

Israel

Country:

[Israel](#)

Year:

2016

Freedom Status:

Free

Political Rights:

1

Civil Liberties:

2

Aggregate Score:

80

Freedom Rating:

1.5

Overview:

Early elections in March 2015 did little to change the balance of political power, despite suggestions in preelection polling that the center-left opposition bloc would prevail over the governing right-wing coalition. Prime Minister Benjamin Netanyahu's Likud party remained the largest single grouping with 30 seats, followed by the opposition Zionist Union, led by Isaac Herzog, with 24 seats.

The security situation deteriorated in the last third of the year amid a wave of stabbing, vehicular, and shooting attacks on Israeli civilians and security personnel across Israel and the West Bank. The attacks were typically carried out by individual Palestinians at security posts and other locations, and Israelis responded with deadly force. There were also frequent clashes between Palestinian protesters and Israeli soldiers and police, resulting in additional casualties. More than 20 Israelis and over 100 Palestinians were killed in the violence, though the majority of incidents took place in the West Bank. Israeli-Palestinian peace talks remained moribund in 2015.

Political Rights and Civil Liberties:

Political Rights: 36 / 40 [Key]

A. Electoral Process: 12 / 12

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

The prime minister is usually the leader of the largest faction 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 led to unstable coalitions, though the threshold was raised in 2014 from 2 to 3.25 percent. Among other changes adopted in the same legislation, the no-confidence procedure was altered so that opponents hoping to oust a sitting government must simultaneously vote in a new one.

Israeli elections are free and fair. In the March 2015 Knesset elections, Netanyahu's Likud party led with 30 seats, followed by the center-left Zionist Union with 24. The Joint List—a coalition of parties representing Arab citizens of Israel, who often identify as Palestinians—earned 13 seats; the centrist Yesh Atid (There Is a Future), 11; Kulanu, also centrist, 10; Habayit Hayehudi (Jewish Home), 8; the ultra-Orthodox parties Shas and United Torah Judaism, 7 and 6, respectively; the right-wing Yisrael Beiteinu, 6; and the left-wing Meretz party, 5. In May, after lengthy negotiations, Netanyahu formed a new coalition government made up of Likud, Kulanu, Jewish Home, Shas, and United Torah Judaism.

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.

Palestinian citizens of Israel enjoy equal rights in principle, as enshrined in Israel's Basic Law, but face some discrimination in practice, both legally and informally. The Joint List's representation in the Knesset falls short of Palestinians' roughly one-fifth share of Israel's population, though some Palestinian citizens of Israel vote or run as candidates for other parties. 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 issued since 2005 have not classified residents by ethnicity, Jewish Israelis can often be identified by the inclusion of their Hebrew birth date. Calls to impose a loyalty oath have alienated Israel's Palestinians, though such proposals have been rejected to date.

After Israel's annexation of East Jerusalem in 1967, which has not been recognized internationally, 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.

A 2003 law, renewed in 2013, denies citizenship and residency status to Palestinian residents of the West Bank or Gaza Strip who are married to Israeli citizens. While the measure was criticized as blatantly discriminatory, supporters cited evidence that a significant share of past suicide bombers had 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. The most prominent example is that of Ehud Olmert, who resigned as prime minister in 2008 amid graft allegations. He was preparing to begin an 18-month prison sentence for bribery at the end of 2015 after the Supreme Court in December reduced his original 2014 sentence of six years. In May, Olmert was sentenced to eight months in prison for fraud and breach of trust in a separate case involving cash

he accepted from an American businessman, Morris Talansky; an appeal on that matter was pending at year's end.

The relative frequency of high-level corruption investigations is coupled with a strong societal intolerance for graft. Israel was ranked 32 out of 168 countries and territories surveyed in Transparency International's 2015 Corruption Perceptions Index.

Civil Liberties: 44 / 60

D. Freedom of Expression and Belief: 12 / 16

The Israeli media are vibrant and free to criticize government policy. However, the diversity and editorial independence of both print and broadcast media have been threatened in recent years by financial difficulties in the industry. 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. While the scope of permissible reporting is generally broad, print articles on security matters are subject to a military censor. 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); 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. In April 2015, the High Court of Justice largely upheld the law, but struck down a provision allowing plaintiffs to bring cases without proving that they suffered financial damage from a boycott.

While Israel defines itself as a Jewish 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 2013 the Supreme Court ruled against an appeal that would have allowed individuals to declare their ethnic "nationality" in Israel's population registry 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 2012 after the High Court of Justice ruled it unconstitutional. In 2014, the Knesset enacted a law to formally end the exemption, setting the goal of enlisting 5,200 Haredim per year by mid-2017. However, legislation adopted in November 2015 effectively postponed enforcement of the 2014 measure until 2023.

Although the law protects the religious sites of non-Jewish minorities, they face discrimination in the allocation of state resources, and a number of Christian and Muslim sites were attacked or vandalized in 2015, particularly during the broader increase in violence in the last third of the year. In September, the government agreed to increase funding for private Christian schools in Israel for the 2015–16 school year and reexamine their legal status and future funding after the schools, representing 33,000 students, carried out a month-long strike over their unequal treatment by the

state. Citing security concerns, Israeli authorities have set limits on Muslim worshippers' access to the Temple Mount/Haram al-Sharif in Jerusalem with increasing frequency in recent years. Clashes between Palestinians and Israeli police in the area in late 2015 were driven partly by rumors that Israel was planning to change the existing rules and allow Jews to pray in the Muslim compound, which the government strongly denied.

Primary and secondary education is universal, though divided into multiple public school systems (state, state-religious, Haredi, and Arab, the last of which uses the common curriculum but provides instruction in Arabic). School quality and per capita funding is generally lower in mostly non-Jewish communities. Israel's universities have long been centers for dissent and are open to all students based on merit, though security-related restrictions on movement limit access for West Bank and Gaza residents in practice.

Palestinians in Israel faced increased societal and other pressure in response to their remarks during a 2014 Israeli military campaign against Hamas militants in Gaza, Operation Protective Edge. Dozens were reportedly fired or disciplined by employers for views expressed on social media and elsewhere, dampening the country's generally open and free private discussion. Tensions persisted in 2015, particularly during the violence later in the year.

E. Associational and Organizational Rights: 10 / 12

Israel has an active civil society, and demonstrations are widely permitted and typically peaceful, though groups committed to the destruction of Israel are banned from demonstrating. In July 2015, a Haredi man—who had recently completed a prison term for a similar crime in 2005—stabbed six people at an annual LGBT (lesbian, gay, bisexual, and transgender) pride march in Jerusalem, killing one. Some Haredi community members complained of police profiling at checkpoints during subsequent demonstrations in support of the victim. Separately, between April and June, a series of antidiscrimination protests by Israelis of Ethiopian origin blocked roads and triggered clashes with police, leading to allegations of excessive force. The protests were sparked by a video of police beating an Ethiopian Israeli soldier.

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. In December 2015, the cabinet approved the "Transparency Bill," also known as the "NGO Bill," meaning it would be taken up by the Knesset in 2016. The measure would require NGOs that receive more than half of their funding from foreign governments to disclose this fact publicly and in any written or oral communications with elected officials, and to wear a special badge when meeting in the Knesset.

In November, the government outlawed the Northern Branch of the Islamic Movement in Israel, along with its affiliated charitable and social-service organizations, on the grounds that it incited violence and had links to Hamas.

Workers may join unions and have the right to strike and bargain collectively. Most of the workforce either belongs to Histadrut, the national labor federation, or is covered by its social programs and bargaining agreements.

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 administrative detention without trial for renewable six-month terms. According to the human rights group B'Tselem, there were 584 Palestinians in administrative detention in Israel Prison Service facilities at the end of 2015, an increase of more than 100 from the previous year, with a sharp rise beginning in October. Such detention rarely lasts for more than two years. Under criminal law, individuals suspected of security offenses can be held for up to 96 hours without judicial review under certain circumstances, compared with a maximum of 48 hours in other cases, and be denied access to an attorney for up to 21 days. Israel's High Court of Justice banned torture in a 1999 ruling, but said physical coercion might be permissible during interrogations in cases involving an imminent threat. Human rights organizations accuse the authorities of continuing to use some forms of physical abuse and other measures such as isolation, sleep deprivation, psychological threats and pressure, painful binding, and humiliation.

Hunger strikes by Palestinian detainees have become increasingly common. In August 2015, the High Court of Justice froze the administrative detention order of an Islamic Jihad member after finding that his 66-day hunger strike had caused him brain damage. He was released from a hospital in September, then returned to administrative detention until he finished his second six-month term in November.

According to Defence for Children International (DCI) Palestine, 422 Palestinian children (aged 12–17) from the occupied territories were being held in Israeli military detention as of December 2015 (up from 152 a year earlier), including 116 aged 12 to 15 (up from 10 a year earlier). Although Israeli law prohibits children younger than 12 from being detained, some occasionally are. Most Palestinian child detainees are serving sentences of several weeks or months—handed down by a special military 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 civilian juvenile courts.

The authorities took a number of steps to crack down on violent protests in 2015. In July, the Knesset passed legislation imposing harsher sentences for stone-throwing offenses under Israeli criminal law, with penalties of up to 20 years in prison for adults who throw objects at a vehicle with intent to harm the occupants. In September, the government authorized police to fire small-caliber bullets at stone throwers if a third party's life is threatened, not just when the officer's own life is in danger. In November, the Knesset approved three-year minimum prison sentences for stone-throwing offenses in Israel, as well as the suspension of social benefits for the parents of juvenile offenders. Meanwhile, human rights groups in late 2015 accused police of using deadly force against some perpetrators of stabbing and vehicular attacks when they did not pose a lethal threat.

In addition to the attacks by Palestinians on the ground during the year, Israeli civilians—particularly those living near border areas—faced occasional rocket and artillery fire from war-torn Syria and the Gaza Strip. However, the rate of fire was far lower than during the major Israel-Hamas conflicts of 2008–09, 2012, and 2014.

About 93 percent of the land in Israel is publicly owned, including some 12.5 percent 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 with the Israel Land Authority. In 2014 the Supreme Court upheld 2011 legislation that allows 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.

Palestinian citizens of Israel face de facto discrimination in education, social services, and access to housing and related permits. Aside from the Druze minority, Palestinian citizens of Israel are exempted from military conscription, though they may volunteer. Those who do not serve are

ineligible for the associated benefits, including scholarships and housing loans. Many of Israel's roughly 200,000 Bedouin citizens live in 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 from Gaza-based rocket fire.

Israelis of Ethiopian origin, numbering around 120,000, suffer from some discrimination and lag behind the general population economically despite government integration efforts. In June 2015, following demonstrations against police mistreatment of the Ethiopian minority, a joint committee of police and community representatives recommended a series of reforms to address the problem.

Israel has sought to block asylum seekers and migrants from Africa by erecting a fence along its border with Egypt. Individuals who enter the country irregularly, including asylum seekers, can be detained for up to a year under an August 2015 Supreme Court ruling, down from 20 months under the previous rules. Asylum applications, when fully processed, are nearly always rejected. Of some 60,000 African asylum seekers who have entered since 2005, mostly from Sudan and Eritrea, more than 10,000 have left under pressure, agreeing to be repatriated or deported to a third country such as Uganda or Rwanda.

G. Personal Autonomy and Individual Rights: 11 / 16

Security measures can sometimes present obstacles to freedom of movement, though military checkpoints are restricted to the West Bank. By law, all citizens must carry identification cards. Informal local rules that prevent driving on the Sabbath and Jewish holidays can also hamper free movement.

Women have achieved substantial parity at almost all levels of Israeli society. However, Palestinian 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. Nevertheless, 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. Since religious courts oversee marriage rules, marriages between Jews and non-Jews are not recognized by the state unless conducted abroad, nor are marriages involving a Muslim woman and a non-Muslim man. 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. Two more comprehensive bills were rejected by the Knesset in 2015.

Israel has recognized same-sex marriages conducted abroad since 2006, and a Tel Aviv family court granted the first same-sex divorce in 2012. Nonbiological parents in same-sex partnerships are eligible for guardianship rights, and openly gay Israelis are permitted to serve in the military. The Israel Prison Service permits same-sex conjugal visits. Israel remains a destination for human-trafficking victims, and African migrants and asylum seekers residing in the country are especially vulnerable to forced labor and sex trafficking. The government works actively to combat trafficking and protect victims, though the U.S. State Department's *Trafficking in Persons Report* describes the penalties imposed by courts as inadequate.

Israel's roughly 75,000 legal foreign workers are formally protected from exploitation by employers, but these guarantees are poorly enforced. About 15,000 foreigners work in the country illegally, according to official data. Histadrut has opened membership to foreign workers and called on employers to grant them equal rights.

Scoring Key: X / Y (Z)

X = Score Received

Y = Best Possible Score

Z = Change from Previous Year

Full Methodology

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