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Freedom of the Press 2012 - Israel

2012 Scores

Press Status: Free

Press Freedom Score: 30

Legal Environment: 7

Political Environment: 15

Economic Environment: 8

Israel enjoys a lively, pluralistic media environment in which press freedom is generally respected. But due to ongoing conflicts with Palestinian groups and neighboring countries, media outlets are subject to military censorship, and journalists sometimes face travel restrictions. The year 2011 featured some worrying developments, including increased political pressure on critical media outlets.

Legal protections for freedom of the press are robust. While the country's basic law does not specifically address the issue, the Supreme Court has affirmed that freedom of expression is an essential component of human dignity. The legal standing of press freedom has also been reinforced by court rulings citing the principles laid out in the declaration of independence. In November 2011, a controversial proposed amendment to Israeli libel laws passed its first reading in the Knesset, despite vocal objections from members of both the ruling coalition and the opposition. The amendment seeks to raise compensation for libel to 300,000 shekels (\$84,000), six times the amount currently prescribed by law, even without proof of damage. The court will be allowed to double the compensation to 600,000 shekels if it is convinced that the libel caused damage. Critics of the proposed amendment believe it will hamper press freedom by making newspapers far more cautious about printing controversial stories on public figures, for fear of financial losses.

Hate speech and publishing praise of violence are prohibited, and the 1948 Prevention of Terrorism Ordinance bans expressions of support for terrorist organizations or groups that call for the destruction of Israel. Publishers are required to obtain a license from the Interior Ministry to operate a newspaper, while broadcasters are covered by a separate regulatory regime. The Government Press Office (GPO) requires journalists operating in Israel to have proper accreditation to attend official press conferences, gain access to government buildings, and pass through Israeli military checkpoints. In January 2011, the Committee to Protect Journalists (CPJ) accused security officers of "humiliating" a number of foreign journalists who were invited to an annual conference with the prime minister, citing extremely intrusive physical examinations of journalists from the *Wall Street Journal* and Qatar's Al-Jazeera television network, as well as longer delays and harsher treatment for journalists from Arab countries. Hundreds of foreign journalists are generally accredited. However, the GPO has occasionally refused to provide press cards – especially to Palestinians – citing national security concerns, thus preventing the affected reporters from entering Israel.

Under a 1996 Censorship Agreement between the media and the military, the censor has the power – on the grounds of national security – to penalize, shut down, or stop the printing of a newspaper, or to confiscate its printing machines. In practice, however, the censor's role is quite limited, and journalists often evade restrictions by leaking a story to a foreign outlet and then republishing it. In 2010, a widely condemned gag order in the case of Anat Kam was lifted, revealing that she had been charged with "serious espionage" for giving *Haaretz* newspaper reporter Uri Blau over 2,000 classified military documents during her military service. Under house arrest since December 2009, Kam eventually pleaded guilty to a lesser count of "leaking

classified material" and was sentenced to four and a half years in prison in October 2011. Blau faced a possible seven-year sentence for "holding classified information without authorization," with the verdict pending at the end of the year. In April, a partial gag order to prevent reporting on the case of Dirar Abu Sisi – an engineer abducted by intelligence operatives in Ukraine and charged with being a senior commander for Hamas – was lifted.

A long-standing law forbidding Israeli citizens from traveling to "enemy states" such as Lebanon and Syria without permission from the Interior Ministry has on occasion been applied to journalists. Press freedom organizations have condemned the selective application of the law, as well as the potential effects of such travel restrictions on the diversity of news available to the Israeli public. In general, Israeli journalists are barred from entering the Palestinian territories without explicit military approval. However, under an informal arrangement, the military ignores the presence of Israeli journalists in the West Bank. Israeli journalists have been prohibited from entering the Gaza Strip since 2006 under a military decree that cites their personal safety. This ban was extended to all foreign journalists in 2008 but lifted in late January 2009. In November 2011, five foreign journalists were detained and had their equipment confiscated after Israeli forces boarded two ships headed for the blockaded Gaza Strip. All five were soon deported, though London-based Hassan Ghani of Iran's Press TV was held longer than the others. While Israeli authorities dropped their earlier threat to ban journalists on Gaza-bound ships from entering Israel for 10 years, Reporters Without Borders (RSF) claimed that the deported journalists were pressured to sign documents admitting that they had entered Israel illegally and agreeing to such restrictions.

Deliberate violence against or harassment of journalists is rare in Israel, but it does occur, with the principal targets being Arab journalists – both foreign and local – often in and around Jerusalem. The GPO has been known to impose obstacles, especially in airport security checks, for foreign journalists who are suspected of an anti-Israel political orientation.

Israelis are active news consumers. Mainstream Hebrew newspapers garner an estimated one million daily readers, out of a population of less than eight million. The pluralistic makeup of Israeli society is reflected in the vibrant press landscape, which includes 12 daily newspapers. Three of those are mainstream Hebrew outlets, one has a national-religious outlook, three are aimed at ultra-Orthodox readers, one focuses on the Arab population, one is printed in English, and another is in Russian. In addition, there are two daily newspapers that are distributed free of charge. A wide range of weekly newspapers and internet news sites operate, and these are also divided along religious, ethnic, and language lines. The major newspapers are independent, and all newspapers are privately owned and provide a range of views. Some freely criticize government policies and aggressively pursue cases of official corruption. However, the popularity of the free daily newspaper *Israel Hayom*, which has captured around 40 percent of the market, has placed financial pressure on other mainstream papers, as its business model has forced them to slash advertising rates, thus threatening their own sustainability. *Israel Hayom* is owned by Sheldon Adelson, a prominent American businessman who is openly aligned with Prime Minister Benjamin Netanyahu and the conservative Likud Party.

A diverse selection of broadcast media is available, although ownership is somewhat concentrated. Most Israelis subscribe to cable or satellite services that provide access to international stations. As a result, the dominance of the state-run Israel Broadcasting Authority (IBA) in the television market has declined significantly. The IBA's radio station, Kol Israel, and the military-operated Galei Tzahal remain popular, while a broad range of pirate radio stations also operate, serving the country's ultra-Orthodox, Russian-speaking, and Arabic-speaking communities in particular. In 2011, the financially troubled private television station Channel 10, which is often critical of the government, came under significant political and economic pressure. In September, station executives were allegedly pressured by investors into apologizing for a story about Adelson, while both Netanyahu and his wife Sara initiated libel suits against the station during the year. In December a Knesset Finance Committee rejected the station's request to postpone its debt payment by a year, meaning the station faced the prospect at year's end of paying the government 60 million shekels (\$17 million) to avoid being shut down. At the same time, the public Channel 1 station was relieved of a much larger debt obligation.

Israel has the region's highest rate of internet usage, at 70 percent in 2011, and the government generally does not restrict internet access, although blocking of data on applications like Google Maps, as well as surveillance of internet service providers and telecommunications services, is carried out, ostensibly for security purposes.

[This rating and report reflect the state of press freedom within Israel proper. The West Bank and Gaza Strip are covered in a separate report.]

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