



In a report to the UN Human Rights Committee:

Kayan calls for Israel to be held accountable and to allow civil law and ensure justice in personal status cases

Kayan - Feminist Organization, submitted a report to the United Nations Human Rights Committee as part of the periodic review carried out by the committee. This is to follow up on the extent of Israel's commitment and implementation of the articles of the 'International Covenant on Civil and Political Rights', which Israel has ratified since 1991, and submitted its fifth report on its implementation of the Convention. In its next session, which will be held at the end of February and will continue until 25th March, the Human Rights Committee will review the official Israeli report against the information and reports provided by Kayan and other human rights organizations and institutions, and then it will issue its concluding observations, which include the position of the International Committee on the implementation of the Convention, in addition to the recommendations it makes regarding violations of the terms and rights provided for in the International Convention.

Kayan report touched on several issues, including the reservations made by Israel when ratifying the International Covenant, which it considered as constituting a violation of the provisions of the Covenant, especially the clause that requires states to implement rights in full equality and without discrimination on the grounds of gender, color, religion, or race. This is compounded by the absence of a constitutional guarantee of the right to equality among citizens. Kayan called on UN committee to demand that Israel withdraw this reservation, as it is in violation of the rights stipulated in the covenant.

Kayan's report dealt with issues of discrimination faced by Palestinian women in Israel in dealing with the legal and judicial system in religious courts (Sharia and Ecclesiastical) in personal status cases. **Kayan demanded that women be given the right to choose between civil and religious courts in matters of marriage and divorce.**

The report also reviewed several cases, especially those related to the exorbitant fees that women are forced to expend, which can amount to tens of times the civil court fees, acting as an obstacle for women to obtain their rights, and preventing them from appealing to the Ecclesiastical court over many cases and claims that were documented by the legal department at Kayan in recent years.

This all comes **in addition to the lack of transparency and the lack of regular publication of**



procedures and decisions in Arabic. This prevents the Palestinian Arab women in Israel from obtaining sufficient information about their rights, which Kayan sees as a violation of the provisions of the Convention, which obligates states to be transparent, open and equal in their legal procedures.

Kayan called on the Committee to deal with these issues during its discussions of Israel's report, and to demand that the necessary measures be taken with regard to removing physical and economic obstacles that impede women's access to justice, especially those belonging to the Palestinian Arab minority in Israel. The report emphasized, **"Israel should be called to take measures to ensure that the fees paid to ecclesiastical courts are equal to or commensurate with those paid in other religious and civil courts, and the translation and publication of laws, decisions, and procedures is provided in the Arabic language"**.

In its report, Kayan pointed out that the current Israeli law does not allow for civil marriage, and even spouses who contract civil marriage outside the country are still subject to the jurisdiction of religious courts in divorce cases. Therefore, **the report called on the international committee to demand that Israel adopt laws and policies that provide the rights to civil marriage and divorce in civil courts.**

Kayan urged the Human Rights Committee to request the State of Israel to publish detailed information and statistics on cases brought before Sharia courts, including the number of cases against women brought on the basis of 'disobedience', and the number of cases in which women lost custody of children due to second marriages.

Rafah Anabtawi, Director of Kayan – Feminist Organization, said: "The submission of this report is a continuation of our report that we submitted in 2018 before the Committee; this is part of Kayan's ongoing international work since we obtained Special Consultative Status to the UN, in order to advocate, and to hold Israel accountable for its continued violation of its commitments under international agreements and International treaties, especially its violation of the rights of women and the Palestinian community."

To view the full report click [here](#).

Link to the full report: <https://bit.ly/3ICpYTZ>.



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