



Freedom in the World 2015 - Israel

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2015 Scores

Status: Free

Freedom Rating (1 = best, 7 = worst): 1.5

Civil Liberties (1 = best, 7 = worst): 2

Political Rights (1 = best, 7 = worst): 1

Explanatory Note:

The numerical ratings and status above reflect conditions within Israel itself. Separate reports examine the West Bank and the Gaza Strip.

OVERVIEW

Israeli-Palestinian peace talks broke off at the end of April 2014, with no agreement reached after nine months of U.S.-brokered negotiations. Escalating violence in June – including murders of Israeli and Palestinian civilians and rocket fire from Gaza – culminated in Operation Protective Edge, a 50-day conflict in July and August in which Israeli forces battled Hamas militants based in the Gaza Strip. The fighting killed some 2,200 people, nearly all of them in Gaza.

In December, growing policy differences within Israel's coalition government led Prime Minister Benjamin Netanyahu of the right-leaning Likud Party to dismiss cabinet ministers from the centrist Hatnuah and Yesh Atid parties and call for early elections. The voting was scheduled for March 2015.

POLITICAL RIGHTS AND CIVIL LIBERTIES

Political Rights: 36 / 40

A. Electoral Process: 12 / 12

A largely ceremonial president is elected by the 120-seat parliament, the Knesset, for seven-year terms. In June 2014, Reuven Rivlin of Likud was elected to replace outgoing president Shimon Peres, receiving 63 votes in a runoff against Meir Sheetrit of Hatnuah.

The prime minister is usually the leader of the largest party in the Knesset, members of which are elected by party-list proportional representation for four-year terms. A low electoral threshold to win representation has favored niche parties and led to unstable coalitions. In March 2014 the Knesset raised the threshold from 2 to 3.25 percent, with opposition parties boycotting the vote. Arab parties in particular feared that the change might cause them to be excluded entirely. The legislation also limited the number of cabinet ministers to 19, including the prime minister; eliminated minister-without-portfolio positions; changed the no-confidence procedure so that opponents of a sitting government must simultaneously vote in a new one; and altered campaign-funding rules to deter party switching or splintering after elections.

Israeli elections are free and fair. In the January 2013 Knesset elections, incumbent prime minister Netanyahu's Likud-Yisrael Beiteinu coalition led with 31 seats, followed by the newly formed Yesh Atid (There Is a Future) party with 19, the Labor Party with 15, the right-wing Habayit Hayehudi (Jewish Home) with 12, the ultra-Orthodox parties Shas and United Torah Judaism with 11 and 7, respectively, and six smaller parties with 2 to 6 seats each. Netanyahu formed a governing coalition including Yesh Atid and Habayit Hayehudi, while excluding the two ultra-Orthodox parties.

B. Political Pluralism and Participation: 14 / 16

Israel hosts a diverse and competitive multiparty system. However, parties or candidates that deny Israel's Jewish character, oppose democracy, or incite racism are prohibited. In July 2014, the Knesset Ethics Committee barred lawmaker Haneen Zoabi – a Palestinian citizen of Israel and member of the Balad party – from addressing the Knesset or parliamentary committees for six months, partly over remarks in which she argued that the abduction and murder of three Israeli teenagers in the West Bank in June was not an act of terrorism but a response to Israeli abuses.

Palestinian citizens of Israel enjoy equal political rights under the law but face some discrimination in practice. As of 2014 they held 12 seats in the 120-seat Knesset – though they constitute nearly 21 percent of the population. No Arab party has ever been formally included in a governing coalition, and Arabs generally do not serve in senior positions in government. Although Israeli identity cards have not classified residents by ethnicity since 2005, Jewish Israelis can often be identified by the inclusion of their Hebrew birth date. Calls to impose a loyalty oath have alienated Arab Israelis, though such proposals have been rejected to date.

After Israel annexed East Jerusalem in 1967, Arab residents were issued Israeli identity cards and given the option of obtaining Israeli citizenship, though most declined for political reasons. These noncitizens can vote in municipal as well as Palestinian Authority elections, and remain eligible to apply for Israeli citizenship. However, Israeli law strips noncitizens of their Jerusalem residency if they are away for more than three months. In March 2014, the Knesset passed a law with constitutional status declaring that any withdrawal from sovereign Israeli territory – including the Golan Heights and East Jerusalem, whose annexations are not recognized internationally – would require a referendum.

A 2003 law, renewed in 2013, denies citizenship and residency status to Palestinian residents of the West Bank or Gaza who are married to Israeli citizens. While the measure was criticized as blatantly discriminatory, supporters cited evidence that 14 percent of suicide bombers acquired Israeli identity cards via family reunification. A 2011 law allows the courts to revoke the citizenship of any Israeli convicted of spying, treason, or aiding the enemy.

Under the 1948 Law of Return, Jewish immigrants and their immediate families are granted Israeli citizenship and residence rights; other immigrants must apply for these rights.

C. Functioning of Government: 10 / 12

Corruption scandals in recent years have implicated several senior officials. Ehud Olmert resigned as prime minister in 2008 amid graft allegations, and was indicted in 2009. In July 2012, he was found not guilty in two major corruption cases, though he was convicted of breach of trust. In another case, Olmert was sentenced to six years in prison in May 2014 based on bribery charges dating to 2006. Separately, Yisrael Beiteinu leader Avigdor Lieberman was indicted for fraud and breach of trust in December 2012, prompting his resignation as foreign minister. He was acquitted in November 2013, allowing him to return to his cabinet post.

Israel was ranked 37 out of 175 countries and territories surveyed in Transparency International's 2014 Corruption Perceptions Index. The relative frequency of high-level corruption investigations is coupled with a strong societal intolerance for graft. Transparency International's 2013 Global Corruption Barometer survey showed that nearly all Israelis are willing to combat corruption and report violations.

Civil Liberties: 45 / 60 (-1)

D. Freedom of Expression and Belief: 12 / 16

The Israeli media are vibrant and independent, and freely criticize government policy. All Israeli newspapers are privately owned, though ownership is concentrated among a small number of companies, some of which display a clear partisan bias. Internet access is widespread and unrestricted. The Israel Broadcasting Authority operates public radio and television services, and commercial broadcasts are widely available. Most Israelis subscribe to cable or satellite television. The diversity and editorial independence of both print and broadcast media have been threatened over the past several years by financial difficulties in the industry. Print articles on security matters are subject to a military censor, and while the scope of permissible reporting is generally broad, press freedom advocates have warned of more aggressive censorship in recent years. The Government Press Office has occasionally withheld press cards from journalists, especially Palestinians, to restrict them from entering Israel, citing security considerations.

Legislation passed in 2011 requires the state to fine or withdraw funds from local authorities and other state-funded groups that hold events commemorating the 1948 displacement of Palestinians – known as Al-Nakba (The Catastrophe) – on Israeli independence day; that support armed resistance or "racism" against Israel; or that desecrate national symbols. Also in 2011, the Knesset passed the Boycott Law, which exposes Israeli individuals and groups to civil lawsuits if they advocate an economic, cultural, or academic boycott of the State of Israel or West Bank settlements, even without clear proof of financial damage. Court challenges to this law by civil rights groups were ongoing in 2014.

While Israel's founding documents define it as a "Jewish and democratic state," freedom of religion is largely respected. Christian, Muslim, and Baha'i communities have jurisdiction over their own members in matters of marriage, divorce, and burial. The Orthodox establishment governs personal status matters among Jews, drawing objections from many non-Orthodox and secular Israelis, though in 2012 a non-Orthodox rabbi won the right to receive state funding. In a milestone case in 2011, an Israeli Jew won the right to an identity card that excluded his Hebrew birth date. Nevertheless, in October 2013 the Supreme Court ruled against an appeal that would have allowed several individuals to have state-issued identity cards declare their "nationality" to be "Israeli" rather than "Jewish."

Ultra-Orthodox Jews, or Haredim, were exempt from compulsory military service under the 2002 Tal Law, which expired in July 2012 after the High Court of Justice ruled it unconstitutional. In March 2014, the Knesset enacted a law to formally end the exemption, setting the goal of enlisting 5,200 Haredim per year by mid-2017.

Muslim and Christian religious authorities are occasionally discriminated against in resource allocation and upkeep of religious sites, though the state budget officially assigns funds according to need. A controversial law adopted in February 2014 distinguished between Christian and Muslim Arabs for the first time, for the ostensible purpose of expanding a public advisory council for the Equal Opportunity Employment Commission. Citing security concerns, Israel occasionally restricts Muslim worshippers' access to the Temple Mount, or Haram al-Sharif, in Jerusalem, including during a period in late 2014 amid clashes over increased visits to the site by Jews.

Repeatedly during 2012 and into 2013, Jewish women were arrested at the Western Wall for donning prayer shawls traditionally worn by men, in violation of rules set for the location by ultra-Orthodox religious officials. The arrests ended after a district court ruled in 2013 that such prayer was legal. Negotiations on new rules for the area were ongoing in 2014.

Primary and secondary education is universal, though divided into multiple school systems (state, state-religious, Haredi, and Arab, the last of which uses the common curriculum but provides instruction in Arabic). In 2010, the government mandated the teaching of Arabic in all state schools. School quality is generally worse in mostly Arab municipalities, and Arab children have reportedly had difficulty registering at mostly Jewish schools. Periodic road closures and other security measures restrict access to Israeli universities for West Bank and Gaza residents. Israel's universities are open to all students based on merit, and have long been centers for dissent. In July 2014, a professor at Bar-Ilan University was publicly rebuked by his dean for sending an e-mail to his students expressing sympathy for victims on both sides of the Israel-Gaza conflict, a rebuke which drew objections from the Association for Civil Rights in Israel (ACRI). Similarly during the conflict, students at some universities, particularly Arab students, were reportedly subjected to monitoring and sanctions for social-media comments that were deemed offensive or extremist.

Arab Israelis more broadly faced societal and other pressure in response to their remarks on Operation Protective Edge, resulting in an infringement on open and free private discussion. Dozens were reportedly fired or disciplined by employers for views expressed on social media and elsewhere.

E. Associational and Organizational Rights: 10 / 12 (-1)

Israel has an active civil society, and demonstrations are widely permitted, though groups committed to the destruction of Israel are banned from demonstrating. Thousands of Israelis participated in social protests in 2012, following massive 2011 demonstrations over the cost of living. In 2014, protests against Operation Protective Edge resulted in dozens of arrests and interrogations, including of organizers who used social media to promote demonstrations.

A law that took effect in 2012 requires nongovernmental organizations (NGOs) to submit financial reports four times a year on support received from foreign government sources. A joint Likud-Habayit Hayehudi bill that was introduced in the Knesset in May 2014 would, if enacted, curtail foreign funding to Israeli NGOs; similar bills have previously been quashed.

Workers may join unions of their choice and have the right to strike and bargain collectively. Three-quarters of the workforce either belong to Histadrut, the national labor federation, or are covered by its social programs and bargaining agreements. Both sector-specific and general strikes are common, but they typically last less than 24 hours.

F. Rule of Law: 11 / 16

The judiciary is independent and regularly rules against the government. The Supreme Court hears direct petitions from citizens and Palestinian residents of the West Bank and Gaza Strip, and the state generally adheres to court rulings.

The Emergency Powers (Detention) Law of 1979 provides for indefinite administrative detention without trial. According to the human rights group B'Tselem, at the end of 2014, 5,528 Palestinians were in Israeli prisons (a small increase from the end of 2013), including 463 administrative detainees (a sharp increase from 150 a year earlier). 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 in 2000, but milder forms of coercion, including binding, kicking, slapping, and threatening violence against relatives, are permissible to extract security information. Hunger strikes by Palestinian detainees have become increasingly common.

According to Defence for Children International (DCI) Palestine, 152 Palestinian children were being held in Israeli detention at the end of 2014 (about the same as a year earlier), including 10 youths (down from 14) aged 12 to 15. Although Israeli military law prohibits children younger than 12 from being detained, some still were. DCI Palestine also reported that the military declined to open an investigation into any of the seven complaints the group lodged regarding treatment of Palestinian minors. Most are serving sentences of several weeks or months – handed down by a special court for minors created in 2009 – for throwing stones or other projectiles at Israeli troops in the West Bank; acquittals on such charges are very rare. East Jerusalem Palestinian minors are tried in Israeli civil juvenile courts.

Although most of the fighting and deaths in the 2014 Israel-Hamas conflict took place inside the Gaza Strip, Gaza-based militants fired thousands of rockets into Israel and infiltrated Israeli territory in some cases. In the course of the 50-day conflict, 7 civilians – including a Thai national – were killed in Israel, and 66 Israeli soldiers were also killed.

Palestinian citizens of Israel tend to receive inferior education, housing, and social services. In addition to casual racism, there are occasional calls by government leaders to discriminate. For example, during the Israel-Hamas conflict in 2014, Foreign Minister Lieberman called on his Facebook page for a boycott of Arab-owned businesses that had joined in solidarity protests with the people of Gaza.

The state's Israel Land Authority owns 93 percent of the land; 13 percent of that is owned by the Jewish National Fund (JNF-KKL). In 2005, the Supreme Court and attorney general ruled against the JNF-KKL's marketing property only to Jews, while the Knesset made several unsuccessful attempts to override those rulings. In practice, the JNF-KKL continues its Jewish-only land-leasing policy, partly as a result of a land-swap arrangement put in place in 2005 with the Israel Land Authority. In September 2014 the Supreme Court rejected a petition by the Arab legal rights center Adalah to overturn 2011 legislation that would allow Jewish communities of up to 400 residents in the Negev and Galilee to exclude prospective residents based on "social suitability," meaning they could effectively bar non-Jews and other marginalized groups.

Aside from the Druze, Palestinian citizens of Israel are not drafted, though they may volunteer. Those who do not serve are ineligible for the associated benefits, including scholarships and housing loans. About 160,000 Bedouin live in the Negev region, most in dozens of towns and villages not recognized by the state. Those in unrecognized villages cannot claim social services, are in some cases off the electricity grid, and have no official land rights, and the government routinely demolishes their unlicensed structures. A lack of bomb shelters puts them at additional risk in the context of shelling from Gaza.

Israel has sought to block asylum seekers and other migrants from Africa, erecting a fence along its border with Egypt in 2012 and 2013. Other policies are reportedly designed to encourage those already in the country – numbering up to 60,000, with the majority living in Israeli towns and cities – to return, even though most come from repressive states like Eritrea and Sudan. In

December 2014, responding to court rulings against its 2012 Anti-Infiltration Law and subsequent amendments, the Knesset passed a revised version that calls for illegal migrants to be held for three months in a detention center, then up to 20 months in an "open facility" in the desert where head counts are required once daily. Although these terms were less severe than in the previous versions, the new law increased penalties for employers of illegal migrants. Asylum applications from Eritreans and Sudanese, when fully processed, are nearly always rejected. A June protest involving nearly 1,000 asylum seekers aimed to urge the government to dismantle the detention system and transfer their asylum requests to the United Nations for potential resettlement in third countries.

G. Personal Autonomy and Individual Rights: 11 / 16

Security measures can lead to entrance delays at some public places, though military checkpoints are restricted to the West Bank. By law, all citizens must carry national identification cards. The West Bank separation barrier restricts the movement of some East Jerusalem residents. Informal local rules that prevent driving on Jewish holidays can also hamper freedom of movement.

Women have achieved substantial parity at almost all levels of Israeli society. However, Arab women and religious Jewish women face some discrimination. Many ultra-Orthodox Jewish communities enforce gender separation. In 2012, the Supreme Court ruled against gender-segregated buses. However, many women still sit at the rear of buses on certain lines, and there are occasionally violent Haredi attacks on buses where the practice is not observed, along with attacks against women and girls deemed to be dressed immodestly. Marriages between Jews and non-Jews are not recognized by the state unless conducted abroad. A law passed in 2010 permits nonreligious civil unions, but they are restricted to cases where the individuals have no religion, and they are seldom used. A more comprehensive bill on civil unions was introduced by the Yesh Atid party in October 2013, and another proposal was submitted by several Labor lawmakers in June 2014.

Israel has recognized same-sex marriages conducted abroad since 2006, and a Tel Aviv family court granted the first same-sex divorce in December 2012. Nonbiological parents in same-sex partnerships are eligible for guardianship rights, and openly gay Israelis are permitted to serve in the military. The Israeli prison service permits same-sex conjugal visits.

Both the United Nations and the U.S. State Department have identified Israel as a top destination for trafficked women. The government has opened shelters for trafficking victims, and a 2006 law mandates prison terms of up to 20 years for perpetrators. Improvements in Israel's performance on the issue led the State Department to place the country in the top ranking, Tier 1, in its *Trafficking in Persons Report* since 2012.

Around 100,000 legal foreign workers enjoy wage protections, medical insurance, and guarantees against employer exploitation. A 2011 amendment to the Israel Entry Law restricts the number of times foreign workers can change employers and may limit them to working in a specific geographical area or field.

Scoring Key: X / Y (Z)

X = Score Received

Y = Best Possible Score

Z = Change from Previous Year

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