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ID with SR on Violence against Women

Delivered by Ambassador Aviva Raz Shechter,
Permanent Representative of Israel to the UN in Geneva

Mr. President,

I would like to thank the Special Rapporteur on Violence against Women for her presentation, and would like to refer to the country report prepared by the mandate holder after having visited Israel in September 2016. Our full reaction will be attached as an addendum to the report, and will be accessible on the OHCHR website.

Israel invited the rapporteur to conduct this visit in good faith, and out of a strong commitment to the advancement of human rights in general, and the rights of women in particular. The visit constituted an opportunity, not only to identify challenges in the area of violence against women that Israel needs to address, but also to improve our dialogue with OHCHR and Human Rights Council mechanisms, which for too long has been characterized by a politicized and biased attitude against Israel.

The Special Rapporteur acknowledges, among others, the following measures taken by Israel: amendments made to the penal code in relation to rape, abolishing the requirement of corroborative evidence and disallowing examination of the rape victim's past sexual experience and with the definition of rape broadened with marital rape was prohibited; the Law for the Prevention of Violence in the Family which authorizes a court to issue a protection order against a family member who committed violence, or a sexual offence; the 2001 Law on the Rights of Victims of Crime that safeguards a wide range of rights of victims during criminal proceedings, including the rights to be notified of the perpetrator's arrest or release.

Additionally, the Special Rapporteur has recognized the Prevention of Sexual Harassment Law, as a progressive legislation which includes a prohibition of all forms of sexual harassment in the workplace; and specify that it is the responsibility of the employer to take preventive measures. She has also welcomes the preparation of a draft law on Prevention of Family Violence 2016, on which the public was invited to provide comments and which also foresees the possibility of granting ex parte protection orders which is commendable; as well as the current work towards the accession to the Council of Europe Convention on preventing and combating violence against women and domestic violence (Istanbul Convention).

Mr. President,

Unfortunately, I regret to say that the report amounts to a missed opportunity.

Insofar as the report deals with its proper subject matter, namely instances of violence against women in Israel and the way to address them, Israel has been open to a critical and constructive exchange. This is why the Government of Israel fully cooperated with the rapporteur's visit, and ensured full access to relevant authorities, individuals and sites. Also,

after receiving the draft report, Israel presented a series of factual corrections (though only around half of them have been incorporated in the final text).

But the problem is that this report adopts the same biased approach that is all too familiar from the many other one-sided reports on Israel which crowd this Council. The report is framed almost entirely in terms of the Israeli-Palestinian conflict, completely overshadowing many other key factors that influence gender based violence, such as socioeconomic, religious, cultural factors.

The recurring term of "gendered impacts" of the occupation or conflict remains extremely vague. It provides no evidence or explanation for many of the claims, and serves as a shaky base for some far-reaching conclusions about Israel's alleged responsibility for the violence Palestinian women suffer in the hands of other Palestinians.

The report fails to demonstrate how policies governing Israel's administration of the Territories have any particular relevance to the question of violence against woman as such. Rather, it adopts an overly broad interpretation of realities on the ground, that sees any potential impact on human rights (be it the right to adequate housing, education, health) as affecting women in particular, and as worth mentioning in a report dealing with violence against women. This again raises doubts as to the soundness of the process that led to this report.

Moreover, while putting a disproportional focus on the conflict, it ignores completely the effects that the conflict has over Israeli women and girls. There is no reference to many female victims of Palestinian incitement and terror, including women and girls who were wounded or murdered by Palestinian terrorists in acts of stabbing, shooting, rocket firing, stone throwing and car ramming.

Some recent examples include the cruel and violent murder of Dafna Meir by a Palestinian minor on the doorsteps of her own home, in front of her own children; the murder of a 13 year-old Israeli girl by a Palestinian terrorist while she was asleep in her bed in June 2016; the stabbing of a pregnant Israeli woman by a Palestinian; the murder of a young Israeli woman who was taking a stroll in her neighborhood.

These are but a few examples of Israeli women and girls who were the victims of violence in the hands of Palestinian terrorists, and I could have cited other cases. The fact that this type of violence against women is mentioned neither in Israel's country report, nor in the other report issued on the Palestinian Authority, is a striking yet sad testimony to the discrimination against Israel in this Council.

In summary, while the special mandate on violence against women is thematic in nature, the report on Israel aligns itself with the biased anti-Israel political agenda of the Human Rights Council, and the myriad reports previously prepared by the OHCHR on numerous issues related to the conflict. Regrettably, tainting this report with the biased political agenda of the HRC against Israel will not help women who are victims of gender-based violence, whether Israeli or Palestinian.

The fact that the rapporteur has politicized an independent and professional thematic report is both disappointing and troubling. It raises concerns over the credibility and impartiality of the OHCHR and of the HRC special procedures.

I thank you Mr. President.