Sustainable
Governance
Indicators

# 2015 Israel Report

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# **Executive Summary**

Almost four years after the social protests of 2011 and two years into the current government's term, the Israeli government was confronted with two central problems: social policy and the Israel-Palestine conflict. The government's lack of manageable options finally caused the Netanyahu government's implosion and fall in December 2014. The recent "Protective Edge" operation and public unrest surrounding the rising cost of living were manifested in budgetary negotiations and information sharing initiatives, but did not save the Netanyahu government. Long-term policy initiatives are highly determined by OECD agreements. These include efforts to improve the regulatory system and adjust the taxing policy as well as the implementation of international treaties on issues such as bribery prevention, biodiversity and immigration controls.

The country's policy performance is inconsistent. While the health care reform is nearing implementation, ministries with weaker political backing - such as welfare and environment - concluded long deliberations only to have their recommendations postponed by the treasury because of fiscal concerns. The national strategy to ameliorate current performance in education is still obscure, particularly regarding polarization and low student performance in social and geographic peripheries. Despite its pivotal role in the development of new labor and economic policies, only minor changes have been observed in recent years, to the detriment of all parties.

Efforts to advance new policies are challenged by the need to overcome the fragmented and often politicized bureaucracy. Patterns of budgetary centralism have resulted in weak social ministries, on the one hand, and "monopolistic" economic and defense ministries, on the other. Attempts to introduce principles of cooperation and sharing resulted in a role expansion for the prime minister's office. The office's focus has morphed from mainly oversight to far reaching coordination, often times taking on the responsibilities of weaker offices in order to energize inter-ministerial cooperation. Similar attempts to bypass entrenched organizational norms can be seen in the establishment of designated authorities such as the authority for public transport in the Ministry of Transport and Road Safety (MOT) and the authority for technology innovation in the Ministry of Finance (MOF). A vocal opposition has reignited past debates over the lack of transparency and the inability of the Knesset to

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oversee government actions, with little results.

Unlike previous years, there have only been a few publicized events dealing with core state principles such as freedom of the press, electoral rules and minority rights. For example, while several incidents throughout 2013 raised concerns about censorship and liberal compensation, this trend subsided in 2014. Two exceptions brought to light fundamental conflicts: an overturning of the law regulating African immigrants roused the long-standing conflict between the legislator and judiciary, and a committee tasked with reviewing health services exposed the conflict between the government's dual role as service provider and regulator. In addition, recent widespread civil disorder in the capital and the subsequent violent police reaction may destabilize the statute of civil rights and the broader context of Israeli-Palestinian relations.

# Key Challenges

After several years characterized by a dominant social discourse, in the summer of 2014 "Operation Protective Edge" reinstated security as a prominent policy agenda. Nonetheless, popular attention remained on social policy throughout the year, particularly regarding the rising cost of living and housing crisis. While fiscal and regulatory reforms are gradually advancing, considerable inequalities in income, education and social opportunities continue to have adverse effects on labor and economic policies. To be sure, some reforms are on their way, such as the reform on public health that was launched earlier this year. Yet, the implementation of recommendations regarding welfare and the environment are lagging behind due to budget cuts. While political disputes may be part of the current electoral system, they nonetheless require a more coherent governmental plan reinforced by cooperation between line ministries and the treasury. More moderate changes are also advisable, such as parental leave for fathers to assist working mothers and encourage greater gender equality.

Several disputed issues require adequate policy attention. The conflict between the judiciary and legislator regarding immigration law is not only indicative of the strained relationship between state authorities but also to the long overdue need for a comprehensive policy on non-Jewish immigration and its social effects. In light of recent events, a policy regarding the dwindling rule of law in Arab municipalities also demands attention. Violent clashes between police and civilians during 2014 call for re-examination of current civil order enforcement protocols in order to ensure that civil liberties remain protected. Obviously, a sustainable policy aimed at resolving the Israeli-Palestinian

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conflict is necessary. For the time being, the negative effects of this continued conflict are trickling into fundamental democratic arrangements such as freedom of the press and civil liberties. These infringements should be addressed, including cases of administrative detention, censorship and urban protests.

Government reform in the public service continues to focus on information sharing and regulatory adjustments. A recent committee raised concerns over the Prime Minister's Office (PMO) overreaching on account of weak and fragmented line ministries. The committee advised the PMO to return to its original objective of offering oversight by increasing its own capabilities to critically assess policies developed by line ministries. Criticism over the government's fiscal policy continues. Strengthening the oversight capabilities of the Knesset by restructuring the current system of committees (by aligning committees and ministries and by enforcing proper conduct) could be a constructive step in the right direction. Policies designed to introduce more transparency, responsiveness and to untangle the regulatory web still require more resources in order to obtain their desired goals. More cooperation between the government, academia, private sector and NGOs could advance current policies with innovation and creativity.

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# Policy Performance

# I. Economic Policies

## **Economy**

Economic Policy Score: 7

Like other countries, the Israeli economy was affected by the world economic crisis. Nonetheless, it achieved a growth rate of more than 3% in 2010, higher than that of most industrialized countries. During 2014, the annual growth rate was around 2.5% and the inflation rate remained low at 0.5%. A general employment rate of 79.3% indicated a minor but constant improvement. The Israeli deficit is still a cause of concern. Although Israel's fiscal stability was a key factor in its ability to withstand the global financial crisis, during the past four years it has suffered from a high deficit of above 3%. Due to the recent "Protective Edge" military operation in the Gaza strip and the minister of finance's refusal to increase taxes, the budget for 2015 is expected to include a deficit of 3.4%, higher than the 2.5% that is stipulated by law.

A policy paper issued by the Taub Center in 2012 differentiates between structural and cyclical/temporary economic difficulties in Israel in order to examine the economy's efficiency outside the influence of short-term disturbances. This enables to review Israel's overall policy pattern instead of looking at short-term solutions to external or geopolitical pressures. Overall, Israel dealt well with the global crisis and the various related economic challenges. However, it does show structural problems with respect to core issues such as government spending, housing, health and education. These were vocalized by the middle-class during the demonstration of 2011 – 2012, and were key issues in the 2013 elections. A 2011 report prepared by Israel's central bank identified financial-market centralization and a continuous amplification of risk as prominent problems. The government responded by reducing the risk that banks are allowed to carry for large borrowers. In 2014, the central bank issued a favorable evaluation of risk management in the bank and insurance sectors, while endorsing further cooperation between regulators.

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Like many countries engaging in privatization, Israel is adapting its regulatory mechanisms. Research on water and power services shows an unorganized and inefficient regulatory system with some conflicts of interests. In general, while Israel's economic policy has its shortcomings, it largely does provide for a reliable economic environment and supports the objectives of fostering the country's competitive capabilities and preserving attractiveness as a location for economic activity.

#### Citation:

Ben-David, Dan (ed.), "State of the nation report, society, economy and policy in Israel 2011-2012",

Taub Center, Jerusalem 2012: http://taubcenter.org.il/tau borgilwp/wp-content/uploads/State-o f-the-Nation-Report-2011-2012-21.pd f. (Hebrew)

Czamanski, Dany and Marinov, Maria, "Economic regulation on water and electricity in Israel," Van Leer institute 2011 (Hebrew)

Dryshpitz, Shurik, "Regulation: What, when and where? A theoretical and comparative perspective" IDC, 2010 (Hebrew)

Milman, O. and Zinger, R., "2015 budget: A high deficit and no growth engines", Calcalist website, 28.9.2014: http://www.calcalist.co.il/local/articles/0,7340,L-3641611,00.html (Hebrew).

Bank of Israel report 2011: chapter 4 (Hebrew)

"Economic and budgetary policy for fiscal years 2013-2014", Bank of Israel policy paper (Hebrew).

"Economic developments during the past months 137: October 2013-March 2014", Bank of Israel, June 2014 (Hebrew).

"Fiscal stability report", Bank of Israel, June 2014 (Hebrew).

The Taub Center: State of the Nation Report. Society, Economy and Policy in Israel 2014, http://taubcenter.org.il/wp-content/files\_mf/stateofthenationreport2014english57.pdf.

OECD: Israel - Economic forecast summary, November 2014. http://www.oecd.org/economy/israel-economic-forecast-summary.htm.

#### **Labor Markets**

Labor Market Policy Score: 7 Israel's labor market has shown positive developments such as reduced unemployment and rising labor force participation rates in recent years. However, it suffers from a chronic problem of social groups opting out of the workforce. This situation is especially prevalent among Arab-Israeli women and ultra-orthodox Jewish males. Despite its increasingly technology-driven economy, Israel is predicted to struggle with supporting a growing segment of its aging and non-working population unless it expands and improves its education and job training infrastructure.

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Israel labor policy focuses on incentivizing two income households and expanding job training services for low-skilled workers. Government actions include reforming the "potential of earning" evaluation scale that is used for purposes such as taxes and daycare subsidies; increasing funding for working mothers and for labor training programs; and introducing a negative tax for low paid workers. However, the OECD maintains that implementation is slow and underfunded. New landmark legislation aims to reduce the number of ultra-orthodox men exempted from military service. The Ministry of Economy intends to follow up this legislation with a substantial program of active measures directed at ultra-orthodox men to assist them in joining the labor force. The ramifications of this radical step remain to be seen.

The Israeli government largely supports a free market and its labor protection laws are seen by the OECD as reasonably flexible. Instead of the classic unions-employers negotiating, the government adopted the Danish "flexicurity model" of labor-market regulation. Based on trilateral agreements between the government, employers and unions, it aims to improve the economic status of both unionized workers and the unemployed by ensuring that they receive severance packages and unemployment benefits while allowing employers more flexibility. In 2012, new legislation increased the number of labor inspectors and their powers. Following a general strike, a new labor agreement was introduced to ameliorate working conditions for contract workers that are employed by government and municipal services.

After many years of increase in the number of foreign workers in Israel, especially in nursing, agriculture and construction, the Israeli government changed its policy toward diminishing foreign work and even abolishing it all together. This process is ongoing, but proceeding slowly due to pressures from industrial sectors; from 2011 to 2012 the government still had not reduced quotas as intended. In 2011, however, new agreements were reached with foreign countries such as Bulgaria and Thailand to limit foreign workers for a given business sector in order to improve the monitoring of labor laws and prevent cases of exploitation by recruiting agencies.

## Citation:

Field, Simon and Kuczera, Małgorzata, "OECD Reviews of Vocational Education and Training. A Skills beyond School Commentary on Israel," December 2012.

http://search.oecd.org/official documents/public display document pdf/?cote=EDU/EDPC/VET (2012) 10 & docLanguage=En

Natan, G., "Foriegn workers in Israel: Main themes and current status", Knesset research and information center, 2.2.2009 (Hebrew).

Swartz, Eliezer and Biton, Ilan, "Description and analysis of employment policy in Israel," Knesset research institute 31.10.2010 (Hebrew)

"Labor Market: Bank of Israel yearly report 2012," Bank of Israel website (Hebrew)

SGI 2015 | 8 Israel Report

"Labor Market", Bank of Israel website 2.4.2013:

http://www.boi.org.il/he/NewsAndPublications/RegularPublications/Pages/doch2012/p5-h.aspx (Hebrew).

"Economic Survey of Israel 2013", OECD, December 2013.

#### **Taxes**

Tax Policy Score: 6 In previous years Israel followed a consistent policy of low-income taxes and small government. Accordingly, it initiated cuts on direct taxes for individuals and companies and reduced public spending. In 2011 and 2012, Israel's direct tax burdens for companies and individuals were among the OECD's lowest, with the top income tax rate lowered from 47% in 2008 to 45% in 2010 and the corporate tax rate lowered from 27% in 2008 to 25% in 2010. The current minister of finance, Yair Lapid, who was elected on a pro-middle class ticket, continued this tax policy in the 2015 budget debates. Despite pressures to raise the income tax rate in order to finance the 6 billion dollar operation "Protective Edge" in Gaza, Lapid refused to do so. Instead, he preferred that a third of the cost be carried by a universal budget cut in all ministries. Current plans to expand the tax base seek revenues through efforts to counter tax evasion and aggressive avoidance strategies and by canceling existing tax exemptions that do not profit low-income workers.

Israel taxation policy is somewhat regressive. It includes elevating indirect taxes such as VAT, which is distributed equally on all products. Furthermore, although the direct income tax is progressively structured, and a large portion of the population earns too little to pay any income tax at all, the system creates a curve so that middle-income individuals pay more tax than high-income individuals. Thus, the current system lacks a certain degree of vertical equality. This apparent distortion is an intentional economic strategy meant to induce growth by reducing the tax burden associated with investments and companies. While controversial, from this line of reasoning it is not necessarily unfair as such.

Israel's taxation system is not entirely characterized by horizontal equity. One example is that, unlike other OECD countries, parental tax reductions are provided to mothers but not to fathers. Like most other countries, Israel utilizes its tax system as a political instrument. For instance, it offers tax reductions to veterans. This approach is exhibited in a new and contested law that aims to assist first time home buyers and young families by offering a VAT exemption on the purchase and substantial advantages to veterans. Since Israeli Arabs, ultra-orthodox men, new immigrants and others do not serve this could be construed as an unequal tax policy. However, supporters of such laws argue that

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soldiers lose income while serving and deserve special assistance. From this standpoint, the tax reduction serves as a restorative tool.

In most instances the Israeli tax system has a valid rationale for tax reductions that appear to violate the principles of horizontal or vertical equality. Due to Israel's commitment to OECD guidelines and the influence of its powerful central bank, it seems likely that the state will continue to manage a responsible tax policy. Even if spending will have to be reduced further than is advisable, it is likely that the system will continue to operate sufficiently.

#### Citation:

Bar, Ilanit and Biton, Ilan, "Description and analysis tax policy implications," Knesset Research Institute 12.12.2010: http://www.knesset.gov.il/mmm/data/pdf/m02714.pdf (Hebrew)

Basuk, Moti, "Lapid's dilemma: Rising taxes or canceling tax reductions," TheMarker 27.3.2013: http://www.themarker.com/news/1.1977546 (Hebrew)

Basuk, Moti, "Lapid presents the budget: 4 billion of the addition to security - a one off", TheMarker 28.9.2014: http://www.themarker.com/news/1.2444788 (Hebrew).

Basuk, Moti and Nimrod Bosso, "The government approved: A two billion cut across ministries' budgets", TheMarker 31.8.2014: http://www.themarker.com/news/1.2420643 (Hebrew).

Lahav, Avital and Tzion, Hila, "0% VAT benefit: This is what the full bill looks like", Ynet 14.5.2014: http://www.ynet.co.il/articles/0,7340,L-4519898,00.html (Hebrew).

"Chapter 6: Taxation policy that reduces social expenditures and induces social gaps," The association of civil rights in Israel, 13.7.2012: http://www.acri.org.il/he/?p=22329 (Hebrew)

"Economic and budgetary policy for fiscal years 2013-2014", Bank of Israel.

"The Tax system: Main recommendations," Manuel Trachtenberg committee for social and economic change, 27.9.2011: http://hidavrut.gov.il/sites/default/files/taxs.pdf (Hebrew)

 $\label{lem:condition} \begin{tabular}{ll} "Tax\ reduction\ guide\ and\ tax\ coordination," Israel\ government\ portal: \\ http://www.first.gov.il/FirstGov/TopNav/Situations/SPopulationsGuides/SPTaxCoordination/SPTGeneralInformation/(Hebrew) \end{tabular}$ 

"OECD economic surveys: Israel", December 2013 (English).

"OECD: Review of recent developments and progress in labor market and social policy in Israel: Slow progress toward a more inclusive society," OECD Publishing, 2013: http://www.oecd.org/israel/israel.htm

# **Budgets**

Budgetary Policy Score: 7 After the economic crises of the mid-1980s, key steps were taken to reduce Israel's budgetary deficit and to build a set of objectives and guidelines enabling sustainable budgetary planning. Strict budgetary-discipline laws were enacted. The Budget Foundations Law set scrupulous spending procedure regulations and implemented deficit-reporting requirements, and another law prohibited the

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central bank from providing loans to the government, ensuring that future deficits would be financed by borrowing from the public and abroad rather than through direct monetary injections. Consequently, fiscal power was centralized, giving the Ministry of Finance's budget department the power to impose a policy of budgetary discipline.

Two crucial additional tools, the Arrangements Law (Hok Ha-Hesderim) and the Budget Deficit Reduction Law, redefined the financial and economic structure of the Israeli government. The Arrangements Law is an omnibus law passed together with each yearly budget, consisting of numerous restrictions and amendments designed to secure the state's financial goals. In the last few years, the budget was converted to a biennial budget plan, which many regard has having a positive influence on planning capabilities.

This history of successful budgetary reform continues to contribute to the stabilization of the Israeli economy. Along with a prudent monetary policy, these measures helped the country weather the recent global economic crisis relatively successfully. Despite the expansion of public spending in recent years and a rising deficit, it seems that the Israeli budget is still managed to insure fiscal stability.

### Citation:

Ben Basat, David and Dahan, Mumi, "Power balance in the budgetary process," IDI website 2006: http://www.idi.org.il (Hebrew)

Bar, Ilanit and Tsadik, Ami, "Israel's handling the financial crisis and future challenges", Knesset research institute 4.5.2010: http://www.knesset.gov.il/mmm/data/pdf/m02518.pdf (Hebrew)

Fischer, Stanley, "Main aspects of the new law for the Bank of Israel," speech at the conference in memory of the late Amnon Ben-Natan, Tel Aviv, 3.1.2008: http://www.bis.org/review/r080110b.pdf

Swirski, Shlomo, and Konor Attias, Etty, "Israel. A social report 2012", Adva Center 2012: http://www.adva.org/uploaded/social-Eng\_2012-1.pdf (Hebrew)

## Research and Innovation

R&I Policy Score: 9 Israel's R&D sector is based on three pillars: scientific research performed primarily in academia, research conducted in government institutes and research conducted by civil-industrial partnerships led by the Ministry of Finance. Israel's R&D is private-sector oriented and is becoming more so over time. In 2000, government funds accounted for 24% of total spending on civil-industrial R&D development. In 2006, they accounted for only 15.9% and in 2009 further reductions brought public investment down to 14.5%, far below the European median of 37.3%. In contrast, in 2006 private-sector investments were above the European median by more than 20%. Consequently, although government funding has declined over the years, total R&D investment as a percentage of

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GDP is high in comparison to many European countries. 42% of non-governmental funding for R&D is attributed to foreign investment - the highest rate among OECD countries.

In 2013, the Ministry of Science and Technology submitted a report urging the government to allocate more public funds to R&D, arguing that private funding dominance prevents long-term and high-risk exploration. This report also points to the constant erosion in funding of R&D at universities. This decline is exhibited both in the declining share of contributions by universities to R&D activity over the years as well as in the reduced number of scientific publications per person compared to the 1990s. In 2014, the social-economic cabinet approved the establishment of an authority aimed at encouraging technological innovation.

Still, in various EU and OECD surveys, Israel demonstrates high performance in the field of R&D. Israel is mentioned as having increased "its EPO (European Patent Office) patenting activity between 2000 and 2007, to reach the highest share of EPO patent applications per billion GDP." It was also singled out as one of the leading start-up and information exporters. Other evaluations acknowledge these accomplishments while criticizing the overly complex and burdensome bureaucracy in the field. These issues are being reevaluated and studied in current policy debates.

A large portion of Israeli R&D policy is directed toward international cooperation. In 2011, Israel was engaged in 30 different international cooperative research ventures with a variety of European countries and organizations. These resulted in 250 grant applications and projects with a total budget of €250 million. The Ministry of Science and Technology secured 14 bilateral agreements with various countries including Russia, Germany and France. Israel is also a signatory to some 29 bilateral R&D agreements and is involved in five EU programs, including Eureka, Eurostars, the Competitive and Innovation Program − Enterprise Europe Network (CIP-EEN), Galileo, and Sesar. In terms of both policy and budgets, the most significant international involvement is in the Framework Programs, such as Horizon 2020, which are managed by the Israel-Europe R&D Directorate (ISERD).

## Citation:

 $Goldshmit, Roi, "Information on scientific research and R\&D in Israel," Knesset Research Institute, 3.2.2011: \\ http://www.knesset.gov.il/mmm/data/pdf/m02763.pdf (Hebrew)$ 

"Innovation Union Competitiveness report 2011", European commission 2011: http://ec.europa.eu/research/innovation-union/index\_en.cfm?section=competitiveness-report&year=2011 p.

Levi, Anat and Goldshmit, Roi, "Analyzing the budget of the office of the chief scientist in the Ministry of the Economy", Knesset Research Institute 26.5.2013: http://www.knesset.gov.il/mmm/data/pdf/m02763.pdf

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(Hebrew)

"Innovation Union Competitiveness report 2011", European commission 2011: http://ec.europa.eu/research/innovation-union/index\_en.cfm?section=competitiveness-report&year=2011

"OECD general economic review - Israel," OECD 2011: http://www.mof.gov.il/Lists/List26/Attachments/314/OECD\_Dec2011.pdf (Hebrew)

"The CEO of the social-economic cabinet approved the establishment of an authority for technological innovation", Minister of the Economy website 15.9.2014: http://economy.gov.il/Publications/PressReleases/Pages/CabinetForTechnologicalIn novation.aspx (Hebrew)

"The Minister of Science, Technology and Space submitted a report to the prime minister that calls to prepare a national five years plan for R&D", spokesman for the Ministry of Science, Technology and Space press release 25.4.2013: http://most.gov.il/Information/PostsSpokenman/Pages/report-perry.aspx (Hebrew).

"World Economic Forum: The global competitiveness report 2012-2013, Geneva 2012: http://www3.weforum.org/docs/WEF\_GlobalCompetitivenessReport\_2012-13.pdf

World Economic Forum: The global Competitiveness Report 2014-2015, Geneva 2014: http://www3.weforum.org/docs/WEF\_GlobalCompetitivenessReport\_2014-15.pdf.

# **Global Financial System**

Stabilizing Global Financial Markets Score: 8 During Israel's process of OECD accession its financial regulation was assessed against a number of suitability criteria. Related reports note that Israel signed the convention on combating bribery and successfully passed the three-stages review required by the convention. It also took steps to impose criminal penalties and apply the law to transactions made by Israeli companies abroad. In accordance with OECD standards, Israel also established an authority tasked with increasing the accessibility of financial information. The authority works with corporate experts and publishes materials in Hebrew, Arabic and English. It also operates a public inquiries office for public complaints.

Israel has several regulatory institutions tasked with supervising financial markets. The most prominent include the Israel Securities Authority (ISA) and the Israel Antitrust Authority (IAA). These institutions are responsible for insuring market stability and fair competition. In the aftermath of the global financial crisis, different government organizations worked to limit the risk in the banking and insurance industry. Actions include tightening the rules on mortgages, adopting Basel III regulation and raising minimum capital ratios. Several committees were formed to investigate structural reforms and submitted their recommendations. Both OECD and central bank assessments are cautiously optimistic, with the latter pointing to important regulatory tools that are currently being developed for future implementation.

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#### Citation:

Ben-Bassat, Avi (Ed.), "Regulation of the capital market," IDI website 2007 (Hebrew)

Brodet, David, "Changes in the structure of markets and financial mediators and in the regulatory system," IDI website November 2004 (Hebrew)

Eckstein, Zvi, Fischer, Stanley and Flug, Karnit (eds.): Israel and the global crisis 2007-2009, Bank of Israel, September 2011.

"Financial stability report", Bank of Israel 2014 (Hebrew).

"International Monetary Fund - Israel: Financial system stability assessment", IMF Country Report No. 12/69, April 2012

"Israel in the OECD: 2010," The Ministry of Treasury 2010 (Hebrew).

"OECD economic surveys: Israel 2013", OECD.

"OECD: Israel. Review of the financial system", OECD website, September 2011.

Israel - Economic forecast summary, November 2014. http://www.oecd.org/economy/israel-economic-forecast-summary.htm.

# II. Social Policies

### Education

Education Policy Score: 6

Israel's education policy is adversely affected by political and cultural divides, making it hard to estimate the degree to which it provides equitable treatment. To be sure, funding allocation favors Jewish citizens. However, educational achievement in the partially state-funded Jewish-orthodox formal education (math, English, etc.) is considerably less advanced than in the general system. The 2012 Program for International Student Assessment (PISA) test results illustrate these systematic failures. Despite a constant overall rise in Israel's ranking in recent years, the variation in its results was 40% higher than in other OECD countries. An OECD working report concluded that this "broadly suggests that Israel's poor overall performance in PISA is largely linked to issues in the education system itself and not due to other drivers of educational attainment." Orthodox boys were not tested in the program, as they do not study relevant material. Arab-Israeli students that were tested fared worse than students in third-world countries such as Kazakhstan.

Israeli education spending as a share of GDP is relatively high in comparison to other OECD countries. However, the education system has many allocation problems, and in the last decade has been going through consecutive reforms SGI 2015 | 14 Israel Report

aiming to improve the quality of education. Although Israel is in line with OECD educational levels overall, it does not fare well in international surveys testing secondary-school students' knowledge. Indeed, even after accounting for specific problems with the Arab and the Jewish-orthodox communities, Israeli students' marks have deteriorated compared to previous generations; Israel showed high levels of attainment in the past and the value of education is well established in the community as a whole. Surveys shows that "42% of 25- to 34-year-olds have either tertiary type A or B qualifications compared with an OECD average of 34%." However, a recent Taub Center research paper suggests that Israeli education system is ill prepared for the world's increasingly competitive and dynamic working environment.

#### Citation:

Ben-David, Dan, "The state of Israeli education and its repercussions," 2011. (Hebrew)

Hemmings, P. "Israeli education policy: How to move ahead in reform," OECD Economics Department working papers No. 781. 2010.

"PISA results 2012 in focus", OECD publication.

"Primary results from the international study - PISA 2012", RAMA - the national authority of assessment of education 3.12.2013 (Hebrew).

http://www.jpost.com/National-News/PISA-test-results-Israeli-pupils-scores-remain-behind-those-of-OECD-countries-333863

Danielle Ziri: PISA test results: Israeli pupils' scores remain behind those of OECD countries, Jerusalem Post, 12.03.2013.

"OECD: Recent developments and progress in labor market and social policy in Israel," 21.5.2013. http://www.oecd-ilibrary.org/employment/review-of-recent-develop ments-and-progress-in-labour-market - and-social-policy-in-israel\_978926 4200401-en

#### Social Inclusion

Social Inclusion Policy Score: 4 Israel's social situation has shown disturbing trends in recent years, including a rise in inequality and exclusion. According to a 2012 report, the socioeconomic gap between the five highest income deciles and the five lowest deciles has grown, contributing to an ongoing reduction of the middle class, which is one of the smallest in the Western world. Inequality levels in Israel are among the OECD's highest. Measured by the Gini coefficient, Israel ranks fifth out of 27 countries surveyed. Israel has the highest poverty rate in the OECD: one out of five is in poverty in Israel.

Israeli spending and taxing policies create a dissonance between overall moderate growth rates, on the one hand, and ongoing social polarization, on the other. This polarization is reflected in several dimensions: a persistent gender-based pay gap, significant average wage differences between the Jewish and

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Arab communities, and between the Ashkenazi (Jews from East European or Western origin) and Mizrahi (Jews from Middle Eastern and African origin) communities as well as significant inequality within the elderly population relative to their state before retirement. Negative gender and ethnic relations are somewhat decreasing but still prevalent.

Based on this persistent polarization, it is difficult to identify significant social-policy successes in Israel in recent years. In the beginning of 2014, the government nominated the Alaluf Committee to formulate recommendations for fighting poverty. The committee published its findings in June 2014, proposing an 8 billion shekels funding package for public housing, daycare services, grants for working single parents and other instruments for redistribution. Instead, the 2015 budget is expected to initiate severe budget cuts in all social areas. This will aggravate the already fragile situation, since Israel currently has one of the lowest spending rates on social policy among OECD countries (15.8% of GDP compared to the 21.9% OECD average). Yet, a small improvement is expected in public health care: funding will continue to be allocated to support an approved program to shorten waiting periods for treatment in public hospitals.

#### Citation

Bassok, Moti, and Ozeri, Ram, "Bank of Israel blames government for ever-widening social gaps. But praises treasury's handling of global economic crisis," Haaretz website 29.3.2012: http://www.haaretz.com/news/national/bank-of-israel-blames-government-for-ever-widening-social-gaps-1.421350 (Hebrew)

Endeweld, Miri, Barkali, Netanela Gottlieb, Daniel, Fruman, Alex, "Poverty and social gaps report - Poverty and social gaps in 2011, annual report," National Insurance Institute of Israel (NII), November 2012: http://www.btl.gov.il/English%20Homepage/Publications/Poverty\_Report/Pages/oni-e2011.aspx

Sevirsky, Shlomo and Konor-Atias, Eti, "Social status report 2012," Adva center website, December 2012 (Hebrew)

Swirski, Shlomo, and Konor-Atias, Eti, "Israel. A Social Report 2012", Adva Center website, 6.5.2013 (Hebrew)

Swirsky, Shlomo, Etty Konor-Atias and Ariane Ophir, "Social status report 2013", January 2014.

"A glance at Lapid's "Social" budget: Cutting education programs and damaging public housing eligible tenets", the Marker website 20.9.2014: http://www.themarker.com/news/1.2445226 (Hebrew).

"Crisis squeezes income and puts pressure on inequality and poverty. New results from the OECD income distribution database," OECD 2013: http://www.oecd.org/els/soc/OECD2013-Inequality-and-Poverty-8p.pdf

Society at a Glance 2014 Highlights: ISRAEL. OECD Social Indicators, http://www.oecd.org/israel/OECD-SocietyAtaGlance2014-Highlights-Israel.pdf.

National Insurance Institute (NII). Research and Planning Administration: 2012.

Poverty and Social Gaps Annual Report, Miri Endeweld, Oren Heller, Netanela Barkali, Daniel Gottlieb, Jerusalem, December 2013,

 $http://www.btl.gov.il/English\%20 Homepage/Publications/Poverty\_Report/Documents/oni2012-e.pdf.$ 

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#### Health

Health Policy Score: 8 Under the 1995 National Insurance Act, all citizens in Israel are entitled to medical attention through a health maintenance organization (HMO). This is a highly universal and egalitarian law, allowing for broad access to subsidized primary care, medical specialists and medicines. A 2012 OECD survey identified the Israeli health care system as one of the best in the developed world, ranking fifth with a score of 8.5 out of 10. Although the OECD noted Israel's low average level of public funding, nursing shortage and overcrowded hospitals, it cited the decreasing mortality rate and high doctor/population ratio.

The OECD also acknowledged the Israeli system's efficiency, characterized by a unique auditing and regulatory system for HMOs, which offers constructive criticism and guidance as opposed to monetary inducements. However, it criticizes a lack of communications between HMOs and hospitals. Similar concerns are raised by NGOs arguing that recent privatization campaigns have led to a deterioration in efficiency, with Israeli facilities suffering from long waiting periods and exhausted personnel. Health professionals have publicly stated that the OECD survey was premature, as the deterioration in services has not yet become widely evident, but is starting to affect the quality of care.

Despite wide coverage, low-income families still have poor access to dental care and nursing. Israeli health services also experience privatization pressures. An increase in supplemental and private medical-insurance and health care plans has resulted in reduced equality within the system. This process has been aggravated by a contraction in public funding. In terms of ensuring access to health care and when adjusting for population age, Israel ranks 16th out of 24 OECD countries surveyed.. Furthermore, the quality of health services and facilities varies based on geographical location, with periphery facilities often struggling to attract skilled personnel. Still, the Israeli system is fairly equitable in international comparison.

In 2013, the minister of health chaired a special committee to strengthen the public health system. The committee offered its recommendations regarding public and private health care services, private insurance regulation, the dual role of the ministry as regulator and service provider, and medical tourism in hospitals. Some of its recommendations were implemented in the 2015 budget.

#### Citation:

Bowers, Liora, "Policy Brief: Hot Issues in Israel's Health care System", Taub center March 2014.

Sevirsky, Barbara, "The state is not keeping healthy," Adva center website, September 2012 (Hebrew)

Even, Dan, "The health care system in Israel: Diagnose positive, symptoms are negative," Ha-aretz website,

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3.4.2012 (Hebrew)

Nisim Cohen, "Policy entrepreneurs and molding the public policy: The case of the national health insurance act," Social security 89 (July 2012), 5-42. (Hebrew)

"Israel: excellent primary health care, but hospitals must improve," OECD, 14.10.2012.

"OECD health data 2012: How does Israel compare," OECD.

"The insured population," Israeli ministry of health, 30.1.2012 (Hebrew)

## **Families**

Family Policy Score: 6 Israeli women's share in the workforce increased substantially during the past 30 years. From just a third of the workforce, they are now 47% of employees. This positive trend is more prevalent among Jewish women, who are almost equal to the share of Jewish men. Arab women still account for only 29% of the Israeli Arab workforce and Ultra-orthodox Jewish women are also legging behind, although both sectors show gradual improvement and receive attention as part of a general economic policy that aims to expand social inclusion in the labor market.

One of the main causes for the increase in women's participation rates is the rise in education levels among women, since education offers more access and financial reward for working mothers. However, wage gaps are still salient. Since many women work part-time or hold temporary jobs in order to sustain their traditional role as the main caregivers in the household, the average monthly wage for women in 2006 was 66% the average monthly wage of men. The gender gap is smaller for hourly wages but still prevalent with women making 84% that of men.

Despite overall improvement, studies continue to point to ongoing discrimination against women in the business and public sectors. A pioneering report published in 2013 showed that working mothers in Israel lose 5% of their income for each childbirth, while the men's income increases. Several studies have also pointed to the lack of minority-oriented social-policy tools, which are needed to address the unique problems of ultra-orthodox and Arab women.

In 2010, a law was introduced to elongate maternity leave to 14 paid weeks and 26 weeks total. It was not expanded, however, to include working fathers, thus amplifying traditional gender roles. In recent years the need for further subsidies for daycare and after school activities gained prominence as a middle class issue, and a plan to introduce subsidized care for children 0-5 was launched. However, reports claim that it is still largely underfunded and does not offer sustainable relief for working mothers and young families.

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#### Citation:

Karcher-Tzameret, Hagar, "The gender index", Shavot - the center for women advancement in the public sphere 2014 (Hebrew).

Mizrhi, Sheli, "Main themes in the work of the committee for women advancement", Knesset Research Center 21.3.2013. (Hebrew)

Stier, Haya and Herzberg, Efrat, "Women in the labor force: The impact of education on employment patterns and wages", Taub center publication no. 2013.08 (Hebrew).

Svirsky, Shlomo, Konnor-Atias, Etti and Ophir, Ariane, "Israel - social report 2013", Adva center, January 2014.

"Arab women in the labor market of Israel: Characteristics and policy steps," Bank of Israel's research unit (March 2012): http://www.bankisrael.gov.il/deptdata/mehkar/papers/dp1205h.pdf (Hebrew)

"Enhancing equality between men and women in the EuroMed Region," Adva center website, September 2009:

#### **Pensions**

Pension Policy Score: 7 Over the past two decades, Israel initiated several reforms of pension policy, profoundly changing the system with respect to employer-based pensions and national insurance. The reforms introduced a new defined-benefit (DC) pension plan, with contributions invested in the market instead of government bonds. In so doing, it significantly transformed the underfunded system driven by collective bargaining into a system of mainly individually defined-contribution accounts with varied levels of collective risk sharing. In the last two years, Israel increased the legal maximum for insurance contributions (including that for pension insurance), with the aim of improving fiscal stability and the system's overall sustainability.

One of its main consequences was shifting more responsibility to individuals. This risk was partly resolved by an agreement that was struck between the "New Histadrut" trade union, the Coordination Office of the Economic Organizations and the government. Once approved by the government in 2008, it insured a steady pension contribution to every salaried employee with two-thirds of the fund financed by his or her employer. In 2014, the contribution was set at a minimum of 17.5% of the monthly salary and is expected to yield high turnovers in the future. Thus, it is meant to secure the future of Israel's moderately aging population. However, it also reduced available income for poor households and does not fund supplementary income that is critical for the extremely poor.

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At the end of 2008, the Israeli government implemented a reform that introduced a requirement for life-cycle strategies in pension savings products. The reform initiated the establishment of different investment tracks with age-based investment profiles, serving as default options for savers who failed to make an investment choices by themselves. Since the new system is regulated rather than operated by the state, it is subjected to the rules of the free market; even though legally every worker is entitled to a pension, private pensions have discretion over client selection.

#### Citation:

Achdut, Leah and Spivak, Avia, "The pension system in Israel after 15 years of reforms," Policy Studies 8, 2009: http://www.vanleer.org.il/sites/files/product-pdf/research\_polilcy8.pdf (Hebrew)

Arlozerov, Merav, "The matter at hand: Pension that leads to poverty at old age," TheMarker website, 15.2.2012 (Hebrew).

Bowers, Liora, "Pensions, Poverty and the elderly in Israel", Taub center policy brief, January 2014: http://www.themarker.com/markets/1.1642036 (Hebrew).

Lipkin, David, "OECD report states: Israeli pension is one of the highest in the organization," NRG website, 27.6.2012; http://www.nrg.co.il/online/16/ART2/381/045.html (Hebrew).

Spivak, Avia, "The two dimensions of the taxing system in Israel: A institutional and quantitative review on implemented reforms," Social security final report, February 2012:

http://www.btl.gov.il/Mediniyut/BakashatNetunim/% D7% A1% D7% 99% D7% 95% D7% A2% 20% D7% 91% D7% 9E% D7% 99% D7% 9E% D7% 95% D7% 9F% 20% D7% 9E% D7% 97% D7% A7% D7% A8% D7% 99% D7% 9D/d ohot/Documents/% D7% AA% D7% 99% D7% A7% 20136.pdf (Hebrew).

Svirsky, Barbara, "A new pension plan can pave a new way," Adva center, 9.2.2012: http://www.adva.org/default.asp?pageid=1001&itmid=680 (Hebrew).

"Israel: Review of the private pensions system," OECD, October 2011: http://www.oecd.org/finance/private-pensions/49498122.pdf

"OECD economic surverys - Israel 2013", OECD publication, December 2013.

"Round table on occupational pension," Van Leer institute, 17.1.2011:http://hazan.kibbutz.org.il/cgi-webaxy/sal/sal.pl?lang=he&ID=969775\_hazan&dbid=sections&act=show&dataid=32 (Hebrew).

"Social situation report: 2011," Adva center, December 2011: http://www.adva.org/uploaded/social-HEB-site2.pdf (Hebrew).

"The Taxing system: Main recommendations," Trachtenberg committee paper via Haaretz website: http://www.haaretz.co.il/hasite/images/images/taxes.pdf (Hebrew).

# Integration

Integration Policy Score: 6

The legal status of immigrants in Israel is based on the Law of Return (1950), the Law of Citizenship (1952) and the Law of Entrance to Israel (1952). These laws constitute strict conditions for gaining citizenship, allowing Jewish immigrants to receive a permanent legal status as part of the Zionist vision. While still relevant, these laws are unable to offer a constructive framework for

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dealing with current immigration challenges including Palestinian or African immigration into Israel. In the absence of a coherent framework for general immigration, a de-facto immigration policy has been established by ad hoc ministerial decisions – with negative consequences for the state and immigrants alike. Furthermore, since these non-Jewish immigrants are not officially recognized, it is unlikely that a policy for monitoring and facilitating their inclusion will be developed.

In the last significant wave of Jewish immigration during the 1990s, the vast majority of immigrants came from the former USSR and Ethiopia. Since cultural barriers create challenges for integration into Israeli society, the state offers a wide support infrastructure through education and employment programs, legal aid and so forth. The Jewish Agency, a statutory authority, is responsible for Jewish immigrants' welfare as they arrive, providing them with financial aid while the implementation of immigrant policies is the responsibility of the Ministry of Immigrant Absorption.

Policies over recent years have mainly included tax breaks and subsidies. Individual committees have been formed to study the social aspects of immigration, with the aim of improving working methods. However, as noted by the Knesset's committee for immigration, absorption and diaspora affairs, a relatively small proportion of these committees' recommendations have been implemented.

#### Citation:

Avineri, Shlomo, Orgad, Liav and Rubinstein, Amnon, "Managing global migration: A strategy for immigration policy in Israel", "Metzilah" center policy paper 2009. (Hebrew)

Davidovitch-Kuch, Flora, "The integration of Ethiopia natives in the civil service and public bodies: Update report," Knesset Research Institute 28.10.2012 (Hebrew)

Davidovitch-Kuch, Flora and Almagor-Lutan, Orly, "Absorption of Ethiopia natives from linguistic, social and educational aspects," Hed Ha-Ulpan HaHadash, Winter 2012 (Hebrew)

"Enlarged assistance to native Ethiopians," The Ministry of Construction and Housing website (Hebrew)

## Safe Living

Safe Living Conditions Score: 6 The Ministry of Public Security (MPS) manages the internal security field in conjunction with the armed forces and other government agencies such as "Rachel" (emergency) and "Malal" (Terrorism prevention). After altering its previous title (The Ministry of Police), The MPS broadened its scope, and is now in charge of crime prevention, the prison system, gun control, prevention of terrorist acts and fire prevention policies. Reforms aim to integrate the country's dispersed agencies dealing with security issues and in 2013 the ministry reported

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some accomplishments. For example, the Firearm Licensing Department (2011), the Israel Fire and Rescue Services (2011) and the Israel Anti-Drug Authority have been successfully integrated into the ministry, improving coordination capabilities.

The OECD's Better Life Index gives Israel a moderate mark on security. Israel's murder rate is below average for OECD countries (2.2 persons killed annually per 100,000 inhabitants compared to the OECD average of 4.1) with 63% of citizens questioned stating that they felt safe walking alone at night (OECD average: 69%). The rate of sexual assaults in Israel is above the OECD average by 16%. In 2014, several high profile crime incidents including the abduction and murder of three Jewish teenagers in the occupied Palestinian territories and a Palestinian teen in east Jerusalem, as well as a number of gun related murders and attacks in Israeli Arab cities, were followed by public outrage and protest, voicing public frustration over escalating violence and the poor security conditions in Israel's periphery.

Since Israel's internal-security budget is divided between different agencies, and cannot be separated from the defense budget managed by the Ministry of Defense, it is hard to estimate the country's overall internal-security expenditure. Although the Ministry of Public Security's budget increased in recent years, it is at least partly the result of expanding the ministry's responsibilities and not increased investment or policy implementation.

#### Citation:

Chartuf, Jacob, "Description and analysis of budget offer of the MPS for the years 2010-2011," Knesset Research Institute 14.12.2010. (Hebrew)

Hori, Jackie, "Three murders over the weekend in Jet and in Tayibe", Haaretz 31.8.2014: http://www.haaretz.co.il/news/law/1.2420286 (Hebrew).

"National violence index 2014", the Ministry of Public Security publication February 2014 (Hebrew).

"Policy of the Minister of Public Security 2013," MPS August 2012. (Hebrew)

"Safety: Better life index Israel," OECD. http://www.oecdbetterlifeindex.org/countries/israel/

## Global Inequalities

Global Social Policy Score: 4 Israeli policy regarding global inequalities mainly encompasses offering humanitarian, medical and financial aid to developing countries during emergencies. In recent decades, this aid has been expanded to technological and agriculture knowledge-sharing. The government's Center for International Cooperation (MASHAV) oversees cooperation with other developed countries and is responsible for launching emergency-assistance missions.

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Although Israel signed a number of international cooperation agreements with parties such as the United Nations Industrial Development Organization (UNIDO), it is not considered to be a leader or an agenda setter in global fair trade policies. It is, however, improving its regulatory structure according to international trade agreements and WTO standards. In response to the 2011 social protests it dismantled some import barriers and announced a further initiative to eliminate or reduce import duties on items such as electrical appliances, textiles and apparel, and food.

#### Citation

Ben Horin, Yitzhak, "Israel to aid developing countries," Ynet website 18.12.2008

"Humanitarian aid: Israel," StandWithUS official booklet 2010

"Israel and UNIDO sign aid cooperation agreement," Permanent Mission of Israel to the United Nations website, 14.5.2012.

 $http://www.mfa.gov.il/MFAHeb/Gene \\ ral+info/departments+and+sections/mashav+Israels+Agency+for+Internatio nal+Development+Cooperation.htm$ 

"Trade policy review: Israel", WTO 2012: http://www.wto.org/english/tratop\_e/tpr\_e/tp372\_e.htm.

Donor States Should Support Efforts by Developing Countries to Eradicate Poverty, Delegates Say as Second Committee Discusses Secretary-General's Report, 20.10.2014, http://www.un.org/press/en/2014/gaef3402.doc.htm.

# III. Enviromental Policies

# **Environment**

Environmental Policy Score: 7 Israel faces significant environmental challenges due to its small territory, high population growth and poor natural water resources. Its geopolitical climate adds another challenge since, unlike many OECD countries, Israel's poor relationship with its neighboring countries prevents it from sharing power facilities, thereby reducing environmental costs. Security and political considerations also overshadow environmental issues, resulting in long-term neglect of environmental policy while OECD accession in 2010 binds Israel to conform to western standards and goals.

Since Israel received a status as a developing country with regards to climate policy, it is not bound to international climate treaties and has discretion over greenhouse-gas emissions and pollution targets. In 2009, it stated its aim to reduce emissions by a modest 20% by the year 2020 and subsequently launched

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a policy package of 2.2 billion shekels. However, the treasury halted the transfer in 2013, preventing it from achieving significant results. Similarly, the Clean Air Act (2008) that set standards for industrial pollutant emissions and waste dumping underwent severe budget cuts causing it to be only partially implemented. Although the government has sought to use taxation and price mechanisms to provide incentives for energy use reductions, it has not done enough to offer viable alternatives.

Years of drought and rising water prices motivated Israeli scientists to develop new innovative technologies such as desalination facilities, sewage treatment procedures and infrastructure, and efficient irrigation techniques. These have become front-line technologies recognized around the world, used to a somewhat lower (but sufficient) degree in Israel itself. However, Israel has considerable room for improvement with respect to regulation and water pollution prevention.

Israel's approach to preserving forest areas is systematic and effective, but could be improved. According to 2010 report, Israel's wooded area makes up 8.9% of its total land, and some 10% of its open rural area. Most of this land is declared as preserved, and is largely supervised by governmental authorities such as the KKL-JNF.

Israel's geographical diversity supports impressive biodiversity. Yet, in 2010 8% of plants were under threat or sever threat and 2% were already instinct, while the percentage of endangered vertebrates in Israel is one of the highest in the OECD. In 2006, Israel established a communal program which promotes cooperation between the government's main environmental bodies. However, a prominent ecological organization firmly criticizes the government's readiness for fulfilling its commitment to the global biodiversity treaty of 2010 to start implementing a national plan for biodiversity in 2015.

## Citation:

Berg, Naama, Orit Ginzburg and Provolotzky, Avi, "National plan for monitoring the status of nature and biodiversity in open territories in Israel," Ecology and Environment 3.3 (2012), 256-262 (Hebrew)

"Vehicle emissions", State Comptroller annual report 64c (2014), 1055-1115 (Hebrew). http://www.mevaker.gov.il/he/Pages/search.aspx?k="קונ02 %ריווא" 2007"

"Environmental performances report: Israel 2011 - Main findings," OECD (Hebrew) Ha-hiron promkin, Tamar and Tauber, Israel, "Status of nature report 2010" (March 2011) (Hebrew)

"HaMarag - National plan for monitoring the status of nature and biodiversity in open territories in Israel," HaMarag website (Hebrew)

"Society in Israel: Past, present and future perspectives report no. 6", Central Bureau of Statistics (October 2013) (Hebrew)

"Stopping the deterioration of biodiversity and environment in Israel", The society for the protection of nature

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in Israel publication (January 2014) (Hebrew).

"The Clean Air Act," Ministry of Environmental Protection website (Hebrew)

"The Forest Law: current form" (hebrew)

"What is the Forest Law?," Kakal website (Hebrew)

"OECD environmental performance review of Israel assessment and recommendations chapter," OECD, 31.5.2011(Hebrew)

#### **Global Environmental Protection**

Global Environmental Policy Score: 5 Israel is only starting to get involved in advancing global environmental projects. In recent years, it has taken a larger role in environmental concerns, partly due to joining the OECD and partly due to a rise in public awareness surrounding these issues.

Israel has been forced to find technological and ecological solutions because of the unique and diverse nature of the Israeli climate and the country's scarcity of natural drinking water. Thus, leading up to the Rio Earth Summit in 2012, it launched a green technology project that aimed to show off its achievements in desalination and recycled water and share information and technologies with other countries. Israel is also involved in international efforts to fight desertification since it is an important exporter of new methods and technologies developed specifically for arid regions. However, it demonstrated lower levels of commitment to other important global issues such as the OECD air-pollution standards and the global strategy for reducing greenhouse-gas emissions.

## Citation:

Shamah, David, "Israel flaunts green tech, but lags behind in alternative energy," The Times of Israel 26.6.2012

"A worldwide campaign: Israel front liner in the Green Tech industry," Agrisupport online website 21.6.2012 (Hebrew)

"Israel," OECD better life index

Jonna Lorenz: Israel Climate Change: What's Jewish Nation's Stance and Policies on Global Warming? Newsmax, 16.12.2014, http://www.newsmax.com/FastFeatures/israel-climate-change-policies/2014/12/16/id/610892/.

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# **Quality of Democracy**

## **Electoral Processes**

Candidacy Procedures Score: 9 Israel is an electoral democracy. While it does not have an official constitution, one of the basic laws (The Knesset, 1958), which holds special standing in the Israeli legal framework, provides for general, free, equal, discrete, direct and proportional elections to be held every four years. This basic law promises equal opportunity for each Israeli citizen (as well as Jewish settlers in the occupied Palestinian territories) to vote and to be elected, with certain reasonable restraints on his or her age and criminal past. If the nominee previously held a public office (as specified in the law), he or she are subject to a waiting period. Under the country's law on political parties (1992), the Central Elections Committee is in charge of organizing elections and tallying votes. The committee is also authorized to reject a nominee or a party list based on any of three conditions:

- If it rejects Israel's Jewish and democratic identity;
- If it supports another country's armed battle against Israel and/or supports a terror organization; or
- If it incites racism.

Due to its significant influence over the electoral process, the committee is chaired by a Supreme Court judge and is constituted on the basis of a proportional-representation system that grants each faction in the Knesset a voice. The group's balanced political and judicial components ensure proper conduct.

The committee must receive authorization from the Supreme Court in order to disqualify a nominee. In the 2013 elections, the committee disqualified the nomination of parliamentary member Hanin Zohabi, a Balad party representative, claiming that she was in breach of Article 2 of the Knesset basic law. The decision was reversed by the Supreme Court. Of the 10 disqualifications made by the elections committee over time, the Supreme Court upheld only three: "the Arab Socialist List" (1964), the far-right extremist "Kach" party (1988, 1992) and its splinter group "Kahana Chai" (1992), with the latter two banned for racism.

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#### Citation:

"Summary of laws relating to the general elections," from the Knesset official website (Hebrew)

Shamir, Michal and Margal, Keren, "Notions on threat and disqualification of lists and nominees for the Knesset: from Yardur to the 2003 election, Mishpat & Mimshal 8, tashsa, pp. 119-154 (Hebrew).

"Basic Laws: 'The Knesset'" Knesset official website: www.knesset.gov.il/description/eng/ eng-mimshal\_yesod1.htm (English)

Media Access Score: 8 Freedom of the press is considered to be one of the main pivots of Israeli democracy. Laws ensure equality in access for all candidates and parties. Criteria for the allocation of airtime during electoral campaign are impartial and determined by the chairman of the multi-partisan central election committee. The 1959 Law for Elections states that the chairman of the Central Elections Committee determines the radio broadcasting time provided to each list of candidates (currently, each list is entitled to 25 minutes, plus another six minutes for every member of the departing Knesset). All campaign-related broadcasts must be funded by the parties themselves and be approved in advance by the chairman of the committee.

Since Israel does not have a formal constitution, its core legislation is incomplete. However, throughout the 1990s several basic laws on the issue were passed. The basic law for governing the parliament states that "[t]he Knesset shall be elected by general, national, direct, equal, secret and proportional elections". The Supreme Court ruled in various cases that the varied size of parties makes it impractical to place them on equal footing and that the system should therefore continue to favor experienced parties.

While election broadcasting rights are fair and balanced, everyday equal access to media is challenged by the increasing popularity of the free daily "Israel Ha'yom", owned by a prominent "Likud" party contributor. In September 2014, concerns were raised when a popular news anchorwoman who was also the wife of the minister of the interior, was suspended for interviewing a member of her husband's party ("Likud"). She was reinstated after her spouse submitted his resignation.

#### Citation:

Hattis Rolef, Susan, Ben Meir, Liat and Zwebner, Sarah, "Party financing and election financing in Israel", Knesset Research Institute, 21.7.2003 (Hebrew).

Tucker, Nati, "Following Gideon Sahar's announcement: Geula Even will be reinstated to channel 1", theMarker 17.9.2014: http://www.themarker.com/advertising/1.2437045 (Hebrew)

Voting and Registrations Rights

According to the Israeli basic law "the Knesset" (1958), every Israeli citizen above 18 is eligible to vote in the general elections. This right is guaranteed under the principle of equality. It is restricted only by the requirement to exhibit

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Score: 9

a valid government identification, which contains the voter's name and picture. If the voter refused to take an ID photo (as some religious women do), the identification will be considered valid if he or she received authorization from the Ministry of the Interior. Article 10 of the same basic law states that the day of the national elections is a national holiday, but that public transportation and public services will remain open. Thus, it gives positive incentive for potential voters.

Following a number of legal petitions regarding prisoners' right to vote in the 1980s, the Knesset revised the law to state that a voting box must be placed in every prison. Handicapped citizens are also entitled to special voting stations that are adequately equipped for their needs. The state is obligated to offer at least one such station in every city council district, and at least two in any district with more than 20 regular voting stations. The mentally ill are not prevented by any specific law from voting. If the voter finds the voting procedure difficult for any reason (such as ill health), he or she is entitled to ask for assistance. Soldiers on active duty are also entitled to vote in special voting stations.

Citizens that are absent at the time of the elections are not allowed to vote unless they are members of a distinct category such as embassy employees stationed abroad. However, every citizen has the right to vote without a minimum period of residency in the country. Information on voting procedures is available through special government-funded information centers. These can be accessed online or through call-in services. Problems and complaints are dealt through the Central Elections Committee.

### Citation:

"Basic Laws: The Knesset," Knesset official website: www.knesset.gov.il/description/eng/ eng-mimshal\_yesod1.htm

"The 19th election for the Knesset: Information for the voter Q&A," National election supervisor website (Hebrew)

"Who is allowed to vote?," Israel Democracy Institute website, November 2002 (Hebrew)

Party Financing Score: 9

Israel has strict rules concerning party financing and electoral campaigns. The most important are the Parties Law (1992) and the Party Financing Law (1992). The two require all parties to document their finances and report them to the State Comptroller. These laws also stipulate the means by which parties can receive income. These include:

- Party membership dues and fund-raising from members, within limits allowed by the Party Financing Law;
- Funds received from the state in accordance with the Party Financing Law;

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- Private contributions received in accordance with the Party Financing Law;
- Funds received for the purpose of elections in the New Histadrut trade union association (as approved by the New Histadrut); and
- Funds obtained from party activities, directly or by means of party associations, involving the management of party property.

Throughout the electoral period, all financial activities are subject to the supervision and monitoring of the State Comptroller, which formulates subsidiary legislation, monitors funds and which has on several occasions issued instructions that have the status of subsidiary legislation. It also publishes regular reports regarding party finances, and is in charge of determining whether parties have followed the law on these issues. The comptroller also has the right to require a party to restore funds if there are discrepancies regarding its private contributions.

#### Citation:

Hattis Rolef, Susan, Ben Meir, Liat and Zwebner, Sarah, "Party financing and elections financing in Israel, Knesset Research Institute, 21.7.2003 (Hebrew).

Popular Decision-Making Score: 2 Israel's government and parliament have traditionally given little support to popular decision-making mechanisms. Attempts at encouraging it tend to take the form either of 1) open-information projects or websites, or 2) special legal provisions allowing citizens to make appeals on issues such as urban planning, or which allow them to address parliament committees on issues of direct concern. While important, these types of initiatives support a top-down model of civic participation rather than encouraging independent initiative.

However, the 2011 social protests served to repoliticize the civic sphere. Thus, some new initiatives have aimed at strengthening citizens' role in the decision-making process including efforts to improve online access to records of regulatory, statutory and political rule-making, and legal mechanisms designed to give citizens a stronger voice in political decision-making processes. However, these initiatives remained largely in their infancy. Consequently, there were few if any ways by which Israeli citizens could directly participate in the decision-making process, at least without resorting to media pressure, persuasion via lobbying firms or making an appeal to the courts.

A bit more flexibility is evident on the municipal level. In cities including Jerusalem, for example, a local community-administration structure has existed since the 1980s, which enables local residents to take part voluntarily in political decision-making that affects their neighborhoods. These programs were created in an effort to develop local leadership and enhance citizens' political efficacy. However, observers question the real value of such initiatives.

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#### Citation:

Altshuler-Shwartz, Tehila, "Open government policy in Israel in the digital age," Israel democracy institute, 2012. (Hebrew)

Gefen, Haaron, "The effect of institutionalizing participatory democracy on the level of sharing by public organization employees", Israel Democracy Institute, 2011 (Hebrew)

Karmon, Yoav "Re-inventing Israel's Democracy", Israel democracy institute website (Hebrew)

Vaksman, Efrat and Blander, Dana, "Models for sharing," Israel Democracy Institute website 2012 (Hebrew)

"Future recommendations", sharing: committee for social and economical transformation website. (Hebrew)

"Sharing on governmental issues", Israeli government website (Hebrew)

#### Access to Information

Media Freedom Score: 7 Israel's media environment is considered lively and pluralistic. Freedom of the press is generally respected and neither the government nor its military abuse their power in order to restrict information. Israelis have wide access to free and largely uncensored Internet and usage rates marked a high of 71% in 2013. Even though the country's basic laws do not offer direct protection and censorship agreements accord the military wide discretion over issues of national security, legal protections for the press are robust. The Supreme Court has ruled that freedom of expression is an essential component of human dignity and has continuously defended it, soundly assimilating this principle into the Israeli political culture.

Israel Broadcasting Authority ("Rashut Hashidor") was undergoing extensive reform deliberations in 2014. The minister of communication is leading this process, claiming the public body to be inefficient and insufficiently regulated, while others see this as an unwarranted political intervention. However, recent political shifts in the coalition may cause this minister to change ministries and pass these reforms onto his successor, possibly delaying the reform.

In 2013, Freedom House decided to lower Israel's freedom of the press status to "partly free" due to several incidents of censorship and political interference. In 2014, however, Israel once again received its "free" ranking, after the think tank found previous infractions to be isolated events and not the start of a policy trend.

#### Citation:

Caspi, Dan, "Media and politics in Israel," Van Lear and the Kibutz Hameuhad, 2007 (Hebrew).

Taig, Amir, "Chaos returns to the communication's market", theMarker 21.9.2104: http://www.themarker.com/advertising/1.2440269 (Hebrew).

Freedom House: Freedom of the Press 2014. Israel, 2014 https://www.freedomhouse.org/report/freedom-press/2014/israel#.VKRbWcl\_eOE

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Media Pluralism Score: 7 Israeli policy toward media pluralism is taking a "multivalued approach," in the sense that it views an open media field as a part of the democratic order, and thus values it not only for economic purposes but for normative ones as well. This view justifies utilizing special regulatory tools (as opposed to exclusive antitrust regulation) in order to prevent concentration of ownership and cross-ownership in the media sector. In this spirit, media regulation in Israel also oversees issues of content (specifically regarding issues of local production and censorship).

The regulatory structure monitors ownership in media organizations (radio, public and private television, including cable and satellite). Regulators are responsible for authorizing licensees and enforcing regulation in matters of ownership concentration, cross-ownership and foreign ownership. Print media is not governed by the same restraints as broadcast media, and is dealt with through antitrust regulation or voluntary self-regulation. The ownership of online content providers is not regulated.

In general, Israel's media sector shows diversified ownership structures both in the electronic and print markets. Both the public and regulated private media compensate for deficiencies or biases in private media reporting by ensuring representation of a wide range of opinions. Recent years brought trends of ideological and financial centralism along with governmental efforts to improve regulation and competition in the communication market. Israel's diverse newspaper industry was joined in 2007 by "Israel Ha-yom", a free daily newspaper owned by Sheldon Adelson, an American businessman who is openly aligned with the prime minister and the "Likud" party. It quickly gained power, capturing 40% of the market, thus raising concerns due to its partisan coverage and its negative effect on competing commercial newspapers. In 2012, the owner of the religious right's prominent paper "Makor Rishon" purchased the longstanding but financially troubled "Ma'ariv" daily newspaper, increasing market centralization. However, mounting debt ultimately resulted with the newspaper's closure.

Financial hardship is also effecting the broadcasting industry. The private Channel 10, which has often been critical of the government, is repeatedly struggling to finance its yearly broadcasting license. Several political incidents in 2011, including a libel suit filed by the prime minister and his wife against the channel, generated criticism from civil society watchdogs arguing that politics is influencing negotiations over its debt.

#### Citation

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Tal, Yizhar and Ivry-Omer, Dina, "Regulation of electronic communications services in Israel: The need to establish a communications Authority," Policy research 76 IDI, November 2009: http://en.idi.org.il/media/277043/pp\_76.pdf (Hebrew)

Tucker, Nati, "Why did Shlom Ben Tzvi disappear?", theMarker 3.10.2014: http://www.themarker.com/markerweek/1.2449472 (Hebrew).

Zrahiya, Zvi, "Israel's media is riddled with alien interests," 15.11.2011 http://www.haaretz.com/business/israel-s-media-is-riddled-with-alien-interests-1.395639

"Israel: Freedom of the Press: 2014," Freedom House website: http://www.freedomhouse.org/report/freedom-press/2014/israel#.VDQ5CTYg1Ko

Access to Government. Information Score: 8 Israel has a freedom of information law (1998) allowing each citizen or resident to apply for information regarding a government authority's activity, whether written, filmed, recorded or digitized. This legal standing has been the basis of considerable activity by NGOs government bodies and private individuals. Municipal authorities and government offices issue online reports detailing their progress in various areas. Naturally, the right to freedom of information is not absolute, with reasonable restrictions on the basis of national security or privacy issues.

The right-to-privacy law (1998) grants individuals the right to access their personal information held in government or private-entity databases. The implementation of this law is enforced by the registrar of databases in the Ministry of Justice, and petitioners can appeal to the courts if they find that government practice does not accord with the law.

In 2011, government decision no. 2950 established a designated unit for freedom of information within the Ministry of Justice. The unit is also charged with implementing OECD guidelines for information management and sharing. As part of its mandate, it publishes a yearly progress report. According to the unit, in 2014 70% of requests were replied to within the legal 30 day period; the most common reason for rejection being lack of proper documentation (20%). According to the report, progress is often impeded by the norms surrounding the position of the responsible party for freedom of information in subordinate authorities (budget, conflict of interest, time and manpower constraints, etc.). Lack of compliance is also evident in the fact that 400 of the 1,100 authorities still do not cooperate with the ministry's directions.

### Citation:

Arbel, Jonathan and Swartz-Altshuler, Tehila, "Information wants to be free," IDI website, December 2008 (Hebrew)

Banisar, David, "Israel," in Freedom of Information around the World. A Global Survey of Access to Government Information Laws, 2006, pp. 90-91, http://www.privacyinternational.org/foi/foisurvey2006.pdf

Baum, Ido, "A third of all bodies subordinate to the freedom of information law - ignore it", the Marker 13.8.2014:

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http://www.themarker.com/law/1.2404461 (Hebrew).

"About the unit for freedom of information", The Ministry of Justice website: http://index.justice.gov.il/Units/YechidatChofeshHameyda/About/Pages/OdotHayechida.aspx (Hebrew)

"Freedom of Information Law," 1998: http://www.freedominfo.org/documents/Israel-FOIL1998.pdf

"Protection of privacy law," 1981: http://www.justice.gov.il/NR/rdonlyres/C5205E15-3FE9-4037-BA0F-62212B40773A/18334/ProtectionofPrivacyLaw57411981unofficialtranslatio.pdf

"The movement for freedom of information": http://www.meida.org.il/

## Civil Rights and Political Liberties

Civil Rights Score: 5 The basic law on human dignity and liberty protects the right of each citizen to privacy, property, dignity, life and other basic goods. It is intended to establish legally binding norms and is procedurally protected from nullification. However, its provisions can be overruled in cases of specific urgency as stated by the government and the courts. Much of the work of protecting civil rights in Israel is done through acts of judicial review, which operate independently from the legislator and the executive branches.

Nevertheless, there is a gap between the formal guarantees of equal civil rights and the reality of unequal opportunities experienced mainly by the Arab minority, primarily due to the conflict between civil rights and other core social values such as religious identity, security and communal rights. Many of Israel's civil rights infractions relate to minority rights such as those accorded non-Jewish citizens (particularly Arab citizens), women's rights and civil protest. In a report issued by the Association for Civil Rights in Israel (ACRI), the group addressed a myriad of civil rights infringements stemming from police misconduct and discriminatory public policy. Civil rights claims are voiced through media pressure, NGO activities, appeals to the Supreme Court, legislative amendments and appeals to government bodies that investigate public complaints.

The Israeli invasion "Protective Edge" in Gaza enhanced the trend of national identification of Israeli-Palestinian Arabs with Palestinians in Gaza. Many in the Jewish-Israeli majority could not accept this. Consequently, one witnessed a growing escalation in racism and violence against the Arab minority, bolstered by several senior government officials.

Dahan, Tal, "Situation report: The state of human rights in Israel and the OPT 2012," The Association for Civil Rights in Israel: http://www.acri.org.il/en/wp-conten t/uploads/2012/12/ACRI-Situation-Re port-2012-ENG.pdf

Dahan, Tal: Situation report: The state of human rights in Israel and the OPT 2014, ACRI, http://www.acri.org.il/en/wp-content/uploads/2014/12/Situation-Report-2014.pdf.

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"Basic Law: Human Dignity and Liberty": http://www.knesset.gov.il/laws/spec ial/eng/basic3\_eng.htm

Ben Solomon, Ariel: FM Liberman calls for boycott of Israeli Arab businesses who strike for Gaza, 21 07 2014

http://www.jpost.com/Operation-Protective-Edge/FM-Liberman-calls-for-boycott-of-Israeli-Arab-businesses-who-strike-for-Gaza-368360

Hasson, Nir and Kubovich, Yaniv: Israel Police's war against Arab protesters, 16.08.2014, Haaretz, http://www.haaretz.com/news/national/.premium-1.610828

Political Liberties Score: 7

Israel's lack of a constitution means that the guarantee of political rights is confided to the basic laws. Thus, they are not constitutional as such. For these and other reasons, the responsibility to protect political liberties still lies with the Israeli parliament. Parliamentary activity, however, has not been conducive to this task. Several pieces of proposed legislation appear to undermine aspects of democracy and due process. A law passed in March 2011 requires the state to fine or withdraw funds from local authorities and other state-funded groups that hold events marking Al-Nakba (the 1948 displacement of the Palestinian population) on Israeli Independence Day, that support armed resistance or "racism" against Israel, or that desecrate the state flag or national symbols. Another controversial measure is the so-called "Boycott Law," which exposes Israeli individuals and groups to civil lawsuits if they advocate for an economic, cultural or academic boycott on Israel or the West Bank settlements. However, many problematic proposals did not win parliamentary passage or were eventually softened in part due to public opposition. Similar proposals have in the past been ruled unconstitutional by the judiciary.

In 2013, Arab Israelis held 12 out of 120 seats in the Knesset, even though they constitute some 20% of the population. Voices on the political right have increasingly called for the imposition of a loyalty oath and have insisted that Arab public officials publicly support Israel's status as "a Jewish Zionist and democratic country." Prime Minister Netanyahu refrained from presenting the new Jewish state bill proposal for a Knesseth vote before the elections in March 2015. Nevertheless, the draft bill, which codifies Israel as an exclusively Jewish state, caused a lot of criticism in Israel and abroad. Scholars as well as politicians have warned that the bill will damage the country. Former President Shimon Peres emphasized that this legislation will erode the democratic principles of the State of Israel and current President Reuven Rivlin criticized the hierarchical approach to place Jewishness before democracy. Though such measures have been rejected to date, they have intensified Arab Israelis' political marginalization. Human rights reports have also criticized municipal authorities and the police for violating the freedom to demonstrate, especially following the social justice protests of 2011 and the anti-war protest during operation "Protective Edge" during the summer of 2014. Nonetheless, demonstrations are widely permitted and common.

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Citation:

Yishai, Yael, "Civil Society in Israel", Carmel, Jerusalem, 2003. "Freedom in the world 2013," Freedomhouse website: http://www.freedomhouse.org/sites/default/files/FIW%202013%20Booklet.pdf

"Israel 2014", Freedomhouse website:

http://www.freedomhouse.org/report/freedom-world/2014/israel-0#.VEOZwCueWro.

"Project Democracy: The Arab minority," The Association for Civil Rights in Israel (October 2010). http://democracy-project.org.il/he/wp-content/uploads/2010/08/democracy-minorities.pdf

Newman, Marissa, "Peres reviles 'Jewish state' bill as political ploy", Times of Israel, 27.11.2014, http://www.timesofisrael.com/peres-reviles-jewish-state-bill-as-political-ploy/#ixzz3KMzB3rFZ

Newman, Marissa, "Rivlin comes out against Netanyahu's 'Jewish state' bill', 25.11.2014, Times of Israel, http://www.timesofisrael.com/president-comes-out-against-netanyahus-jewish-state-bill/

Non-discrimination Score: 5

Israel's main venue for dealing with cases of discrimination is the court system, particularly the Supreme Court, which address cases dealing with discrimination against women and minorities in professional, public and state spheres. The country has longstanding institutional mechanisms intended to promote equality, such as the Authority for the Advancement of the Status of Women in the Prime Minister's Office and the Equal Employment Opportunities Commission in the Ministry of the Economy. However, these tend to offer ad-hoc solutions instead of comprehensive and long term plans. Attempts to pass a basic law protecting equality to join existing legislation protecting human dignity and liberty did not yield results. Instead, the struggle against discrimination is usually fought through Israel's media and by vigorous NGO activity.

Progress was achieved in recent years regarding women and gay rights. The government addressed the expanding industry of trafficking in women and prostitution by opening designated shelters for victims and legislating (2006) prison terms of up to 20 years for perpetrators. The gay community also marked prominent victories: non-biological same-sex parents have been made eligible for guardianship rights and same-sex marriages conducted in foreign countries are recognized by the state; the first divorce of a same-sex couple was granted in 2012.

Discrimination is prevalent and systematic regarding Palestinians' rights. Following Israel's annexation of East Jerusalem in 1967, Arab residents were issued Israeli identity cards and given the option of obtaining Israeli citizenship, though most choose not to seek citizenship for political reasons. These non-citizens have many of the same rights as Israeli citizens, except the right to vote in national elections. They can vote in municipal as well as Palestinian Authority elections and remain eligible to apply for Israeli citizenship. However, Israeli law strips non-citizens of their local residency if they stay outside the city for more than three months.

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A 2003 law denies citizenship and residency status to Palestinian residents of the West Bank or Gaza that marry Israeli citizens. This measure affects about 15,000 couples and has been criticized as blatantly discriminatory. In 2011, the Knesset passed a law allowing the courts to revoke the citizenship of any Israeli convicted of spying, treason or aiding the enemy. A number of civil rights groups and the Shin Bet security service criticized the legislation as unnecessary and overly burdensome.

#### Citation:

"Back to basics: Israel's Arab minority and the Israeli-Palestinian conflict," Middle East Report N°119– 14 March 2012

http://www.crisisgroup.org/en/regions/middle-east-north-africa/israel-palestine/119-back-to-basics-israels-arab-minority-and-the-israeli-palestinian-conflict.aspx

"Equal employment for women," Women's lobby in Israel website 5.3.2013 (Hebrew)

"Israel: 2013," Freedom house website.

http://www.freedomhouse.org/report/freedom-world/2013/israel

"Israel: 2014", Freedomhouse website.

http://www.freedomhouse.org/report/freedom-world/2014/israel-0#.VEOZwCueWro.

"Selected verdicts of Tmura center," Tmura website (Hebrew)

### Rule of Law

Legal Certainty Score: 5 The state comptroller, the attorney general and the Supreme Court (ruling as the High Court of Justice) conduct legal reviews of the actions of the government and administration. The attorney general represents the state in courts. The officeholder participates regularly in government meetings and is in charge of protecting the rule of law in the public's interest. His or her legal opinion is critical and even mandatory in some cases. The Supreme Court hears appeals from citizens and Palestinian residents of the West Bank and Gaza Strip (even though Israeli law is not officially applied in the latter). These petitions, as filed by individuals or civic organizations, constitute an important instrument by which to force the state to explain and justify its actions.

The judiciary in Israel is independent and regularly rules against the government. In 2014, the courts overturned a Knesset bill regarding administrative detention of illegal African immigrants, raising tensions around the courts active review of policy. Although the state generally adheres to court rulings, the Association for Civil Rights in Israel (ACRI) reported in 2009 that the state was in contempt of eight rulings handed down by the Supreme Court since 2006, including a 2006 rerouting of the West Bank security and separation barrier in the occupied Palestinian territories.

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Some legal arrangements provide for ad hoc state action when facing security threats. The Emergency Powers (Detention) Law of 1979 provides for indefinite administrative detention without trial. According to a human rights group, in 2014 there were 473 Palestinians incarcerated under such charges. A temporary order in effect since 2006 permits the detention of suspects accused of security offenses for 96 hours without judicial oversight, compared with 24 hours for other detainees. Israel outlawed the use of torture to extract security information in 2000, but milder forms of coercion are permissible when the prisoner is believed to have vital information about impending terrorist attacks.

#### Citation:

Barzilay, Gad and David Nachmias," The Attorney General to the government: Authority and responsibility," IDI website September 1997 (Hebrew)

"Administrative detention", B'tselem 7.10.2014:

 $http://www.btselem.org/hebrew/administrative\_detention/20141007\_spike\_in\_number\_of\_administrative\_detainees (Hebrew).$ 

"Israel: 2014," Freedom house website. http://www.freedomhouse.org/report/freedom-world/2014/israel

"B'Tselem's 2011 annual report on human rights in the Occupied Territories," 21.3.2012. http://www.btselem.org/download/2011\_annual\_report\_eng.pdf

Judicial Review Score: 9

The Supreme Court is generally viewed as a highly influential institution. It has repeatedly intervened in the political domain to review the legality of political agreements, decisions and allocations. Since a large part of the Supreme Court's judicial review in recent years is over the activities of a rightist coalition and parliament, it is often criticized for being biased toward the political left. In 2013 and 2014, the Supreme Court was similarly criticized for overturning an "infiltration law" set up to implement policy regarding illegal immigration. Nevertheless, it is repeatedly ranked by Jewish citizens as one of the top four trustworthy governmental institutions and as the most trustworthy institution according to Arab-Israeli citizens in an annual survey conducted by the IDC (2013).

The independence of the judiciary system is established in the basic law on the judiciary (1984), various individual laws, the ethical guidelines for judges (2007), numerous Supreme Court rulings, and in the Israeli legal tradition more broadly. These instruct governing judicial activity by requiring judgments to be made without prejudice, ensuring that judges receive full immunity, generally banning judges from serving in supplementary public or private positions, and more. Judges are regarded as public trustees, with an independent and impartial judicial authority considered as a critical part of the democratic order.

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#### Citation:

Azulai, Moran and Ephraim, Omri, "Overruling the infiltration law: The Knesset goes into battle", Ynet 23.9.2014:

http://ynet.co.il.d4p.net/articles/0,7340,L-4574094,00.html (Hebrew).

Kremnitzer, Mordechai, "Judicial Responsibility at its Best," IDI website 31.5.2012 (Hebrew).

Svorai, Moran, "Judicial independence as a main feature in judicial ethics" (2010), . (Hebrew) http://www.mishpat.ac.il/files/650/3168/3185/3186.pdf

Herman, Tamar, Atmore, Nir, Heller, Ella and Yuval Lebel, "Israeli Democracy index 2012," The Israel Democracy Institute 2012. (Hebrew)

http://www.idi.org.il/media/1112579/%D7%9E%D7%93%D7%93%20%D7%94%D7%93%D7%9E%D7%95%D7%A7%D7%A8%D7%98%D7%99%D7%94%D7%94%D7%99%D7%A8%D7%90%D7%90%D7%99%D7%AA%202012.pdf

Herman, Tamar, Ella Heller, Nir Atmore, and Yuval Lebel, "Israeli Democracy index 2013," The Israel Democracy Institute 2013:

http://www.idi.org.il/media/2720078/Democracy%20Index%202013.pdf (Hebrew)

"Israel 2014", Freedomhouse website:

http://www.freedomhouse.org/report/freedom-world/2014/israel-0#. VEOZwCueWroll version of the control of the

Appointment of Justices Score: 9

According to Israel's basic laws, all judges are to be appointed by the president after having been elected by a special committee. This committee consists of nine members, including the president of the Supreme Court, two other Supreme Court judges, the minister of justice (who also serves as the chairman) and another government-designated minister, two Knesset members, and two representatives of the Chamber of Advocates that have been elected by the National Council of the Chamber.

The cooperative procedure balances various interests and institutions within the government in order to insure pluralism and protect the legitimacy of appointments. The process receives considerable media coverage and is subjected to public criticism, which is usually concerned with whether justices' professional record or other considerations (social views, loyalties and political affiliation) should figure into their appointment.

The spirit of judicial independence is also evident in the procedure for nominating judges and in the establishment of the Ombudsman on the Israeli judiciary. This latter was created in 2003, with the aim of addressing issues of accountability inside the judicial system. It is an independent institution that investigates public complaints or special requests for review from the president of the Supreme Court or the secretary of justice. The Ombudsman issues an annual report of its work, investigations and findings from all judicial levels, including the rabbinic courts.

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#### Citation:

Rubinstein, Amnon, "The constitutional law of the state of Israel", Shoken, 2005.

"The Ombudsman on judges office: Annual report 2011," 2012. (Hebrew) http://index.justice.gov.il/Units/NezivutShoftim/pirsomeyhanaziv/Doch/Documents/2012.pdf

"The Ombudsman of judges office: Annual report 2013", Jerusalem 2014 (Hebrew), http://index.justice.gov.il/Units/NezivutShoftim/MainDocs/Report2013.pdf.

Corruption Prevention Score: 6 A survey of the Israeli legal framework identifies three primary channels of a corruption-prevention strategy: 1) maintaining popular trust in public management (including bank managers and large public-oriented corporations' owners), 2) ensuring the proper conduct of public servants and 3) ensuring accountability within the civil service. Israel pursues these goals by various means. It established a legal and ethical framework to guide civil servants and the courts, reinforced the position of the State Comptroller through the passage of a basic law (1988) in order insure government accountability, adapted the civil-service commission's authority to manage human resources (e.g., appointments, salaries) and so forth. In 2005, Israel was one of 140 states to sign a national anti-corruption treaty and began implementing it in 2009, issuing annual progress reports.

Annual opinion surveys demonstrate that Israeli citizens are concerned about high levels of corruption in their country, but this belief is not empirically supported. Nevertheless, criticism of Israel's centralized public-service structure have been mounting, in part because it is characterized by some very powerful ministries with broad ability to engage in discretionary spending. These powers detract from accountability, leaving room for corruption.

Criminal inquiries into politicians are common. Former Foreign Minister Avigdor Liberman was on trial for fraud, money laundering and breach of trust. Former Finance Minister Avraham Hirschson was indicted for a number of crimes including aggravated fraud, theft, breach of trust and money laundering. In 2014, the courts issued a historical ruling, sentencing former Prime Minister Ehud Olmert to six years in prison for accepting bribes while serving as mayor of Jerusalem.

### Citation:

D7%90%D7%A8%D7%92%D7%95%D7%A0%D7%99%D7%9D%20%D7%A6%D7%99%D7%91%D7%95%D7%A8%D7%99%D7%99%D7%90%D7%A6%D7%99%D7%99%D7%90%D7%A9%D7%90%D7%AA%D7%99%D7%A7%D7%94%20%D7%A9%D7%9C%20%D7%A2%D7%95%D7%91%D7%93%D7%99%20%D7%A6%D7%99%D7%91%D7%95%D7%A8%20%D7%91%D7%99%D7%A8%D7%90%D7%A6%D7%99%D7%91%D7%95%D7%A8%20%D7%91%D7%99%D7%A8%D7%90%D7%9C.pdf

Hovel, Revital, "Former Israeli Prime Minister Ehud Olmert sentenced to 6 years in prison", haaretz 13.5.2014:

http://www.haaretz.com/news/national/1.590298

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Knalfman, Ana, "Political corruption in Israel," IDC website 13.11.2010 (Hebrew)

"Israel-phase 2," Ministry of Justice, December 2009

"85% of Israelis think corruption is widespread in business," The Times of Israel, 12.5.2012. http://www.timesofisrael.com/85-of-israelis-think-corruption-widespread-in-business/

"Transparency International Report", 2014, http://www.transparency.org/country/#ISR

Fisher, Israel, "Israel ranks 37th in world corruption index", Haaretz, 3.12.2014, http://www.haaretz.com/news/national/1.629851.

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## Governance

# I. Executive Capacity

### Strategic Capacity

Strategic Planning Score: 7

Israel's government adopted the practice of strategic planning only in the 1990s. Previously government actions were based on practical experience rather than theory, with much improvisation and policy driven by short-term incentives. As a result, the Israeli government did not develop strategic planning units early on, even though a planning division was developed in the Israeli Defense Forces in the early 1970s.

Today, the director general of the Prime Minister's Office oversees the body's administrative and policy work. He supervises three main planning agencies: the National Economic Council, the National Security Council, and the Policy Planning Department. In 2010, the government formed a committee to investigate internal strategic planning capacities; the results, published in late 2012, identified many structural deficiencies.

While it is unclear whether government planning agencies have access to or can advise the prime minister directly, such agencies do have access to ministries and other government departments, as well as to the director general of the Prime Minister's Office. Government strategic planning bodies take a long-term view when addressing policy challenges and solutions, and their influence on government decision-making, while systematic, is still limited in scope and depth.

Akerman, Lior, "Does Israel have a long-term strategic plan?" Jerusalem Post, 23.6.2013, http://www.jpost.com/Opinion/Op-Ed- Contributors/Does-Israel-have-a-lon g-term-strategic-plan-314207

Arlozerov, Meirav, "A strategic planning headquarter will be established in the prime minister's office; will be incharge of reforms," TheMarker website 13.10.2012 (Hebrew)

"A guide for government planning," The department for policy planning, September 2010 (Hebrew)

"Policy departments - auxiliary tool for navigation," the Reut institute 11.6.2008. (Hebrew)

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Scholarly Advice Score: 7 The government has several interfaces with experts and representatives of academia. Experts can sit on independent public committees to examine the causes and consequences of a specific event or incident (such as the Trajtenberg Committee that was formed following the 2011 social justice protests). They can also serve in permanent committees that consult with the government on a regular basis (such as the National Economic Council in the Prime Minister's Office) or be summoned by parliamentary committees to present opinions or to offer a different perspective on a particular issue. Finally, think tanks and research institutes act as brokers between the academic world and politics, advocating and offering information on current events and policy issues.

Ministers often appoint an external advisory committee to assist with specific issues. One significant example is the Shashinsky Committee, appointed by the Minister of Finance to examine government fiscal policy on oil and gas. Israeli ministers also often consult informally with academic experts, primarily to receive guidance that is distant from political interests.

### Interministerial Coordination

GO Expertise Score: 5

The Prime Minister's Office (PMO) relies on sectoral policy expertise. In recent years, it adopted the notion that it should hold a staff of independent and professional analysts lead to the establishment of the National Security Council and the National Economic Council that advises the PMO directly. The 2012 Kochik Committee viewed these as positive but insufficient steps and advised strengthening the PMOs consulting mechanism.

Arian, Asher, "Politics In Israel: The Second Republic", 2nd Edition 2005 (Hebrew).

Arlozerov, Merav, "To be a minister in the government? I wouldn't touch that job with a stick, the Treasury castrates them all", the Marker 1.8.2012:

http://www.themarker.com/career/civil-service/1.1790839 (Hebrew).

"The committee to investigate the Prime Minister's headquarter", Official report (April 2012).

GO Gatekeeping Score: 7

Traditionally, the Prime Minister (PM) did not have the power to return items to the Israeli general cabinet meetings. However, in 2012 it filed for an amendment to the standard practice, which was then ratified by the government. It included expanding the PM's authority to delay the implementation of government decisions by resubmitting an issue to a vote after it had been rejected as well as authorizing him or her to cancel, postpone or summon meetings on government decisions. Since the amendment was only recently enacted, it could be argued that it has not been de-facto enforced for purposes of resubmitting an issue. Some legal experts claim that the amendment was designated mainly for rare or critical matters.

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#### Citation:

Barnea, Shlomit and Ofer Kenig, "Political nominations in the executive branch," IDI website June 2011 (Hebrew)

Weisman, Lilach, "Expansion of the Prime Minister's authorities was approved; We must stop the madness", Globes website 12.8.2012; http://www.globes.co.il/news/article.aspx?did=1000773448 (Hebrew)

"Government bill amendment 868 from 12.8.2012," PMO official website: http://www.pmo.gov.il/Secretary/sederyom/Pages/seder120812.aspx (Hebrew)

Line Ministries Score: 7

The Prime Minister's Office (PMO) has been under continuous structural reforms since the mid-2000s. Several committees, including Trajtenberg and Kuchik (both established in 2011), issued recommendations regarding its working dynamics with other line ministries, taking into account the country's highly fragmented party system (in which ministers are nominated according to political alliances) and the overly centralized budgeting process.

In recent years, the PMO became more involved in the preparation of policy proposals in the ministries through various channels. For example, the PMO's chief of staff heads a forum for the CEOs of all line ministries, advancing policy agendas and inter-ministerial cooperation. The PMO is also involved with policy proposals through its professional councils and roundtable initiatives. Its oversight capabilities, demonstrated by its yearly publication of the government working plans, stimulates further involvement. However, the Kuchnik Committee noted that facing weaker ministries, the PMO tends to overreach and control policy formation more than is advisable.

### Citation:

Koren, Ora, "Line ministries will submit budget drafts - and will not be able to blame the treasury," TheMarker website 13.11.2012 (Hebrew)

"About: The governance committee," PMO website (Hebrew)

"Book of working plans 2012," PMO website (March 2012) (Hebrew)

"Failures of the public sector and directions for change," Public sharing - The committee for economic and social change (2011) (Hebrew)

"Governmental planning guide," PMO website (september 2010) (Hebrew)

"Strengthening government's governability, planning and execution - Continue discussion," PMO website 25.12.2011 (Hebrew)

"The committee for reviewing the PMO", official state publication (2012): http://www.kucik.co.il/uploads/sofi.pdf (Hebrew).

"The system," Policy planning PMO website (Hebrew)

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Cabinet
Committees
Score: 6

According to "Basic Law: The Government" and standards of practice, the government is authorized to appoint cabinet committees for different policy issues (such as housing or education) and is obligated to appoint a security and state focused cabinet that includes the prime minister, the minister of defense, the minister of justice, the foreign minister, the minister of state security and the minister of finance. During operation "Protective Edge" (2014) ministers publicly criticized the prime minister for making decisions without prior consultation, limiting their role to observers. Similar disputes over ministerial cooperation are evident with regards to the cabinet on housing. It should be noted, however, that these descriptions are mostly derived from popularized media coverage.

#### Citation:

Chudi, Ori, "The minister of housing boycotted the housing cabinet over dispute with Lapid", Globes 23.6.2014:

http://www.globes.co.il/news/article.aspx?did=1000948352 (Hebrew)

Ravid, Barak, "Ministers in the cabinet: There was no real discussion during the cease fire negotiations", haaretz 11.8.2014: http://www.haaretz.co.il/news/politics/.premium-1.2402635 (Hebrew)

Cabinet committees and their authorities," the ministry of Justice website 24.6.1996 (Hebrew)

"The guidelines for government work," PMO's website 12.8.2012 (Hebrew)

Ministerial Bureaucracy Score: 5 Over the past decade, the government initiated actions to improve interministerial cooperation in order to overcome its bureaucratic entanglements and political power struggles. Among others, it introduced roundtable meetings, CEOs coordination forums, guidelines and digital information platforms. Nonetheless, experts find that ministries are essentially territorial in nature and the sharing of information between ministries is difficult, at best. This lack of communication at least partly results from the government's highly centralized budget process, making public servants defensive over limited and strictly supervisory resources. Some of the results of this dynamic is the dominance of non-sectoral offices (such as the PMO) in policy development as well as the popularity of inter-ministerial ad hoc committees (such as the housing cabinet) to energize policy proposals.

### Citation:

Bar-Kol, Yair, "Appointing a minister for inter-ministerial cooperation", TheMarker 3.4.2013: http://www.themarker.com/opinion/1.1983509 (Hebrew)

Haber, Carmit, "Managerial culture blocks to implementing open government policy," The Israel democracy institute (March 2013) (Hebrew)

Brada, Moshe, "Coordination between the Ministry of Foreign Affairs and the Ministry of Defense", The Knesset Research Center 2007: http://www.knesset.gov.il/mmm/data/pdf/m01880.pdf (Hebrew)

"About: Public sharing," Sharing official website (Hebrew)

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"Failures of the public sector and directions for change," The committee for social and economical change website (Hebrew)

"The committee to investigate the Prime Minister's headquarter", Official state report, April 2012 (Hebrew).

"The division of electronics and technologies," Accountant General website (Hebrew)

"The guide for governmental sharing: A model for cooperation between ministries", official state publication, 2013:

http://www.ihaklai.org.il/Portals/0/Documents/articles/ אַרְוּתִישׁלְ02 % קּוּתִישׁלְ02 % קּוּתִישׁלְּ02 % קּוּתִּישׁלְּ02 % קּוּתִּישׁלְּ02 % קּוּתִישׁלְּ02 % קּוּתִּישׁלְּ02 % קּוּתִישׁלְּ02 % קּוּתִישׁלְּ02 % קּוּתִישׁלְּ02 % קּוּתִּישׁלְּ02 % קּוּתִּישׁלְּחָם קּיִּישְׁלְּחָתְּעִּישְׁמָּחְּתְּעִּישְׁמַבְּחָּתְּעִישְׁלְּחָּתְּעִישְׁלְּחָתְּעִּישְׁלְּחָתִּישִׁלְּ02 % קּוּתְּעִּישְׁלְּחָתְּעִּישְׁלְּחָתִּישִׁלְּחָתְּעִּישְׁלְּחָתְּעִּישְׁלְּחָתְּעִּישְׁלְּחָתְּעִּישְׁלְּחָתִּישְׁלְּחָתְּעִּישְׁלְּעִישְׁלְּתְּעִּישְׁלְּעִישְׁלְּעִּישְׁלְּעִּישְׁלְּעִישְּיִּעְּיִּישְׁלִּעְּעִּישְׁלִּעְּעִּישְׁלְּעִישְׁלִּעְּעִּישְׁלִּישְׁלִּעְּיִּעְּיִּעְּיִישְׁלְּעִּישְׁלִּעְּיִישְׁלְּעִּיִּעְּיִּישְׁלְּעִישְׁלִּישְׁלִּישְׁלִּישְׁלְּעִישְׁלִּישְׁלִּישְׁלִּישְׁלְּעִישְׁלְּעִּיִּישְׁלְּעִישְׁלִּישְׁלִישְׁלִישְׁלִישְׁלִּישְּיִּיּעִישְׁלִּישְׁלִּישְׁלִּישְׁלִּישְׁלִישְׁלִּישְּיִישְׁלִּישְׁלִּישְׁלִּישְׁלִּישְׁלִּישְׁלִּישְׁלִּישְׁלִּישְׁלִּישְׁלִּישְׁלִּישְׁלִּישְׁלִּישְׁלִּישְׁלִּישְׁלִּישְׁלִּישִּׁישִּיּישְׁלִּישִּיּישִּיּישְׁלִּישִּיּישִּיּישִּישְׁלִּישִּיּישְׁישִּיּישִּישְׁיִּישְׁלִּישִּישְּיִּישִּיּישִּיּישְּׁישִּיּישִּיּי

Informal
Coordination
Score: 5

Israel's government system is greatly influenced by informal coordination mechanisms such as coalition obligations and internal party politics. However, due to its highly fragmented party system, it is hard to determine whether they support or undermine formal mechanisms of inter-ministerial coordination. While coordination between like-minded parties may be made easier by the situation, fragmentation may result in stagnation over disputed policies.

#### Citation:

Blander, Dana and Ben Nur, Gal, "Governmental coalitions: A steering mechanism in the political system", in The political system in Israel 2013: http://www.idi.org.il/סירפסה/בירפסה/באצוה/בירמאלופה-תכרעמה/היטרקומדל (Hebrew).

"Annual report 61 for the year 2010: Treatment of prolonged inter-ministerial disagreements," The State Comptroller office website (Hebrew)

"Coalition management", the Knesset website: http://main.knesset.gov.il/About/Lexicon/Pages/coalition-management.aspx (Hebrew)

### **Evidence-based Instruments**

RIA Application Score: 2

The government approved a decision to install a regulatory impact assessments model, but it is still in its early stages.

### Citation:

"Report from the committee for improving regulatory mechanisms in Israel and reviewing interfaces between various regulators in the market", official report (April 2013).

Quality of RIA Process Score: 2

The government has not started implementing regulatory impact assessments.

Sustainability Check Score: 2 The government has not started implementing regulatory impact assessments.

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### Societal Consultation

Negotiating
Public Support
Score: 6

The critical role of civil society during the military operation "Cast Lead" in 2008 and the growing third sector in Israel inspired government decision 3190 for the pursuit of more societal consultation and inter-sectoral cooperation in the policy formation process. Civil protests in 2011 brought the issue of social dialogue to the forefront once more, with public complaints over obscure government budgetary procedures as well as internal pressure from parliamentary members to increase information sharing and transparency. This trend was only partially implemented, mainly by the establishment of a yearly roundtable event in which invited representatives discuss current and future government policies, the launch of designated "open" governmental websites and increased participation of non-governmental organizations (NGOs) in policy debates. As the third sector and alternative media outlets gain a stronger voice in Israeli society, consultations could gain more clout than they currently hold.

#### Citation:

Limor, Nissan and Avishai, Libat, "Separately and together: Structuring a relationship of cooperation between government and civil society organizations", JDC publication 2013 (Hebrew).

"Round table interface: Three years summary," PMO official brochure (August 2011) (Hebrew)

"Israeli government, civil society and business community", PMO policy paper (February 2008) (Hebrew)

Shapira, Asaf, "Who privatized my country?," IDI website (March 2010) (Hebrew) Trachtenberg report website (Hebrew)

"The round table and the tri-sectoral discourse," Civil leadership website (Hebrew)

## **Policy Communication**

Coherent Communication Score: 7 By law, the Prime Minister's Office (PMO) supervises and coordinates activity between government ministries through a designated division. However, annual reports from the State Comptroller reveal major shortcomings in ministerial coordination, emphasizing the mutual tension and recrimination between ministries. Contradictory proclamations from different ministries are not uncommon, resulting from political power struggles within the coalition as well as from the treasury's stronghold on ministerial budgets and practices. In recent years, there has been a shift toward creating a more "open" government and improving the government's communications vis-a-vis the third sector and the public as well as within the government itself. The new emphasis on sharing and transparency has somewhat ameliorated the technical aspect of the divides, but its influence over communicating policy is still uncertain.

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#### Citation:

Ravid, Barak and Lis, Jonathan, "After criticizing the government: Netanyahu fires deputy minister of security Danon", Haaretz 15.7.2014: http://www.haaretz.co.il/news/politi/1.2377994 (Hebrew).

"Open government partnership: Progress report on action goals", Official state publication (October 2013) (Hebrew).

"Special report regarding the Mount Carmel Forest fire – December 2010 oversights, failures and conclusions," the state comptroller website 20.6.2012 (Hebrew)

"The governmental guide for sharing: A model for inter-ministerial cooperation", Official state publication September 2013 (Hebrew).

"The Prime Ministers Division for Coordination follow up and Control," PMO's website

### Implementation

Government Efficiency Score: 7 In accordance with government decision 4085, the Prime Minister's Office (PMO) publishes yearly working plans for line ministries. The yearly plan for 2014 is the first to also publish detailed benchmarks for policy goals. However, as it does not show progress for previous years, it is difficult to track long-term progress. Prominent topics on the government's agenda in recent years such as the housing supply, the cost of living, the unrecognized settlements for the Bedouin population and illegal immigration did not reach visible resolutions or substantial achievements.

The Israeli central bank's periodic evaluations show that the Israeli government performs fairly well in most economic criteria such as inflation, unemployment and crisis aversion. However, the growing deficit is seen as a cause for concern, especially considering the high cost of the "Protective Edge" military operation and further political commitments for social expenditures in 2015. While the Israeli government has been modestly efficient in achieving its policy goals, it has done so by resorting to a highly disputed emergency law (the Arrangements Law) instead of through regular legislation.

### Citation:

"Aspects of planning, measurements and control in government proposals brought to government's discussion", September 2008 (Hebrew)

"Book of working plans 2014," PMO website (March 2014) (Hebrew)

"Deputy chancellor of the Bank of Israel, Dr. Karnit Flug, in the agenda forum meeting: where are we in achieving social-economic government goals?", Bank of Israel website 16.4.2012 (Hebrew)

"Financial stability report", Bank of Israel, June 2014 (Hebrew).

"Hok Ha-Hesderim," The Knesset website (Hebrew)

"Monitory policy report 2014 - first half", Bank of Israel website 4.8.2014:

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http://www.boi.org.il/he/NewsAndPublications/RegularPublications/Pages/doch-mm/IMF201401h.aspx (Hebrew)

"Yearly report 64a", State Comptroller official publication 15.10.2013: http://www.mevaker.gov.il/he/Reports/Pages/113.aspx (Hebrew)

Ministerial Compliance Score: 7 Influences from the OECD and global best practice methods have changed Israel's organization of government in recent years. Values of transparency, planning, comparability and supervision from a designated unit in the Prime Minister's Office (PMO) were introduced, arguably improving implementation to the overall government program by increasing ministerial accountability visavis the government and the public. These new actions accompany more traditional methods to better compliance such as weekly cabinet sessions and inter-ministerial roundtable events.

Structural elements contradict this trend by imposing centralization. The government's budget process essentially undermines the authority of individual ministers by creating a negative incentive for cooperation and forcing ministers into a more combative stance against each other. The Arrangements Law (which includes bills and amendments specifically aimed at restricting expenditures and achieving economic goals) is another bold expression of the additional power given to the budget department of the Ministry of Finance. This bill is often used to cancel or negate reforms or legislation already passed by other ministries, thus undermining their commitment to the government's program.

### Citation:

Blander, Dana, "Hok Ha-Hesderim: Necessary evil or necessarily evil?," IDI website 14.1.2007 (Hebrew)

Salonim, Ori, "Measuring performance in the public service," The eleventh annual Hertzliya conference official publication (Hebrew)

"Book of working plans 2014," PMO website (March 2014) (Hebrew)

Monitoring Ministries Score: 7 The "Basic Law: The Government" establishes the prime minister's responsibility over the government's advancement of policy goals. This includes monitoring and guiding the work of appointed line ministers and directing their respective offices. In recent years, the Prime Minister's Office (PMO) introduced the best practice reform elements of transparency, sharing and benchmarking, which have improved systematic monitoring over ministries. A special committee formed to review the PMO noted the office's professional weakness when facing recommendations from the ministries of finance and defense, aggravated by the PMO's tendency to take on the executing responsibility of weaker ministries such as welfare and health, thus expanding its workload. Gradual change commenced with the establishment of three new professional units in the PMO, each in charge of monitoring related ministries, but future steps are uncertain.

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#### Citation:

"The committee to review the PMO's", Official state publication (February 2012) (Hebrew).

"Reorganization of structure", Civil Service Commissioner information booklet No. 2, October 2012: http://www.csc.gov.il/DataBases/NewsLetters/newsletter2/Pages/MattePMO.aspx (Hebrew).

Monitoring Agencies, Bureaucracies Score: 7 As in many other western countries, the Israeli government is undergoing a process of agencification and outsourcing in recent decades in order to enhance its regulatory functions and retract its role in direct public provision. While ministries connections with agencies and NGOs are restrained by contractual agreements as well as by financial and legal oversight on conduct, the content and quality of services are not under similar appraisal. Thus, while most ministries sufficiently monitor their respective agencies, some ministries - notably education and welfare - are criticized for failing to implement government policies by effective monitoring of services. Various government committees and reports issued recommendations to improve professional and organizational capabilities of ministries but as of yet there is no clear comprehensive plan to deal with such failures.

#### Citation

Dagan-Buzaglo, Noga, "Aspects in privatization in the education system", Adva center 2010. (Hebrew)

Detal, Lior, "The Ministry of Education inc.: This is how hundreds of private bodies receive some 11 billion shekels", the Marker 5.10.2014:

 $http://www.themarker.com/news/education/1.2450395\ (Hebrew).$ 

Haber, Carmit, "Managerial culture blocks to implementing open government policy," The Israel democracy institute (March 2013) (Hebrew)

Limor, Nissan, "Regulation and oversight over third sector organizations", Social security no. 70 (2005),159-187.

Koren, Ora, "Reform in the public sector: The ministry of Treasury's authorities will be restrained, employees will receive incentives," TheMarker website 9.8.2012 (Hebrew)

"Public service provisions using outsourcing", JDC publication. (Hebrew)

"The Ministry of Health", in Annual report 63c for 2012, the State Comptroller publication 8.5.2013: http://www.mevaker.gov.il/he/Reports/Pages/114.aspx?AspxAutoDetectCookieSupport=1 (Hebrew)

Task Funding Score: 6

Local authorities have three main types of income: local taxes (property tax, fines, tolls) earmarked to finance local services, government funds designated for social and educational services, and governmental balancing grants for basic services that weak local authorities are unable to fund. The government's budgeting procedure for local government is clearly articulated and includes progressive budgetary support. Over the years the Ministry of the Interior expanded its oversight over local authorities, as issues of politicization, corruption and management failures resulted in unwieldy deficits or even municipal bankruptcies. Research focusing on social services show that

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although Israel funding levels are comparable to other OECD countries, its local authorities receive less government funds when taking into account the proportion of responsibilities the government delegates to the local level.

#### Citation

Ben Basat, Avi and Dahan, Momi, "The political economy of local authorities," IDI website 2009 (Hebrew)

Saada, Aria, "Ombudsman's report 572: Budgeting social services for local authorities equality lacking," Abiliko website 9.7.2010 (Hebrew)

Ben Basat, Avi and Dahan, Momi, "Strike in local authorities," IDI website 15.1.2012 (Hebrew)

Dahan, Momi, "Why do local authorities hold back pay?," IDI website 15.11.2009 (Hebrew)

Ben-Bassat, Avi, Dahan, Momi, and Klor, Esteban F., "Representativeness and efficiency in local government", Jerusalem: IDI 2013, introduction summary in English: http://en.idi.org.il/media/2464644/Representativeness-Abstract.pdf

"Instructions for local authorities' budget frame proposal for the year 2012," Ministry of Interior website (Hebrew)

Constitutional Discretion Score: 5

The legal framework for local governance is based on the "ultra vires" principle, according to which local government is only authorized to act within the parameters designated by law. While local government is elected and some stronger municipalities are able to expand their influence of policy, often times it acts merely as a local branch for implementing central government policy. In light of frequent problems of corruption, management failures and over politicization during the 1990s, the Ministry of the Interior expanded its oversight over municipalities, allowing the ministry to appoint permanent outside accountants, cancel an approved budget and even dissolve the council and nominate a professional alternative. These steps of centralization are intentional and constitutional, and often prevent local autonomy.

### Citation:

Hayman-rysh, Noami, "Changes in the status of local government," IDI website, October 2008 (Hebrew)

"Municipalities law: Position paper," IDC, December 2011 (Hebrew)

"Government legal proposal 292," Official legal records 1997 (Hebrew)

National Standards Score: 7 The provision of local services in Israel is dispersed between many agents, including local authorities, NGOs, government and municipal corporations and institutions such as public and private hospitals. The bulk of social services is provided by local authorities proportionally funded according to their revenues and share of dependents. While some local authorities fair well and offer supplementary social support, weaker local authorities such as largely Arab or Jewish-orthodox municipalities struggle to maintain government standards. This incited the expansion of the central government's authorities during the 2000s, authorizing the Ministry of the Interior to closely supervise and even to dissolve

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councils that fail to deliver proper services, at the cost of democratic local representation. Another solution has been the advancement of service treaties in local authorities which aim to standardize local services used by residents while informing residents of their rights and the level of general services in their city or town. A branch of the Ministry of the Interior reviews this process with pilot cities showing positive results.

The privatization of social services continues to exhibit problems as weak social ministries struggle to regulate the quality and content of care. Several reports on education services point to ideological conflicts and poor management as well as an increase in the share of privately financed activities and consequent inequality. In 2014, following the recommendations of a special committee on the state of health services, the regulation on all hospitals was transferred to a new authority in order to prevent conflicts of interest in the management of governmental hospitals. Like health services, other policy arenas are expected to undergo restructuring in order to strengthen regulation and insure standards are met.

#### Citation:

Arlozerov, Meirav, "First achievement for the German committee: The government will approve the establishment of a regulatory authority over hospitals", TheMarker 25.5.2014: http://www.themarker.com/news/health/1.2330341 (Hebrew)

Bersler-Gonen, Rotem, "Service treaty in local government in Israel - review," Ministry of the interior website (December 2011) (Hebrew)

Dagan-Buzaglo, Noga, "Aspects in privatization in the education system", Adva Center 2010. (Hebrew)

Detal, Lior, "The Ministry of Education inc.: This is how hundreds of private bodies receive some 11 billion shekels", TheMarker 5.10.2014: http://www.themarker.com/news/education/1.2450395 (Hebrew).

Paz-Fuchs, Amir and Bensimhon-Peleg, Sarit, "On the seam between the public and the private: privatization and nationalization in Israel: Annual report 2013", The Van Leer Jerusalem Institute, 2014 (Hebrew)

Specktor, Shiri, "Social rights and personal social services in Israel", The Knesset Research Center 21.10.2010:

http://www.knesset.gov.il/mmm/data/pdf/m03158.pdf (Hebrew)

"Local government in Israel," Knesset website (Hebrew)

"On nominated councils and democracy," Hithabrut website (NGO) (Hebrew) Local government in Israel, Knesset website: http://www.knesset.gov.i l/lexicon/eng/LocalAuthorities\_eng. htm

### Adaptablility

Domestic Adaptability Score: 7 Following OECD and academic recommendations, the Israeli government advances various administrative reforms regarding regulatory burdens, decision-making and long-term planning. Periodic progress reports show gradual

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improvement in the dissemination of information as well as in decision-making. The government continues to adapt its domestic structures to international and supranational developments in an ongoing and constructive process.

#### Citation:

"OECD economic surveys: Israel", OECD publication (December 2013).

"Progress report on the implementation of the OECD recommendations: Labor market and social policies," Ministry of industry, trade and labor official report (June 2012)

"Working plans book for 2014", official state publication (March 2014) (Hebrew).

International Coordination Score: 5

As part of OECD accession in 2010, Israel pursued the creation of government agencies designed to coordinate, enforce and monitor administrative changes. Reforms aiming to improve inter-ministerial cooperation and reinforce policy monitoring are still at early stages of implementation and have not yet stood the test of an international policy aimed at a global public good. A 2011 report examined Israel's global cooperation in research and development (R&D), looking at the country's administrative and economic capabilities. It found that while Israel is considered to be a leading R&D actor worldwide, advancement of coordination, accessible information and standardization capabilities is warranted.

### Citation:

Kaufman, Dan and Marom, Yael, "Evaluation of international cooperation programs in R&D in Israel," The Jerusalem Institute for Israel Studies (May 2011) (Hebrew)

"Israel in the OECD," Minister of Treasury formal report (2010) (Hebrew)

"Progress report on the implementation of the OECD recommendations: Labor market and social policies," Ministry of Industry, trade and labor official report (June 2012)

## Organizational Reform

Self-monitoring Score: 7 The Israeli government installed various institutions, both internal and external to the executive branch, in order to monitor its activities and performance regarding issues such as procedures, financial transfers and human resources. For example, the Accountant General regularly audits financial decisions in ministries and the civil service commission ensures internal due process and oversees human resources. The Prime Minister's Office (PMO) monitors the implementation of the State Comptroller's recommendations as well as the internal accounting units in each ministry. Supplementary mechanisms for self-regulation include protocols and guidelines governing daily practice.

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#### Citation:

"Notice number 3", Civil service commission website (Hebrew)

"About: Civil Service Commission", Civil service commission website (Hebrew)

"About: the Accountant General", Ministry of finance website (Hebrew)

"About the Inspection General for State Comptroller Affairs", PMO website (Hebrew)

"Information security management and survivability of Internet and computer infrastructure for government offices", state comptroller yearly publication 63b 2013: http://www.mevaker.gov.il/he/Reports/Report\_95/8e003e9a-3404-4626-a2ab-eddb638549ed/8254.pdf (Hebrew)

"Rules, procedures and guidelines for CEOs in the civil service", Civil service commission 2013: http://www.csc.gov.il/DataBases/Rules/Documents/BrochureCEOs.pdf (Hebrew)

"The internal audit law 1992", Official legislation (Hebrew)

Institutional Reform Score: 7 Reforms regarding government planning, regulations, innovation, information sharing and performance evaluation are based on principles of decentralization, privatization and regulation. While various structural reforms are pursued in order to improve decision-making in the interest of the common good, some elements of government administration still preform insufficiently, including overly complex bureaucratic arrangements. As seen in the case of local municipalities, modern management tools and monitoring agencies are still unable to effectively tackle entrenched political attitudes or centralist organizational culture, while designated authorities and cabinets bypass the formal structure in order to accelerate the planning process.

### Citation:

Arlozerov, Merav, "Israeli government; The reform that will end the Treasury's single rule; Will lose a major part of its authorities," TheMarker 13.2.2013 (Hebrew)

Vigoda, Eran and Penny, Yuval, "Public sector performance in Israel" (October 2001), (Hebrew)

"Employing and management in the public service", Conference in the name of Eli Horovitz 2013: https://www.idi.org.il/media/2803303/public%20service%20b.pdf (Hebrew)

"The CEO of the social-economic cabinet approved the establishment of an authority for technological innovation", Minister of the Economy website 15.9.2014: http://economy.gov.il/Publications/PressReleases/Pages/CabinetForTechnologicalInnovation.aspx (Hebrew)

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# II. Executive Accountability

### Citizens' Participatory Competence

Policy Knowledge Score: 8 Compared to other countries, Israeli citizens show high levels of interest in politics. In a 2013 survey, 66.1% of respondents characterized themselves as "very interested" or "somewhat interested". Israel also has one of the region's highest rates of internet usage (71% in 2013) and a lively, pluralistic and independent news media. While Israeli citizens continuously exhibit high levels of engagement, this does not automatically translate to knowledge and information regarding policymaking. In recent years, the government expanded its efforts toward policy transparency by broadcasting parliamentary sessions and publishing special reports and yearly audits as well as yearly plans online. In 2011, Israel joined the Open Government Partnership and was recognized the following year by a United Nations survey for making outstanding progress in the area of e-government. Equally contributive to public discourse is the work by academia and NGOs offering their insights on policy initiatives and implementation through official reports, conferences and debates in social networks.

### Citation

Ahren, Rephael, "Israel wins UN prize for 'outstanding progress' in E-government," The Times Of Israel 2012 (Hebrew)

Herman, Tamar et al. "The Israeli Democracy Index 2013," Israel Democracy Institute (2013): http://www.idi.org.il/media/2720078/Democracy%20Index%202013.pdf

 $\hbox{``Israel: Freedom of the press 2014'', Freedomhouse: http://www.freedomhouse.org/report/freedom-press/2014/israel\#.VEjqKiueWro.}$ 

"Joining the Open Government Partnership and the nomination of the 'Open Government Israeli Forum'", Prime Minister Office website 2012 (Hebrew)

"The media and public trust in the political system," Israel Democracy Institute (2010) (Hebrew)

"2014 work plans," Prime Minister Office website (Hebrew)

### Legislative Actors' Resources

Parliamentary Resources Score: 8 Two major elements are meant to strengthened the Knesset's position relative to the executive branch: the Knesset's legal advisory department and the Knesset research center. The Knesset's archive and library are also used to monitor the government's major activities and each member of parliament (MP) is entitled SGI 2015 | 54 Israel Report

to employ two assistants, who often engage in independent research on behalf of their employer. The legislators' oversight capabilities have also been aided by recent government reforms making information more accessible, and by information provided by outside experts and lobbyists.

However, the Israeli executive still tends to operate in a centralist and nontransparent manner, especially regarding budget and finance. The Arrangements Law is a prime example of this problem, as it is widely agreed that this legislative package is too complex to allow Knesset members to develop an understanding of its ramifications in the time and conditions provided for the vote. In 2013, a MP filed a suit against the Ministry of Finance claiming it de facto revoked the budget plan by using unapproved financial transfers. The Supreme Court instructed both sides to seek solutions outside of the courts.

#### Citation:

Ben-David, Lior, "A comparative survey on the status, function and employment conditions of parliamentary assistants," Knesset research institute 4.11.2004 (Hebrew)

Shapira, Asaf, "A decade to the Knesset's research and information center," IDI website (September 2010) (Hebrew)

Zerahia , Zvi, "The treasury is deliberately holding out information from PMs so we can't supervise it", TheMarker 7.1.2014: http://www.themarker.com/news/1.2210843 (Hebrew)

"Correction: Debate on 'Hok Ha-Hesderim 2013," Open Knesset website (Hebrew)

"Information and research in the Knesset," Knesset website (Hebrew)

"In the Knesset corridors," IDI website (September 2010) (Hebrew)

"Is Bagatz mocking the petition against the treasury?", Globes website 18.6.2014: http://www.globes.co.il/news/article.aspx?did=1000947260 (Hebrew).

Obtaining
Documents
Score: 7

According to Israel's basic laws the executive must provide information to Knesset committees upon request, unless information is considered confidential. However, the law contains no specific provisions for enforcement in cases of insufficient or inaccurate information. Thus, the parliament has only general or disproportionate means of response, such as passing a motion of no confidence. This option does not provide a solution to more mundane problems, such as receiving reliable information from the government.

### Citation:

Fridberg, Chen, "The Knesset committees from an oversight perspective: Chronicle of a failure foretold?", Studies in Israel's revival 20 (2010) 49-79: http://in.bgu.ac.il/bgi/iyunim/20/a3.pdf (Hebrew)

Zerahia , Zvi, "The treasury is deliberately holding out information from PMs so we can't supervise it", TheMarker 7.1.2014: http://www.themarker.com/news/1.2210843 (Hebrew)

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Summoning Ministers Score: 7 Parliamentary committees are able to summon ministers. According to the "Basic Law: The Knesset", every committee may require a minister to appear before it, and the minister is obliged to attend the meeting or send a representative to provide the required information. Officials that are invited by committees generally attend meetings as requested. However, ministers and other public figures do occasionally refuse requests or provide insufficient information. Committees have no real power to enforce sanctions in these cases. Moreover, they are not currently authorized to force a minister to provide information at a set date in order to better prepare for meetings, causing periodic conflicts between the Knesset and the government.

#### Citation:

Lis, Jonathan, "Instead of an investigation committee, a decoration committee: In the Knesset they are jealous of American congress", Haaretz 7.9.2014: http://www.haaretz.co.il/news/politi/.premium-1.2426295 (Hebrew)

"The Legislature's Authority to Inquire Information, and the Obligation to Provide True Information," Knesset Research and Information Center (December 2002). (Hebrew)

Summoning Experts
Score: 9

Parliamentary committees are entitled to invite experts or any interested civilian to meetings, as described in Section 6 of the Knesset regulations. However, these figures are not obligated to attend, as opposed to civil servants or representatives of the executive. In addition, independent experts are not compelled to answer committee members' questions. Their testimony does not hold as evidence, and has no official status. Nevertheless, citizens who appear before Knesset committees are generally interested in voicing their opinions in order to transmit their viewpoints to decision-makers and the public. In such cases they usually choose to cooperate.

### Citation:

Freidberg, Chen and Atmor, Ronen, "How to improve the Knesset's position as a legislator and a supervisory body?" The Israel Democracy Institute 2013: http://www.idi.org.il/media/2438022/00321913.pdf (Hebrew).

Shapira, Asaf, "Citizens in the Parliamentary Committees," The Israel Democracy Institute, (September 2010). (Hebrew).

"The authority of the legislature to inquire information, and the obligation to provide true information," Knesset Research and Information Center (December 2002). (Hebrew).

Task Area Congruence Score: 5 Knesset committees are currently ill-structured to efficiently monitor the government. The structure of the ministries and the parliament's committees diverges significantly. The Knesset has 12 committees, while the number of ministries shifts according to political agreements (currently 22 ministries). In addition, since parliamentary committees are divided by themes and not by ministerial responsibilities they often struggle to gather and coordinate information. High turnover rates of representatives also makes it difficult to control professional and bureaucratic information. Although the number of committees is average in international comparison, the combination of a small

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number of PMs (120) and the usually wide coalitions results with only two thirds of all PMs available to sit on committees regularly. Some members of the Knesset may find themselves sitting on 5 to 6 committees, inevitably impairing the committees' supervisory capabilities.

### Citation:

Freidberg, Chen, "Monitoring of the executive by the parliament in Israel - potential and function," Doctoral Dissertation (2008) (Hebrew).

Freidberg, Chen and Atmor, Ronen, "How to improve the Knesset's position as a legislator and a supervisory body?" The Israel Democracy Institute 2013: http://www.idi.org.il/media/2438022/00321913.pdf (Hebrew).

Kenig, Ofer, "The new Israeli cabinet: An overview of the 33rd government of Israel," Israel Democracy Institute. (March 2013).

Kenig, Ofer, "Coalition building in Israel: A guide for the perplexed," Israel Democracy Institute. (February 2013).

Knesset Committees, The Knesset Site

Audit Office Score: 9 The Knesset's auditing functions are divided between three main institutions: the state comptroller, the state auditing committee and the Knesset internal auditing department (with the state comptroller being independent and legally anchored in a basic law that acknowledges its importance). The Knesset committee for state auditing is in charge of following up on reports issued by the state comptroller. While the state comptroller enjoys independence and adequate resources, it does not hold sanctioning power. Instead, its mandate ends with submitting its findings and the establishment of an advisory committee for implementing its recommendations in the audited office. Its responsibility to audit financial contributions during elections, however, is accompanied by external judicial sanctioning.

The law establishes the state comptroller as exclusively accountable to the Knesset. Accordingly, while the Judiciary's budget is determined by the treasury and the Ministry of Justice, the state comptroller's budget is allocated by the Knesset's finance committee. Some argue that the state comptroller could benefit from further institutional independence since, for example, current arrangements allow the Knesset to request an investigation into a specific area. While understandable, this may undermine the office's ability to set an independent agenda and strategic yearly plans.

### Citation:

Avital, Tomer, "The State Comptroller: In recent years there has not been actual auditing of the Knesset's administration", Calcalist 11.5.2010: http://www.calcalist.co.il/local/articles/0,7340,L-3404250,00.html (Hebrew).

Tamir, Michal, "The State Comptroller: A critical look," Israel Democracy Institute. (2009). (Hebrew).

The State Control committee, The Knesset website

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The State Comptroller and ombudsman's speech, Herzliya Conference website, (February 2012). (Hebrew).

Text of the basic law: State Comptroller (English)

Ombuds Office Score: 8 The State Comptroller also serves as the state ombudsman. Under this role, the office is authorized to investigate complaints raised by the public regarding ministries, local authorities, state institutions and government corporations. Citizens may file a complaint free of charge if they believe that they were directly or indirectly harmed by an act or an activity of the government; if an act is against the law, without lawful authority, or violates principles of good governance; or if an act is unduly strict or clearly unjust. The number of complaints submitted under this provision has risen every year. Their volume nearly doubled between 2005 and 2013. In 2013, more than 14,000 complaints were submitted, with 31.6% deemed justified after review. The office is internally audited on a yearly basis with the results accessible online.

#### Citation:

"The Ombudsman yearly review number 40 for 2013", The State comptroller website: http://www.mevaker.gov.il/he/Reports/Pages/251.aspx?AspxAutoDetectCookieSupport=1 (Hebrew)

The State Comptroller and the Ombudsman official website: http://www.mevaker.gov.il/sites/Ombudsman/Pages/default.aspx?AspxAutoDetectCookieSupport=1 (Hebrew).

### Media

Media Reporting Score: 7

The Israeli media industry is adapting to the global trend of decreased consumption of print and radio news media and the increased dominance of television, internet and social media websites. While Israeli media was joined in recent years by strong independent investigatory websites and blogs which gained considerable attention in professional and public circles, new popular outlets such as the free daily "Israel ha'yom" often times fail to deliver in-depth news coverage. Despite common tendencies to focus on the prominent and popular topics of the hour, the Israeli press, public television channels and radio shows do offer interpretation and investigatory journalism that inform the public regarding policy decisions and long term strategies. In 2011, a law dramatically increasing the amount of damages for libel suits raised concerns about the future of the free press as an investigatory arena. A current bill proposal seeks to respond to this danger by establishing a national fund to cover legal expenses for journalistic work. The bill passed first call in the parliament and is awaiting further discussion.

### Citation:

Goldenberg, Roi, "'the seventh eye' website won the Israeli prize for critical media", Globes 28.1.2013: http://www.globes.co.il/news/article.aspx?did=1000817765 (Hebrew)

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Mann, Rafi and Lev-on, Azi, "Annual report: Media in Israel 2012 - agendas, uses and trends", Ariel University School of Communication The Institute for the Study of New Media, Politics and Society In cooperation with IFAT and Kantar Media (June 2013): http://aunmedia.org/sites/default/files/research/mediareport2012.pdf (Hebrew).

Persisco, Oren, "Restraint and prudence", The seventh eye website: http://www.the7eye.org.il/9774 (Hebrew).

### **Parties and Interest Associations**

Intra-party
Democracy
Score: 7

The 12 parties that won seats in the Knesset in 2013 demonstrate varying levels of intra-party democracy, with three of the four largest parties exhibiting a high level of inclusiveness in their internal decision-making processes. The Israel Democracy Institute (IDI) issued a Party Democracy Index, a mechanism that allows voters to evaluate the degree of internal democracy practiced by political parties. In this assessment, the longstanding rightist Likud party and the Labor party (Havoda) were ranked top. The newly formed The Jewish Home (Ha'Bayit Ha'Yehudi, HH) traditionalists party was ranked fourth, and the centrist Yesh Atid (YA) party, which won second place in the general elections, was ranked tenth among 18 parties.

The Likud, Labor and HH parties all chose their candidates through primary elections. In this internal election process, registered party members are given the right to choose Knesset candidates. However, the parties that use this method condition primary participation by a minimum time frame of membership. The Labor, Likud and HH parties also have elective representative institutions that take part in decision making such as selecting the parties' representatives in the government, voting whether their parties will join or leave a governing coalition, and conduct debates over policy matters.

Although YA party allows some extent of consultation with party members, important decisions are made by top ranking members. For example, according to the party's regulations, the party's leader and founder, will remain leader until the end of the 20th Knesset. Moreover, the regulations authorize the party's leader to decide on the most important personnel issues, such as the list of electoral candidates. He also holds considerable power within the party's institutions, thus retaining significant influence on its policy.

### Citation:

Kenig, Ofer and Shapira, Assaf, "Primary Season in Israel," Israel Democracy Institute, 2012.

"Likud's Constitution," Likud Website (Hebrew).

"The Party Democracy Index," Israel Democracy Institute, 2013. http://en.idi.org.il/projects/government-structure/political-reform/the-party-democracy-index/

"The Party's Institutions," Labor website (Hebrew).

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"Yesh Atid Party's Regulation," Yesh Atid Website (Hebrew).

"Our principles", Habayit Hayehudi Party website, http://www.baityehudi.org.il/our-principles/ (Hebrew), http://baityehudi.org.il/englp/our.htm (English).

Association Competence (Business) Score: 8

Israel has a vibrant business community that often interacts with government departments and Knesset representatives in order to advance its agenda. At least three major business groups – the Federation of Israeli Chambers of Commerce, the Manufacturers' Association of Israel and the Chamber for Coordination Between Financial Organizations – actively pursue policy goals through legal, regulatory or project-based perspectives. All three take part in conferences, perform independent research and publish their agendas. Recent publications include a plan to induce business growth and create more jobs, an analysis of annual Israeli industry trends and recommendations for government financial policy. Business organizations also cooperate with academics and research institutions to produce research, and some business-oriented think tanks exist. In general, Israeli businesses are well represented in the political sphere, and most economic interest associations are highly capable of formulating relevant policy proposals. However, Arab entrepreneurs' voices and influence in these associations is weak. Particularly for establishing technology-driven companies, Arab businessmen are confronted with many structural obstacles. Local and foreign analysts demonstrate that Arabs are key for Israeli economic growth but the Arab economy still lacks appropriate business encouragement programs by the Israeli government.

Bassok, Moti, "Heads of business sector presented Fisher with a plan to up product by 3%," TheMarker website, 18.2.2013 (Hebrew)

Magar, Oren, "The small business sector to the Minister of the economy: These are the solution we need," TheMarker website 10.4.2013 (Hebrew)

"Israeli industry status report, trends and predictions 2012-2013," The Manufacturers Association of Israel website, March 2013 (Hebrew)

"The chamber for coordination between financial organizations," Maot website (Hebrew)

The Israeli Chamber of Commerce website

"Gov't failing Israel's Arabs on high tech jobs", 2014 Israel Business Conference, Globes, 10.12.2014, http://www.globes.co.il/en/article-govt-failing-is raels-arabs-on-high-tech-jobs-1000992586.

Miller, Elhanan, "Finance minister says government has failed Arabs", Times of Israel, 24.02. 2014, http://www.timesofisrael.com/finance-minister-says-government-has-failed-arabs/.

Association Compentence (Others) Score: 7

Noneconomic associations and NGOs organizations have become increasingly influential in recent years. Along with professional consultancy firms, they fill the gap left by the state's privatization policies. Both social and environmental SGI 2015 | 60 Israel Report

interest groups often formulate relevant policies and cooperate with government and academic bodies. Recent projects include the Alaluf Committee on poverty, as well as numerous conferences, roundtable events and publications. In 2014, the Ministry of the Interior advocated for the removal of four representatives of civic and environmental bodies that traditionally sit on a supreme national planning committee. In light of widespread protest, two representatives were reinstated, including one from the environmental lobby. While social and environmental organizations tend to advocate policy by publishing reports and policy papers, religious organizations are less prone to formulate policy recommendations regularly on arenas accessible to the public at large.

#### Citation:

Nisan, Limor, "Civil society and the third sector in Israel," IDI paper for the 10th Caesarea conference, June 2010:

http://www.idi.org.il/media/526545/%D7%97%D7%91%D7%A8%D7%94%20%D7%90%D7%96%D7%A8%D7%97%D7%90%D7%A9%D7%95%D7%95%D7%92%D7%96%D7%A8%20%D7%A9%D7%9C%D7%99%D7%A9%D7%99%D7%A9%D7%90%D7%99%D7%A9%D7%90%

Vigoda-Gadot, Eran and chaim cohen, "Privatization of policy making: One step too far?," Van Leer Institute, August 2011: http://www.vanleer.org.il/sites/files/product-pdf/niir\_emda\_eitzob\_mdiniot.pdf (Hebrew)

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