# Independent Reporting Mechanism ISRAEL: Progress Report 2012–13

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### **EXECUTIVE SUMMARY: ISRAEL**

Independent Reporting Mechanism (IRM) Progress Report 2012-13

Israel's national action plan was, in many respects, ambitious. Particularly noteworthy commitments include establishing a cross-sector forum on open government programs and establishing a freedom of information unit. Stakeholders noted the action plan included modest steps to promote open government. Moving forward the government should appoint a new official to significantly advance open government efforts.

The Open Government Partnership (OGP) is a voluntary international initiative that aims to secure commitments from governments to their citizenry to promote transparency, empower citizens, fight corruption, and harness new technologies to strengthen governance. The Independent Reporting Mechanism (IRM) carries out a biannual review of the activities of each OGP participating country.

Israel officially began participating in OGP in April 2012 when government resolution 4515 declared the government's intent to join.

When it seemed likely that the minister in charge of OGP would not be reelected, this minster proactively reassigned OGP responsibilities to different governmental ministries. Currently, responsibility for the OGP initiative is spread among different governmental ministries, mostly within the Ministry of Finance, but also the Ministry of Justice and the Prime Minister's Office. As a result, no one person is in charge of OGP in Israel. The current OGP support structure depends on the success of multiple committees. This structure tends toward stagnation.

#### **OGP PROCESS**

Countries participating in OGP follow a process for consultation during development of their OGP action plan and during its implementation.

Israel developed its OGP plan in a participatory way. The government named thirty-five representatives to the Forum of Open Government. Representatives included government officials, academic representatives, civil society representatives, and representatives working on or associated with open government. Officials posted a full draft of OGP commitments to the government website; however, there were two factors that may have limited participation in the consultation: (1) the low volume of visitors to this website and (2) the stakeholders who did visit the website seemed to be from a small, intimate group of professionals. Overall, the plan did not reach the wider public.

The forum met once, without producing formal documentation, rules, or written recommendations, and has not reconvened since the elections. While to date the forum has not reached its potential, two additional consultation mechanisms are being implemented with an intention to attain the same goals: the government's new online forum and The Round Table Forums, both of which show successful collaboration with stakeholders.

At a glance	
Member since:	2012
Number of commitments	s: 13
Level of Completion	
Completed:	2 of 13
Substantial:	3 of 13
Limited:	5 of 13
Not started:	3 <b>of 13</b>
Timing	
On schedule:	5 of 13
Commitment emphasis	
Access to information:	6 of 13
Civic participation:	2 of 13
Accountability:	5 of 13
Tech & innovation for	
transparency &	
accountability:	5 of 13
None:	1 of 13
Number of commitment	s with
Clear relevance to an	
OGP value:	10 of 13
Moderate or	
transformative potential	
impact:	7 of 13
Substantial or	
complete implementatio	n: 5 of 13
All three (♥):	2 of <b>13</b>

#### **COMMITMENT IMPLEMENTATION**

As part of OGP, countries are required to make commitments in a two-year action plan. Table 1 summarizes each commitment, its level of completion, its ambition, whether it falls within Israel's planned schedule, and the key next steps for the commitment in future OGP action plans. Israel's plan covered a wide variety of sectors and had a number of ambitious commitments, as evidenced below. Table 2 summarizes the IRM assessment of progress on each commitment. Israel completed two of its thirteen commitments.

**Table 1: Assessment of Progress by Commitment** 

COMMITMENT SHORT NAME		POTENTIAL IMPACT		LEVEL OF COMPLETION			N	TIMING	NEXT STEPS	
◆ COMMITMENT IS CLEARLY RELEVANT TO OGP VALUES AS WRITTEN, HAS SIGNIFICANT POTENTIAL IMPACT, AND IS SUBSTANTIALLY OR COMPLETELY IMPLEMENTED.	NONE	MINOR	MODERATE	TRANSFORMATIVE	NOT STARTED	LIMITED	SUBSTANTIAL	COMPLETE		
1. Establishing a Cross-sector Forum that Promotes Open Government Programs—To establish a cross-sector forum, consisting of government, academia, and civil society, in order to promote open-government issues.									Unclear	New commitment building on existing implementation
<b>2. State Budget Information Accessibility</b> —To make information on the state budget accessible to the general public.									On schedule	New commitment
3. Publication of Work Plans in Government Offices—To have government offices develop workplans and goals that will be publicized on the Prime Minister's Office Internet site.									On schedule	New commitment
4. Establishing a System of Measurement and Review and Publicizing a Government Service Report to the Public—To measure and review the levels of government services and publicize findings through a service report.									Behind schedule	Further work on basic implementation
5. Cooperation between the Government and the Public in Developing Online Applications—To publicize information and datasets that are of importance to the public and offer grants to private social organizations to develop applications for the benefit of the public.									On schedule	Further work on
<b>6. Public Participation in Policymaking Processes</b> —To widen public participation in policy processes and promote public consultation on key issues in the government agenda.									Behind schedule	Further work on
<b>©</b> 7. Establishing a Freedom of Information Unit in the Ministry of Justice—To establish a Freedom of Information Unit and authorize it to implement policy decisions and initiatives and receive complaints regarding access to government information.									On schedule	New commitment

COMMITMENT SHORT NAME	POTENTIAL IMPACT		LEVEL OF COMPLETION			N	TIMING	NEXT STEPS		
© COMMITMENT IS CLEARLY RELEVANT TO OGP VALUES AS WRITTEN, HAS SIGNIFICANT POTENTIAL IMPACT, AND IS SUBSTANTIALLY OR COMPLETELY IMPLEMENTED.	NONE	MINOR	MODERATE	IRANSFORMATIVE	NOT STARTED	LIMITED	SUBSTANTIAL	COMPLETE		
8. Developing Technology Infrastructure for Providing Government Services—To enable individuals to obtain personal services online, while ensuring maximal protection and privacy.									On schedule	Revision of the commitment to be more achievable or measurable
9. Inter-office Committee for Improving Business Processes—To launch a business portal and review interoffice processes, making them more efficient for businesses.									Behind schedule	Further work on basic implementation
10. Creating a Government Contact Center (NAMAL—Meeting Point for Citizens)—To examine the feasibility of establishing a government central phone support system that will provide information about government services based on the online service catalogue.									Behind Schedule	Revision of the commitment
11. Online Catalog of Government Services—To develop an online catalog with extensive information about government services.									Behind schedule	Further work on basic implementation
<b>20 12. Establishing a Unit for Government Service to the Public</b> —To establish a central headquarters for improving government service to the public, including measuring the level of services provided and defining acceptable standards to stakeholders.									Behind schedule	Further work on basic implementation
13. Establishing a National Information Technology (IT) Unit Headed by a Government CIO—To establish a national unit with extensive horizontal authority to improve coordination and cooperation among government information systems.									Behind schedule	Further work on basic implementation

Table 2: Summary of Progress by Commitment

NAME OF COMMITMENT	SUMMARY OF RESULTS						
<b>♦</b> COMMITMENT IS CLEARLY RELEVA	ANT TO OGP VALUES AS WRITTEN, HAS SIGNIFICANT POTENTIAL IMPACT, AND IS						
SUBSTANTIALLY OR COMPLETELY IMP	UBSTANTIALLY OR COMPLETELY IMPLEMENTED.						
1. Establishing a Cross-sector Forum that Promotes Open Government Programs	While IRM researchers consider this commitment the cornerstone of OGP in Israel, it has made limited progress. The forum met once in January 2013 and has not reconvened since the elections. The government has yet to name a new forum leader, and until this step is taken, the forum will have little to no impact.						
State Budget Information     Accessibility     OGP Value Relevance: Clear     Potential Impact: None	This commitment was minimalistic. However, according to civil society organizations, there were some positive developments that went beyond the specific activities mentioned in the action plan. Before the government published the proposed budget in 2013, the government only provided this information when stakeholders requested it through the Freedom of Information Law. Now, however, the government has published a state budget in XLS						

	T
Completion: Complete	format, which allowed civil society to reuse the budget information easily. This early publication allowed for informed public debate, which influenced parliament's budget approval process.
<ul> <li>3. Publication of Work Plans in Government Offices</li> <li>OGP Value Relevance: Clear</li> <li>Potential Impact: Minor</li> <li>Completion: Not Started</li> </ul>	The government committed to publishing its work plans, a goal it began in 2007. In concept, this commitment has potential to aid governmental transparency; however, the government has not posted work plans to its website since the commitment start date. Plans published by the government, prior to the start date, were posted in PDF form, a form that limits information retrieval tools. Furthermore, the plans' formats changed from year to year and goals and objectives were inconsistent across reports, making measurement of progress difficult and public accessibility to the information low.
<ul> <li>4. Establishing a System of Measurement and Review and Publicizing a Government Service Report to the Public  OGP Value Relevance: Clear Potential Impact: Moderate</li> <li>Completion: Limited</li> </ul>	The government made limited progress on this goal. By the time of this review, however, the government had completed a tender process to hire service providers for measurement services. The delayed commitment implementation was due to a needed criteria reassessment: since much had changed from when officials initially envisioned the criteria, they needed to reassess the criteria for measurement and review before moving forward. As a result, government has yet to publish this report for the public.
5. Cooperation between the Government and the Public in Developing Online Applications  OGP Value Relevance: Unclear  Potential Impact: Moderate Completion: Limited	To date, several government ministries have yet to upload their first databases to the government website, the database repository. While the website provides access to several hundreds of databases, most of these are outdated, and hardly any of them received more than two out of five stars in the ranking system applied on it from website visitors. Government officials organized a competition for private application developers. While the competition was successful, the government has not allocated funds for similar future events. Additionally, the government has not yet provided a framework for supporting private social organizations. With what the government has made available, however, NGOs have used the datasets to provide the public with easier access to information.
6. Public Participation in Policymaking Processes  OGP Value Relevance: Clear Potential Impact: Minor Completion: Limited	The government has made little progress on this commitment. As far as researchers could tell, there is no mechanism that monitors, evaluates, or summarizes feedback from the public on government websites. There is no indication that government officials read the comments or relay them to the relevant ministries. These forums do not create effective dialogue between the government and the public, which is mostly due to a lack of adequate resources and a lack of willingness on the part of government officials to use the forums efficaciously. While the implementation of this commitment did not realize the envisioned end, it did give the public an opportunity to voice input into the prelegislative and policymaking processes.
7. Establishing a Freedom of Information Unit in the Ministry of Justice  OGP Value Relevance: Clear Potential Impact: Moderate Completion: Complete	The government successfully established a Freedom of Information Unit. The unit published guidelines for FOI officers in various ministries and offered ongoing consultations; launched a website with basic information about the unit, its guidelines, relevant court rulings and legislation, and other information useful to the general public; established a FOI forum; celebrated a Freedom of Information Day; published an annual report; and participated in wider governmental forums focused on open government. Even so, the unit needs broader authority to achieve its full potential, such as increased power to inquire into FOI-related complaints from the public. It has largely served the public and has potential to better serve the general public. Regardless of its limitations, this unit is seen as a major step toward better implementation of the Freedom of Information Law.
8. Developing Technology Infrastructure for Providing Government Services  OGP Value Relevance: Unclear  Potential Impact: Moderate Completion: Substantial	This commitment is substantially completed. The government worked toward three components of this commitment: it (1) launched a nationwide campaign to convince the public to acquire the new Smart ID, (2) added 203 online forms to its online repository, and (3) launched the Government Payments App, which enables the public to make payments to four different government agencies. While these are significant accomplishments for this commitment, it is unclear how this commitment promotes the core OGP values of transparency, participation, and accountability. Also, there is little indication that the Smart ID card technology allows access to online government services using the ID card. While this commitment may not clearly relate to OGP values, an increase use of government forms and payments' services indicates public demand for government-related online tools.
9. Inter-office Committee for Improving Business Processes  OGP Value Relevance: Clear Potential Impact: Minor Completion: Limited	The government did not meet this commitment. The inter-ministerial committee preexisted this goal, and the government did not launch the business portal. While this commitment aims to reduce bureaucratic processes, which is a worthy cause, it does not clearly articulate how it promotes OGP core values.
10. Creating a Government Contact Center (NAMAL—Meeting Point for	This commitment was partially completed. Officials drafted project specifications that can serve as a basis to publish a tender. While officials completed this portion of the commitment,

Citizens)  OGP Value Relevance: Clear  Potential Impact: Transformative Completion: Not started	they did not conduct a cost analysis, publish a tender, or allocate a budget. Had this commitment been properly implemented, IRM researchers agree with the public that the commitment could have been transformative.
11. Online Catalog of Government Services  OGP Value Relevance: Clear Potential Impact: Minor Completion: Not Started	Officials recruited a team for this project and launched a pilot project, which included four ministries. Even though officials completed these steps, officials postponed the catalogue creation because of the catalogue's complexity.
12. Establish a Unit for Government Service to the Public  OGP Value Relevance: Clear Potential Impact: Moderate Completion: Substantial	The government established a unit for improving government services and reducing bureaucracy. The unit focused on creating detailed guidelines for government service to the public. While the manual has not been published yet, a draft of this manual is in progress. In addition to creating the manual, the unit provided services to all government ministries, including lectures on "service to the public" and seminars. However, the company the government contracted to measure the level of government services has yet to do so, and the most substantial activity of this action plan, publishing the first Government Service to the Public Report, has yet to be completed.
13. Establishing a National Information Technology (IT) Unit Headed by a Government CIO  OGP Value Relevance: Unclear Potential Impact: Minor Completion: Substantial	This commitment is substantially completed: officials established the National Information Technology Unit. Nine out of fifteen allocated spots are filled. However, the head of the unit resigned her position, and the government needs a new official to head the unit. While the unit is now known as a highly professional and somewhat effective, it lacks formal authority and enforcement powers, which limits its ability to push ahead its agenda.

#### **RECOMMENDATIONS**

In recent years, Israel has advanced in modest ways on themes of transparency, public participation, and accountability. However, after the last election, open government initiatives slowed. Based on the challenges and findings identified in this report, this section presents the principal recommendations.

- 1. Establish a government entity that has power to implement and lead all open government initiatives, even in the face of opposition within the bureaucracy.
- 2. Establish a cross-sector forum that promotes open government programs and assign a new leader to reactivate the Open Government Forum.
- 3. Initiate advocacy efforts to promote public participation and use of tools envisioned as part of OGP, as well as other initiatives.
- 4. Invest in projects to encourage the public at large to participate in the consultation process, and receive and process opinions from the wider public through a well-structured mechanism into workable proposals on open government.
- 5. Show stronger connections to the core OGP values in future commitments and make significant strides to implement partially fulfilled commitments by doing the following: (a) develop technological tools for public participation in policymaking processes; (b) create an information commission or drastically increase the number of authorities for the Freedom of Information Unit and provide significant budgetary sources for the project; (c) maintain timely data releases and timely responses from the government; (d) allocate appropriate budgets for large-scale implementation of commitments; (e) ensure transparency of budgets and of security agencies' expenditures; (f) proactively disclose information and provide more advanced retrieval tools to search this information; and (g) ensure transparency of public procurements and expenditures.
- 6. Build off commitments that were mostly or completely filled: (a) give the Freedom of Information Unit more powers to investigate mishandled freedom of information requests;

- (b) allow the Freedom of Information Unit to direct public agencies toward more proactive disclosure of information; and (c) implement new technologies to better present information to the general public.
- 7. Create legislation that ensures the above mentioned recommendations and that also (a) provides a structure for public agencies to disclose information to the public; (b) builds a management system for processing this information; (c) reinvigorates the public's use of the government website; and (d) calls for proper documentation and publication of public agencies' meeting minutes.

**Eligibility Requirements 2012:** To participate in OGP, governments must demonstrate commitment to open government by meeting minimum criteria on key dimensions of open government. Third-party indicators are used to determine country progress on each of the dimensions. For more information, visit <a href="http://www.opengovpartnership.org/how-it-works/how-join/eligibility-criteria">http://www.opengovpartnership.org/how-it-works/how-join/eligibility-criteria</a> Raw data has been recoded by OGP staff into a four-point scale, listed in parentheses below.

Budget Transparency: Not Evaluated Access to Information: Law Enacted (4 of 4)
Asset Disclosure: Disclosure to congress (2 of 4) Civic Participation: 5.29 of 10 (3 of 4)

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The Open Government Partnership (OGP) aims to secure concrete commitments from governments to promote transparency, empower citizens, fight corruption, and harness new technologies to strengthen governance. OGP's Independent Reporting Mechanism assesses development and implementation of national action plans to foster dialogue among stakeholders and improve accountability.



#### I. BACKGROUND

The Open Government Partnership (OGP) is a voluntary, multi-stakeholder international initiative that aims to secure concrete commitments from governments to their citizenry to promote transparency, empower citizens, fight corruption, and harness new technologies to strengthen governance. In pursuit of these goals, OGP provides an international forum for dialogue and sharing among governments, civil society organizations, and the private sector, all of which contribute to a common pursuit of open government. OGP stakeholders include participating governments as well as civil society and private sector entities that support the principles and mission of OGP.

#### Introduction

Israel officially began participating in OGP in April 2012 when the government resolution No. 4515 declared the government's intent to join.

To participate in OGP, governments must exhibit a demonstrated commitment to open government by meeting a set of minimum performance criteria on key dimensions of open government that are particularly consequential for increasing government responsiveness, strengthening citizen engagement, and fighting corruption. Indicators produced by organizations other than OGP to determine the extent of country progress on each of the dimensions, with points awarded as described below. Israel entered into the partnership exceeding the minimum requirements for eligibility. At the time of joining, the country did not have a score on open budgets,¹ received a high score (2 of 2) based on its Freedom of Information Law,² 2 of 4 in Asset Disclosure for Senior Officials based on the limited presentation of assets of elected officials to the Parliament only,³ and a score of 5.29 out of a possible 10 on the Economist Intelligence Unit's Democracy Index Civil Liberties subscore (rounded to 3 of 4).4

All OGP participating governments must develop OGP country action plans that elaborate concrete commitments over an initial two-year period. Governments should begin their action plans by sharing existing efforts related to a set of five "grand challenges," including specific open government strategies and ongoing programs. (See Section 4 for a list of grand challenge areas.) Action plans should then set out each government's OGP commitments that stretch government practice beyond its current baseline with respect to the relevant grand challenge. These commitments may build on existing efforts, identify new steps to complete ongoing reforms, or initiate action in an entirely new area.

Israel developed its national action plan from January through April 2012. The effective start date for the action plan submitted in April was officially 1 July 2012 for implementation through 30 June 2013. Israel published its self-assessment during October 2013. According to the OGP schedule,<sup>5</sup> officials and civil society members are to revise the first plan or develop a new plan by April 2014, with consultation beginning January 2014.

Pursuant to OGP requirements, the Independent Reporting Mechanism (IRM) of OGP partnered with an experienced, independent local research team to carry out an evaluation of the development and implementation of the country's first action plan. In Israel, the IRM partnered with Roy Peled and Guy Dayan, two academics with rich experience in civil-society open government campaigning (mostly through the 'Movement for Freedom of Information in Israel' to which Dayan is a legal advisor and Peled a board member and former CEO), who authored this progress report. It is the aim of the IRM to inform ongoing

dialogue around development and implementation of future commitments in each OGP participating country.

#### **Institutional Context**

Israel developed its OGP action plan in 2011 and 2012. At the time Michael Eitan, a minister without portfolio in the Prime Minister's Office, was in charge of improving government services for the public. A government resolution, 4515 of 1 April 2012, put Minister Eitan at the head of the Israeli Forum for Open Government, which was to serve as an advisory board to the government on open government matters. It should be noted that Minister Eitan's ability to motivate other government agencies to develop their own action plans and participate in the national effort hinged mostly on his political weight both as a cabinet member and an esteemed politician, and to some extent on modest budgets the government made available to him for this effort.

The minister was, unfortunately, not elected for another term in parliament, in the general elections that took place in Israel in January 2013. Foreseeing such a scenario, Minister Eitan arranged for dispersal of his action plan responsibilities among several different government agencies, mostly within the Ministry of Finance (Israel's treasury). By the time the IRM researchers wrote this report, the government had not amended resolution 4515 to nominate a new head to the Israeli Forum for Open Government.

It is important to understand that at this point in time (during report finalization), there is no central Israeli agency that has the responsibility and authority to implement the OGP action plan. As noted above, Minister Eitan delegated most of the OGP action plan responsibilities to certain officials in the Ministry of Finance, Prime Minister's Office, and Ministry of Justice. As a result, the OGP process in Israel does not have a key person in charge; instead, there are a few committees and departments, each one in charge of certain action plan items, with different officials carrying out different tasks.

#### **Methodological Note**

The IRM researchers reviewed two key documents provided by the national governments: the first national action plan,<sup>7</sup> and the government's self-assessment of the first action plan process.<sup>8</sup> The IRM researchers also gathered the views of civil society, appropriate government officials, and other stakeholders (please see Annex for details). This was done through interviews held during October 2013. OGP staff and a panel of experts reviewed the report. Government officials and key members of civil society were also given an opportunity to comment, provide additional information, and identify factual errors prior to publication.

<sup>&</sup>lt;sup>1</sup> Open Budget Partnership, *Open Budgets Change Lives* (Washington, DC: Open Budget Partnership, 2012). http://bit.ly/1fAV22Y

<sup>&</sup>lt;sup>2</sup>Right2Info.org, <a href="http://bit.ly/1cyDRPW">http://bit.ly/1cyDRPW</a>

<sup>&</sup>lt;sup>3</sup> Open Budget Partnership, *Open Budgets Change Lives* (Washington, DC: Open Budget Partnership, 2012). http://bit.ly/1fAV22Y

<sup>&</sup>lt;sup>4</sup> Economist Intelligence Unit, "*Democracy Index 2010: Democracy in Retreat*" (London: Economist, 2010). Available at: <a href="http://bit.ly/eLC1rE">http://bit.ly/eLC1rE</a>

Open Government Partnership, "The

http://www.opengovpartnership.org/sites/default/files/attachments/OGP Calendar for Participating Countries," http://www.opengovpartnership.org/sites/default/files/attachments/OGP%20Calendar%20 For%20All%20Countries.docx %20Calendar%20For%20All%20Countries.docx %Prime Minister's Office, http://bit.ly/ICYMq9

<sup>&</sup>lt;sup>7</sup>Open Government Partnership, Israel, <a href="http://bit.ly/1cmQ9Ye">http://bit.ly/1cmQ9Ye</a>

<sup>8</sup>Open Government Partnership, Israel, http://bit.ly/1btxHMj

#### II. PROCESS: DEVELOPMENT OF THE ACTION PLAN

The government made efforts to reach out to civil society organizations, but the consultation process did not reach the wider public. The government attempted to present initial ideas to the public through its public participation website. However, this was a very new website, little known to the wider public, and responses it received largely represented those already involved in relevant nongovernmental organizations (NGOs). The government discussed developed commitments with civil society organizations but did not present them to the public at large.

Countries participating in OGP follow a set process for consultation during development of their OGP action plan. According to the OGP Articles of Governance, countries must:

- Make the details of their public consultation process and timeline available (online at minimum) prior to the consultation
- Consult widely with the national community, including civil society and the private sector; seek out a diverse range of views and; make a summary of the public consultation and all individual written comment submissions available online
- Undertake OGP awareness raising activities to enhance public participation in the consultation
- Consult the population with sufficient forewarning and through a variety of mechanisms—including online and through in-person meetings—to ensure the accessibility of opportunities for citizens to engage.

A fifth requirement, during consultation, is set out in the OGP Articles of Governance. This requirement is dealt with in the section "III: Consultation during implementation":

• Countries are to identify a forum to enable regular multistakeholder consultation on OGP implementation—this can be an existing entity or a new one.

This is dealt with in the next section, but evidence for consultation both before and during implementation is included here and in Table 1 for ease of reference.

**Table 1: Action Plan Consultation Process Checklist** 

Phase of	OGP Process	Did the government meet this requirement
Action Plan	Requirement (Articles	
	of Governance Section)	
During	Timeline and process:	Yes
Development	Prior availability	
	Timeline: Online	Yes
	Timeline: other channels	No
	Advance notice	No
	Awareness-raising	No
	activities	
	Online consultations	Yes
	Online consultations:	http://bit.ly/ID26Sa
	Link	

	In-person consultations	Yes
	Summary of comments	Comments regarding a general open
		government declaration that predates OGP
		commitments were available and served as a
		basis for OGP commitment development.
During	Regular forum	Yes
Implementation		

#### **Advance Notice of Consultation**

After Israel joined OGP, it planned a major consultation process. According to the government resolution (No. 4515, 1 April 2012), Minister Eitan was authorized and responsible for naming up to 35 representatives:

- 10 government officials
- 10 academic representatives
- 10 civil society organizations representatives (NGOs)
- 5 representatives that work or are associated with the open government field

These representatives would constitute the Israeli Forum for Open Government.<sup>1</sup> The forum's main goal was to provide agenda and inputs to Minister Eitan about topics related to the open government project, including the following:

- A plan: What should be done?
- The process: How should it be done?
- Focus: What are the main issues that require attention, implementation, technological support, and schedule?
- Best practices: How it works in different countries?

The forum, according to OGP requirements, must hold a minimum of two annual general forum meetings, as well as additional "sub-forum" meetings (usually five to ten representatives). IRM researchers found that the forum held only one meeting, in February 2012, and a few sub-forums meetings (two Ministry of Justice sub-forum meetings and a few Ministry of Prime Minister sub-forum meetings). Furthermore, these forums did not produce any OGP-related formal documents, and it did not set any kind of agenda, rules, or recommendations of activities or operations.

The IRM researchers interviewed government officials (current and former), academic representatives, and NGO representatives, and all of them identified one main factor for the lack of action: the retirement of Minister Eitan after the 2013 elections in Israel. To the IRM researchers, Minister Eitan was described as the "live spirit" behind the open government process, and after he retired, the government did not appoint a new minister for this office, and most of the office's activities were terminated.

#### **Quality and Breadth of Consultation**

The consultation took place largely through the government's *shituf* (participation) website, a website that allows the public to discuss the government's policies. The government made available on the website a full draft of commitments in a timely manner. It seems that the staff working on the action plan took into consideration the comments the public posted on the website. However, two caveats are necessary here:

• The volume of visitors to this site was (and is) rather low.

• The comments on the website give the impression that they were offered by a small, intimate group of professionals, many of whom were related to the NGOs and government circles involved in the action plan development.

Overall, this consultation did not reach the public at large. While it is unknown how much the public would have participated in a consultation, in the opinion of the IRM researchers, the Israeli government could have made more of an effort to raise awareness and encourage popular participation in this process. While stakeholders can view discussion on a government website as an awareness-raising mechanism, this kind of discussion generally engages those already aware. Thus, there was little done in terms of outreach to wider communities.

The IRM researchers observed (and to some extent experienced at the time) that government officials who put together the OGP action plan collaborated to engage civil society organizations and gather their feedback and opinions. However, the process of developing the commitments themselves was much less open to the public than that of the initial consultation.

Additionally, the IRM researchers found the consultation process rather unproductive. For instance, the 35 representatives who were invited to the Israeli Forum for Open Government were highly ambitious and very motivated to participate in the consultation process. However, soon after the retirement of Minister Eitan, the process slowed significantly. The absence of a key person like the minister resulted in a loss of motivation by all involved governmental parties, and the process practically stopped, even if it appeared on the surface to have continued. Since the Israeli Forum for Open Government only held one meeting during the consultation process, it is hard to assess the group's influence and productivity, but the IRM researchers did identify a diversity of view points offered by the 35 representatives: that of academia, civil society, and public servant.

<sup>&</sup>lt;sup>1</sup> Prime Minister's Office, <a href="http://bit.ly/ICYMq9">http://bit.ly/ICYMq9</a>

#### III. PROCESS: CONSULTATION DURING IMPLEMENTATION

In Israel, the government created a multistakeholder forum to promote open government in general and OGP commitments in particular. However, this forum did not have the desired impact since it met only once.

As part of their participation in Open Government Partnership (OGP), governments commit to identify a forum to enable regular multistakeholder consultation on OGP implementation—this can be an existing entity or a new one. This section summarizes that information.

#### **Consultation Process**

The government decided to set up the Israeli Forum for Open Government, which was to serve as a cross-sectoral advisory board to the government in its efforts to promote open government in general and OGP commitments in particular. According to government resolution 4515,¹ the forum would be comprised of the following:

- 10 government officials
- 10 academia representatives
- 10 civil society organizations representatives (NGOs)
- 5 representatives that work or are associated to the open government field

The IRM researchers found that the forum in its entirety met only once, in January 2013. Since the general elections Minister Eitan was not elected for another term in parliament; the government has not named a head-of-forum replacement, and as a result, the forum never reconvened.

The government also authorized the forum to constitute several subcommittees and organize seminars open to the general public. To the best of the IRM researchers' knowledge, the forum did not organize these seminars. With respect to the forum's constituting subcommittees, the IRM researchers identified two subcommittees that met twice. The head of the Freedom of Information Unit at the Ministry of Justice headed one subcommittee, and the head of cross-sectoral cooperation department in the Prime Minister's Office headed the other. Other subcommittees failed to meet.

These forums did not produce any formal document, agenda, or rules and did not develop written recommendations for activities or operations.

The IRM researchers found two additional mechanisms for consultation:

1. The Round Table Forums,<sup>2</sup> organized by five government ministries in 2010, each focused on a particular subject or issue. Each forum brings together representatives from government, civil society, academia, and the private sector, and the director general of each ministry chairs its respective forum.<sup>3</sup> The Round Table Forums are not specifically tailored to offer input relevant to Israel's OGP effort. However, they do represent an opportunity for public participation in the governmental decision-making process and for enabling civil society representatives (and to a lesser extent

- individuals in academia and the private sector) to offer their views to participating ministries. These forums will deal occasionally with initiatives that are either part of or in the spirit of Israel's OGP action plan.
- 2. An online forum,<sup>4</sup> created by the government to fulfil an OGP commitment, provided a platform for the government to share information with the public and encourage public participation in OGP-related decision-making processes. The government used this website to gather feedback from the public regarding the government's implementation of its OGP commitments. It should, nevertheless, be noted that the government did not heavily promote the website, and it generated (and generates) a rather low volume of public replies to its posted information and consultations.

<sup>&</sup>lt;sup>1</sup>Prime Minister's Office, http://bit.ly/ICYMq9

<sup>&</sup>lt;sup>2</sup>Prime Minister's Office, http://bit.ly/1bUmgUe

<sup>&</sup>lt;sup>3</sup>The Israeli Democracy Institute, http://bit.ly/1cn6tYI

<sup>&</sup>lt;sup>4</sup>Israel Government Portal, <a href="http://www.shituf.gov.il/shituf">http://www.shituf.gov.il/shituf</a>

#### IV. IMPLEMENTATION OF COMMITMENTS

All OGP participating governments develop OGP country action plans that elaborate concrete commitments over an initial two-year period. Governments begin their OGP country action plans by sharing existing efforts related to their chosen grand challenge(s), including specific open government strategies and ongoing programs. Action Plans then set out governments' OGP commitments, which stretch government practice beyond its current baseline with respect to the relevant policy area. These commitments may build on existing efforts, identify new steps to complete ongoing reforms, or initiate action in an entirely new area.

OGP commitments are to be structured around a set of five "grand challenges" that governments face. OGP recognizes that all countries are starting from different baselines. Countries are charged with selecting the grand challenges and related concrete commitments that most relate to their unique country contexts. No action plan, standard, or specific commitments are to be forced on any country.

The five OGP grand challenges are:

- 1. **Improving Public Services**—measures that address the full spectrum of citizen services including health, education, criminal justice, water, electricity, telecommunications, and any other relevant service areas by fostering public service improvement or private sector innovation.
- 2. **Increasing Public Integrity**—measures that address corruption and public ethics, access to information, campaign finance reform, and media and civil society freedom.
- 3. **More Effectively Managing Public Resources**—measures that address budgets, procurement, natural resources, and foreign assistance.
- 4. **Creating Safer Communities**—measures that address public safety, the security sector, disaster and crisis response, and environmental threats.
- 5. **Increasing Corporate Accountability**—measures that address corporate responsibility on issues such as the environment, anti-corruption, consumer protection, and community engagement.

While the nature of concrete commitments under any grand challenge area should be flexible and allow for each country's unique circumstances, OGP commitments should be relevant to OGP values laid out in the OGP Articles of Governance and Open Government Declaration signed by all OGP participating countries. The IRM uses the following guidance to evaluate relevance to core open government values:

- Access to information These commitments:
  - o pertain to government-held information;
  - o are not restricted to data but pertains to all information;
  - o may cover proactive or reactive releases of information;
  - o may pertain to strengthen the right to information; and
  - must provide open access to information (it should not be privileged or internal only to government).

- **Citizen Participation** governments seek to mobilise citizens to engage in public debate, provide input, and make contributions that lead to more responsive, innovative and effective governance. Commitments around access to information:
  - open up decision-making to all interested members of the public; such forums are usually "top-down" in that they are created by government (or actors empowered by government) to inform decision-making;
  - o often include elements of access to information to ensure meaningful input of interested members of the public into decisions;
  - often include the enhancing citizens' right to be heard, but do not necessarily include the right to be heeded.
- Accountability there are rules, regulations, and mechanisms in place that call
  upon government actors to justify their actions, act upon criticisms or requirements
  made of them, and accept responsibility for failure to perform with respect to laws
  or commitments.
  - As part of open government, such commitments have an "open" element, meaning that they are not purely internal systems of accountability without a public face.
- **Technology and Innovation** Commitments for technology and innovation
  - o promote new technologies offer opportunities for information sharing, public participation, and collaboration.
  - Should make more information public in ways that enable people to both understand what their governments do and to influence decisions;
  - May commit to supporting the ability of governments and citizens to use tech for openness and accountability; and
  - May support the use of technology by government employees and citizens alike.

Countries may focus their commitments at the national, local and/or subnational level—wherever they believe their open government efforts are to have the greatest impact.

Recognizing that achieving open government commitments often involves a multiyear process, governments should attach time frames and benchmarks to their commitments that indicate what is to be accomplished each year, wherever possible.

This section details each of the commitments Israel included in its initial action plan. The government divided the 13 commitments into two thematic clusters: (1) increase public trust in government administration and (2) improve public services and cut red tape. In this report the IRM researchers have followed the same clustering used in the action plan and self-assessment report.

A number of the commitments have a single milestone, while others have multiple milestones. In these latter cases, the milestones have been evaluated together on a single fact sheet in order to avoid repetition and to make reading easier for OGP stakeholders.

While most indicators given on each commitment fact sheet are self-explanatory, a number of indicators for each commitment deserve further explanation.

• Relevance: The IRM researcher evaluated each commitment for its relevance to OGP Values and OGP Grand Challenges.

- OGP values: Some OGP commitments are unclear in their relationship to OGP values. In order to identify such cases, the IRM researcher made a judgment based on a close reading of the commitment text. This identifies commitments that can better articulate their relationship to fundamental issues of openness.
- Grand challenges: While some commitments may be relevant to more than one grand challenge, the reviewer only marked those that had been identified by government (as almost all commitments address a grand challenge).

#### Ambition:

- Potential impact: OGP countries are expected to make ambitious commitments (with new or pre-existing activities) that stretch government practice beyond an existing baseline. To contribute to a broad definition of ambition, the IRM researcher judged how potentially transformative commitment might be in the policy area. This is based on researcher's findings and experience as a public policy expert.
- New or pre-existing: The IRM researcher also recorded, in a non-judgmental fashion whether a commitment was based on an action that pre-dated the action plan.

#### Timing:

Projected completion: The OGP Articles of Governance encourage countries
to put forth commitments with clear deliverables with suggested annual
milestones. In cases where this is information is not available, the IRM
researcher makes a best judgment, based on the evidence of how far the
commitment could possibly be at the end of the period assessed.

# 1. Establishing a Cross-Sector Forum that Promotes Open Government Programs

As part of its commitments to the Open Government Partnership, the Israel Government will establish a cross-sector forum as an official forum that will supervise approved Government plans and provide consultation on Open Government issues through the Minister in charge of Improvement of Government Services. The Forum will comprise senior representatives of the Government, the academic world, and third sector organizations.

#### Activities:

The document outlining Israel's commitments to the Open Government Partnership will be discussed and evaluated in the Israeli forum to be established. The document will be approved by the Government before it is presented at the founding conference of the Partnership in Brazil, in April 2012.

The forum will hold at least four meetings per year dedicated to open government topics concerning Israel and the rest of the world.

The forum will hold a national seminar on issues of Open Government policy.

Co	mmitment Desc	cription							
	Lead institution	None							
Answerability	Supporting institutions	Department of Political Sciences, Tel Aviv University Van Leer- Jerusalem Institute, The Open University, The Israel Democracy Institute Lauder School for Governance, Strategy and Diplomacy, Interdisciplinary Centre (IDC), Herzliya Federmann School of Public Policy and Government							
Ans	Point of contact specified?	No							
_	ecificity and easurability	0 (	nitment language For achievement o	•	ar, measurable,	verifiable			
	OGP grand challenges	Increasing p	oublic integrity						
Relevance	OGP Values	Access to Informati on	Civic Participation  √	Accounta bility	Tech & Innovation for Trans. & Acc.	None			
Ar	nbition								
Ne	w vs. pre <u>-</u> existing	Potential in	npact						
Ne	W		he commitment i but it remains lin	· · ·		relevant			
Le	vel of completion	n							
Sta	art date: April 2012	End date: 11 August 2	013	Actual completion					
				Projected No dates or milestones completion attached or inferable					
Ne	ext steps	New commi	tment building o	n existing imp	olementation				

#### What happened?

The IRM researchers found that this commitment is the cornerstone of the open government program in Israel.

In order to implement it, the government set up the Israeli Forum for Open Government. The forum was intended to serve as a cross-sectorial advisory board to the government in its efforts to promote open government in general and OGP commitments in particular. Established according to government resolution 4515 (April 2012),¹ the forum comprised of the following:

- 10 government officials
- 10 academia representatives
- 10 civil society organizations representatives (NGOs)
- 5 representatives that work or link to the open government field

However, IRM researchers found that the forum in its entirety met only once, in January 2013. Since the general elections and the subsequent retirement of Minister Eitan, the government has not replaced the forum head, and as a result, it never convened again. The forum and its subcommittees did not produce any formal documents and did not set any kind of agenda, rules, or written recommendations of activities or operations.

The forum was charged with naming several subcommittees and organizing several public seminars. To the best of the IRM researchers' knowledge, no such seminars took place. As mentioned earlier, two subcommittes, one chaired by the head of the Freedom of Information Unit at the Ministry of Justice and the other, by the head of cross-sectorial cooperation department at the Prime Minister's Office, met twice.<sup>2</sup> Three other subcommittees (whose topics were information accessibility, service standards, and open government values in the civil service sector) failed to meet.

#### Did it matter?

Both government officials and civil society representatives agreed that the forum did not reach its goals and could not become the entity it was originally designed to be. The forum held only one single meeting. Since the 2013 elections, this forum has no government official or entity leading it. Both government officials and civil society representatives agree that the forum is practically dysfunctional.

The IRM researchers' opinion is that this commitment implementation is incomplete and did not impact the field of public services.

#### **Moving forward**

The IRM researchers found the forum participants with whom they interacted very ambitious and highly motivated to meet and take action. However, as noted earlier, the next step must be nominating a minister in the government as the head of this forum. Appointing a new head of the forum could ensure that the forum will receive the proper resources in order to move things forward.

<sup>&</sup>lt;sup>1</sup>Prime Minister's Office, http://bit.ly/ICYMq9

<sup>&</sup>lt;sup>2</sup>Ministry of Justice, <a href="http://bit.ly/1iTP8z">http://bit.ly/1iTP8z</a>J

### 2. State Budget Information Accessibility

Since 2011, due to public demand, the Finance Ministry has been publishing budget details in Excel files. Using the information published, the NGO Workshop for Public Information created the Open Budget Website, that allows the budget to be searched and analyzed from different perspectives. The site includes participatory platforms that enable discussion about sections of the budget and participation on social media sites.

#### Activities:

In continuation of the Open Budget Project, the Finance Ministry will continue to make information about the State Budget accessible.

Co	Commitment Description										
	Lead institution	Ministry of Fin	Ministry of Finance								
E	<b>.</b>										
)ilit											
rak	Supporting	N/A									
We	institutions										
Answerability	Point of contact specified?	Yes	Yes								
_	ecificity and	Medium (Comr	nitment langı	uage describes	an activity that	is					
m	easurability	,	ifiable, but it	does not conta	in specific miles	tones or					
	OCD 1	deliverables.))	1								
	OGP grand challenges	Increasing pub	lic integrity								
	OGP Values	Access to	Civic	Accountab	Tech &	None					
ıce		Information	Participat	ility	Innovation						
Relevance			ion		for Trans. & Acc.						
ele					Acc. √						
		•			•						
A	mbition										
Ne	ew vs. pre-existing	Potential imp									
Pr	e_existing	None (the com	mitment maii	ntains the statu	ıs quo)						
Le	Level of completion										
	art date:	End date:		Actual	Complete						
11	April 2013	11 August 2013 completion									
				Projected	Complete						
R.I		Now commitme	ont huilding o	completion	lomontation						
N	ext steps	New commitme		in existing imp	iementation						

#### What happened?

This commitment was minimalistic. It merely continued the practice of publishing budget information in XLS format for civil society, a practice that had been in place since 2011. Publishing details of the state budget in XLS format has made a significant change. It enables

civil society to analyze budget information more easily. The previous format of publication (PDF files only) did not allow for easy reuse of budgetary information in ways that support open and robust public debate.

According to civil society organization reports, the implementation of this commitment has produced positive developments that go beyond the specific activities the government committed to undertake: In 2013 the government for the first time published the proposed budget when it was tabled in parliament and before it was approved by parliament. The government also began publishing all the amendments made to the budget during the year, although this was done after the budget was approved in the parliament's finance committee and not during the discussion period. In addition, the Ministry of Finance proactively published the information, in contrast to past practices where it only responded to requests submitted under the Freedom of Information Law.

It should, however, be stressed that the government only makes the information available and does not make the information clear or easy for the wider public to understand. The task of disseminating and outreach is left to civil society organizations that process the information and disseminate it widely, depending on their professional capabilities and financial constraints.

#### Did it matter?

Publishing state budget details in digital format contributed significantly to the public debate surrounding the state budget. Offering this information at an earlier stage than in the past (before it was approved) made it possible for interested citizens and civil society organizations to examine the budget, develop a better understanding of its contents, and provide for informed public debate that influenced the approval process in parliament. Diverse individuals and groups used and continue to use this information. NGOs (like Peace Now, an antisettlements group that follows government budgeting related to Jewish settlements in the Occupied Palestinian Territories (OPT), or Yedid, a social justice movement that follows budget allocations to social services financial reporters) and official bodies, such as the parliament's research department and Israel's central bank, also use this information.

The NGO The Public Knowledge Workshop was the first to present state budget details in a clear and easy to understand manner. These presentations generated a great deal of interest among other NGOs looking for avenues and platforms to voice their budget opinions. At first the government integrated tools created by The Public Knowledge Workshop into an official government website. This was arranged by Minister Eitan. However, the government later decided that it was inappropriate for a private entity's program to be presented as official government information.

The stakeholders who made use of the state budget information identified limitations: the budget lacked (1) sufficient information on budget amendments before they were approved and finalized and (2) greater levels of details, particularly disaggregated information on various subjects covered by the state budget. Some stakeholders also argued, and the IRM researchers concur, that the government should present this information more clearly to the public rather than leave this task to civil society, especially since the government has the resources to develop more powerful tools to explore the thousands of budget items. Also, the government should provide more information during the year regarding the actual implementation of the budget in contrast to the planned budget.

#### **Moving forward**

The IRM researchers suggest the government should adopt a new commitment based on the existing state budget transparency commitment. For the new commitment the government could do the following:

- Develop tools to help users explore the budget and present it in more user-friendly ways
- Include information about actual expenditures
- Include more detailed budget information, including budget details for lower divisions of the government
- Ensure transparency of decision-making processes regarding budgetary items before they are brought to parliament
- Create incentives, through prizes and grants, for civil society and entrepreneurs to develop applications for using budget information.

<sup>&</sup>lt;sup>1</sup>The Public Knowledge Workshop, <a href="http://www.hasadna.org.il/en/our-projects/open-budget/">http://www.hasadna.org.il/en/our-projects/open-budget/</a>; Israel Government Portal, Budget, <a href="http://bit.ly/1dnb04l">http://bit.ly/1dnb04l</a>

### 3. Publication of Work Plans in Government Offices

The work plans developed by Government offices and the goals defined in these plans will be publicized on the Prime Minister's Office Internet site under the direction of its Policy Planning Division. A special Website was established (http://www.plans.gov.il) to display these plans.

#### Activities:

Providing search and information retrieval capabilities at the planned display website.

Co	Commitment Description									
illity	Lead institution	Department for Governance and Social Affairs, Prime Minister's Office								
Answerability	Supporting institutions	N/A								
Ans	Point of contact specified?	Yes								
-	ecificity and easurability	- '		nguage provid ement of the g	es clear, measurable, v oal)	erifiable				
a	OGP grand challenges	Increasing p	ublic inte	grity						
Relevance	OGP Values	Access to Informati on	Civic Partici pation	Accounta bility	Tech & Innovation for Trans. & Acc.	None				
Ar	nbition	,		<u> </u>						
Ne	w vs. pre-existing	Potential in	npact							
Otl	ner	Minor (The t			crimental but positive	step in				
	vel of completion	n								
	<b>rt date:</b> April 2012	End date: 11 August 2013		Actual completion	Not started					
				Projected completion	Not started	started				
Ne	ext steps	New commit	ment bui	lding on existi	ng implementation					

#### What happened?

The government began publishing different ministries' work plans as early as 2007 and in 2011 began publishing them as one centralized governmental publication, detailing the plans for the different ministries. Publishing government work plans related to their programs could serve as an effective tool: it would to allow the public to monitor government objectives and their achievement. The government sees this as "part of an overall concept of increasing transparency of government activities." 1

This commitment mentions the establishment of a dedicated website (plans.gov.il) to display these plans. Under the commitment's activities section, it reads "providing search and information retrieval capabilities at the plan display website." However, it is the IRM researchers finding that very little, if anything at all, has been done under this commitment since it was included in the government's OGP action plan (11 April 2012) or during the evaluation period (July 2012 to June 207/12 - 6/13).

The latest work plan available on the site is from March 2012, (which the government posted before the start date of the commitment). No work plan for 2013 is publicly available on the site, or in hard copy (according to governmental officials, this is due to the general elections that took place in January 2013.<sup>23</sup> Furthermore, there are no information retrieval tools other than the basic search available for in PDF files, which also depends on the viewer's PDF software. The site's search function does not cover the 2012 work plan, a fact described by the Prime Minister's Office as a "bug." It should be stressed that PDF is the only form in which information is available. Hence, individual's searching the available document cannot retrieve information in a manner that allows for comparison between different segments of the document or reproduction of the content.

IRM researchers also found that the government does not present the work plans in a way that provides for transparent evaluation. The format of the documents change from one year to another. Goals and objectives are inconsistent across reports, and therefore it is difficult to measure goal and objective fulfillment through the years. The site's administration is highly centralized, and all information updates and modifications must be done through the Society and Governance Division in the Prime Minister's Office. Since this is a small and under-budgeted division, updates are rare and might seem cumbersome for users in the different ministries.

#### Did it matter?

As mentioned above, the government sees this as "part of an overall concept of increasing transparency of government activities." IRM researchers agree; however, given the fact that the information offered to the public is out of date, and the government presents the available that information in an unfriendly manner with minimal search and information retrieval capabilities, the IRM researchers found very few indications that NGOs, the public at large, or the media use this information.

#### **Moving forward**

The IRM researchers suggest the government should adopt a new commitment based on the existing commitment. The new commitment should ensure clear targets:

- Immediatelypublish work plans for 2013 and 2014, and publish each year's work plan by the end of the previous year.
- Improvesearch and information retrieval capabilities.,
- Encourage public evaluation of fulfillment of past goals and objectives.,
- Create consistent standards for the presentation of goals and objectives and their fulfillment, and maintain consistent titles for goals and objective through the across years, and
- Create more advanced tools to present information in order to help the public understand therationale behind, and expected impact of, the information.

 $<sup>^1</sup>$ New Work Plan 2012, <a href="http://plans.gov.il/Plan2012/Pages/newWorkPlan2012.aspx">http://plans.gov.il/Plan2012/Pages/newWorkPlan2012.aspx</a>  $^1$  <a href="http://plans.gov.il/Plan2012/Pages/newWorkPlan2012.aspx">http://plans.gov.il/Plan2012/Pages/newWorkPlan2012.aspx</a>

<sup>&</sup>lt;sup>2</sup>According to Ms. Tamar Peled-Amir, Senior Head Division of social affairs and Tri-sectorial Cooperation, The Department for Governance and Social Affairs, Prime Minister's Office. Interview with Ms. Peled Amir, October 14, 2013, Prime Minister's Office, Jerusalem.

<sup>&</sup>lt;sup>3</sup> According to Ms. Tamar Peled-Amir, Senior Head Division of social affairs and Tri-sectorial Cooperation, The Department for Governance and Social Affairs, Prime Minister's office. Interview with Ms. Peled Amir, October 14, 2013, Prime Minister's Office, Jerusalem.

 $<sup>^4</sup>$ New Work Plan 2012, <a href="http://plans.gov.il/Plan2012/Pages/newWorkPlan2012.aspx">http://plans.gov.il/Plan2012/Pages/newWorkPlan2012.aspx</a>  $^4$  http://plans.gov.il/Plan2012/Pages/newWorkPlan2012.aspx

<sup>&</sup>lt;sup>5</sup>Rina Rossenburg and Moti Bassok, "Ministries to Make Their 2012 Work Plans Public," *Hazzaretz*, 12 March 2012, <a href="http://bit.ly/1jKg7vq">http://bit.ly/1jKg7vq</a>

# 4. Establishing a System of Measurement and Review and Publicizing a Government Service Report to the Public

The Government will measure the level of Government service and publicize a Government service report, seeking to promote the principle of accountability. By gathering measurement information and publicizing a comparison of performance by different Government offices, it will enable the public to supervise Government activities and judge its operations, leading Government offices to define new goals and programs for improvement.

#### Activities:

The Government will strive for initial publication of measurements (identifying different levels of Government service to the public) by the end of 2012. To achieve this end, the Government will work with suppliers that provide measurement services and w [sic].

Commitment Description							
	Lead institution	Ministry of Finance					
Ly.							
Jilit							
rak	Supporting	N/A					
we	institutions						
Answerability	Point of contact specified?	Yes					
_	ecificity and	•		_	•	s an activity that	
measurability objectively verifiable, but it does not contain specific mileston deliverables.)					tones or		
	OGP grand challenges						
ce	OGP Values	Access to	Civic	Accou	ntability	Tech &	None
Informat		Partici			Innovation for		
S OGP Values Access to Civic A Informat partici ion pation			. [		Trans. & Acc.		
Re							
Ar	Ambition						
Ne	New vs. pre-existing Potential impact						
Ne	W	Moderate (The the commitment is a major step forward in the					
	relevant policy area, but it remains limited in scale or scope.)					e.)	
Level of completion							
Start date:		End date:			Actual	Limited	
11 April 2012		11 August 2013			completion		
		Projected Substantial					
•		completion   Further work on basic implementation					
Ne	Next steps Further work on basic implementation						

#### What happened?

The government did not complete this commitment. Even though the government undertook to complete a few steps by the end of 2012, the IRM researchers found the

government did not meet this schedule. However, at the time of writing this report the government had made some progress:

- Hiring service providers for measurement services—Government officials completed a tender process in September 2013. This process experienced a litigation delay subsequent to initial publication of the tender outcomes.
- Publishing a government report regarding the level of government services—As a result of the above mentioned delay, the government did not publish any report for the public.
- According to government officials, a pilot was conducted (October 2013) in those ministries planned to be meaured, in order to examine the methodology.

Civil society representatives interviewed by the IRM researcher stated government officials did not contact or consult them during the report- making process. They doubt the government's ability to complete and publish the report in the foreseeable future. Government officials in charge of the process, however, are confident the report will launched in early 2014. This delay is warranted, as much has changed since this body, was first envisioned and according to the officials themselves, the criteria for its measurement process need to be reassessed.

#### Did it matter?

The implementation of this commitment was supposed to create a new mechanism for measurement and review of government services. This mechanism was also supposed to become an effective tool for the public, helping the public to understand as well as assess the quality of government services.

To date, the Israeli public has no such tool or an alternative when it comes to measuring the quality of government services. The potential of this commitment makes it highly innovative and highly important, yet it has been ineffective so far.

#### **Moving forward**

According to the government's self-assessment report and information given to the IRM researchers, the process of creating a mechanism for measurement and review is moving forward.¹ The self-assessment report also stated that the provider of measurement services started to work on this project during recent weeks. Finding a private service provider is a crucial step in a good direction, but as for the report period, the researchers can report no actual progress.

 $<sup>^{1}\</sup>mbox{Israel}$  self-assessment report on the action plan, April 2012, p. 57.

# 5. Cooperation between the Government and the Public in Developing Online Applications

The Government will publicize information and datasets that are of importance to the public to allow private enterprises to develop applications for the benefit of the public. Similarly, the Government will offer grants and support for private social organizations that work towards these goals.

#### Activities:

Government grant for Government information application developers: The Israel Government will offer a grant to developers who create applications designed to display and present Government information. The grant will be awarded in accordance with predete [sic] the data.gov.il portal: Continuing to develop the portal and adding tools for information presentation, graphic displays, unified display of information (including tables), standardized downloading and standard APIs for data series.

Commitment Description								
	Lead institution	Public Knowledge Workshop (NGO)						
ity								
bil	_							
Answerability	Supporting institutions	N/A						
1SW	Point of contact	No						
Aı	specified?							
_	ecificity and	•		~ ~		an activity that		
me	easurability	,	•	out it does not	contai	n specific miles	tones or	
	OGP grand	deliverables.)) None						
	challenges	None						
				Toch	Tech & Innovation None			
2	Our values						None	
vanc	our values	Informati	Partici	bility		rans. & Acc.	None	
elevanc	our values						None	
Relevance		Informati	Partici		for T		None	
Aı	mbition	Informati on	Partici pation		for T		None	
Aı	mbition w vs. pre-existing	Informati on  Potential in	Partici pation	bility	for T	rans. & Acc.		
Aı	mbition w vs. pre-existing	Informati on  Potential in Moderate (T	Partici pation  npact The the cor	bility  nmitment is a	for T	step forward in	the	
An Ne Ne	mbition w vs. pre-existing	Potential in Moderate (Trelevant pol	Partici pation  npact The the cor	bility  nmitment is a	for T	rans. & Acc.	the	
An Ne Ne	mbition w vs. pre-existing w	Potential in Moderate (Trelevant pol	Partici pation  npact The the cor	bility  nmitment is a ut it remains l	for T	step forward in in scale or scope	the	
Ne Ne Le	mbition  w vs. pre-existing  w  evel of completion  art date:	Potential in Moderate (Trelevant pol	Partici pation  npact The the coricy area, b	nmitment is a ut it remains l	for T	step forward in	the	
Ne Ne Le	mbition w vs. pre-existing w	Potential in Moderate (Trelevant pol	Partici pation  npact The the coricy area, b	nmitment is a ut it remains l	for T	step forward in in scale or scope	the	
Ne Ne Le	mbition  w vs. pre-existing  w  evel of completion  art date:	Potential in Moderate (Trelevant pol	Partici pation  npact The the coricy area, b	nmitment is a ut it remains l  Actual completion Projected	for T	step forward in in scale or scope	the	
Ne Ne Sta 11	mbition  w vs. pre-existing  w  evel of completion  art date:	Potential in Moderate (Trelevant pol  End date: 11 August 2	Partici pation  npact The the coricy area, b	nmitment is a ut it remains l	for T	step forward in in scale or scope	the	

#### What happened?

This commitment was divided into three different sub commitments:

- Publicize information and datasets—The government website (data.gov.il) provides access to more than 260 government databases covering over 30 agencies. Out of 25 government ministries, 7 are still to upload their first data set and 8 have uploaded 3 data sets or less. Many data sets have no date reference or are out of date. Perhaps the most meaningful indicator to quality of datasets uploaded is the ranking system where the public is asked to rank the lack of monitoring mechanisms inside the government, quality, accessibility and usefulness of the datasets. As much as 99% of the data sets in the site receive a ranking of only 2 stars or less (out of 5). Over the last year, as a result of inadequate resources and lack of monitoring mechanisms inside the government, very little was done to improve data.gov.il.
- Issue grants for developing applications based on governmental information—The government did not fully complete this subcommitment. The office of the Minister for Improvement of Government Services and the Tel Aviv municipality jointly organized a competition for private application developers, with awards of 85,000 NIS (approx. \$22,000), that was limited to Tel Aviv-Jaffa.¹ The government did not allocate funds for the event out of the regular budget, and as a result, this event was organized only as a one-time event.
- Government support for social, private organizations—The government did not complete this subcommitment. The government has no plan, structure, or a specific budget for supporting such organizations. There was one attempt to offer funding for a social organization, but it failed due to bureaucratic reasons.

Even though the government made uploading of databases mandatory, the IRM researchers did not find any mechanism that enabled the government to enforce this decision. Additionally, it also seemed that each government ministry exercised discretion over which databases, if any, they would share with the public.

#### Did it matter?

This commitment is very popular among NGOs and activists. Some of the civil society representatives interviewed by IRM researchers expressed their high anticipation for large-scale release of datasets; they want, to be able to develop new applications based on them.

There were some instances of private companies using information uploaded to data.gov.il to develop information products that would serve a public good as well as to generate future profit (for instance, real estate information or travel tools for public transportation users).

The IRM researchers also found that the Open Budget Project was a good example of using government datasets to create applications that could serve the greater public's interest. In this project, the government provided the information and the datasets related to the government budget, and then an NGO known as The Public Knowledge Workshop used the datasets to create a free and user friendly, easy- to- understand on-line budget menu, thus making it available to the public.

#### **Moving forward**

In the opinion of the IRM researchers, the government needs to do more work on basic implementation. The researchers recommend the government do the following steps in order to create better datasets:

- Compel and incentivize all its agencies to cooperate and upload their datasets to data.gov.il, with emphasis on datasets with high public- interest potential.
- Create a mechanism to update, or to supervise agencies that update, datasets on a regular or periodic basis.
- Encourage private developers to develop new applications, based on the government datasets, by offering grants, aid, and other financial incentives.
- Provide more opportunities for government-NGO cooperation and dialogue. The discussion should outline which datasets should become public and how the government should offer this information.

<sup>&</sup>lt;sup>1</sup>Tel Aviv-Yafo, <a href="http://bit.ly/1fjYSOT">http://bit.ly/1fjYSOT</a>

### 6. Public Participation in Policymaking Processes

The Government will widen public exposure to the processes of policy planning and determination and will invite the public to respond to key issues on its agenda.

#### Activities:

Developing a technological infrastructure for public participation: The Government will launch a central technological infrastructure that allows public participation, to be available for use by Government offices. The infrastructure will include participatory platforms and tools that allow for display of discussion summaries and public opinion.

Defining policies and utilities that will help the government ministries to initiate public participation in their policy planning processes and other activities.

Expanding public discussion as part of establishing policy: During 2012–-2013, the Government will initiate at least 50 public online discussions about topics on its agenda.

Co	Commitment Description							
	Lead institution Prime Minister's Office							
Į.								
bili								
era	Supporting N/A institutions  Point of contact Yes							
SW	institutions							
Ans	Point of contact specified?	ct Yes						
_	ecificity and	•	mmitment langu	~				
me	easurability	objectively verifiable, but it does not contain specific milestones or						
	deliverables.))							
	OGP grand None challenges							
	OGP Values	Access to	Civic	Accountabili	Tech & None			
	our values	Informati	Participation	ty	Innovatio	None		
e		on	•		n for			
ano					Trans. &			
lev	on elevance				Acc.			
Re	√							
	Ambition							
Ne	w vs. pre-existing	Potential impact						
	me new activities,	Minor (The the commitment is an incremental but positive step in the relevant policy area.)						
	some pre-existing the relevant policy area.)  Level of completion							
	rt date:	End date:		Actual	Limited			
11	April 2013	11 August 2013		completion				
	•	J		Projected	Substantial			
		completion						
Ne	Next steps Further work on basic implementation							

#### What happened?

This commitment's implementation was under the responsibility and the authority of the Prime Minister's Office (PMO). Over the last year (July 2012–July 2013) the PMO made little progress on this commitment.

In order to complete the implementation of this commitment, the PMO established four major channels of public participation:

#### · Online forums

- Shituf.gov.il¹— As per one of its OGP commitments, the government has created a website dedicated to sharing information with the public and to offer a platform for public participation in decision- making processes.
   Among other things, this website has been used to receive feedback from the public regarding the government implementation of its OGP commitments.
   As noted earlier, the government did not promote this site heavily, and it generates a rather low volume of public responses from the public to information presented and consultations conducted through this site.
- Tazkirim.gov.il<sup>2</sup>— This website, launched September 2010, publishes draft bills that are under discussion, and allows the public 20 days to comment on each bill. During the last year, the government published 110 bills drafted by the different government ministries.
- o Mifratim.business.gov.il— This website presents to the public drafts of uniform binding requirements for getting a permit to start a business in any one of 10 different catagories (and dozens of sub-categories). Launched in mid-2013, most of the requirements forms are still absent from the site, and those included have very few comments available, possibly indicating the site was not promoted among stakeholders.
- Gov share The government developed a central technological platform called "gov share" for inclusion of forums, communities and social networks in governmental websites.

The IRM researchers could not find any official or organized mechanism that monitors, evaluates or summarizes the information and feedback received from the public, including any evidence of government officials reading the comments made by the public, transferring or relaying the comments to the relevant ministry and incorporating the comments before final approval of bills. The mechanism also does not create any kind of dialogue between the government officials and the public. The government points to the "Regulatory Impact Assessment Guide" published in 2013, as another indicator of promotion of public participation in policy making. Indeed one of the guide's chapters deals with public consultation in the course of assessing regulatory impact, and lays out the rationales and methodology for the carrying out of such consultations.

Both government officials and civil society agree that the on-line forums do not achieve their main goal of public participation. They also agree that the lack of adequate resources and willignness on behalf of concerned officials has effected the overall functions of these forums and limited their ability to produce significant interventions.

#### • The Round Table Forums

• The forums known as "Round Tables Forums" are subject-oriented forums set up in 2010 by five government ministries in Israel. Each forum brings together representatives from the government, civil society, academia, and

the private sector, and each is chaired by the Director General of the respective ministry.

These forums have been operating since 2010, and are not part of Israel's OGP effort. Even so, they can be seen as embodying the OGP spirit: in the sense that they bring the views of grassroots organizations' into the government's decision- making processes, and the government develops programs based upon these consultations. They do represent an opportunity for public participation in the governmental decision- making process, and offer participating ministries the public's views, as represented by civil society (and to a lesser extent academia and private sector) representatives. These forums will occasionally deal with initiatives that are either part of or in the spirit of Israel's OGP action plan.

#### Did it matter?

The commitment gave the public an opportunity to provide inputs into the pre-legislative as well as policy making processes. The government's implementation of the commitment was very limited and did not give the public a real opportunity to participate in policymaking decisions.

#### **Moving forward**

All three of the above forums continue to exist. Further work is needed on basic implementation.

The IRM researchers recommend the government do the following:

- Establisha clear and effective mechanism that will receive comments and inputs online from the public, and transfer them effectively to the relevant ministries,
- Provide an option through this mechanism for a bi-directional dialogue between the government officials and the public,
- Present input from the public in a transparent manner and have government officials indicate which comments were integrated in their work and which were rejected, including the reasons for exclusion.
- Massively campaign to encourage the public to partake in available consultation forums.

The government made some progress in this direction in August 2013 (after the report period). The PMO published a Call for Proposals inviting corporations to propose their services for consulting and developing mechanisms for public partictipation. According to government officials, this process is moving forward, but there is little supporting evidence for the government's assessment of progress.

<sup>&</sup>lt;sup>1</sup>Israeli Government Portal, <a href="http://www.shituf.gov.il/">http://www.shituf.gov.il/</a>

<sup>&</sup>lt;sup>2</sup>Israeli Government Portal, <a href="http://tazkirim.gov.il/Pages/default.aspx">http://tazkirim.gov.il/Pages/default.aspx</a>

## 7. Establishing a Freedom of Information Unit in the Ministry of Justice

The Israel Government has had difficulties implementing the Freedom of Information Law. Individuals responsible for implementing the law within Israel Government offices only partially use their designated authority. The freedom of information unit currently being established by the Ministry of Justice will have the authority to make broad policy decisions. It will publicize initiatives regarding government information and develop standards for simplifying the process of submitting policy requests and determining the types of decisions appropriate for public participation. In addition, the unit has the authority to establish and manage a central freedom of information website, to determine guidelines and publicize Government information, conduct seminars and provide professional consultations for those responsible for freedom of information in Government offices and the public sector. The unit will also clarify complaints against Government offices relating to Freedom of Information Law enforcement and raise public awareness regarding freedom of information. A unit director was appointed in November 2011.

#### Activities:

Completing the initial stages of unit setup and staffing

*Defining policy and developing initial work programs* 

Determining ongoing work flow vis-á-vis officials responsible for freedom of information in Government offices and the public sector

Establishing a central Internet site for freedom of information

Preparing seminars and workshops for employees in the public sector.

Commitment Description							
A ns w er ab	Lead institution	Ministry of Justice					
ili ty	Supporting institutions	N/A					
-	Point of contact specified?	Yes					
_	<b>Specificity and measurability</b> Medium (Commitment language describes an activity that is objectively verifiable, but it does not contain specific mileston deliverables.))						
R el	OGP grand challenges	Improving public services: Increasing public integrity					
ev an ce	OGP Values	Access to Informati on √	Civic Partici pation	Accounta bility	Tech & Innovation for Trans. & Acc.	None	
Ambition							
Nev	v vs. pre-existing	Potential in	npact				
Pre-	Pre-existing Moderate (The the commitment is a major step forward in the relevant policy area, but it remains limited in scale or scope.)						

Level of completion						
Start date:	End date:	Actual	Complete			
11 April 2012	11 August 2013	completion				
		Projected	Complete			
		completion				
Next steps	New commitment building on existing implementation					

#### What happened?

As the result of a civil society campaign for access to information, the government issued a resolution<sup>1</sup> that established the Freedom of Information Unit in the Ministry of Justice. While civil society pushed for the establishment of the position of an independent Freedom of Information (FOI) commissioner, the government chose to create an internal governmental organ to coordinate FOI activities. This marked a substantial, yet limited, development in Israel's FOI policy.

The budget allocated to the Unit for performing its functions, for 2012, was NIS 500k (approximately \$130,000) and allowed for a staff of four employees in addition to the head of unit, who was recruited in 2011.

The unit, or some of its representatives, carried out the following activities:

- Several guidelines related to FOI officers in the different ministries were published.
- A website was launched with basic information about the Unit, its guidelines, relevant legislation, and court rulings as well as other useful information for the general public.
- A professional forum of FOI officers was established. The forum meets once every three months. It also organized two seminars for public officers (in addition to two more before the report period and one after).
- The Unit celebrated a 'Freedom of Information Day' in the parliament under the auspices of the Justice Minister and speaker of the house.
- An annual report was published.
- Representatives of the unit participated in wider governmental forums focused on open government. They also offer ongoing consultation to FOI officers in the various government agencies.
- The Unit handled compaints against government ministries for not responding to requests on time or demanding unwarranted fees.

In the IRM researchers' opinion, this is a substantial development as until the creation of this unit, no central government body was authorised to direct FOI policy. However, this development is also limited in its scope; the Unit's activites were related to some specified technical matters, and more importantly, it lacked authority to inquire into non-technical substantial FOI-related complaints from the public. This explains the rather low volume of complaints received from the public regarding FOI-related conduct of other government agencies. At the time researchers were writing this report, the Unit had received 26 complaints—17 from private citizens, eight from four NGOs, and one from another public agency.<sup>2</sup>

#### Did it matter?

As described in the commitment's opening sentence, "The Israeli Government has had difficulties implementing the Freedom of Information Law." The government's

establishment of this Unit was seen, and to a certain extent was, a major step in meeting these difficulties.

It should be noted that the Unit was not given any enforcement powers, and many see its published guidelines largely as recommendations. Furthermore, the Unit was not allocated an adequate budget. This prevented it from undertaking extensive public awareness campaigns, as per the Freedom of Information Law. The government is working to address the limitations of the exisiting website for the Unit, and the current site will be replaced by a more extensive site, and a new central FOI website was launced January 2014 (beyond the report period) that makes the process of filing FOI requests more easily accessible.

For the first time, the Unit offered professional support to FOI officers in government ministries. It established a professional infrastructure for the FOI officers operations. While the officers are free to follow or disregard the guidelines prepared by the Unit, it seems that most of them are grateful for what it offers, and these much needed services have filled a gap in the FOI implementation.

While the implementation of this commitment is noteworthy, it has to date mostly benefitted government officials dealing with FOI, and it has been less benefitial to the general public, which is largely unaware of its existence.

#### **Moving forward**

In the opinion of the IRM researchers, the government should be adopting a new commitment that builds on existing implementation. The government should consider doing the followingIt is recommended that the government could:

- Significantly expand the Unit's resources, including its personnel and its responsibilities.
- Unit should be authorised to investigate complaints on all FOI-related matters, and the officials should have the power to ensure compliance with their findings.
- The guidlelines for FOI officers could also be made mandatory
- The Unit should ensure that the submission of FOI requests is an easy process: The newly launched (January 2014) central website, which accepts FOI requests is an important step in this direction, and could serve as a hub. Time will show whether it is properly supported by government ministries.
- Consider turning the Unit into an independent information commission.

<sup>&</sup>lt;sup>1</sup>Prime Minister's Office, <a href="http://bit.ly/19h]8uo">http://bit.ly/19h]8uo</a>
<sup>2</sup>Freedom of Information Unit, <a href="http://bit.ly/1j0mHkv">http://bit.ly/1j0mHkv</a>

# 8. Developing Technology Infrastructure for Providing Government Services

The Israel Government will enable individuals to provide information and obtain personal services online, while ensuring maximal protection and privacy and using security processes that identify users with the highest possible level of certainty.

### Activities:

Assessing and determining system standards for remote identification of citizens that meet the stringent requirements for information security, based on use of a smart identity card. Until such cards are distributed, we will consider alternative means of [sic]

Developing a government server for forms and payments: The Government will continue to develop 120–150 new electronic forms.

Developing information infrastructure and government services through cellular phones: In 2012–2013, the Government will assess appropriate technologies for development of Government applications for cellular phones and for development of a central infras [sic].

Co	mmitment Desc	ription						
ity	Lead institution	Ministry of I	Finance, CI	0				
Answerability	Supporting institutions	N/A						
Ans	Point of contact specified?	Yes						
-	<b>Decificity and easurability</b> Medium (Commitment language describes an activity that is objectively verifiable, but it does not contain specific milestones of deliverables.)							
	OGP grand challenges	Improving public services						
Relevance	OGP Values	Access to Informati on	Civic Partici pation	Acco	ounta y		& Innovation rans. & Acc.	None
Ar	nbition							
Ne	w vs. pre-existing	Potential in	npact					
and	Combination of new and pre-existing activities  Moderate (The the commitment is a major step forward in the relevant policy area, but it remains limited in scale or scope.)							
Le	vel of completio	n						
	<b>rrt date:</b> April 2012	End date: 11 August 2013		Actual comple Project	ted	Substantial Substantial		
Ne	ext steps	Revision of t	the commi	tment	comple to be mo		nievable or meas	surable

This commitment includes three major steps that should be undertaken in order to accomplish its implementation:

Assessing and determining system standards for remote identification of citizens
that meet the stringent requirements for information security: This is necessary for
the system to properly identify citizens and protect their information while they,
use the smart identity card.<sup>1</sup>

The Israeli government launched a nation-wide campaign in order to convince the public to get the new "Smart ID" (similar to the driver's license with a biometric chip). The government authorized the E-Gov system to issue the Smart IDs. The Smart ID allows Israeli citizens and residents who own them, to receive online governmental services, in a secure manner.

Additionally, in mid-2014 the E-Gov system will give Smart ID owners the option to use the Smart ID as an on-line, personal ID. This project also raised much concerns and objection from civil society, discussed in more detail below.

• Developing 120–150 new electronic forms<sup>2</sup>

The government's forms services had been active since 2005. This website allows the public to file electronic forms to a variety of government agencies, offering various government services, in a simple, quick, and inexpensive way. To date, there are 2,440 different forms on the website, of which 1,500 can be filled out and submitted on-line. During the last year, an additional 203 new electronic forms were uploaded to this website.

 Assessing the appropriate technologies for developing government applications for cellular phones, and for developing a central infrastructure enabling government units to develop such cellular applications<sup>3</sup>

E-Gov develops a uniform infrastructure for mobile apps for government ministries, in order to shorten development time and costs; to create government mobile templates and a shared standard; and to ensure the information security of the apps and the services. On November 2012, E-Gov launched the Government Payments App, which enables the public to make seven different payments to four different government agencies.

### Did it matter?

As written, this commitment does not clearly articulate how it promotes core OGP values of transparency, participation, and accountability.

After reading the government's self-assessment report, the IRM researchers found a steady increase of two important measures:

- Number of forms downloaded from government websites—the researchers found a steady increase in the number of forms downloaded by the public each year for the past six years.
- Sum of money paid through the government payments website—similar to the increase of downloaded forms mentioned above, the researchers found an increase of total the sum of money paid through the government payments website each year for the last eight years (the increase from 2012 to 2013 was nearly 20 percent after inflation adjustment).

In the opinion of the IRM researchers, this increase in use of government forms and payments' service is great evidence of the increasing public demand for an on-line database

of government forms as well as for a simple, secure, and easy way to make payments for government services. Creating the forms database and the online payment website will help to provide a simple, quick, inexpensive, and easy to use tool for the public and will help to improve government service to the public.

In relation to the Smart ID project, the government reports the progress made exceeds its expectations, and up to this point, 100,000 citizens and residents have thus far chosen to use a Smart ID (by law this is voluntary). However, the researchers found little evidence that the technology the government is implementing allows access to online government services using the ID.

### **Moving forward**

While the government made progress on this commitment, it needs further work for complete implementation.

Civil society representatives raised a few objections related to the smart ID card activation.

In the opinion of civil society representatives, the Smart ID project raised more difficulties than benefits. For example, some of the representatives expressed their concerns about the implementation of this project, in particular the ability of the government to protect citizens' private information once it is gathered. It is the IRM researchers' opinion there is ground for these apprehensions, based on past information leaks from government databases. This is related to the core idea of issuing Smart IDs and runs beyond the scope of assessing the government's actions in regard to providing government services using the Smart ID. However, the researchers find it interesting that the governmental campaigns to convince citizens to obtain Smart IDs only mention the provision of governmental services as a by-product of the campaigns' main goals, which are fighting identity theft and document forging.<sup>4</sup>

The IRM researchers, in their evaluation, found that the government developed only one app (the Government Payments app mentioned above). According to the government self-assessment report, there are two important milestones for future implementation of this commitment:

- By the end of 2013, more apps will be ready for the public to use.
- By the end of 2014, 15 new apps will be ready for use.

The IRM researchers concur with the views of civil society as well as with those of government. In order to complete the implementation of this commitment, the IRM researchers recommend that the government accomplish these two milestones and provide these new apps to the public.

<sup>&</sup>lt;sup>1</sup>Piba.gov, Biometric Cards <a href="http://bit.ly/18mmiU3">http://bit.ly/18mmiU3</a>

<sup>&</sup>lt;sup>2</sup>Israel Government Portal, Forms Service, <a href="http://bit.ly/J6RlHH">http://bit.ly/J6RlHH</a>

<sup>&</sup>lt;sup>3</sup>Israel Government Portal, <a href="http://bit.ly/IFLQjd">http://bit.ly/IFLQjd</a>

<sup>4.</sup> See for instance, the explanations in the government smart-ID website: <a href="http://smartid.gov.il/english/Publications/Pages/Explanatory.aspx">http://smartid.gov.il/english/Publications/Pages/Explanatory.aspx</a>.

# 9. Inter-Office Committee for Improving Business Processes

A steering committee for improving business processes in Israel will be established in 2012 and strive towards launching a business portal that will include comprehensive, concentrated information about services for businesses. The committee will also continue to review inter-office processes and find ways of rendering them more efficient, seeking to reduce the bureaucratic burden and improve service to businesses.

### Activities:

Launching a business portal that will include comprehensive, concentrated information about services for businesses.

Reviewing inter-office processes and find ways of rendering them more efficient, seeking to reduce the bureaucratic burden and improve service to businesses.

Co	ommitment Desc	ription						
	Lead institution	Ministry of I	Finance					
ty								
Answerability								
ral								
we	Supporting	N/A						
Ans	institutions							
1	Point of contact	Yes						
	specified?		1	1 .1				
_	ecificity and					vity that can be retation on the p	ant of	
ше	easurability	the reader.)	s measurai	oie with some	mterp	retation on the p	Jart of	
	OGP grand	Improving public services						
ce	challenges							
Relevance	<b>OGP Values</b>	Access to	Civic	Accounta			None	
lev		Informati	Partici pation	bility	ior i	rans. & Acc.		
Re			pation					
Ar	nbition	_						
Ne	w vs. pre-existing	Potential in	npact					
Pre	e-existing				cremer	ntal but positive	step in	
		the relevant	policy are	a.)				
	evel of completion							
	irt date:	End date:		Actual		Limited		
11	April 2012	11 August 2	013	completion				
				Projected		Substantial		
		Eusth on vers	ılı on basis	completion	ion			
Ne	ext steps	Further Wor	k on dasic	implementati	ion			

# What happened?

This commitment was not met. An interministerial committee for improving business processes that was "to be established in 2012," according to the commitment, was in practice established already in 2010. The government never launched the business portal

that it was supposed to launch in 2012. While the researchers could find very little (if any) evidence of the committee's work, they found text for a government resolution promoting the streamlining and simplification of business processes in Israel. The text, however, was not focused on open government, except, perhaps, for one article in the government resolution that deals with establishing a secure communications infrastructure. This secure communications infrastructure was for relaying messages and information between government ministries and the business sector. Here too, stakeholders have criticized that such information sharing is geared mostly toward large institutions, such as banks and insurance companies (according to the self-assessment report), and not to smaller, less powerful organizations that need more of open access to government data. This raises concerns as to the balance of privacy and efficiency in information sharing.

As noted in the commitment, the government should create a business portal that provides the business community in Israel with the opportunity to find all the necessary information in one centralized website. Currently only a page with links to several other agencies is available, and the news on that page is outdated (the latest news items are 10 months old). Even with this being the case, the government reports progress on the creation of a new portal to be launched mid-2014.

### Did it matter?

Reducing the bureaucratic processes is always a good idea and a worthy cause, but as written, this commitment does not clearly articulate how it will promote core OGP values of transparency, participation, and accountability.

The government's self-assessment report itself describes the commitment as having much more to do with streamlining of bureaucracy than with open government processes. The researchers recommend not including this commitment in future OGP action plans, unless a clear component of access to information or accountability is added to it (for instance, making information on licenses issued to businesses available online).

### **Moving forward**

The government did not meet the goals it set for itself. In order to reach the committee's main purpose, the government must launch the business portal as soon as possible. The government should allocate the right amount of budget for this commitment in order to accomplish its implementation, completing what the committee has worked for the committee's last four years.

However, as above mentioned, the researchers' opinion is that this commitment should not be seen as part of the OGP effort.

# 10. Creating a Government Contact Center (NAMAL - Meeting Point for Citizens)

In 2012, as part of this project, we will examine the option of establishing a government central phone support system that provides information about Government services, based on the online service catalogue. For this purpose, project specifications will be drafted and a feasibility and cost analysis will be conducted. During this year, the Government will decide whether to carry out the project and will assess possible subsequent stages thereof. Furthermore, it will explore options for contact center provision of basic services such as setting up appointments, receiving payments, filling out forms, etc., as well as tracking and monitoring the handling of public applications to Government Ministries through to their completion.

### Activities:

Project specifications will be drafted and a feasibility and cost analysis will be conducted. Specification drafting will also examine the possibility of having the center integrate among existing call centers of various Government units and their possible combination into one central Government contact center.

Exploring the option to publish a tender to employ a company that can provide a central Government contact center including a Government call-center.

Co	Commitment Description								
	Lead institution	Ministry of Fin	ance						
ity									
rabil									
Answerability	Supporting institutions	N/A							
A	Point of contact specified?	Yes							
_	Specificity and measurability  Medium (Commitment language describes an activity that is objectively verifiable, but it does not contain specific milestones o deliverables.)								
	OGP grand challenges	Improving pub	lic services						
Relevance	OGP Values	Access to Information	Civic Participati on	Accounta bility	Tech & Innovation for Trans. & Acc.	None			
Rel		$\int$			$\sqrt{}$				
Ar	nbition								
Ne	w vs. pre-existing	Potential imp	act						
Ne	New  Transformative (The the commitment entails a reform that could potentially transform "business as usual" in the relevant policy area.)								
Le	vel of completion	n							
Sta	rt date:	End date:		Actual	Not started				

11 April 2012	11 August 2013	completion				
		Projected	Limited			
		completion				
Next steps	Revision of the commitment to be more achievable or measurable					

The idea of creating a central government contact center, which would offer citizens one central source for all government related information, has been discussed for several years. now. A government resolution in August 2010 ordered the launch of this contact center in a pilot phase. The government plan was presented to the public through a government website (shituf.gov.il) within a few months of the government resolution. The creation of a government contact center was to a large extent an initiative driven by the conviction of Minister Eitan. He believed that such a center would be a valuable tool for citizens (he was inspired by a visit to New York City, where he witnessed the operation of the municipal 311 call center).

It should however, be noted that the commitment's language is extremely tentative. For example, the government used these phrases in the commitment: "Will examine the option of establishing . . ."; "specifications will be drafted . . ."; "cost analysis will be conducted . . ."; "will decide whether to carry out . . ."; "assess possible subsequent stages . . ." and; "will explore options for . . ." Even with these very modest goals, the government only partially completed the commitment. According to relevant government officials, the government did draft project specifications, which it can use to publish a tender. However, the government never conducted a cost analysis, has yet to publish the tender searching for service providers, and still must budget resources for this purpose.

In "off-the-record" discussions, some government officials have voiced reservations about this project's relevance as well as expressed doubts about its feasibility. These views acknowledge the complexity of establishing a central source for all government information without a unified catalogue of government services and a unified cross-ministerial database with information on the various services to be made available through the contact centres. Such reservations may explain the slow pace and progress of this project.

### Did it matter?

The initiators of Israel's action plan saw this commitment as a potentially transformative one. The researchers believe it could have been transformative had it been properly implemented. It could have made it much easier for disempowered citizens to navigate the corridors of government bureaucracy, and it could have allowed citizens to learn more about their rights and most importantly how to access those right, thus increasing the level of citizens' rights fulfillment.

Since this commitment focused on planning rather than any concrete action visible to the public, and since the planning itself is moving slowly, the IRM researchers can comfortably conclude that this commitment's implementation did not have any real impact on the public sphere or on government agencies. While stakeholders on public online forums at one timepoint (in 2010, long before the report period) discussed and were interested in creating such a center, it does not seem like the public engaged in the program during or after the report period.

# **Moving forward**

If the government decides it is interested in implementing this program, it should do the following:

- Allocate an appropriate budget.
- Create a catalogue of government services (commitment no. 11) as soon as possible, an important pre-condition to the implementation of this commitment.
- Make more concrete commitments, (i.e., state specific dates for publishing a tender and launching a pilot phase).

<sup>&</sup>lt;sup>1</sup>Prime Minister's Office, <a href="http://www.pmo.gov.il/Secretary/GovDecisions/2010/Pages/des2201.aspx">http://www.pmo.gov.il/Secretary/GovDecisions/2010/Pages/des2201.aspx</a>

<sup>&</sup>lt;sup>2</sup>Israel Government Portal, http://www.shituf.gov.il/discussion/103

# 11. Online Catalog of Government Services

An online catalog will be developed with extensive information about Government services, on a unified interface, with defined metadata. The catalog will describe the service, conditions of eligibility, times and places where services are provided, user responses and additional information provided by other stakeholders from civil society with relevant expertise. Government agencies will regularly update the information in the catalog and – at at a later stage – add further metadata and information, including extensive information about rights, calculators, simulators and search engines.

### Activities:

Staff for this project is currently being recruited

Throughout 2012–-2013, a pilot project will be developed that will provide a catalog of services for three to ten Government offices that supply an extensive range of services to the public.

Co	mmitment Desc	ription						
Α	Lead institution	Ministry of I	Finance					
ns								
W								
er								
ab	C	DI / A						
ili	Supporting institutions	N/A						
ty	Point of contact	Yes						
	specified?	Yes						
<b>Specificity and</b> Low (Commitment language describes activity					ity that can be			
mea	asurability		s measural	ole wit	h some in	terpi	retation on the p	oart of
		the reader.)						
R	OGP grand	1 91						
el	challenges							
ev	OGP Values	Access to	Civic	Acco	unta T	unta Tech & Innovation None		
an ce	0 01 7 01 000	Informati	Partici	bility			rans. & Acc.	110110
CE		on	pation					
An	bition							
Nev	v vs. pre-existing	Potential impact						
Nev	V	Minor (The the relevant			is an incre	emer	ital but positive	step in
Le	vel of completio							
	rt date:	End date:			Actual		Not started	
11 A	April 2013	11 August 2	013		complet	ion		
					Projected		Limited	
					complet			
Ne	xt steps	Further wor	k on basic	implei	mentation	1		

From the beginning, this commitment was narrowly formulated and only had two actual activities:

- Recruit staff for the project—in December 2012 the governmen recruited a team for the project, under the authority of the Ministry of Finance.
- Develop a pilot project—a pilot project was launched during December 2012 that included four government ministries. During the operation of the project, the government picked 200 of the most popular online government services for the 2014 catalogue.

Due to the complexity of the catalogue (both gathering the information and creating a user-friendly catalogue), government officials postponed the launch date to 2014.1

### Did it matter?

As mentioned above, according to the government, this commitment is "part of an overall concept of open government." The IRM researchers agree with this statement. An online catalogue could become a useful tool for the public and a platform for both the government and civil society collaboration. It would provide services and share knowledge and experience.

However, government officials have not published information related to the implementation of the pilot project, and the IRM researchers were unable to examine its performance. Additionally, none of the stakeholders consulted were invited to participate in the pilot project, and they could not provide any information about its implementation.

The IRM researchers too, were unable to find any details or data about the services provided in the pilot project, or the scope of public participation in the pilot.

### **Moving forward**

According to government officials, they will launch the catalogue in 2014. (They did not specificy a timeline.) The government is conducting research through public opinion tools (rather than consultation with civil society) to design the catalogue in the most useful way.<sup>2</sup>

The catalog is seen as a necessary step in the process of creating a "government contact center" (commitment no. 10), and therefore the government should feel the pressing need to develop it as soon as possible. This commitment could be merged in future OGP action plans with commitment 10, which is based on it (although it can have wider implications). Regardless of how the commitment is categorized, it is the researchers' strong recommendation that the tender and time line for the catalogue's completion be issued as soon as possible.

<sup>1</sup>Israel self-assessment report on the action plan, April 2012, p. 17--18.

<sup>&</sup>lt;sup>2</sup>Interview with Tzofit Hay (, Director of Unit for the Improvement of Government Public Services and Reduction of Bureaucracy Unit, 8 October 2013, Ministry of Finance), in an interview, 8 October 2013, Jerusalem.

# 12. Establishing a Unit for Government Service to the Public

The Government is currently establishing a central headquarters for improving Government service to the public. This unit will develop guidelines for governmental customer service, determine standards and develop central projects for improvement. It will run a set of measurements to review government services and publish its results for the public, coordinating its activities with officials in charge of different services at various Government agencies.

### Activities:

The Government will establish the unit, recruit its personnel and compose a strategic plan defining the unit's work.

The unit will provide ongoing measurement of the level of service provided by Government agencies and publish a Government Service to the Public Report in 2012.

The unit will conduct ongoing activity vis-á-vis other agencies, defining standards acceptable to stakeholders regarding levels of service necessary in each section of Government.

Co	ommitment Desc	ription							
	Lead institution	Ministry of I	Finance						
V									
lit									
abi									
Answerability		NI /A							
SW	Supporting	N/A							
An	institutions								
	Point of contact	Yes	Yes						
	specified?								
_	ecificity and					vity that can be			
me	easurability		s measurat	ole wit	n some interp	retation on the <sub>l</sub>	part of		
	oon 1	the reader.)							
	OGP grand	Improving public services							
ce	challenges								
an	OGP Values	Access to	Civic	Acco	ountability	Tech &	None		
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lev		Informati	Partici			Innovation			
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Relev			2 022 0202	V					
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Ar	nbition	on	pation	V		for Trans. &			
Ar	w vs. pre-existing	Potential in	pation			for Trans. & Acc.			
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This commitment was substantially completed, but further steps need to be taken to render it effective from the public's point of view.

Over the last year, the government established a unit for the "Improvement of Government Public Services and Reduction of Bureaucracy," under the authority of the Ministry of Finance (MOF).<sup>1</sup>

During the past year, the unit focused on creating official, uniform, and detailed guidelines for government service to the public. The unit is still drafting this manual, in progress and it has not been published yet. It also published a tender and contracted a private company to measure the level of services provided by the government. The company has not yet started to act, and as of yet, no report has been published for the public. The unit also provided service to the other ministries, including seminars, lectures, and trainings for government officials, in order to better implement the concept of "service to the public" inside the government.

The IRM researchers found the unit to be highly motivated, but no activities were undertaken, allegedly because of reasons related to the unexpected general elections that took place in January 2013, which caused delays in several activities and budget approvals.

Out of the four activities defined in the action plan, three were achieved; however, the fourth (publishing the first *Government Service to the Public Report*) is the most substantial from the public's point of view, and it has yet to be completed.

### Did it matter?

Since the commitment was not highly ambitious to begin with, and the unit has yet to carry out the steps that are more relevant for the public at large, it is hard to trace any significant impact of the activities undertaken so far.

# **Moving forward**

The unit should carry out, as soon as possible, the publication of the *Government Service Public Report*. The IRM researchers believe that this can be a significant measure in motivating government officials to improve their services. Authorities of the unit should be better defined, so as to assure cooperation by other government agencies'.

 $<sup>1.\,</sup>Ms.$  Zofit Hay was named the unit's director, and the unit has three more employees. See, http://bit.ly/18nZvHe

# 13. Establishing a National Information Technology (IT) Unit Headed by a Government CIO

To improve coordination and cooperation among Government information systems, the Government decided to establish a national IT unit, headed by a Government CIO. The unit will have extensive horizontal authority, including developing the Government's IT strategy, developing extensive governmental IT projects, defining unified architecture and standards for the government's IT unit and promoting development of databases and professional expertise within government agencies. The Government CIO will also be responsible for the e-Government unit, that promotes digitalized governmental services for the public and develops a horizontal technological infrastructure for administrative services. The Israel Government approved the appointment of a Government CIO in Government Decision No. 4375 on March 11, 2012. The Government CIO was appointed recently.

### Activities:

Staffing the unit will be completed by the end of the first half of the year. Once it is established, the unit will draft a work plan defining its activities and budget and institutionalizing its relationship with other agencies.

nmitment Desc								
Lead institution	Ministry of	Finance						
Supporting institutions	N/A	N/A						
Point of contact specified?	Yes							
measurability construed as measura							oart of	
OGP grand challenges	Improving public services							
OGP Values	Access to Informati on	Civic Partici pation	Accounta bility				None	
			V		V			
bition								
vs. pre-existing	Potential in	npact						
	Minor (The the commitment is an incremental but positive step in the relevant policy area.)							
el of completio	n							
t date: pril 2012	End date: 11 August 2			Actual completion		Substantial		
1	Supporting institutions Point of contact specified? cificity and surability  OGP grand challenges OGP Values  bition vs. pre-existing vel of completion t date:	Supporting institutions  Point of contact specified?  cificity and construed a the reader.)  OGP grand challenges  OGP Values  Access to Informati on  bition  vs. pre-existing Potential in the relevant of t	Supporting institutions  Point of contact specified?  cificity and construed as measural the reader.)  OGP grand challenges  OGP Values  Access to Informati on Partici on Partici pation  bition  vs. pre-existing Potential impact  Minor (The the commit the relevant policy are relevant policy are relevant policy are relevant end at the relevant e	Supporting institutions  Point of contact specified?  cificity and surability  OGP grand challenges  OGP Values  Access to Informati pation  Informati pation  Access to Informati pation  Ves. pre-existing  Potential impact  Minor (The the commitment the relevant policy area.)  Vel of completion  t date:  End date:	Supporting institutions  Point of contact specified?  Cificity and construed as measurable with some the reader.)  OGP grand challenges  OGP Values  Access to Informati Partici pation  Informati pation  Ves. pre-existing Potential impact  Minor (The the commitment is an in the relevant policy area.)  Tel of completion  t date: End date: pril 2012  11 August 2013	Supporting institutions  Point of contact specified?  cificity and surability  COGP grand challenges  OGP Values  Access to Informati on Partici on Partici on Pation  Compation  Potential impact  Minor (The the commitment is an increment the relevant policy area.)  Tel of completion  Tel of completion  Tel of completion  Tel of completion  Actual	Supporting institutions  Point of contact specified?  cificity and isurability  Construed as measurable with some interpretation on the path the reader.)  OGP grand challenges  OGP Values  Access to Informati on Partici on	

		completion	
Next steps	Further work on basic impler	nentation	

The government formally established the National Information Technology Unit when it approved the appointment of Ms. Carmela Avner as the head of the unit in March 2012.<sup>1</sup> This was done in fulfillment of a 2011 government resolution.<sup>2</sup>

Nine of the fifteen positions allocated to the unit were filled at the time the IRM researchers wrote this report. It should be noted that not all of the unit's tasks fall within the open government agenda. Even so, after Minister Eitan (and his staff) was no longer able to play a lead role in Israel's OGP activities, this unit became the government agency in charge of most OGP activities, and also the most OGP-relevant activities.<sup>3</sup> Despite its responsibility for OGP, the unit performs only the role of a coordination body, and it was not given any formal powers nor was it given authority to enforce its policies on other government agencies.

While both government officials and civil society representatives praised the professionalism and the ambition of Ms. Avner and her staff, in September 2013 (shortly after the end of the report period), Ms. Avner submitted her resignation to the finance minister. Civil society activists and some government officials interviewed by the IRM researchers widely believe that one of the main reasons for Ms. Avner's resignation was the unit's lack of adequate power to fulfill its mandate and to motivate other government agencies to change their practices.

### Did it matter?

The unit has come to be known as a highly professional and somewhat effective organ within government to promote the open government agenda. However, as stated above, its lack of formal authority and enforcement powers limit its ability to push this agenda forward in a timely manner. This is not to say that producing the mere production of work plans and guidance for other government agencies does not present a significant contribution, but rather it is the pace of change that is far from satisfactory.

### **Moving forward**

Appointing a new head of the unit and adequate staff are important for fulfilling this commitment. However, more importantly, the government should clearly define the unit's role in implementing the OGP action plan and should grant it the necessary powers to fulfill its activities.

The IRM researchers recommend that the government either charges the unit with the overall responsibility of coordinating and implementing OGP activities, or moves these responsibilities to another central government unit. The researchers also recommend that these authorities could be supported by a political authority, such as government ministers, who are willing and able to thoroughly engage in these activities, support these authorities in implementing open government related activities.

 $<sup>^1\!</sup>Prime$  Minister's Office,  $\underline{http://www.pm.gov.il/PMO/Secretarial/Decisions/ <math display="inline">\underline{2012/03/des4375.htm}$ 

<sup>&</sup>lt;sup>2</sup>Prime Minister's Office, <a href="http://www.pmo.gov.il/Secretary/GovDecisions/2011/Pages/des3058.aspx">http://www.pmo.gov.il/Secretary/GovDecisions/2011/Pages/des3058.aspx</a>
<sup>3</sup>Meeting with Carmela Avner and staff (, Government CIO, Ministry of Finance), in discussion with IRM researchers, and her staff, 8 October 2013, Jerusalem.

# V. SELF-ASSESSMENT

While the report is comprehensive and candid, it is important to note that it was not open to public feedback before its submission.

The government published self-assessment report at the end of October 2013, two months behind schedule. This delay seems to be a result of (as well as evidence of) the lack of a nodal agency within government in charge of OGP implementation.

While the report is comprehensive and candid, it is important to note, that it was not open to public feedback before its submission.

More importantly, some would argue that parts of the report, while not lacking accuracy, do not present the full picture. In some aspects, the report stretches far beyond the OGP commitment, to present a wider picture of the government's transparency and open government initiatives. However, in other aspects, this widening of the scope of the report seems to conceal the fact that the government has done little in terms of working to achieve the commitments themselves. Therefore the report focuses more on future plans, inside and outside the scope of the OGP commitments. Finally, the report includes a brief description of commitment's implementation; thus at times blurring the picture of how much has actually been done to fulfill commitments.

**Table 2: Self-Assessment Checklist** 

Table 2. Self-Assessment Checklist	* 7
Was annual progress report published?	Yes
Was it done according to schedule?	No
Is the report available in the local language?	Yes
According to stakeholders, was this adequate?	Unclear
Is the report available in English?	Yes
Did the government provide a two-week public comment period on draft self-assessment reports?	No
Were any public comments received?	No
Is the report deposited in the OGP portal?	Yes
Did the self-assessment report include review of the consultation efforts?	No
Did the report cover all of the commitments?	Yes
Did it assess completion according to schedule?	Yes
Did the report reaffirm responsibility for openness?	Yes
Does the report describe the relationship of the action plan with grand	Unclear

# VI: MOVING FORWARD

This section puts the Open Government Partnership (OGP) action plan into a broader context and highlights potential next steps, as reflected in the preceding sections, as well as stakeholder-identified priorities.

### **Country Context**

In spite of what the IRM researchers found lacking in the government's implementation of the OGP commitments, Israel did take several modest steps outside of OGP to promote open government principles. Some of these are discussed below.

### Access to Information

The government took several positive, albeit modest, steps to promote transparency and improve access to publicly held information:

- 1. The fees established by the Freedom of Information Regulations (Fees)¹ were recently (January 2014) reduced by 80 percent; with new fee exemptions are applicable to NGOs, higher education institutions, and individuals in need.
- 2. The Justice Ministry has published guidelines directing government ministries to release information in digital format wherever possible, with preference to open formats.<sup>2</sup>
- 3. In December 2013 the government approved a resolution to publish all government/private sector contracts related to provision of services to the public in the fields of transportation, health, education and welfare, or to the use of public resources. The IRM researchers recommend the application of this principal or disclosure to all public/private contracts, with narrowly defined exemptions to protect important private or public interests.
- 4. The courts have also produced some more decisions strengthening the public's right to know; these decisions included publication of school attainment levels<sup>3</sup> and protecting the commercial interests of an information requester's right to access public information.<sup>4</sup>
- 5. The Freedom of Information Unit's activities had a significant impact on the government's attitude toward freedom of information (FOI). In spite of the unit's limited power the IRM researchers believe that the unit's activities that can be found in the government's self-assessment report, are well defined and represent an opportunity for some change.<sup>5</sup>
- 6. The government published meeting minutes of high profile public committees in response to the ongoing pressure from and the spirit of the social unrest in 2011. The IRM researchers observed that many of the protesters demands and subsequent, focused on greater transparency in government decision making, and data. These demands apply ongoing pressure on ministries and cause them to practice greater transparency in response. For example, the publication of minutes of meetings of high-profile public committees that followed the summer 2011 protests, suggested socio-economic reforms, and a committee that dealt with the tax policy for licensees producing Israel's natural resources. These two committees and other similar ones yielded to public pressure to publish minutes of their meetings.

### **Public Participation**

In the field of public participation both government officials and academics informed the IRM researchers about the ongoing efforts to promote cross-sectoral deliberation forums, which allow for more participation of NGOs in the decision- making processes. At the same time, it should be mentioned that the government neglected some of the OGP commitments specifically geared toward this end, and little was done by civil society organizations to promote mass public participation.

Government efforts seem more focused on targeted participation of pre-identified groups. IRM researchers found the government lacked appropriate mechanisms, or working guidelines, to encourage government ministries to seek public participation in their decision-making processes and to evaluate the outcomes of public consultation and integrate them in their working processes. While the government's self-assessment report provides some information about the government efforts to promote public participation in government activities, most of the activities the government described could be understood as internal processes within the government in which the public is given a voice, rather than as an actual public participation that lets the public leave a mark on the decisions made (and the government has yet to be implement these activities).

### **Technology for Openness and Accountability**

Israel, as a country and society, is highly technologically advanced. With a thriving commercial high-tech sector, it is expected that Israel's public agencies would take the technological lead as well. While this sector is constantly progressing toward technological applications that promote openness and accountability, its efforts to date are not impressive when as compared to other nations' efforts. Indeed Israel's government ministries more readily (1) communicate via e-mail than in the past, (2) include information on their websites, and (3) actively disclose information, including in digital format. However, government websites are still limited in the level of online services they offer ("true"online forms rather than downloading forms), and many do not fully support browsers other than Internet Explorer (used by roughly 25 percent of Internet users). In short, there is room for much more technological progress in the government's online services, and online information presentation.

### **Current Stakeholder Priorities**

The stakeholders see the next two commitments as the most significant:

- Establish a cross-sector forum that promotes open government programs—this
  commitment was named by the stakeholders as the most significant because it
  envisions creating a multi-stakeholder forum in which the government officials, civil
  society representatives, and academic representatives could collaborate and
  provide professional advice to the government in the fields of transparency, public
  services, open government, and open data.
- Establish a unit that oversees open for government project implementation—under this commitment the government could establish a governmental unit, responsible for the overall coordination, management, and implementation of the open government project within the government. This unit could also be made responsible for implementing other commitments within the government ministries and could improve the service quality and range to the public in Israel.

### **Future Stakeholder Priorities**

Stakeholders were focused more on the government's lack of declared-policy implementation, than on identifying new policies. Stakeholders identified the following challenges with the government's commitment implementation:

- 1. Lack of appropriate timeliness of responses from government ministries and of data releases.
- 2. Lack of transparency regarding budget and expenditure information from of security agencies.
- 3. Lack of advocacy efforts to promote actual public participation with and usage of the tools envisioned as part of OGP as well as public participation with other initiatives.
- 4. Lack of additional proactive government disclosure and additional advanced online tools to search, retrieve, and investigate information.

### Recommendations

- 8. Identify one central authority figure, preferably a cabinet minister, who has the political weight, the resources, the will, and the interest to lead the process and to push the action plan it through the expected obstacles. If a cabinet member is not available then at very least a very high-ranking civil servant.
- 9. Allow for a government entity to have open government as its lead priority and to have the power to implement open government programs, even in the face of opposition within the bureaucracy.
- 10. There is need for an administrative/government entity that has open government as its lead priority and has the power to implement open government programs, even in the face of opposition within the bureaucracy.
- 11. Create an information commission, or a drastically boost the number of authorities for the Freedom of Information Unit, so that the unit produces tangible change within a reasonable time frame. Also be sure to allocate significant budgetary sources for the project.
- 12. Allocate proper budgets. Many of the OGP commitments reviewed in this report were focused on research, planning, feasibility studies, and the like. Now that it is time to move toward large-scale implementation, the necessary budgets are on a different magnitude. This requires a renewed commitment at cabinet level with proper budgeting.
- 13. Reactivate the Open Government Forum under a new leader. This forum was once led by Minister Eitan and is, in the IRM researchers' view, an appropriate, inclusive, and well-balanced forum for multi-stakeholder consultation on OGP affairs.
- 14. Encourage the general public to participate in the consultation process, and implement a well-structured mechanism to receive and process their opinions, transforming the input into workable proposals. While the IRM researchers found that the planning processes leading to defining "next steps" in the OGP process were are relatively inclusive, and did not leave out significant stakeholders were left out. However, there is room for improvement.
- 15. Make more progress on the high priority, partially fulfilled commitments:
  - a. Develop technological tools for public participation in policymaking processes
  - b. Create a government contact center for citizens, or another alternative that implements the idea of one central site that offers citizens the information they need to enjoy government services, fulfil their rights, and contact relevant government agencies.

- 16. Move to the next step with commitments that were fully or mostly met. For example, the Freedom of Information Unit in the Ministry of Justice must receive more powers to investigate mishandling of freedom of information requests, and more importantly, it must direct public agencies toward proactively disclosing information and implementing new technologies for meaningful presentation of information to the public at large.
- 17. Show stronger and clearer connections between OGP commitments and OGP core values. Commitments aimed at advancing use of technology in the governmental sector or improving service standards but that did not have direct links to openness in government should be left out of this initiative, worthy as they may be for other reasons.

As mentioned above, one high priority should be the creation of a national information commission, or other central authority, with binding powers to instruct public agencies to disclose information and that has the ability to also lead the way in the management and processing of information. The government needs to put legislation in place providing for this change as well as other new initiatives. For example, one commitment needs legislation that promotes the publication of meeting minutes in public agencies, forms of public consultations and participation. The government should reinvigorate tools for public participation that were developed three to four years ago and have since been somewhat neglected—such as the public participation website shituf.gov.il should be reinvigorated.

Another topic, which requires significant progress, is transparency of public procurements and expenditures. While the government's self-assessment declares some intentions in this direction, these intentions are yet to be carried out and their nature yet to be clarified.

<sup>&</sup>lt;sup>1</sup>Ministry of Justice, <a href="http://bit.ly/1f9Ul0E">http://bit.ly/1f9Ul0E</a>

<sup>&</sup>lt;sup>2</sup>Freedom of Information Unit, <a href="http://bit.ly/IHUGgz">http://bit.ly/IHUGgz</a>

<sup>&</sup>lt;sup>3</sup>A 1245/12 Movement for Freedom of Information v. Ministry of Education, A 1245/12 (decided 23 August 2013).

<sup>&</sup>lt;sup>4</sup>Yafit Mengel v. National Insurance Institute, AA 7744/10, (decided 15 November 2012).

<sup>&</sup>lt;sup>5</sup>Israel<sup>5</sup> Government's self-assessment report on the action plan, April 2012, p. 66–68.

<sup>&</sup>lt;sup>6</sup>Israel self-assessment report on the action plan, April 2012<sup>6</sup> Ibid, p. 66–68.62

<sup>&</sup>lt;sup>7</sup>See: Dan Senor and Saul Sanger, 2009 Start-Up Nation: The Story of Israel's Economic Miracle. Twelve: New York.

# **ANNEX: METHODOLOGY**

As a complement to the government self-assessment, well-respected governance researchers write an independent assessment report, preferably from each OGP participating country.

These experts use a common Open Government Partnership (OGP) independent report questionnaire and guidelines, based on a combination of interviews with local OGP stakeholders as well as desk-based analysis. This report is shared with a small International Expert Panel (appointed by the OGP Steering Committee) for peer review to ensure that the highest standards of research and due diligence have been applied.

Analysis of progress on OGP action plans is a combination of interviews, desk research, and feedback from nongovernmental stakeholder meetings. The IRM report builds on the findings of the government's own self-assessment report and any other assessments of progress put out by civil society, the private sector, or international organizations.

Each local researcher carries out stakeholder meetings to ensure an accurate portrayal of events. Given budgetary and calendar constraints, the IRM cannot consult all interested or affected parties. Consequently, the IRM strives for methodological transparency, and therefore where possible, makes public the process of stakeholder engagement in research (detailed later in this section.) In those national contexts where anonymity of informants—governmental or nongovernmental—is required, the IRM reserves the ability to protect the anonymity of informants. Additionally, because of the necessary limitations of the method, the IRM strongly encourages commentary on public drafts of each national document.

### Introduction

Until recently there were hardly any Israeli NGOs focused on issues of transparency and open government. This has changed in the past decade with the emergence of some important, innovative, and competent organizations. However, these organizations remain a rather small and closely connected community, and since the IRM researchers are connected to this field, they have had enjoy some level of acquaintance with nearly all the organizations and individuals involved.

### **Stakeholder Selection**

The IRM researchers sought qualified individuals from government and civil society. They selected government officials, in charge of OGP commitment implementation. This included officials in the Prime Minister's Office, the Ministry of Finance, Treasury and the Ministry of Justice. As for civil society, the researchers selected representatives from the various organizations active in the field of transparency that are on the receiving side of the government's commitments. The researchers held individual meetings with representatives of all but two such organizations.

After conducting the individual meetings and the initial findings were ready to share, the researchers conducted lengthy phone interviews. This format was found be more effective than one large stakeholders' meeting, which proved logistically difficult to arrange. Individual meetings included the following participants:

# **Government Officials (MOF Officials Grouped Together):**

- Ms. Carmela Avner, CIO, Ministry of Finance
- Ms. Liad Barzilay, head of Strategy and Marketing, CIO, Ministry of Finance
- Ms. Tzofit Hay, director of the Improvement of Government Public Services and Reduction of Bureaucracy Unit, Ministry of Finance
- Ms. Keren Katsir, marketing and public relations manager, E-Gov, Ministry of Finance
- Ms. Tamar Peled Amir, senior head of Division of Social Affairs and Tri-sectorial Cooperation, The Department for Governance and Social Affairs, Prime Minister's Office
- Mr. Shlomi Bilevsky, deputy head of the Freedom of Information Unit, Ministry of Justice
- Mr. Michael Eitan, former minister of Ministry of Improvement of Government Services
- Mr. Nir Hirshman, former adviser to Minister Eitan, Ministry of Improvement of Government Services

### **Civil Society Organizations:**

- Ms. Alona Vinigrad, director of The Movement of Freedom of Information, Israel
- Mr. Yuval Admon, director of The Public Knowledge Workshop
- Mr. Avner Pinchuk, Department of Privacy and Information, The Association for Civil Rights in Israel
- Mr. Eran Klien, The New Israel Fund Initiative for Social Change

### **Academics**

Dr. Sarit Ben-Simhon-Peleg, Center for Director, Hartog School of Government and Policy, Tel Aviv University

<sup>1.</sup> Full research guidance can be found at <a href="http://bit.ly/120SR0u">http://bit.ly/120SR0u</a>

# **About the Independent Reporting Mechanism**

The IRM is a key means by which government, civil society, and the private sector can track government development and implementation of OGP action plans on a bi-annual basis. The design of research and quality control of such reports is carried out by the International Experts' Panel, comprised of experts in transparency, participation, accountability, and social science research methods.

The current membership of the International Experts' Panel is:

- Yamini Aiyar
- Debbie Budlender
- Ionathan Fox
- Rosemary McGee
- Gerardo Munck

A small staff based in Washington, DC shepherds reports through the IRM process in close coordination with the researcher. Questions and comments about this report can be directed to the staff at <a href="mailto:irm@opengovpartnership.org">irm@opengovpartnership.org</a>