STATE OF ISRAEL

Ministry of Justice

Annex to the Combined 5th and 6th Periodic Reports Concerning

IMPLEMENTATION OF THE

Convention on the Rights of the Child and its Additional Protocols

According to the List of Issues

Compiled by the Office of the Deputy Attorney General (International Law)

Ministry of Justice

September 2023

INTRODUCTION

1. Hereinafter is the Annex to the Combined 5th and 6th Periodic Report of the Government of the State of Israel, submitted to the United Nations Committee on the Rights of the Child, in accordance with the requirements of Article 44 of the Convention on the Rights of the Child (hereinafter - the "Convention" or the "CRC") and the CRC Treaty-specific Guidelines (CRC/C/58/Rev.3).

2. This Annex contains additional and statistical information as stated in the report.

Part I

Question 2(b)

3. Additional information about the Government's 2022 strategic plan for the prevention of risky behaviors among children and youth - The plan includes four strategic goals divided into interim goals and procedures, from which five procedures were chosen to be promoted. The four strategic goals are: joint early detection of early risk situations; family-community empowerment for prevention and non-criminal intervention in risk situations; improving the sequence of interventions for prevention, treatment, enforcement and rehabilitation adapted to children and youth; and encouraging data-based decision-making. Accordingly, the GCRCY unit is currently leading a study of an "inter-ministerial customer journey" to prevent risky behaviors, which is designed to improve the sequence of interventions and better understand the children and youth's point of view, alongside that of parents and the relevant professionals. Ultimately, the aim of the study is to improve the sequence of treatment and the synchronization between all relevant factors.

Question 2(d)

4. Hereinafter is additional information on the five-year plan (2022-2026), titled "Tkadum – Progress", for the Arab population in Israel under Government Resolution No. 550, relating to the fields of Health, Education and Welfare.

5. The control and supervision over the plan's implementation have also been improved and extensive work was carried out with full Inter-Ministerial cooperation along with local authorities, civil society organizations, research institutes and public participation. This resolution, *inter alia*, includes the promotion of the following fields:

6. Health - the plan designated a budget of 650 Million NIS (178 Million USD) for the Ministry of Health (MoH), and it includes smoking prevention activities, physical education among children and youth and raising mental health well-being awareness. Education (including higher education) - with a budget of 9.4 Billion NIS (2.8 Billion USD). Among other things, this GR established a team tasked with formulating a plan to increase the rate of matriculation entitlement in the Arab population headed by the Ministry of Education (MoE) DG. The team is also tasked with reducing the drop-out rate and reducing violence in the education system. Welfare - with a budget of 615 Million NIS (168.5 Million USD), in addition to a budget of 200 Million NIS (54.8 Million USD) for advancement of young persons in all fields of life.

Question 2(f)

7. Hereinafter is additional information on cooperation of the Government with NGOs.

8. The GCRCY maintains a constant dialogue with NGOs, through teams and round tables, and involves them in many processes. For example, during the Covid-19 Pandemic, the GCRCY's Unit, together with the National Council for the Child NGO, led a round table attended by Government Ministries and other NGOs, to discuss the issue of children and youth during the Pandemic. This enabled the quick identification of many needs, facilitated a common and swift thinking regarding required solutions and allowed rapid action. NGOs also take part in inter-ministerial teams led by the Unit, for example, in preparation for the formulation of a government strategic plan to prevent risky behaviours among children and youth. The MoJ held a large public participation conference called "Open Doors", in which the Unit led a wide roundtable on "Children and Youth under the Law", the Coordination Unit also led conferences and training seminars comprising various organizations. Surveys distributed by the Unit to gather information from the field, are also distributed among NGOs.

9. A large portion of the social services provided by the Ministry of Welfare and Social Affairs (MoWaSA) in conducted through NGOs. MoWaSA's employees conduct an ongoing discourse with NGOs, enabling the organizations to continue developing knowledge and intervention methods alongside government support for their ongoing activities. In addition, designated consultations on policy issues take place with the National Council for the Child at the Public Committee on Youth Law and with the Lobby to Combat Sexual Violence NGO.

10. The Children and Youth Complaints Commission for out-of-home placed children (CaYCC) maintains frequent collaborations with NGOs, the Academia, and related Government Ministries. The CaYCC is assisted by an advisory forum that includes representatives of the MoWaSA and the Ministries of Justice and Education, NGOs, the Academia, boarding schools' former directors and graduates, and representatives of supervision authority and policy-makers in the field of out-of-home placement.

11. The CaYCC, together with the Foreign Relations Department of the MoWaSA, initiated learning and training workshops, funded by the European Union and conducted together with offices of ombudspersons for children in various European countries. During 2021-2022, the Commission held a Twinning program in which study tours were held in several European countries, together with Israeli NGOs.

12. The MoE also holds activities in cooperation with NGOs, the Academia, local governance and other ministries. In 2019, the MoE carried out a public participation process with roughly 17,000 people, to examine how to lead a process of inclusion of all pupils in the general education system. In addition, over the past two years, there was continuous contact with the JDC and Beit Issie Shapiro in order to promote aspects of social inclusion of pupils with disabilities into the general education system. Among the meetings that were held was a meeting regarding the implementation of Amendment No. 11 of the *Special Education Law* 5748-1988. In addition, the Children At-risk and Youth Education Division provides financial support to 34 NGOs that operate programs and services for at-risk children and youth. The total sum of support stands at approximately 6,100,000 NIS (1.67 Million USD).

Question 4

Question 4(b)

13. As stated in the Report, all services provided to children in general and at-risk children in particular, are provided according to the best interests of the child principle, as mentioned in various legislative provisions. In addition, the working concept, procedures and professional tools of caring for pupils in out-of-home facilities are intended to enable these children to experience a beneficial childhood and proper development, and provide them with tools and skills to prepare them for future adulthood and independence. In 2022, an updated set of procedures was published by

the MoWaSA, and has been implemented in all districts, intended to ensure the pupils' needs are properly addressed.

Question 5

14. Hereinafter is further information on the use of custody for the purpose of removing children – This is done only as a last resort by the PIA Enforcement Unit, only when the parents refuse to cooperate with the removal procedures, it is subject to the approval of the Director of Enforcement and Foreigners Administration and there is routine judicial scrutiny on the custody and removal. According to Section 1.8 of procedure No. 10.3.0001, when custody and removal orders are issued against a family with children, placing them in custody at the Ben-Gurion Airport detention facility, children meet a social worker who prepares a social report on their well-being, and on the impact of their removal from Israel, considering the best interests of the child. This report is submitted to the person authorized to issue a removal order and, may influence their decision. Note that many cases are heard by the Appeals Tribunals and the Administrative Courts, and in some cases, due to the complexity and special need of the families, they are released from custody, subject to certain guarantees and conditions.

15. Hereinafter is additional information concerning measures taken to ensure the right of the child to be heard in legal proceedings.

16. In 2022, the National Child Representation Unit (NCRU) approached the Myers-Joint-Brookdale Institute, in order to conduct research and provide information towards the development of an intervention planning system and an ongoing measurement of results. The research is meant to provide tools for gathering information about the characteristics, needs, previous interventions and strengths of the children receiving legal service; better planning of the representation by the attorney; monitoring the outputs and the achievement of the representation's goals, and for formulating a policy and work plan. The NCRU also requested to conduct a pilot to examine the extent to which the developed tools actually serve their purpose.

17. The study[1] found that only 3.8% of children oppose legal representation, 21.5% show a neutral attitude towards it and 65.8% support it; 43.6% need a sense of competence and self-sufficiency; 41.6% have difficulty expressing positions and preferences to the lawyer; 26.7% have psychological difficulty to cope with the legal process; and 25.6% lack knowledge and understanding of the legal process. It was found that the degree of participation the child in their legal representation is directly related to the extent of the exhaustion of their social rights, as better relations with the welfare services improve the children's' ability to psychologically cope with the legal process.

18. The research also confirmed that children's participation in both their legal representation and in the course of their treatment increases in accordance with their involvement through the expression of their position and preferences; understanding of the legal process; and the ability to affect the process.

Question 6(a)

19. Following a High Court of Justice ruling (H.C.J. 6946/17 *M.G. v. The Minister of Interior* (22.11.2018)), a hand-written "Notice of Live Birth" is to be given to parents who are foreign residents until the Ministry of Health completes the establishment of a system allowing for the issuance of such document in digital form. Following the ruling, constant efforts are underway to finalize the digitalization of the "Notice of Live Birth".

Question 6(d)

20. Hereinafter is additional information on the 2022 regulations pursuant to Section 4(9) to the *Communications Law*, concerning filtering of offensive content. According to Regulation 51, an authorized provider of Internet access service shall offer its subscribers a service to filter offensive websites contents as defined by law, free of charge, and shall inform its customers of this service. The filtering service shall be based on the analysis of the websites' content and not only on a list of websites to filter. The service provider must contact its customers and offer this filtering service, at a minimum, at the time of entering into an agreement with the customer to receive Internet access service; and every six (6) months thereafter (except if the subscriber

[1] Teper, Y., Sarver, M., & Arazi, T. (2023). *Lawyer of My Own Developing a tool for the planning and management of the legal representation of children in civil proceedings and for evaluating its outcomes: Pilot findings at T_0.* S-222-23. Myers-JDC-Brookdale Institute. (Hebrew) https://brookdale.jdc.org.il/publication/lawyer-of-my-own-developing-a-tool-pilot-findings/

receives the service). The service shall be connected within 24 hours of the request thereto.

21. Additional information on the Inter-Ministerial Team on Protection of Children on the Internet established by the Minister of Communication in March 2023: The team held its first hearing on July 9, 2023. In this meeting ample information was presented, including the main arenas used to harm children and youth (in 2022 these arenas were: Instagram (28%) WhatsApp (25%), Stips forum (10%) and Tik tok (9%) with the rest of the apps ranging between 2%-4%), review of local filtration products, the importance of parents' involvement, etc.

22. Recently, a precedential sentence was given by the Be'er-Sheva Magistrate Court that convicted a defendant for multiple offences of sexual harassment and invasion of privacy, *inter alia*, for opening groups on various applications and selling thousands of sexual contents of young Israeli girls. The defendant was sentenced to five (5) years imprisonment, nine (9) months of suspended imprisonment and compensation to the victims (C.C. 53431-10-21 *State of Israel v. Idan Mikhailov* (7.9.22)).

23. The State Attorney's Guidelines No. 2.22 (2016) entitled "Publication, possession or consumption of an "abomination" containing the image of a minor" and No. 2.29 (2017) entitled "Investigation and prosecution for crimes of publishing photographs, recordings, or films of a person of a sexual nature, without consent" were issued. These guidelines, which were updated in 2021, guide prosecutors when dealing with such severe offences, including on the prosecution's policy on Amendment No. 10 to the *Prevention of Sexual Harassment Law*.

24. Moreover, MoJ representatives give lectures in schools country-wide regarding Amendment No. 10 to the *Prevention of Sexual Harassment Law*, and educating pupils about the law.

Question 7(a)

25. The Committee established in January 2022 by the Minister of Education, included representatives from various departments in the MoE, the Academia, the National Pupils and Youth Council and of parents and teachers' organizations, as well as representatives of NGOs engaged in education against racism. The MoJ's Anti-Racism

Unit played a significant role in promoting the establishment of this committee, spearheading the Committee's activities and in formulating the Committee's recommendations.

26. Hereinafter are several notable examples of the MoE Committee's recommendations. The Committee recommended that prevention of racism become a mandatory subject in all education institutions in Israel, with a ministerial budget; it was further recommended to develop a ministerial mechanism to deal with the prevention of racism, which will include, among other things: training of teachers to identify racism, respond to it and prevent it, as well as an intervention plan in crisis situations. The Committee also recommended to recognize "living in partnership" and 'anti-racism education' as unique education fields for the purpose of teaching, including in teachers education institutions and as a basis for relevant policy; to designate an annual "Peak-weak" in the week of March 21, the International Anti-Racism Day; to include the Director General Circular for "living in partnership" and education against racism in the mandatory outline of training teaching staff, including the integration of the subject as mandatory in the professional development processes for administrative and academic staff. In addition, it was recommended that every academic teachers' training institution will have a person in charge of leading the "living in partnership" subject, and determine that incidents of racism will be grounds for referral to the disciplinary and ethics committee of that institution, according to a predetermined outline. Moreover, the Committee recommended that the topics of education against racism and education for "living in partnership" also become mandatory in the training of managers and administrative staff of the MoE. The recommendations further include guidance for parents on "living in partnership" and the prevention of racism, public campaign, cooperation with municipalities and local authorities, as well as with teachers and pupils' organizations and with the community in general.

Question 7(b)

27. Hereinafter is additional information regarding children and youth held in the Ofek facility.

28. Assessment – upon arrival, each youth undergoes an interview with a social worker and psychosocial diagnosis in order to be aware of important issues and potential risk factors. Following this stage, an individually tailored treatment plan is prepared.

29. Therapeutic groups – Social workers in Ofek regularly hold two group treatments dealing with "violence prevention" and "healthy sexuality" for all the wings in the facility. Additionally, some youth prisoners participate in individual sessions with social workers and a psychologist.

30. Introductory days – throughout the year, children are exposed to alternative measures to imprisonment, follow-up frameworks and diversion programs. During these programs, youth meet with representatives of these frameworks and of the Youth Probation Service (YPS), Youth Custody Authority (YCA) and the Prisoner Rehabilitation Authority (PRA).

31. Re-entry Court Model – within the framework of the inter-ministerial cooperation adopted in the Ofek facility, social workers and other professionals responsible for treatment of youth in conflict with the law, create a rehabilitation and reintegration program for youth transitioning back into the community upon their release. This includes a "master" program for each youth about to be released, that can be extended to any youth expected to be arrested or sent to prison. A team of social workers accompanies them in meetings with all relevant community authorities and with the release committee. The model addresses the integration of youth in post-imprisonment settings, including out-of-home placement, while maintaining continuous and intensive working relationships with the YPS and the PRA.

32. "Ofek outside the walls" – Since 2020, released youth are accompanied by the facility's social workers during their stay in post-imprisonment settings.

33. Educational programs – These programs encompass various aspects of the youth's environment, including their functioning within family and community settings. They are operated by education officers, instructors, volunteers and community members. These programs are meant to equip youth with skills for independent life and optimal reintegration into the community. Imprisoned youth complete their formal education, in accordance with the *Compulsory Education Law* 5709-1949, while taking into account their abilities and needs. During the summer, various organizations and volunteers operate a campus aimed at enriching the youth's daily activities. Other programs deal with the development of functional and managerial skills, such as planning, organization, cognitive flexibility and self-control.

34. Other rehabilitative programs – these include programs that improve physical, social, emotional and cognitive functions, also through the use of animals. Additionally, youth are provided with programs aimed at fostering family communication, managing leisure time through the development of new skills and encourage the creation of relationships, through engaging in activities such as theatre and martial arts.

35. Staff training – the staff at Ofek facility's undergo specialized training focusing on youth treatment, with a specific focus on the characteristics of imprisoned youth and treatment methods for youth in conflict with the law.

36. Positive updates - Following a review by official visitors, an IPS procedure regarding the detention of youth in Ofek facility that allowed placing youth in a "time-out cell", was amended.

Question 7(f)

37. The pilot aims to promote diversion programs for youth, both by expanding responses by the Youth Custody Authority and by increasing the youth's early motivation to cooperate with treatment programs, to increase its efficiency.

38. The work model includes reference to three stages of criminal proceedings: detention, sentencing and the parole. To address all those stages, several steps were taken, including:

    a. Expanding the possibilities of placement in diversion programs, after the examination of the youth's profile, circumstances, severity of the offence, etc.

    b. Participation of the YCA in the weekly meetings of the Detainees Committee to present and discuss complex youth cases.

    c. Holding round tables in cases of youth who reject alternatives to detention and diversion programs with the youth's family and professional authorities, to create an influence group and convince them to withdraw their opposition.

    d. Participation of a probation officer in the sentencing committees to regulate and ensure efficient way of transferring professional responsibility between the YPS and the PRA while maintaining a therapeutic continuum, including by compiling a detailed report.

e. Probation officers at Ofek facility conduct follow-up meetings regarding youth who remain detained until the end of their proceedings, despite all therapeutic attempts. Follow-up meetings are held every three weeks until sentencing. Following an imprisonment sentence, they are transferred to the sentencing committee.

39. Hereinafter is additional data regarding youth who were transferred to alternatives to detention (2019-2023):

- 2023 (until April) – a total of 266 youth were detained until the end of proceedings, and 109 were released to out-of-home detention alternatives – a total of 41%.

- 2022 – 434 of 922 youth who were detained until the end of proceedings, were eventually released and subjected to alternatives to detention in the community (including to electronic supervision). 221 were also released to out-of-home detention. In total, 71% were released to alternatives to detention.

- 2021 – 494 of 900 youth who were detained until the end of proceedings, were eventually released to alternatives to detention in the community (including electronic supervision). 155 were also released to out-of-home alternatives to detention. In total, 72.1% were released to alternatives to detention.

- 2020 – 524 youth were detained until the end of proceedings, of which 247 were released to alternatives to detention in the community (including electronic supervision). Due to the Covid-19 Pandemic, 122 youth were released to out-of-home alternatives to detention. In total, 70.2% were released to alternatives to detention.

- 2019 – 873 youth were detained until the end of proceedings, of which 503 were released to alternatives to detention in the community (including electronic supervisions). 179 youth were released to out-of-home alternatives to detention. In total, 78% were released to alternatives to detention.

40. Shelters for Trafficking in Persons (TIP) victims - hereinafter is the occupancy of children and youth who stayed in these shelters with their mothers (the mothers were the trafficking victims, unless stated otherwise):

- 2019 – 20 children;
- 2020 – 21 children;
- 2021 – 17 children;
- 2022 – 13 children;
- 2023 (until April) – seven children, and a girl who is a TIP victim herself.

41. New shelters and Institutions – hereinafter are the existing construction plans at the Youth Custody Authority:

42. Expansion of the "Tsofia" center – the plans were approved and the work is expected to begin in the near future (approved places – 36).

43. Expansion of the 'El Bustan' center with two (2) additional protective groups – one for girls threatened by family members, which require maximum protection. This group will enable the staff to better pinpoint the girls' needs and to understand the required responses. The second group will be a short-term diagnostic group enabling diagnosis and intervention in times of crisis (24 places).

44. Establishment of two (2) additional groups in the "Ah'va" residence – the groups are intended for short-term placement for the purpose of diagnosis and crisis intervention. Expected implementation – 2023 (24 places).

45. Conversion of the "Naot Hadar" hostel into a designated youth hostel for the LGBTQI+ community (16 places).

46. Reopening of the "Beit Ariel" residential facility – An inclusive residential facility for children with intellectual disabilities in Jerusalem. After a comprehensive renovation the residential facility will be outsourced (16 places).

47. Opening of the "Home of your own" boarding-school in Rishon Letzion – the boarding-school is integrated into the community (24 places).

48. In addition, five (5) therapeutic communities will be established for youth with addictions: community for boys from the northern and central districts (24 places), community for girls (24 places), community for boys from the southern and Jerusalem

districts (24 places), community for youth of the Jewish ultra-Orthodox population (24 place), community for Arab children (16 place).

Question 7(g)

49. Hereinafter is additional information on assistance centers for children who are victims of crimes.

50. The Ministry has adopted a policy according to which every sexually-abused child or youth is entitled to professional restorative emotional treatment. The treatment is provided to the family at no cost, and regardless of the existence of criminal proceedings. Treatment is provided in regulated and supervised centers throughout the country, which are highly accessible, including from the cultural and linguistic perspectives. The therapists meet high professional requirements (academic degrees in relevant fields, including social work, psychology, therapy and/or criminology) and are also trained in treating child victims of sexual abuse. The treatment includes guidance for parents of under-age victims. The treatment centers include mechanisms for guidance and training of treatment teams, including collection of data about the children being treated.

51. The Ministry's treatment services also include treatment of children and youth presenting age-inappropriate and/or abusive sexual behaviour, in order to deal with the widespread phenomenon of sexual abuse perpetrated by children and youth who usually harm other children and youth, including within the same family. The treatment in these cases is given regardless of the existence of criminal proceedings.

52. Between the years 2019-2023, The Ministry allocated an annual sum of approximately 30 Million NIS (8.2 Million USD) for emotional therapy services for child and youth victims of sexual abuse.

53. Child and youth victims of sexual abuse who stay in out-of-home facilities receive additional designated treatment by therapists specializing in the field, funded by the Ministry.

54. Shelters for battered women, often populate children who arrive to the shelter with their mothers. The shelter provides the children with social care, educational assistance, support and accompaniment by mentors, all in a safe space of their own. If a child or

youth is found to have been sexually abused, they are examined and treated either by a paediatric social worker at the shelter or in a specialized center.

55. Hereinafter is additional information on the MoWaSA treatment centers for persons with disabilities.

56. There are of six (6) centers nationwide operated by providers who specialize in the sexual-social field and provide tailored and accessible solutions for service recipients with disabilities, their families and their care givers. These professionals are therapists (social/psychological/criminological workers, etc.) who have been trained in sexual-social therapy and education and have proven experience in providing a response to children and youth - offenders and victims, as well as actions for prevention and information in the field, fully adapted to their needs.

Question 8(a)

57. Following are examples of responses and solutions for the treatment of parent-child relationship:

58. Parental Coordination Program – A new program that operates in centers for couples and family therapy, used as an intervention model for parents in high-conflict separation and divorce processes, who struggle to manage joint parenting. In 2022, there were 10 parental coordination programs, providing response to 197 parents.

59. Parent-Child centers and parenting channels - Intensive, multi-professional therapeutic centers for children at-risk and their parents, aim to improve the relationship between parents and children and their abilities to function. Each family receives a tailor-made treatment plan. 400 parent-child centers, in addition to other parenting channels operated in 2022, providing treatment to roughly 22,000 parents and children.

60. Multi-purpose day-care – A model that offers a therapeutic solution within the framework of a day-care center, providing diverse services under one roof – education and treatment alongside therapeutic solutions for babies, toddlers and pre-schoolers and their parents, in risk situations such as neglect, violence, developmental problems, trauma and crisis. In 2022, 2,764 children and parents received treatment in 73 day-care facilities.

61. Contact centers – These Centers provide regional professional services, bearing in mind the best interests of the child and specialize in the maintaining, developing and/or strengthening of the relationship between children and their parents and other family members, in situations of crisis and conflict in the family against the background of separation, divorce and/or domestic violence and a situations of risk, when the children do not live with their parents or live with one of them and the encounter between them requires a protective setting. The service is provided according to a Court decision or by a referral of a professional body. In 2022, responses were provided in 69 centers to 2,409 families and 4,363 children and youth.

62. Soft shell – An intensive treatment program for toddlers and infants at-risk and their parents in the family space and in an educational framework. In 2022, the program treated 200 infants and toddlers at-risk and their parents in 13 local authorities.

63. Families' Program - A support and guidance program for parents and young children (ages 0-4), aimed at preventing the development of risk and neglect situations through group meetings. In 2022, there were 14 programs, attending to 300 families.

64. Smart centers and day-care centers – Intensive community therapeutic centers that provide comprehensive care and treatment for all children and youth' needs. The centers also intervene with parents, regarding their parental functioning and offer a therapeutic framework for various needs, including protection and supervision for children and youth at high-risk. The centers aim to reduce and prevent at-risk situations while providing parents with treatment. These centers are the "last stop" before placing the child or youth in an out-of-home facility. In 2022, 1,360 children and their parents attended.

65. Comprehensive programs for the rehabilitation of families and children at-risk – In 2022, the Ministry developed an integrated model for programs that deal with at-risk situations, as well as a model for a differential basket of responses adapted to the families' size and composition, which began operating in 2023. For example, the "Beneficial Road" program is aimed to strengthen and rehabilitate families with children and youth at high-risk aged from birth to 18, and to create a beneficial and permanent home. In 2022, the program operated in 17 municipalities with the participation of 419 families. In 2023, 1,292 children and youth participated.

66. Training of boarding-school personnel – The Ministry develops courses and advanced studies for the professional and therapeutic boarding school staffs. The range of courses is extensive and provides an educational and training solution for all staff members. During 2022, 13 training courses were conducted. In addition to national courses, joint training sessions were held with the MoH to train "gatekeepers" on suicide prevention. During the year, about 20 concentrated training days took place at both district and national levels.

Question 8(c)

67. Statistics relating to requests for family reunification – In 2021 (until July 6), 708 requests according to the temporary provision for family reunification were filed and 238 were approved. In 2020, 1,353 requests for family reunification were filed and 742 were approved. In 2019, 1,048 requests for family reunification were filed and 658 were approved. Many of the remaining applications are still pending. The difference between the numbers in each year do not necessarily mean that the requests were denied, some of them (especially from 2020-2021) are still being examined.

Question 9(d)

68. Hereinafter is additional data on planning for the Bedouin population and public participation.

69. Planning for the Bedouin population – There are 18 Bedouin localities with approved outline plans, including the city of Rahat, Lakiya, Hura, Kuseife, Tel-Sheva, Segev Shalom and Ar'ara in the Negev. All of these plans include infrastructure such as schools, health clinics, running water, electricity, roads, pavements, etc. Additional 11 localities that are under the jurisdiction of the Neve Midbar and Al-Kasum Regional Councils also have approved outline plans.

70. In addition, the planning procedures for four (4) additional localities are ongoing. Government Resolution No. 1362 was approved in April 2022, according to which, three (3) new additional Bedouin localities will be established. These localities are expected to include many residents of the unauthorized villages where they currently reside.

71. Public participation – In recent years there has been an open and fully responsive dialogue between government representatives and representatives from the Bedouin

community regarding their needs and the requested services for the community, taking into consideration the cultural aspect. Community representatives and local councils take part in every discussion concerning planning residential neighbourhoods, and every development of a new social service is carried out in collaboration with the public and attentiveness to their needs. There is an ongoing dialogue and a deepened understanding of the needs of the community, with the aim of finding just and appropriate modalities for the Bedouin population.

72. Hereinafter is additional data on <u>water supply to the unauthorized Bedouin villages and water quality</u>.

73. <u>Water Supply to Unauthorized Bedouin Villages</u> - Many houses in the unauthorized villages were built without building permits, in violation of the *Planning and Construction Law* 5725-1965. Therefore, the water supply to these houses was prevented as the Law prohibits supplying water to illegal buildings (Section 157A). While the Government does not question its duty to supply its inhabitants with services such as water, it is practically impossible to supply such services to sporadic places that disregard the national building and planning programs.

74. In recent years, water to these residents was supplied through hundreds of supply points built on existing supply lines. The water supply was conducted to a consumer who requested it in the name of a group of residents. These points have allowed access to water on a humanitarian basis in accordance to the law and in relevant case law (in this regard see Annex I to Israel's CESCR 4th Periodic Report of 2019, para. 213-216). Following several difficulties, including non-payment, abuse of the ownership of the connection against other consumers, etc., the Water Authority has promoted distribution of water to these localities, by the Negev Waters Company which was chosen by a designated tender. The company has placed additional water connections near the delivery points (and thus still abiding by the legal requirement not to directly connect illegal structures). Also, every family may receive its own water meter, hence preventing dependency on other consumers or owners of water connections. In 2020, this pilot program was approved by the Water Authority and as of December 2022, there were 49 connections, 1,288 water meters, providing water for a population of about 33,000 persons.

75. In 2022, the Government adopted Government Resolution No. 1279 entitled "*Governmental plan for socio-economic development of the Bedouin population in the Negev for the years 2022-2026*", dedicating 150 Million NIS (41 Million USD) to the development of sewage systems (councils and water corporations) and 70 Million NIS (19.2 Million USD) to development, rehabilitation and upgrade of water infrastructure in Tel-Sheva, Hura, Lakiya, Kuseife, Ar'ara and Rahat.

76. Water Quality – All of the authorized Bedouin localities receive their water supply through central systems to the customer's home from the local or national systems. The water quality, according to all the samples, is excellent and meets the drinking water criteria.

77. Following are relevant figures regarding water consumption in the Bedouin unauthorized villages and total water consumption in the Bedouin isolated clusters (2014-2022):

Table No. 1 – Water Consumption in the Bedouin Unauthorized Villages (2014-2022)

	Water consumption from the Negev Water company					
Year	**2014**	**2016**	**2018**	**2020**	**2021**	**2022**
Rahme	36,767	47,204	61,577	64,731	69,887	50,665
Bir Mshash	2,855	119,869	169,350	237,329	251,386	245,802
Wadi Al-Na'am			33,981	267,411	315,244	365,108
Tel Arad			104,897	149,801	168,161	175,430
Al Fura'a			20,273	28,666	33,278	28,866
Ramat Tziporim			3,886	14,034	16,604	16,445
Abu-Joda			63,752	95,286	122,895	128,200
Ovdat			513	16,315	20,960	20,360
Abu Talul (west)			298	76,171	142,356	162,500
Mamshit				20,532	23,021	22,300
Wadi Hawwa				13,757	17,221	16,597
Wadi Aricha				13,124	18,533	17,754
Abu Queidar				4,682	172,686	248,806
Abu Rathem				7,849	64,336	91,680
Al Dahya				2,935	27,318	27,836
Al Tzana'a				492	11,997	15,793
Shoket					13,437	14,620
Kathamet				533	15,750	14,320
Al Mazra'a					3,449	5,100
Wadi Secher				1,245	25,985	28,439
Al'oul					16,768	14,560
Brothers village					22,142	33,776
Mait Ra'amna					7,859	15,098
Al Krishat					7,530	14,350
Nokdim village					12,158	17,217

Mishmar Ha-Negev cluster						5,860
Al Qur'an						9,162
Alak Shahar						3950
Abu Talul (west)						13,040
Total	**39,622**	**166,903**	**458,527**	**1,017,160**	**1,600,961**	**1,823,544**

Source: Water Authority, June 2023.

Table No. 2 – Total Water Consumption in the Bedouin Isolated Clusters (2014-2022)

Year	Water provided by "Mekorot"	Water provided by "Negev Water" Co.	Total
2014	2,016,960	39,622	2,056,582
2016	2,024,860	166,903	2,191,763
2018	1,856,680	458,527	2,315,207
2020	1,650,490	1,017,160	2,667,650
2021	1,174,450	1,600,961	2,775,411
2022	968,860	1,823,544	2,792,404

Source: Water Authority, June 2023.

Question 9(e)

78. Hereinafter is statistical data concerning suicide attempts and risky behaviour of children and youth:

Table No. 3 – Admission to Emergency Rooms following a Suicide Attempts Among Children and Youth (by Gender and Age) (2018-2021)

Year/ age	0-10	10-14	15-17	18-21
Males				
2018	22	67	101	671
2019	15	69	110	547
2020	20	51	93	347
2021	12	48	94	357
Females				
2018	6	209	350	701
2019	4	226	335	584
2020	5	190	320	533
2021	3	291	424	579
Total				
2018	28	276	451	1372
2019	19	295	445	1131
2020	25	241	413	880
2021	15	339	518	936

Source: Ministry of Health, May 2023

Table No. 4 – Data on the Police' "Alcohol Agents" Operation in an Effort to Reduce the Sale of Alcohol to children (2019-2023)

District /Year	South	Center	Tel-Aviv-Jaffa	Jerusalem	Coast	North	Total	Comments

2019	36	9	12	27	2	9	104	Before Covid-19
2020	7	2	2	3	6	2	7	The activity was suspended due to Covid-19 restrictions
2021	18	4	7	3	0	0	39	The activity was resumed in April 2021
2022	13	6	7	6	6	0	43	Full yearly activity
2023	0	3	7	3	0	1	16	Data until March 2023

Source: Police' Investigations and Intelligence Division, Investigations Branch, Youth and Family Section, July 2023

Table No. 5 – Criminal Cases Opened According to Section 21 of the *Dangerous Drugs (New Version) Ordinance* 5733-1973 (Exposing a Minor to Dangerous Drugs) (2019-2023)

Year	Opened cases	Indictments
2019	35	5
2020	41	12
2021	32	5
2022	43	19
2023	18	25
Total	169	65

Source: Police' Investigations and Intelligence Division, Investigations Branch, Youth and Family Section, July 2023

Question 9(f)

79. Hereinafter is information on programs for treatment of families living in poverty by the MoWaSA:

80. "Breathing Freely at Otzma (power) Center" program aims to advance and promote families living in poverty through a holistic framework of individual and group sessions, department-led intervention, and treatment within the community. The program is intended for families in situations of poverty and exclusion. These families are treated by a social worker, family accompanier and a flexible set of services worth 7,000 NIS (1,950 USD) per family per year, for two years, so that families can get assistance in employment, family economics, exercise of rights etc. The "Otzma

Centers" specialize in assisting individuals and families living in poverty in improving their economic and financial situation through intervention to exercise rights, finding suitable employment, and more. These centers have an annual designated budget of about 250,000 NIS (68,500 USD), size-dependant, and serve 150-275 families per local authority. This enables group responses to meet a variety recipients' needs such as employment workshops, computer literacy, smart economics etc. In addition, each center has a special budget of about 40,000 NIS (11,000 USD) for individual solutions in the field of economic-occupational rehabilitation.

81. Focused programs for families living in poverty and coping with children in vulnerable and risky situations – The MoWaSA operates a variety of programs for families coping with poverty as well as children at high-risk. These programs are operated in 32 local authorities as a pilot model, currently supporting 700 families. An individual program is tailored to the family's needs, with a flexible set of services worth 35,000 NIS (9,500 USD) annually, assistance in the exercise of rights etc. The total cost of these programs is approximately 150 million NIS (41 million USD) per year.

82. Expanding material assistance to all families – As of 2022, the assistance budget for families was increased by 50% through a joint venture between the MoWaSA and the International Fellowship of Christians and Jews. Currently, the budget available for material assistance to families is approximately 57 million NIS (15.6 million USD).

Question 10(c)

83. Between 2019 and 2023, 41 new kindergarten classrooms and 131 classrooms in new schools (new and standard construction) were constructed in the eastern neighborhoods of Jerusalem (ENoJ). Also, the plans for the next five-year plan (2024-2029) include the opening of 1,225 additional classrooms in 106 new projects in the ENoJ. The new schools are constructed and equipped according to MoE criteria.

84. As of June 2023, a Government Resolution is being formulated with the aim of reducing social and economic disparities in the eastern neighbourhoods of Jerusalem (following Government Resolution No. 3790 of May 2018). This resolution is aimed at increasing the number and rate of pupils studying the Israeli curriculum and in the preparation programs for higher education in Israel, for the better integration into Israeli Academia

and quality employment. This will be conducted through providing physical and educational incentives; reducing dropout rates, promoting an optimal educational climate, preventing violence and treating the individual pupil; strengthening technological and scientific education with an emphasis on professions that enable integration into quality employment and higher education.

Question 12

85. Hereinafter is information on Amendment No. 143 (Temporary Provision) to the *Penal Law* 5782-2022, State Attorney's Guidelines, roundtables led by the MoWaSA for the prevention of prostitution of youth, New Financial Enforcement Team on TIP, Government Resolution No, 1889 entitled "Promoting the rights of crime victims in legal proceedings and improving Government's response", the Supreme Court's President's procedure entitled "Working arrangements concerning the testimony of children and youth who are victims of a crime" and more.

86. According to Amendment No. 143 (Temporary Provision) to the *Penal Law* 5782-2022, a person who commits an offence of assault (stipulated in Section 379) against a minor (under the age of 18) or a helpless person (defined by law as a person who, due to their age, illness or physical or mental disability, their mental deficiency or for any other reason, cannot take care of their living needs, their health or their well-being), for whom they are responsible according to Section 368a, and the child or minor or a helpless person is not a family member of the offender, shall be sentenced to double the sentence prescribed for the offense (namely up to four (4) years imprisonment). In addition, in the case of an offense of actual bodily harm or severe bodily harm (Section 368b) against a minor or a helpless person who is in an educational or therapeutic framework, by the person responsible for them in that framework, and who is not their family member, the offender shall be sentenced to imprisonment unless the Court decided otherwise for special reasons to be recorded. In a case where an offense of abuse (Section 368c) was committed against a minor or a helpless person who is in an educational or therapeutic setting by the person responsible for them in that setting, and who is not their family member, the minimum sentence shall be one-fifth (1/5) of the maximum penalty prescribed for the offense (maximum penalty of 9 years), unless the Court decided otherwise, for special reasons to be recorded.

87. Following the abovementioned Amendment No. 143 to the *Penal Law*, the State Attorney issued Guideline No. 2.42 of May 28, 2023. This guideline deals with the Prosecution's policy on indictment and sentencing regarding assault and abuse of a minor or helpless persons offences in education-therapeutic frameworks, by a person responsible for them who is not their family member. The purpose of this guideline is to outline the considerations of the prosecution and to promote a unified policy regarding prosecution and punishment of these offences, including when committed by a different caregiver. The guideline determines that an offense of psychological abuse can also be attributed to an accused in relation to a victim who was present at an incident of severe and extreme violence directed at another crime victim, or where the defendant created an atmosphere of terror or continuous humiliation to which a number of crime victims were exposed, including in an educational setting. It was also determined that there may be a situation in which the continuous accumulation of acts towards a specific victim may amount to abuse even if each of the events does not in itself reach the necessary threshold**.** This guideline sets timetables for reaching a decision on the filing of an indictment or the closing of the case, and further instructs the prosecution to be in contact with the victim's parents/guardian in order to update them. The guideline emphasizes the importance of the obligation to report the commission of offenses against children or youth or helpless persons, and states that where there is evidence of the commission of an offense of violation of the reporting obligation, as a general rule there is room for the filing of an indictment. Before finalizing the guideline, various bodies, including the MoE, the Public Defender's Office and several related NGOs commented on its main points.

88. The roundtables led by the MoWaSA on prostitution of children and youth continued to take place in 2022 – for the purpose of engaging in inter-ministerial cooperation in the fight against child prostitution in five (5) major cities in the country. Roundtables in the national level were also held with the aim, *inter alia,* to detect the difficulties that arose in the regional roundtables and provide replies.

89. A New Financial Enforcement Team on TIP – This team was formed in 2022, in accordance with the recommendations of the inter-ministerial TIP team on enforcement and identification. The team met several times in 2022, and will continue to work in

accordance to its goals and to Government Resolution No. 1862 on Trafficking in Persons.

90. On October 2, 2022, the Government approved its Resolution No, 1889 entitled "Promoting the rights of crime victims in legal proceedings and improving Government's response", which also refers to needs of children and youth victims of a crime. Section 11 of this resolution reaffirmed the Minister of Justice's statement that he intends to examine, in cooperation with the relevant ministries, the accessibility of legal services to victims of crime who belong to unique populations, among them crime victims who are children and youth. Section 12 reaffirmed the Minister of Justice's statement that he intends to act, in cooperation with other relevant authorities and ministries, to formulate a technological model adapted to the unique needs of children and youth, in order to familiarize child and youth victims of a crime with the course of legal process.

91. State Attorney's Guideline No. 5.24 of October 2022 deals with requests for detention until end of proceedings and the examination of consenting to alternatives to detention. The purpose of the guideline is to create an orderly and uniform prosecution policy in the field of arrests, including the examination of the appropriate cases, in which the prosecution will initiate the submission of requests for release on bail, including the determination of the conditions of such release or for detention under electronic supervision. The provisions of the guideline also apply to youth defendants, taking into account Section 10a of the *Youth Law*, which states that "No decision shall be made on the arrest of a youth if the purpose of the arrest can be achieved in a way that limits their freedom less, and the arrest will be for the shortest time period required to achieve the above-mentioned goal. When making a decision on the arrest of a youth, their age and the effect of the arrest on their physical and mental well-being and development will be taken into account". Accordingly, before formulating the final position regarding the arrest, the prosecutor must wait for the review of the YPS and its recommendations.

92. State Attorney's Guideline No. 6.13 of May 2018, deals with the filing of an indictment and subpoena for testimony in sex or violence-related cases where the victim of the offense or a key prosecution witness is a child or youth. According to this guideline, the provisions of the Supreme Court's President procedure (detailed below) will apply

to any child or youth (up to the age of 18) who has been victimized according to offenses listed in the addendum to the *Child Protection Law*, and not only to a child as defined in the *Evidence Law Amendment (Child Protection) Law* 5715-1955, i.e., any child under 14 years of age. This guideline practically implements the recommendation 35 of the CRC Concluding Observations of 2015 (CRC/C/OPSC/ISR/CO/1).

93. On September 6, 2017, the Supreme Court's President published a procedure entitled "Working arrangements concerning the testimony of children/youth who are victims of a crime", which specifies guiding rules for the testimony of crime victims who are children and youth. The procedure determines the time frame for handling cases involving specified listed offenses, and according to it, the trial shall commence and the testimony of the child or youth, who is the victim of the offense, shall be heard within 90 days from the date of filing the indictment. The procedure also states that training for judges in criminal proceedings will include the subject of conducting the trial when the victim of the offense is a child or youth. Subsequently, each court shall also appoint a supervisor that shall ensure that a child/youth-victim exercise their right to receive protection in court. The State Attorney's Office established a joint forum with the Courts Administration to improve work interfaces and implement the procedure.

94. With regard to Enforcement of offenses against children and youth - Over the past few years, the State Attorney's Office has increased enforcement efforts against prostitution offenses and exploitation of children and youth, in cooperation between the MoJ and other relevant Ministries, including MoE, MoH and the MoWaSA. The State Attorney's Office participates in inter-ministerial roundtables and has aimed to coordinate the fight against the phenomenon of exploitation of children and youth for prostitution.

95. Also, hereinafter is statistical data regarding enforcement against the prostitution of children and youth.

96. In 2022, 19 investigation cases, against 19 suspects were opened regarding offences related to prostitution of children and youth, and 11 arrests were made. Also, eight (8) indictments were filed in 2022 regarding offenses relating to prostitution of children and youth, involving 12 defendants. Five (5) of those cases were submitted by the State Attorney's Office Cybercrime Department. In addition, five (5) offenders were

convicted in 2022 (four (4) of them in cases in which the indictments were submitted in previous years).

97. In addition, below is relevant information regarding indictments for prostitution offenses committed against children and youth, human trafficking and slavery and relevant case law.

98. During 2022, nine (9) indictments were filed, all of them are still ongoing, and during the first months of 2023 only one (1) indictment was filed. During 2021, seven (7) indictments were filed, of which five (5) resulted in a conviction, one (1) was suspended due to the accused inability to stand trial and one (1) is still ongoing. During 2020, nine (9) indictments were filed, six (6) of which resulted in a conviction and three (3) are still ongoing. During 2019, ten (10) indictments were filed for prostitution offenses committed against children and youth, human trafficking and slavery. Eight (8) of them resulted in conviction, one (1) resulted in non-conviction and is now under appeal and one (1) is still pending. Since 2019 a total of 36 indictments were filed on prostitution offenses against children and youth, human trafficking and slavery.

99. Case Law – On March 1, 2019, indictments were filed against two brothers, including charges of holding two children under conditions of slavery and forced labor, according to Sections 375a 376 with section 29 of the *Penal Law*; abuse of a child or helpless person; assault of a child, which caused actual injury; reckless endangerment; and obstruction of justice. The children were employed at the brothers' bakery for long working hours, including at night, for seven days a week, and were required to operate the machines and ovens in the bakery. The case was discovered after one of the children's fingers was cut off while operating the machine used for cutting dough. In 2020, a verdict was given in the case, whereby the two (2) defendants pleaded guilty and were convicted as part of a plea agreement. The District Court determined that this was not an "ordinary" case of abuse of children or regulatory violations of labour laws, and that the defendants saw the children as tools for generating income. This case constitutes a significant step in the enforcement of child slavery, labour and exploitation.[2] **(***The State of Israel v. Jabor, S.Cr.C 31894-07-19 Be'er-Sheva District Court and Cr.C 523-03-19 Be'er-Sheva District Court*).

[2] Cr.A 8937/20 *Anonymous et.al. v. The State of Israel* (September 5, 2021). The appeal over the verdict filed to the Supreme Court was rejected, while determining an equal sentence to both defendants.

100. In another case, the Supreme Court rejected an appeal of a defendant convicted as part of a plea agreement for committing sodomy, lewd and indecent acts against his five-year-old daughter while she was asleep. The defendant recorded and broadcasted in "real time" the assault using Skype software to users in exchange for payments transferred to his account. The defendant was convicted, among other things, of human trafficking for the purpose of committing sexual offenses and for the purpose of creating an obscene publication. This case sets a precedent, given the fact that the father was party to a "transaction" of a child. The defendant was sentenced to 15 years of imprisonment, suspended sentence and compensatory damages in the sum of 60,000 NIS (17,000 USD).[3]

101. Hereinafter is data on requests to restrict or block access to offensive websites submitted by the Cyber Department according to the *Authorities for Prevention of Commission of Offenses by using an Internet Site Law* 5777-2017.

Table No. 6 – Requests for Blocking Internet Sites filed by the Cyber Department (2018-2021)

Year	Number of Prostitution sites blocked	Number of pedophilia sites blocked
2018	45	83
2019	40	5,342
2020	16	3,591
2021	3	7,176

Source: Cyber Department, State Attorney's Office, April 2023.

Part II
Question 14(a)

102. In Addition, hereinafter are several notable amendments in the field of criminal law:

103. According to Amendment No. 7 of July 2022 to the *Limitation Law* 5718-1958, the statute of limitation for sexual assault or abuse against a child were extended so that the limitation period begins when the person, who was the victim of such an act while under age, reaches the age of 28. Accordingly, the statute of limitation for filing a civil lawsuit by a victim of such offences who was a child at the time of the offence will be extended, as a rule, until the victim reaches the age of 35.

[3] Cr.A 8603/18 *Anonymous et.al. v. The State of Israel* (August 8, 2019).

104. Also, according to the *Amendment to the Physicians' Ordinance Law (No. 13)* 5782-2022, the license of a physician convicted of a sexual offense (including sexual offenses against children) shall be suspended from the date of their conviction until the end of the disciplinary proceedings or the decision of the Minister of Health in their regard.

105. Amendment No. 19 of 2020, to the *Legal Capacity and Guardianship Law* 5722-1962, states that upon filing an indictment against a person for an offence of murder or attempted murder of their spouse or one of their children, or an offence of rape or sodomy against one of their children, that parent's guardianship of the under-age children will be temporarily and automatically revoked without the need for a separate legal proceeding. Following the conviction of that parent for the above listed offenses, their guardianship will be revoked permanently.

Question 14(c)

106. Hereinafter is additional information on The Youth Custody Authority within the MoWaSA and MoWaSA's programs.

107. The Youth Custody Authority within the MoWaSA is responsible for involuntary out-of-home treatment as an intervention strategy for youth in situations of increased risk and delinquency. The Authority deals with youth who were removed from their homes by law or in accordance with the law, after all previous attempts of treatment failed. Placement of youth in shelters is done by virtue of two main laws: the *Youth (Trial, Punishment and Modes of Treatment) Law* 5731-1971, and the *Youth (Care and Supervision) Law 5720-1960*. These laws are aimed at creating an opportunity, perhaps the last one for change and rehabilitation. Hereinafter are several programs operated by the Authority:

108. Unique intervention programs – In addition to the authoritative day-to-day care provided to the youth in hostels, unique treatment programs are developed in the fields of individual, group, family and community. These programs can be divided into 4 main types, focused on raising the sense of self-efficacy and self-image, addressing a central symptom or trait, the victim of crime, and programs focused on staff members, detailed as follows:

109. Empowerment-focused programs – These programs emphasize the process by which people gain control over their lives and thereby bring about an intentional change. They are based on the belief that human beings have skills, strengths, and abilities, but need experiences and opportunities to discover and express them. These programs refer to two parallel empowerment processes – personal empowerment and empowering others.

110. At the Authority, youths participate in a variety of programs of this type, the most prominent of which are onsite field challenge programs ("survival" program) – whereby they stay in agricultural farms and perform various types of tasks such as herding sheep, caring for animals and more, which enable the youth to take responsibility, lead and be tested in experiences that reflect the results of their decisions clearly and immediately.