

CCF-ISRAEL REPORT OF THE ISRAELI CIVIL SOCIETY

For family rights by the coalition for the children and family

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To the 64th Session of the Committee on Economic, Social and Cultural Rights, (To Be Held on March 11-March 15th, 2019) Regarding Implementation of the International Covenant on Economic, Social and Cultural Rights – ICESCR in Israel Pursuant to Israel's Fourth Periodic Report

1. CCF Israel filed a report with ICESCR in 2011 concentrating on the discrimination against men in official statutes and at Courts, egregious powers of social workers which interfere with the right to family life, and violations of the right to fair trials in the cases involving family life, liberties and other social and economic rights. The deprivation of family rights of the men also affects their second wives and children of the second marriage who are discriminated against. It affects the paternal grandmothers of the men, who lose complete contact with their grandchildren. It also affects rights to adequate standard of living, to health and employment.
2. In 2011 The Committee made 3 recommendations to the State of Israel: address the automatic award of custody to women in divorce, just because of their gender; address the exemption of women from participation in child support and the enormous levels of child support imposed on men, and address the high levels of suicide among men in the process of divorce. We explained in 2011 that The "status" of a "man in divorce proceedings" in Israel is subjected to institutionalized torture and denial of civil rights. The State continues to refuse to recognize any rights to fatherhood, family life and contact with children, and it freely and openly violates such rights based on laws that explicitly endorse discrimination based on the sex of the parent.
3. The State officially interprets the right to family life as dependent on the concept of "mother's consent", a concept which the international community and ECHR discarded long ago. Ronit Dror, a politician, noted that the systematic abuse of fathers, alienation of 10,000 children per year, and the destruction of the family unit sanctioned by feminist lobbies was a catastrophe in Israel.
4. Immediately following the ICESCR Session in 2011 a rapporteur on the freedom of speech, the Hon. Frank LaRue, was sent to Israel. He was entertained by the politicians of the Ministry of Justice, but immediately after the visit, in August 2012 the State started a massive wave of arrests of human rights defenders. Many of those who were in contact with the rapporteur during his visit and met him, found themselves arrested. Many of the arrested were associated with CCF-Israel and men's rights. The official reason for the arrests was alleged illegal demonstrations and opening of police investigations on the pretense of investigating offenses of "insulting" judges and social workers on the internet and social media.

5. Between 2011 and 2017 the State established several Committees to develop methods to suppress the criticism, including the Committee for reputation of Judges, chaired by Miriam Naor, empowered the administration of the Court to hire Spyware specialists to collect data about persons criticizing Judges, with emphasis on family court judges, launched police complaints, and even obtained ex parte orders to install spyware at homes of activists to monitor the internet traffic.

6. On February 27, 2017 the Tel Aviv Cyber police arrested about 20 social activists, many associated with CCF Israel. Three of them were held in detention for 38 days and on April 6, 2017 an indictment was filed for conspiracies to defame and insult judges, social workers, and police prosecutors. They have been held in pre-trial detention for 9 months, when 2 were released to house arrest, and one journalist, Lori Shem Tov remains in detention already two years (the "Bloggers' Trial"). Judge Noam Solberg and Uzi Fogelman of the Israeli Supreme Court invented a novel ground for the pre-trial detention, "danger to society by access to a keyboard".

7. The judge in charge of the arrest, Abraham Himan, wrote in a decision that anybody criticizing the Israeli Judges is tainted with "Ideology of Evil" and must remain behind bars". Shai Nitzan, State prosecutor said in a public meeting with lawyers and judges present, many of whom are prosecution witnesses, that Lori Shem Tov should remain behind bars until the end of the trial (i.e. about 4 years), leaving her little hope for a fair trial. The State which obtained from the USA Dept. of Justice IP addresses issued a Certificate of Immunity on the evidence, thus preventing the Defendants to even see the accusatory evidence against them. Judge Menachem Mazuz of the Supreme Court affirmed the Certificate of Immunity, and wrote that criminal defendants in Israel file too many motions to received accusatory and investigatory materials, and that interferes with the privilege of the prosecution to decide which evidence to disclose to the accused. Another Supreme Court Judge, Yoram, Danziger affirmed the practice of holding criminal defendants in "interim custody" for up to 9 months while the trial courts decides if there is enough evidence to justify a remand detention until the trial ends.

8. The prosecutors argued that criticizing judges and state employees, and exposing state corruption on the internet amounts to "Cyber Terrorism", and all Supreme Court judges agreed. This affects not just the loud dissidents and activists, but also parents who are forbidden to write about their experiences with the courts who separate them from their children, and they are instantly branded as "cyber terrorists".

9. Judge Abraham Himan declared bloggers worse than Hamas for insulting public officials. Described as the worst people born on earth. There can be no comparison in Israel to these words of bloggers in prison without trial for almost 2 years. With all the tensions regarding territory, it beggars belief that a senior Arresting Judge can describe Jewish Israelis in such terms.

10. Incidentally members of the Israeli delegation to the UN/ICESCR have filed criminal complaints against persons associated with CCF Israel for writing to the UN and participating in UN sessions. Delegate Hila Tene Gilad filed several police complaints containing ridiculous charges. She claimed Lori Shem Tov used a forged passport to escape Israel, travel to Geneva, and carry a speech "defaming Israel". Delegate Dina Dominitz circulated a Report with law enforcement in Israel claiming members of CCF Israel are a terror organization that must be put under surveillance.

11. A targeted and illegal campaign against human rights defenders began in full from 2014, and on the civil society. Proof is provided in the Dominitz' article.

12. Ccf became aware of a report/article published on the internet, by a Ministry of Justice Senior Official, Dina Dominitz, working directly for the Minister herself, showing a blueprint and method for silencing human rights defenders who focus particularly on opposing dismantling of the family unit. They protested against the high risks to life of parents and children.

13. While the State presents a self-flattery report with the UN, internally the State refuses to incorporate the ICESCR into its domestic law, and it persecutes anybody trying to file reports or complaints with the UN. The State said that appeals to the UN Human Rights Committee are false, and dangerous to the reputation of Israel. Those filing reports and complaints are risking criminal proceedings in Israel based on the insults laws and the new concept of cyber terrorism.

14. Parents with American citizenship who sued the State of Israel in US federal courts have also been targeted. The State spent millions of dollars in attorney fees in the US to defeat these complaints, and used diplomatic connections with the US Government to issue a Certificate of Immunity for Israeli state officials from being sued in the USA.

15. The State also established an Inter-disciplinary team including members from the Ministries of Welfare, Foreign Affairs, Health, Law, the State Attorney's Office - the departments for special functions and international roles, consultants in legislation (international law), cyber and technology, the courts administration and the Israel Police to formulate methods of action and procedures to intensify the suppressions of criticism by those afflicted with the corrupt Judiciary.

16. While the State signed the UN treaties, it works hard to demonize anybody who complains against it. CCF Israel, for example, never filed one single false fact. Reports were submitted based on countless cases, and data which was collected with great difficulties, due to the lack of freedom of information being readily available. The experiences of thousands of people cannot be dismissed as false. Why is the State employing such a gigantic team to target helpless citizens and cause their lack of dignity and rights, and why does it seem to be the State's top priority to haunt its own citizens?

17. As a civil society, we have pressed for the protection of the risk to children and families, as opposed to the protection of public officials. The groups mentioned earlier have activists who took to the streets in protest, again as any democratic State should welcome. It is a sign and message from the people who elected the government to serve them. There are thousands of people who feel it is the other way around, and they have the right to express this. Reports from the UNCRC have expressed concern at the high number of private outplacement facilities and foster placements. The parents themselves are the victims of the State's recalcitrant attitude towards implementing the UN treaties in its domestic law. It is mentioned the need to protect public officials from activists, yet many professionals try to speak out, and many more are afraid to.

18. Another tool used by the state against dissenters and demonstrators is charging them with Paralyzing Government Services. Many of those so accused have been deprived of their freedom, and family, and are put in prison. Men in particular are called for investigations for ridiculous claims, such as paying bills whilst on a restraining order, or claims against them when there was a zero chance of guilt. Both men and police express tiredness in the waste of time for all parties. We are not aware of any individuals who protest who have an 'intention to paralyze the system'. The individuals who demonstrate and express their frustrations on the internet are themselves paralyzed in life. How are the Government able to determine these thoughts or intentions? What kind of proportion is this to declare those struggling for civil rights to be such extreme and violent people?

19. The State Party claims that those opposing the State in the UN present a distorted shadow reports, including the distribution of most blatant statements against the State of Israel, the court system, and the welfare services. Representatives of the organizations come to the committees in Geneva, pass among the members of expert committees various materials and work to influence the recommendations of various committees. The State is required to defend itself against these claims before the committee, which requires a great deal of preparation and the Ministry of Justice employees in charge of this field are being attacked and blatantly threatened by activists in that field. Moreover, the members of these organizations and their representatives appear in various forums in Geneva and denigrate the state, by presenting the "modern Holocaust in the State of Israel" with regard to the "divorced fathers". ". It should be noted that in these performances, they present themselves as members of organizations with consultative status in the UN - and this is not the case. The team has been coordinating diplomatic activities with the representatives of the state in the United Nations and the embassies. There have been several discussions in these committees and in various forums of the UN, which are accompanied by various activists who submit particularly harsh reports against the state, and intensive preparation is required in order to protect the country and present the facts as they are.

20. In addition, the State also engages in diplomatic activities in an attempt to prevent the various NGOs from presenting themselves as civil societies and tries to forbid NGOs from using official UN logos.

21. The only one who attends is CCf Israel, the civil society who understands a shadow report will be described as distorted, this is a common reaction of State Parties to any criticism of procedural violations in their judiciary, or where these issues are not readily known to their own citizens. To enlarge on blatant statements against the State of Israel, is to a) assume a level of treason, or more mildly b) extreme dissatisfaction of the thousands of citizens suffering. We are speaking with a voice that thousands of Israelis cannot use themselves.

22. When the State Party say 'protect the country', it is a hammer to crack a nut by stating the citizens affected are trying to destroy it. Harsh the reports may well be, but it is a far cry from a State required to protect itself. No democratic country should go to such lengths to protect itself from its own people. Israel has the right to exist, but the citizens have a right to rise from existence to a normal life.

23. The State Party says: -The existing mechanisms to deal with this phenomenon and to defend against the slander, humiliation, violence and harassment experienced by the workers under attack are both on the criminal and civil levels. On the criminal level, the main offenses which are at the base of the humiliating publications and attacks public officials include:

24. The offence of threats, harassment of a witness, offenses under the contempt of court order; the offense of insulting a public official: offenses under the Prohibition of Defamation Law; Violations under the Protection of Privacy Law.

25. The authorities have violated the Protection of Privacy Law illegally themselves in order to target and persecute human rights activists. There are hundreds of examples of activists in other fields, who could fit into the description above, yet they are not imprisoned. But, one glaring error is the assertion of threatening. In other areas, the campaigns against tax corruption, banking, gas, housing etc. are shown with equal veracity, so again it is imperative to expand on if the large team set up is for all, or just the 'handful of disgruntled fathers' written in the State Party Paper, who have a problem merely with 'adoption laws' We are not aware of any fathers fighting or campaigning in a struggle against adoption laws, rather their being separated by feminist family laws, preventing them access to their own children. Regarding offenses in court, we need to expand on how judges can write protocols BEFORE they hear witness? We were informed that activists on detention send death threats to public officials and their children. Not one indictment includes such claims, all are on the basis of insults.

26. The State Party: -The definition of defamation provides broad protection for a good name - that the publication "may" humiliate, degrade or harm a person (Lashon

Harah) is an objective test: If the reasonable person saw the libel statement, the libel suit is examined according to a flow chart:

27. As a civil society, we must question how the publications of violations of citizens' rights are intended to undermine the stability of society. If these violations are kept a secret, is that not creating an instability in itself, as those seeking reform, or are reduced to desperate screaming or suicide have no outlet for justice. The report uses quotes from a book, stating the human dignity of the public official is harmed in their own eyes. We would like to debate the loss of human dignity of the thousands of citizens, and how they are helped, as opposed to calls for interrogations.

28. A senior official's main complaint was the lawsuits sought financial remedies, but was unable to respond regarding the right of the citizens to have reached the point where there are no remedies left inside Israel, and how this can be changed? Israelis do not have The Hague, or EU Court of Human Rights. There are no international routes for them once the USA is closed to them. Last year the Minister of Justice, Aylet Shaked announced an international court INSIDE Israel, the Iron Dome of Courts, leaving no avenue internationally for any citizen.

29. **Freedom of expression to express the denial of ICESCR Rights** – the fine line between free speech & imprisonment, Article 19 of the Universal Declaration of Human Rights, adopted in 1948, states that: Everyone has the right to freedom of opinion and expression; this right includes freedom to hold opinions without interference and to seek, receive and impart information and ideas through any media and regardless of frontiers. The basic right of Article 19 has been violated in full, also Article 8, right to privacy and family life.

30. The State Party violates Article 8 and then violates Article 19 to prevent freedom of speech to criminalize those who speak out.

31. The President of Israel Supreme Court, Miriam Naor established a Committee for the Protection of the reputation of Judges and social workers (2015), whose members comprised of judges at the senior levels, the head of police, the Attorney General, the head of the State Prosecution (the "Naor Committee").

32. Also a derivative of the Miriam Naor Committee recommendations, the police in Tel Aviv Cyber Unit was instructed to monitor the internet for violations of the insult laws, download articles and open criminal cases even without victims.

33. In November 29, 2015 the Israel Administration of the Courts ("IAC") created a new procedure (the "Schpitzer Database") whereby IAC decided to collect information from internet and social media about anybody writing about judges, docket the information in a Reputation Database, send the full personal details of the citizen to the Judge involved, send Governmental Takedown Demands to internet platforms (Google, Facebook, WordPress and Twitter), and file complaints at the police for

violations of Art. 288 of the Penal Law (Insulting a Public Officer), and Art. 255 ("Ridiculing the Judiciary"). The creation and maintenance of such data base without Registration with the State Database Registry is itself a criminal offense violating the Protection of Privacy Law, Art. 8-16.

34. Despite denials from a Ministry of Justice official to us the day before, an article was released in the press which brought to light the Court Administration itself was using their own mechanisms and tools to collect data on private individuals who criticized judges, or judicial decisions. A police testimony revealed information that showed one individual father had been targeted on behalf of another employee of the court, resulting in false claims and criminalizing her ex-spouse. The man in question was imprisoned 5 times falsely, lost his son and his career. When ordered by the Attorney General Mandleblitt in January 2019 to freeze such data collection without authority, the Administration pushed back. The infringement on civil rights and privacy far exceeded the right of a government authority to take it on themselves to protect judges. A special employee on behalf of the system has been revealed as being responsible for monitoring the networks to find 'problematic' publications. The Administration itself is collecting data in order to thwart justice on citizens if they speak openly.

35. **Violations to family life and Privacy.** Discrimination against men violate the guaranty that a person should not be subjected to discrimination based on his sex, §2(2). It deprives the citizen of his right to family life, §10 as he loses contact with his children, subjected to inhuman and degrading treatment at the courts, quickly falls out of the market force and can't work, as his entire salary may be garnished, §3, he is more likely to be arrested for false complaints and/or nonpayment of child support he cannot afford, and he is more likely to lose his home or become homeless, §3(5) and more likely to commit suicide, §3(6). Because of the exorbitant and unaffordable child support, as well as the high cost of legal fees to finance 5 years of legal proceedings, many fathers are impoverished, prone to suffer hunger, and inability to feed children of the second marriage. CЕСSR §11.

36. **The Tender Years Presumption.** This antiquated presumption which favors automatic awards of child custody continues to rule, despite the majority of democratic countries abolishing it. Section 25 of the Capacity and Guardian and Law has not been repealed. A petition to the Supreme Court, Bagatz 2511/17, asked the Judges to stop the torture perpetrated against Jewish men by the Jewish state, Judge Anat Baron said that the tender years presumption is the legal foundation of the divorce law in Israel, and there is no reason for the Court to change it. According to her the claims of the men are completely unsupported and family courts provide adequate remedies. This is a vicious circle where the supreme Court refuses to uphold principles of equality, and the lower courts continue to prefer women.

37. Despite a recommendation of ECSPR to repeal the Tender Years Presumption, no change has been implemented. Several attempts to legislate a repeal of the

presumption have all failed due to fierce opposition by almost all female members of Knesset both from the coalition, Opposition and Arab female MKs.

38. CCf was informed in January 2019 by a Justice Ministry official, that the Tender Years Assumption law had changed some 18 months before, reduced to the age of 2. We were also advised that to change a judge's mindset was difficult, despite our objections that mindset was irrelevant in the face of the law. In fact, the law has not changed at all to this date, which we already knew.

39. **Child support.** The rates imposed on fathers continues to be the highest in the world. Child support rates are 3-4 times higher than the common amounts imposed in the US, Canada, Australia and continental Europe. Only in Switzerland comes second to Israel in terms of child support levels, but the salaries there are almost double, if not more. The amounts Child Support continues to be subject to religious Jewish law which places the burden entirely on men. One petition to the Supreme Court was successful. In Bagatz 919/15, decided on July 19, 2017, it was decided that in cases of equal custody with parents earning similar salaries, and only if children are between 6-15 years old, the court may tolerate a zero or reduced child support. This decision does not explain why Israeli judges are willing to discriminate among children based on their age. It does not apply retroactively to those fathers struggling with excessive child support already decided, and it causes judges to do everything possible to avoid equal shared time arrangements. Judges continue to rule that the children of the first wife are always superior to those of the second wife, and it is still impossible to win a change of circumstances claim, to lower the child support awards. In the entire country and in the past decade there are no more than 5 cases where a non-custodian mother was ordered to pay child support. The Courts ruled that a woman pays 10-15% of what the husband would have paid solely because she is a woman.

40. The rights under Article 11 are violated mostly in the area of awarding unconscionable interim and permanent child support awards that are not based on actual income, disposable income and co-contribution formulas based on both parents' income.

41. In reality, the payments are not made anyway because they are unaffordable, and the children lose their fathers. There is no clear formula for determining child support. Women's incomes are not considered at all. Actual income of the father is ignored by the artificial concept of "imputed income", and the statutory minimum child support per one child is outrageously \$430 monthly, in a Country where many people don't earn more than \$1,500. By contrast, in New York, the minimum is \$25.

42. The State continues to apply religion law in the family courts to Child Support, and according to Jewish law 100% of the burden is placed on the man, no matter how rich the woman might be. This leaves men impoverished and unable to visit their children. Even when a father is declared custodian, he must still pay full child support to the non-custodian mother. There are occasional PR articles published in which a

woman might lose – far and few between, and mainly due to courageous family lawyers who risk penalties and sanctions themselves. Religious law demands a man to pay 100% of child support and over a third of the mother's home and utilities, even if the woman has higher earnings, or wealthy. It must be noted that the procedures are introduced at the start of separation, and orders of over 100% of a father's income are not uncommon. A high percentage of divorced fathers are having to pay 80% of income, despite mothers having an income of her own, often exceeding his.

43. **Suicide, ICESCR §12.** It is estimated that between 200-250 men commit suicide per year, during proceedings of divorce (while still officially classified as married) and after official divorce decree. The Ministry of health continued to manipulate statistics of suicide occurrences, by refusing access to researchers to examine cause of suicide among those classified as married, when they are actually in divorce proceedings. The average duration of a divorce case remains around 5 years. In the rare cases when local papers or family relatives reported a suicide and blamed the wife, they have been sued by the surviving widows for libel resulting in enormous awards exceeding \$125,000. On another occasion when MK Yehuda Glick read out a suicide note of a paramedic, he was shouted down by female opposition calling and screaming that this was irrelevant in the Knesset. One group for fathers' rights now exceeds 20000 members, growing every month. The suicides of 5 men in one week in December shocked the community, and one post received nearly 200,000 views on a different page – hardly a small response to the continuing tragedies.

44. Article 12 The right to the highest attainable standard of health. The Government violates article 12 on a constant and systematic basis due to relentless persecution of fathers, who are stripped of everything they own, cherish and love, including children, possessions and assets, all being transferred to their former wife, yet they are hounded by Child Support executions and levies office for the rest of their lives. All of these fathers live stressful lives coupled with mental anguish resulting from disengagement from their children. This also brings 200+ divorced fathers every year to commit suicide, compared with only 5 divorced women. The rate of suicide among divorcing men is the highest in the country. When fathers commit suicide, children lose fathers, and grow up in an unhealthy environment, when they are likely to develop separation anxiety and lack of trust in society.

45. **Social Workers Involvement.** The State continues to excessively engage social workers in every divorce case which is filed and contested. A father cannot proceed to trial without passing an intensive examination by a State social worker. The process takes 6 to 9 months to write such a report. The judges treat this report as a conclusive description of the facts, and the recommendations are rubber stamped by the judges usually without trials. These social workers are trained in radical feminist ideology. Most men must still pass a psycho-diagnostic exam called "Parental Fitness Exam" that usually costs around \$6,000-\$10,000. The official state training school for social workers is outsourced to WIZO, an extreme radical feminist organization. About

25% of the men are still sent to contact centers, secured facilities where visitations are allowed for one hour a week. Several petitions to the Israeli Supreme court to abolish these Contact Centers have been dismissed outright, without a hearing (Bagatz 6819/12). Two petitions to the Supreme Court to void the Parental Fitness exam for lack of professional consensus as to its validity were similarly dismissed, Bagatz 6736/12 and 4471/14.

46. **No Exit Orders.** The Courts of Israel, especially family courts, and the State Debt Collection Authority continue to liberally and freely issue no exit orders based on flimsy allegations that the person might flee the jurisdiction and never come back. Most affected are men who cannot afford child support, and the poor people who cannot pay their debts. The no exit order is issued to coerce them to pay debts which they cannot afford. A no exit order can be issued even when there is no child support debt at all, and even if the person's livelihood depends on travel overseas.

47. It is estimated that more than 500,000 at a minimum are restrained from exit. Men are still held by No Exit Orders, preventing travel, arrest warrants, driving license revocation, inability to work self-employed often merely on a 'fear' that he may not pay child support – yet having paid faithfully for his children when at home, and after separation. Careers are broken, and the basic right to human liberty, dignity and freedom is stripped from men. Thousands of children also are unable to travel overseas to see extended families, or travel on holidays for growth and education. People are held on No Exit Orders for as little as \$100. The government authorities support the theory that extracting unconscionable child supports from a father, even when clearly he cannot afford it, is in the “best interests” of the child, even though it results in denials of almost every aspect of humane life.

48. **Domestic Violence.** Because women are exempt from prosecution for false complaints, they have become a favorite method to start a divorce. By making a false complaint, the woman immediately gets custody, ejects the husband off the marital home and cuts him off his children for the 2-3 years' duration of the investigation or proceedings. While it is claimed the Attorney General Guidelines on false reporting of domestic violence has changed, it has not really changed. The state's Ministry of Justice claim that it 'takes time to filter through to the judges', but there has been no evidence of change. Experts estimate that out of 20,000 claims a year, 83% are false. Investigations should be made on judges who prefer their own opinions to what is written law. There are no safeguards against false claims to deter this ingrained practice. Men's claims of violence are never investigated. In fact, police at the precinct are instructed not to even docket complaints by men against a female spouse.

49. The Decrees of the police instruct police called to a house where a woman alleges violence to immediately issue an administrative Order of Removal forbidding the man from entering his home for 15 days, which is normally extended at the courts for up to 90 days, or more. This literally means that a person is thrown out of his house with no where to go.

50. The same happens when a woman asks an order of protection ex parte to eject her spouse from her house. Instead of calling the spouse to participate at the hearing, the orders are signed based on the flimsiest of allegations. Such orders were signed when a woman claimed that her husband humiliated her by calling her "fat", or that he did not give her money to go shopping. This is a violation of the right to adequate housing.

51. The Israeli shelters for battered women have no requirement that a woman was indeed battered. The shelters are open for any woman seeking admission. This immediately brands the husband as a battering husband, and he immediately loses all contact with his children, and must participate in therapy sessions for violent men, even if he never touched his wife. These shelters charge the State about \$5,000 per woman per month, and more if she enters with children. The definition of battered woman now includes women who claim psychological violence, emotional violence and economic violence. These are impossible to prove, yet these are powerful weapons in the divorce.

52. The State and women's organizations continue each year to spread the propaganda that 200,000 women in Israel are battered women. This propaganda was initiated in the 90s by WIZO, and it is the basis for financial allocations of hundred of millions of dollars to women's organizations. The truth is that the levels of DV in Israel is among the lowest in the world, and the three real sectors where DV is high (traditional Muslim families who observe the Family Honor, maladjusted immigrants, and refugees from Sudan and Eritrea, no funds are spent to combat DV in these communities.

53. Examples brought to us – a woman made a complaint that her husband wasn't providing sex and checked into a battered woman's shelter with her children. Once inside, she then upgraded her claim to DV, claiming she had been beaten from day one of the marriage. Another woman checked herself and children into a shelter on the claim of 'financial violence', stating she didn't have enough money for luxuries shopping. Again, once inside, she made similar claims of being beaten. When evicted, she received exit payment. A husband reported his wife to the police for attacking one of his children with a knife. Despite evidence, the wife went into a battered woman's shelter with the children; received a free apartment and alienated the father despite the fact he had full custody of his children. His life was decimated, with no avenues to seek legal remedies or accountability of the shelter or social workers involved.

54. **Child Outplacement**. In 2016, from activists' efforts, a documentary finally aired on mainstream tv – showing proof of the ministry of welfare removing 10,750 children from home. Former Welfare CEO Yossi Silman admitted on national tv that between 50 and 80% of children did not need to be taken, but were part of a target to fill private beds, resulting in a profit to those institutions of nearly \$5000 per child per month. Other professionals on the program also exposed the 'business of children'. It has been proven that the removal of children from home is often arbitrary. In many cases, not all children are removed from parents. It is written that a social worker can remove a child merely on a belief. The State Party has written the educational system

is a monitor of children, and a report of forgetting a sandwich or an unkempt dress of a child is enough to investigate a family for neglect, such as is written in Juvenile law.

55. A report from the Knesset reported that in 2017, a staggering number of 20,000 children had been removed from home, with some of them unaccounted for. This astounding figure of the doubling in just one year of children removed has no explanation in the Knesset report, other than it was said that the actions of the Welfare may not be for the benefit of the child, and we can say with certainty that it contravenes the Right of the Child. There must be a distinction between what is considered by the State Party as the benefit of the child based on beliefs, and the actual right of the child.

56. Removal of children from parental care into welfare facilities is done by the Juvenile Courts, also including foster care, adoption and young felony charges. Once opened, even the lawyer is prevented from seeing the file (unlike other courts), without making a special request to the Court Administration to see the file. Therefore, many times the Welfare take advantage by sending reports about the child that neither lawyer or parents can see. Often reports sent two minutes before a hearing, leaving the lawyer only seeing the report during a hearing, with no time for study, cross examinations of those mentioned, and most of hearings, the court accepts the report as fact. These courts are also in closed doors and there is an automatic gag order placed.

57. In these courts the Social worker initiates the case against the parent, and according to a Supreme Court decision by Judge Izhak Amit, **Bagatz 4746/13**, the respondent (the parent) is not allowed to cross examine the social worker, (who is the adversary), nor is he allowed to call witnesses, and he is limited to a short speech. Because of the presumption that the social worker's findings are true applies, the parent has little chance, if any, to save his children from the outplacement in that court. Israel's rate of outplacement is the highest in the world.

58. Once a social worker feels a child should be removed from home, orders are issued ex parte by the Juvenile Court to remove the child with the escort of the police. The parent is ordered to avoid any contact with the child, and a child who escapes the horrors of such institutions is charged with a criminal indictment, therefore permanently scarring the child's future employability. Similarly, recorded video testimony of graduates of these institutions detail prison like discipline, handcuffing, forced medication, physical abuse and rape by staff and other children. One such American girl who escaped temporarily, gave a testimony but the Supreme Court gagged anyone in Israel to see it. We still have the recording.

59. The practice continues, with ever increasing numbers of children removed from home. From 10,750 in 2016, to 20,000 in 2017. To assume an increase in violence is an unproven claim, and if it is in the case of neediness or poverty, no measures are taken to help families, yet \$2000 plus is paid monthly to foster families who take children, or \$5000 monthly for children put into private outplacement facilities. In November 2018, a leaked report was published in Haaretz Newspaper of Children from problem homes

complaining about abuse at boarding schools. Beatings, verbal abuse, poor nutrition and untreated ailments. The Welfare Ministry said that 9000 children live in such boarding schools and foster homes. Comments such as 'nobody loves you', and 'you're not worth anything' were mentioned. Children were denied pocket money, forced to clean urine- soaked mattresses and denied hygiene products or doctors referrals. Institution managers say they were aware of the problems but many children 'fell through the cracks' In the report it mentions a comment by Simona Steinmetz – Social Worker, described as an employee despite major publicity announcing her as an independent Ombudsman for the child., winning the appointment by the only tender, delivered through the public ministry she worked in - the first appointment since the UNCRC treaty was signed in 1991.

60. We must object here that a non-independent person has been appointed after over a decade of working for the Welfare. People with strong objections have been refused data under FOIA, despite the public being aware of her bias, and her public official partner being punished for felonies. This is in full contravention of the need for independence.

61. CCF demands an enquiry as to how a government social worker can possibly be an ombudsman when we have received complaints regarding her from families and children prior to this 'appointment', and contravenes the CRC requirements. Our society has more complaints, which are similar, but parents and children are too afraid to contact the current 'ombudsman'.

62. **Child contact centers.** The per-capita rate of supervised visitation in “Contact Centers” is the highest in the world. Periods of State-enforced disengagement and Alienation can last 2 years, 5 years and in an extreme case, 12 years. PAS is so prevalent in Israel, it is subject of controversy in almost every dissolution of marriage case, and it is the State authorities that fail to protect against it.

63. Women still enjoy a presumption that they are the parent best suitable for custody under Capacity and Guardianship Law, Section 25. Women are enticed to file false domestic violence complaints to expel men from their own homes, or delay proceedings pending referrals to private and costly “Dangerous Propensity Tests” or “Parental Fitness Tests”. These tests of the ability to “serve as a father” feed a booming industry of psychologist and mental evaluators at \$5,000 per test.

64. One example is a man denied for 2.5 years an evidence hearing, despite video evidence and witnesses to the lack of violence, and separated from his children for the whole time. Another man has spent 4 years in a Child Contact Centre, with a requirement for him to pay for an assessment for dangerousness, when since the child was born from a one-night stand, the father has never seen his son in normal free circumstances yet he pays over \$800 child support monthly. Our society has countless more examples.

65. A Government serious about carrying out the protections of ICESCR must eliminate all forms of discrimination from the legislation, so that every spouse has an equal opportunity at Family Courts. Otherwise, all ad hoc initiatives and agendas only aggravate a situation which is inherently discriminatory (and in that sense, there is no other “western” society” that still carries facially discriminatory statutes in its books). 2019 – The need for gender equality, means fairness for both men and women, yet both genders are suffering for what appears to be a third gender of radical feminism, hell bent on belittling men, and not prepared to help non-radical feminist women. Single women are also major targets by the Welfare, making it easier to achieve the 20,000 targets of removing children from home into profitable outplacement.

66. In fact, the ICESCR rights are violated in every divorce case, due to systematic practices and policies of Courts and social workers to disengage fathers from children, in every case where the woman opposes the visitations.

67. **Parental Alienation Syndrome and Child Enticement.** The level of Parental Alienation Syndrome (“PAS”) and PAS related litigation such as Visitation Refusal in Israel is probably the highest in the world. In a jurisdiction that perpetuates official discrimination in favor of one sex (the women), and declines to sanction properly those women who abuse their powers and favoritism, it is the children who suffer. These children grow up as orphans to pone parent, who happens to be alive. PAS and visitation refusal must be treated with severe monetary sanctions or custody transfer.

68. In fact, Court cases repeatedly utilize warped interpretation of the concept of “Best Interests of the Child”, ICESCR Article 10(3) is therefore violated because the state fails to protect children from Parental Alienation Syndrome and Visitation Refusals. At Family Courts, judges do not make visitations schedules simultaneously with the award of interim custody. When fathers are ordered to take a Parental Fitness Test, one of the tests seeks to elicit and encourage the child to “snitch” on his parents, thereby placing the child in an identity crisis and parental loyalty conflict.

69. In light of the foregoing, the government’s statements in §419, that “The courts in Israel continue to play a central role in the protection of the right to an adequate standard of living” is simply untrue. No Court in Israel has ever applied the Basic Law: Human Dignity and Liberty to protect the rights of fathers in divorce or dissolution of familial relations. The State claims that it is “obligated to maintain a ‘safety net’ designed to ensure, that the condition of the underprivileged would not deteriorate to one of existential deprivation in the sense of a shortage in food, places of residency, sanitation, health-care services and such”. However, this is exactly what happens to the 10,000 fathers every year who are forced to litigate in Family Courts of Israel and in the post Judgment executions Office afterwards.

70. **Gag orders and closed Doors.** Parents are forbidden from talking in public about the pains and agonies of their experiences with the family and juvenile courts.

The state prosecutes these parents for violating gag orders and brands them as causing harm to minors. These gag orders must be eliminated.

71. **Conclusion.** Our Civil Society requests assistance from the committee to send a Rapporteur to visit Israel to meet professionals, such as independent social workers, psychologists, lawyers etc to collect data and to reiterate the recommendations for change in 2011, which none have been acted on.