self-criticism of interest to the Committee. The State party identified major challenges and trends at the outset, including rising poverty, the development of an underclass and social ills such as divorce, alcohol and drug addiction, unemployment and discrimination against Palestinian Arab children who were Israeli citizens.

16. The State party also reported a number of positive steps, such as the enactment of many legislative acts.

17. The report gave the impression that Israel was a peaceful, progressive country. Unfortunately, the reality was tragically different. The report completely ignored the status of children in the occupied Palestinian territories and the very violent armed conflict. It was only after the Committee had asked specifically for more information on that subject that the State party had endeavoured in the written replies to explain why it had not covered it in the report.

18. According to an Amnesty International report, since September 2000 over 250 Palestinian children and 72 Israeli children had been killed. Most Palestinian children had been killed by excessive and disproportionate use of lethal force and reckless shooting, shelling and aerial bombardments of residential areas by the Israel Defense Forces (IDF). Israeli children had been killed in direct and indiscriminate attacks, including suicide bombings and shootings. The pattern of killings of children had developed against a background of impunity for the perpetrators of such crimes over many years prior to the current intifada. In the past two years the problem of impunity had taken an unprecedented dimension, which could only encourage such practices. Even in cases where Israeli government officials had stated that investigations would be carried out, no judicial investigation was known to have been conducted into any of the killings of children by the IDF. None of the IDF members responsible for such crimes had been brought to justice. The authorities' assertion that investigations into the killings of civilians were not necessary in situations of armed conflict stood in stark contradiction with Israel's obligations under international human rights treaties.

19. The Committee was extremely concerned about, and deeply regretted, the suffering of Palestinian, Israeli and other children within the jurisdiction of the State party, all of whom should equally enjoy all the rights enshrined in the Convention. It was puzzling, saddening and infuriating that adults, who so often questioned the competence of children, should fail so miserably in creating a world in which children could live, survive and develop.

20. The Committee took into account not only the information provided by the State party but details from other sources, including United Nations agencies and non-governmental organizations. According to article 2 of the Convention, the State party was to respect and ensure the rights set forth in that instrument to each child "within its jurisdiction". Since the Committee agreed with the interpretation of that term provided by the Legal Counsel of the United Nations, it saw the Convention as binding upon Israel as the occupying Power in respect of the occupied Palestinian territory. The United Nations human rights community, including the Committee, did not accept the State party's reasons for not including that territory in its report. On grounds of humanitarian law alone, such as the provisions of the Fourth Geneva Convention, there was reason for deep concern, heightened by the words of the Prime Minister of Israel, in March 2002, to the effect that the Palestinians must be made to suffer losses and victims.

21. The assertion that, since Israel had transferred power and responsibilities for the Palestinian population, in matters covered by the Convention, to the Palestinian Authority, Israel could not provide the predominant part of the information requested, warranted certain observations. Firstly, powers and responsibilities could be transferred only by an entity within whose jurisdiction they already rested; and they could, of course, be taken back - which seemed, in fact, to be the case. And even if the powers had been transferred, their exercise was being seriously hampered. Secondly, as the Committee had pointed out when considering the second periodic report of the United Kingdom, devolution of administration did not absolve a central Government, as the State party to the Convention, from responsibility for ensuring that every child within the national jurisdiction enjoyed, without discrimination, all the rights enshrined in the Convention. The case of Israel, as the Committee saw it, was no different. While there was

no denying that the Palestinian Authority had responsibilities, the Committee could only address the State party itself. The Committee was, of course, not a court; its aim was a constructive dialogue leading to a better understanding of the Convention's implementation for all children within the State party's jurisdiction and suitable recommendations to assist the State party in the future.

22. The written replies mentioned a number of channels for receiving complaints, including a National Council for the Child, but gave no specific details. He asked how the procedures were interlinked and what provisions there were for feedback, coordination and appeal. He also wondered what progress had been made with regard to the establishment of an independent body and how it would link up with other complaints procedures. With regard to article 6 of the Convention, one deeply troubling aspect was the incessant killing of children on both sides - and it should be noted, in that regard, that the killings had been going on long before the outbreak of the current conflict. The available figures were alarming: those for 1997 showed that 85 per cent of all Palestinians killed had been children. He was anxious to know how the Government of Israel, as the State party, was approaching that problem and what effective measures it felt it could take. On that subject, he would appreciate clarification of the rules of engagement of the Israel Defence Forces. He asked what practical steps were envisaged to prevent more child deaths, and whether there was any comprehensive approach to ensure not only immediate assistance for victims but a sound, secure environment for children.

23. Ms. CHUTIKUL said that the report and additional information provided by the delegation mentioned the work carried out by various Government ministries and the activities of non-governmental organizations in matters relating to children and young persons. It would be useful to know whether any office existed, such as an inter-ministerial body, to coordinate such activities. The tasks of the Public Committee on Children and the Law seemingly included the issue of recommendations for coordination mechanisms; she hoped that they focused not only on procedure but on effective measures to implement the Convention's provisions, that the work would be carried out at an inter-ministerial level and that NGOs would be involved. She wondered whether the activities of the various ministries and NGOs had been piecemeal, and asked whether a more comprehensive approach was felt desirable - in particular, whether the establishment of a national plan of action might be helpful. Further information on the sectoral monitoring system, including budget allocation details, would be welcome. She asked how the office of National Ombudsman dealt with children's cases, whether the latter were separately classified, and whether there was any chance of creating a parliamentary Ombudsman for children. With regard to the provision of assistance and services, she would like to know what linkages existed between efforts at the national and local levels, including the areas under Israeli occupation. She hoped that NGOs were represented in all bodies dealing with the Convention's implementation, and wondered whether they received official government recognition and any financial support.

24. Ms. TIGERSTEDT-TÄHTELÄ said she regretted the lack of a comprehensive calculation of national expenditure on children, which made it impossible to evaluate the extent to which article 4 of the Convention was being implemented. According to the information provided, government expenditure in fields such as education, health and welfare had grown at an annual rate of 7.8 per cent during the latter half of the 1990s. Later, it seemed, the Government had decided to reduce the budget deficit, although social expenditure had continued

to grow. She asked what percentage of the total budget that expenditure represented. In general, the services provided seemed to be of high quality, and the figures given for government expenditure in 2000 suggested an increase; she would like to have more details about the services provided and, in particular, the part the private sector played in service provision.

25. Education expenditure, as a proportion of GDP, had grown steadily during the past decade but, according to the figures, expenditure on Arab children's education had been some 60 per cent of that spent on Jewish schoolchildren. It would be interesting to know the current figures and to have clarification on the policy with regard to Arab schools and kindergartens. Although the overall trend in expenditure was good, some general cuts in the 2002 budget seemed to have affected spending on children, leading to reduced child allowances and delays in school expansion programmes. She would like to know the reasons, whether the cuts had applied to all sectors and what proportion the cuts represented of the overall reductions. It would also be of interest to know how revenue was raised and whether there was a system of progressive taxation.

26. Nowhere had the State party mentioned the right to life of children, particularly those in the occupied territories and Palestinian children in Israel. She asked whether there were any universally observed rules for protection of civilian populations and the conduct of military operations, including prohibition of reprisals against children, and wished to know what the Government was doing to observe internationally recognized rules in that regard.

27. Internal travel restrictions had been in force since before the latest intifada and had already led to children's deaths through prevention of access to health and emergency services. She would welcome comments about the Government's policy in that regard and about the apparent institutionalized discrimination against Arabs and certain other groups in Israel, as well as against girls in some instances. She asked whether there was any comprehensive strategy to prevent discrimination in areas such as health and education.

28. Ms. AL-THANI said that she found the delegation's opening statement reassuring but was disquieted by the reference to "Jews and non-Jews" with regard to Israel's inhabitants; the normal distinction made by States parties was nationals and non-nationals. The data provided generally gave the impression of a simple division between Jews and Arabs, but the population's composition was much more complex. She urged a fresh approach in that regard and would welcome the delegation's comments.

29. In general, legislation seemed very comprehensive but was not backed by adequate resources. She wondered whether children were aware of the office of Ombudsman and, if so, had confidence in its capacity to help them. She also wondered whether there was adequate dissemination of the Convention's provisions as well as suitable training and awareness-raising schemes for professional personnel. She sought clarification about the "School Convention" mentioned in paragraph 132 of the report, asking why the latter appeared only in Hebrew and English and why children had seemingly not been involved in its preparation. Lastly, she asked what steps were being taken to deal with discrimination against certain children, not only those in the occupied territories and Arab children in Israel but also those of Ethiopian and other immigrants.

30. Mr. CITARELLA said that the report was one of the most comprehensive he had seen. Nevertheless, he would like more information concerning the status of the Convention in relation to domestic law. Unlike in most countries, the Convention had not been integrated into national legislation and could not, therefore, be invoked before the courts. Nevertheless, judges were entitled, at their discretion, either to apply it or to deviate from it according to their own interpretation of the circumstances. He noted that, under international law, treaties should be applied in their entirety by signatory States unless a reservation had been made to the contrary.

31. He drew attention to a serious problem, mentioned in paragraph 96 of the report, regarding the lack of a mechanism for regulating implementation of the Convention. The issue was particularly important, given the existence of two apparently parallel legal systems. He wanted to know whether Jewish religious law had the same status as legislation proposed in the national parliament, and whether it was binding in all areas under the State party's jurisdiction, including the occupied Palestinian territories. The statistical abstract The State of the Child in Israel was a commendable effort to compile a collection of comprehensive data, yet it failed to cover the situation of children in the occupied territories. Despite its transfer of certain powers to the Palestinian Authority, Israel still had an international obligation to implement the Convention in the occupied territories.

32. He asked what was being done to narrow the gap in infant mortality rates between Arab and Jewish children. Lastly, he expressed concern that the children of a growing number of foreign workers had no rights, and were given no opportunity to make their views known.

33. Ms. KHATTAB said that children were a crucial factor in the search for peace. Consequently, she would like to have seen specific publications designed to build peaceful relations among children. Referring to a recent programme broadcast on CNN, she drew attention to the psychological impact of violence on children. The search for peace should be integrated into all policies affecting the child's development.

34. Given the patent need for national dialogue on the concerns raised in documents relating to child rights, she would like to see the report, as well as related documents by NGOs and observations by the Committee, translated into Arabic. A more participatory approach should be used in preparing the next periodic report.

35. The Constitution failed to provide a guarantee of equality before the law. Consequently, it was difficult to build a case of discrimination under the law of the State party, even when circumstances made it clear that discrimination had occurred. Statistics from the health sector showed that discrimination was deeply entrenched, as the Director-General of the World Health Organization, Dr. Brundtland, had stated recently. Approximately 100,000 citizens, most of whom were Bedouins, had been denied access to the health services they required. In the State education sector, there were reports of pupils from different ethnic backgrounds having been separated and placed on different floors.

36. With reference to the right to life, survival and development, she pointed out the lack of proportionality in the response of the security forces to children involved in demonstrations and throwing stones. She asked whether more moderate methods of controlling demonstrations had

been considered. Children as young as 16 years of age could be tried under military law for the offence of stone throwing, even though the age of criminal responsibility had been set at 18 years. She asked whether there were plans to rectify that discrepancy. Referring to paragraph 79 of the written replies, she expressed concern that a Steering Committee had found that an independent human rights body could only be established if it were “compatible with the unique political and social structure of the State of Israel”. In her view, such statements could be used, all too easily, to justify further discrimination and hostilities.

37. Ms. OUEDRAOGO said that the report was full of interesting details and, despite its length, relatively easy to read. Concerning its dissemination, she asked whether efforts had been made to train professionals working with children to integrate the principles of the Convention into their activities. The delegation should also explain whether the Convention had been included in school curricula. She would like to know whether the youth councils referred to in the report had been consulted during the preparatory process for the report. According to paragraph 194 of the report, the Youth law had determined that the child’s right to be heard during court proceedings determining his or her placement depended on the minor’s age, as well as on the opinions of the child protection officer and the judges sitting in the case. She asked whether the delegation was of the opinion that those conditions were precise enough to have the force of law.

38. Mr. AL-SHEDDI said that the delegation should explain whether the Public Committee on Children and the Law had addressed the general issue of the future of children in the context of armed conflict. The current efforts of the Government in the search for peace would be meaningless without a concerted effort to provide young people with the vision of a different way of life.

The meeting was suspended at 12.10 p.m. and resumed at 12.25 p.m.

39. Mr. LEVY (Israel) expressed gratitude for the interest shown by the Committee in the situation of children in Israel. His Government had not included information in its report about the implementation of the Convention in the Gaza Strip and the West Bank for both practical and legal reasons. First of all, Israel’s report had been prepared between 1998 and 2000, by which time all jurisdiction and control over the Palestinian population in matters covered by the Convention had been transferred to the Palestinian Authority following an agreement made in 1994 with the support of the international community and the United Nations. Thus, in practical terms, Israel was unable to provide the information requested by the Committee.

40. Second, from a legal point of view, the Convention did not apply to areas outside the territories of the States that had taken on the obligations of the Convention, and did not apply to the West Bank and the Gaza Strip. Israel had never made a declaration extending the applicability of the Convention to those territories, and in fact such a declaration could be viewed as contradictory to the agreements concluded with the Palestinian Authority. Therefore, Israel did not consider it relevant, possible or within its scope of responsibility to report on the implementation of the Convention in those territories.

41. The provisions of international law on armed conflicts aimed at the protection of human beings, as defined by the 1949 Geneva Conventions applied in those territories, included individuals not taking part in the hostilities, especially vulnerable groups such as children.

42. The sad reality was that over the previous two years, the Palestinians had created a state of armed conflict with Israel, resulting in hundreds of casualties on both sides. The international law on armed conflicts was the body of law best suited to regulating the situation in the West Bank and the Gaza Strip. Israel respected the international rules of armed conflict applicable to it.

43. On the issue of the Amnesty International report cited by the Chairperson and various members of the Committee, he said that the appropriate bodies had conducted an initial reading of the report and would study it in depth, according to the seriousness it merited. Not a single child on either side would have been hurt if the Palestinians had not embarked on the course of violence that had taken place over the previous two years. All IDF operations adhered to international humanitarian law in strict compliance with the highest legal and moral standards, and soldiers went to great lengths to avoid harming civilians, especially children; such a concern was an integral part of their training. Regrettably, some civilians, including children, had been hurt during the fighting against Palestinian terrorist groups. In no case had those injuries been intentional.

44. Children were being groomed and dispatched by irresponsible adults to carry out suicide attacks in Israeli civilian centres and against the army. They were often positioned at the front line of demonstrations to conceal snipers behind them and were frequently used to plant explosives and deliver weapons. Israel had been forced to take measures of self-defence.

45. The Amnesty International report falsely claimed that the IDF did not investigate incidents in which Palestinian children were injured and that it granted impunity to the soldiers involved. In fact, IDF commanders investigated each incident in which Palestinian civilians were injured or killed. Whenever there was a suspicion of criminal misbehaviour by soldiers, the military police launched an inquiry. Since September 2000, over 220 inquiries had been launched, some involving cases in which Palestinian minors had been injured.

46. The right to life was sacred. The only way of ensuring the maintenance of that sanctity was to make an immediate and unconditional call for an end to the violence, in addition to a call to keep children outside of the hostilities.

47. Israel was concerned not only about the current casualties but also about the future of those societies, which had been engulfed in conflict over the previous two years. A number of exciting programmes encouraging children to work towards peace had formed the cornerstone of the Government's activities when it had begun to implement a series of accords with the Palestinian Authority. Unfortunately, all those activities had been frozen since the renewal of violence.

48. Ms. ROTLEVY (Israel) said that the Public Committee on Children and the Law was preparing a report to submit to the Ministry of Justice. It was hoped that at least some of its proposals for new legislation would be adopted by Parliament. The Public Committee's aim was

to formulate legislative principles relating to children, based on the main principles of the Convention, namely the best interests of the child, the right to life, survival and development, the views of the child and non-discrimination. It believed that the laws it recommended would help to secure a better future for Israel's children. Regrettably, due to a lack of time and funding, it had been impossible to address certain issues such as child labour and child health.

49. In reply to a question by Mr. Citarella, she said that it was difficult to incorporate an all-encompassing international instrument such as the Convention into Israel's legal system. The Hague Convention on the Civil Aspects of International Child Abduction had been incorporated into domestic law because it addressed a specific issue and had a built-in implementation mechanism. The Convention on the Rights of the Child, on the other hand, was much more general, addressing many different issues, which made it more difficult to incorporate.

50. It was important to create the necessary mechanisms that would make it compulsory for Government to fulfil the principles of the Convention within the framework of Israeli law. Therefore, the Public Committee was drafting a bill that would serve as a framework for the implementation of the Convention. Other laws would incorporate specific provisions, such as those pertaining to education, rights within the family and rights within the criminal process. The proposed bill would include clauses specifically attributing responsibilities to the Government in terms of implementing the Convention.

51. The Public Committee was also considering a proposal to create an implementation body with two main elements. The first element would be an advisory board responsible for monitoring all policies relating to children, assisting the Government in developing new policies and helping local municipalities to provide services for children. The other element would be a children's ombudsman to receive and address complaints from children and to supervise all Government activities relating to children. At present, there was no single mechanism for dealing with complaints from children. The proposed bill on the implementation of the Convention would provide for better coordination between NGOs and the Government and make it easier to ensure that appropriate action was taken in response to complaints. In reply to a question about the lack of available information on complaints, she said that the current Ombudsman for Children and Youth published an annual report with details of all complaints received.

52. Israel was a State based on the rule of law and believed that there was no practical value in enacting legislation that could not be implemented. However, sometimes it took time to implement laws fully and for their effect to be realized, because new legislation had to be complemented by awareness-raising campaigns and the creation of law-enforcement mechanisms. An example was the recent adoption of a law making it compulsory for anyone working with children to report cases of suspected child abuse; the law had resulted in the increased reporting of cases of abuse even though it had taken time to build an adequate infrastructure to consider the submitted reports and to instil in the population a feeling of moral obligation to get involved in such cases. Some laws required significant budgets for full implementation. In the current economic climate, it had to be recognized that some laws would

take a long time to implement due to lack of funds. Recently, legislation had been adopted providing that no new legislation could be passed without the necessary financial backing from the Government. In some cases, even though the official enactment of certain laws had been delayed, the authorities had taken steps to implement the provisions of those laws.

53. On the issue of education, she said that the Public Committee had proposed a draft bill to address the disparities that currently existed between Jews and Arabs in the field of education. The proposed bill established that the Government was responsible for providing quality education on an equal basis. The definition of quality education adopted in the proposal was based on general comment No. 13 of the Committee on Economic, Social and Cultural Rights on the right to education (E/C.12/1999/10), namely that education in all its forms and at all levels should exhibit the interrelated and essential features of accessibility, availability, adaptability and acceptability. The proposed bill stipulated that more resources should be allocated to the most disadvantaged sectors to achieve a uniform standard of quality education, integrating children from all different economic and social backgrounds as well as children with disabilities. It also stipulated that efforts should be made to improve access to higher education. A separate pedagogical committee should be created within the Ministry of Education to influence the curriculum and the management of educational institutions. There should be a proportionate representation of Arabs in the different branches of the Ministry.

54. Mr. CITARELLA said that the State party should define the limits of its domestic legislation; for example, did it apply only within the boundaries of the State, or did it also apply to other parts of the country and the occupied territories? It would be interesting to know how the Government ensured that the provisions of the Convention were implemented in the occupied territories.

55. The CHAIRPERSON said that in addition to outlining the proposals of the Public Committee, the State party should provide examples of any concrete steps that had been taken to reduce the disparities between Arabs and Jews. The Committee would like to know the Government's time frame for implementing its plans and whether it intended to increase the budgetary allocations for those plans.

The meeting rose at 1 p.m.