

Independent Reporting Mechanism (IRM): Israel Implementation Report 2017–2019

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Table of Contents

Executive Summary: Israel	2
I. Introduction	5
II. Action Plan Implementation	6
1. Expanding the scope of civic participation processes in government ministries' work, through inculcating the process and ensuring that the means to carry it out are publicly accessible	7
2. Publicizing reports of implementation of government resolutions	9
3. Publicizing data on action plan performance indicators	11
4. Setting up a central call center for government ministries	12
5. Continuing the development of the National Legislation Database – increasing the transparency of information about primary and secondary legislation	13
6. Establishing a reporting and control system on the implementation of the measures in the National Plan for the Reduction of Greenhouse Gas Emissions	15
7. Defining criteria for transparency	17
8. Promoting Legislative Amendments regarding active publication of information	19
9. Increasing transparency, civic participation and the accessibility of information in local authorities and in the Ministry of the Interior	21
10. Making databases publicly accessible	23
11. Promoting services identified with the objective of remotely accessing government services	26
12. Paperless Government	27
13. Open-Source Code	29
14. Building a system of evaluation of the strategic plan for Open Government	31
III. Multi-stakeholder Process	33
VI. Methodology and Sources	35
Annex I. Overview of Israel's performance throughout action plan implementation	36
Annex II. IRM Indicators	38



Executive Summary: Israel

Israel's third action plan mainly focused on disclosing government-held information, strengthening transparency legislation, and using technology to improve access to government services. While many commitments were substantially or fully implemented, they mostly did not lead to significant changes in government practice due to low levels of ambition. Commitment 5 resulted in notable changes by starting to publish the legislative and budgetary amendments.

The Open Government Partnership (OGP) is a global partnership that brings together government reformers and civil society leaders to create action plans that make governments more inclusive, responsive, and accountable. The Independent Reporting Mechanism (IRM) monitors all action plans to ensure governments follow through on commitments. Israel joined OGP in 2012. Since, Israel has implemented three action plans. This report evaluates the implementation of Israel's third action plan.

General overview of action plan

Over half of the commitments in Israel's third action plan saw substantial or full completion by the end of the implementation period. However, due to the low levels of ambition, their results in changing government practice were mostly marginal. Some commitments that could have improved public access to information, such as proactively disclosing information under the Freedom of Information (FOI) Law and increasing access to information held by local governments, were ultimately not implemented.

Commitment 5 resulted in the publication of legal and budgetary amendments to the Israeli Parliament (Knesset)'s National Legislation Database. This represents a significant improvement to the transparency of legislation and the budget process compared to before the action plan. However, other important information envisioned under the commitment, namely draft bills and secondary legislation, was not published to the database.

Table 1. At a glance
 Participating since: 2012
 Action plan under review: 3rd
 Report type: Implementation
 Number of commitments: 14

Action plan development
 Is there a Multistakeholder forum: Yes
 Level of public influence: Consult
 Acted contrary to OGP process: Yes

Action plan design
 Commitments relevant to OGP values: 11 (79%)
 Transformative commitments: 1 (7%)
 Potentially starred: 1 (7%)

Action plan implementation
 Starred commitments: 0
 Completed commitments: 4 (29%)
 Commitments with Major DIOG*: 1 (7%)
 Commitments with Outstanding DIOG*: 0
 Level of public influence: Inform
 Acted contrary to OGP process: No

*DIOG: Did it Open Government




Table 2. Noteworthy commitments

Commitment description	Status at the end of implementation cycle.
<p>5. Increase the transparency of information about primary and secondary legislation</p> <p>Make secondary legislation information publicly available through the “Legislation Depository” in the Knesset website</p>	<p>This commitment resulted in the publication of all legal amendments and budgetary amendments to the Knesset’s National Legislation Database. The publication of this information has significantly improved transparency and accessibility of amended legislation and changes to the budget compared to before the action plan. However, the other important information envisioned under this commitment, namely draft bills and secondary legislation, were not added to the database.</p>
<p>8. Promote Legislative Amendments regarding active publication of information</p> <p>Amend the Freedom of Information Law to increase disclosure obligations for government agencies, with a focus on</p>	<p>This commitment which called for amending Israel’s Freedom of Information (FOI) law, particularly around pro-active disclosure of information, was not fulfilled.</p>
<p>10. Make databases publicly accessible</p> <p>Map and proactively disclose all government databases to the public.</p>	<p>The implementation of this commitment is ongoing. So far, the number of government databases available on the data.gov website has increased four times compared to before the start of the action plan. However, the current number of available databases is still relatively low compared to other countries.</p>

Five Key IRM Recommendations

The IRM key recommendations are prepared in the IRM Design Report. They aim to inform the development of the next action plan and guide implementation of the current action plan. In Israel’s 2017–2019 Design Report, the IRM recommended the following:

Seek high-level political support (after the formation of a new government) to oversee the OGP process.
Conduct at least three consultation meetings for the multi-stakeholder forum and provide a reasoned response to participants.
Consider other government agencies, such as the Governance and Society division, to lead and coordinate the OGP process
Consider in detail whether future commitments will lead to changes in government practice along with core OGP values of access to information, civic participation, and public accountability.
Have more ambitious and specific goals in future commitments in general, and improve the FOI law in particular.

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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 (IRM) assesses development and implementation of national action plans to foster dialogue among stakeholders and improve accountability.



I. Introduction

The Open Government Partnership is a global partnership that brings together government reformers and civil society leaders to create action plans that make governments more inclusive, responsive, and accountable. Action plan commitments may build on existing efforts, identify new steps to complete ongoing reforms, or initiate action in an entirely new area. OGP's Independent Reporting Mechanism (IRM) monitors all action plans to ensure governments follow through on commitments. Civil society and government leaders use the evaluations to reflect on their progress and determine if actions have made an impact on people's lives.

The Independent Reporting Mechanism of OGP has partnered with Roy Peled and Guy Dayan, who carried out this evaluation. The IRM aims to inform ongoing dialogue around the development and implementation of future commitments. For a full description of the IRM's methodology, please visit <https://www.opengovpartnership.org/about/independent-reporting-mechanism>.

This report covers the implementation of Israel's third action plan for 2017–2019.

Israel's third action plan ended during a time of political uncertainty. Two consecutive general election cycles in April and September 2019 both failed to produce a new government, and Israel is facing a third election cycle within a year. The state's Prime Minister over the last decade was charged with bribery and fraud.¹ These events and resulting political uncertainty inhibited some government agencies in charge of OGP commitments from carrying out their public tasks (both related and unrelated to OGP).

Israel's third action plan mainly focused on improving the accessibility of government processes, transparency, and open information; increasing the public's involvement in policy processes; and harnessing technological innovations to improve government services to the public. The third action plan continued several policy areas from previous action plans and had some of the same shortcomings in terms of commitment design and ambition. Many of the commitments lacked ambition, while others were vaguely formulated and not directly relevant to OGP values. While several commitments saw substantial or full implementation by the end of the action plan, their results in terms of changing government practices was generally limited.

¹ Oliver Holmes, "Israeli PM Benjamin Netanyahu indicted for bribery and fraud", *The Guardian*, 21 November 2019, <https://www.theguardian.com/world/2019/nov/21/israeli-prime-minister-benjamin-netanyahu-indicted-for-bribery-and>.

II. Action Plan Implementation

The IRM Implementation Report assesses “Completion” and “Did it Open Government?”. These two indicators are based on each of the commitment’s implementation progress at the end of the action plan cycle. This report does not re-visit assessments for “Verifiability,” “Relevance” or “Potential Impact.” The former are indicators assessed in IRM Design Reports. For more details on each of the indicators, please see Annex II in this report.

2.1 Overview

While Israel’s third action plan saw high levels of completion overall, most commitments either did not change government practices or resulted in marginal improvements. This was mostly due to the lack of ambition in most of the commitments or the limited implementation of the more ambitious ones. For example, minor activities such as creating a central government call center (Commitment 4), developing an identification system for accessing services (Commitment 11), and moving towards a “paperless government” (Commitment 12) were all achieved, even though they were minor reforms. Other commitments aimed to define a criteria for transparency (Commitment 7) and define a methodology to measure open government policies (Commitment 14), and were mostly academic in nature. Conversely, some commitments that could have led to important reforms were not started or saw only limited completion. Examples included reporting on greenhouse gas emissions (Commitment 6), increasing Freedom of Information Act (FIOA) disclosure obligations for government agencies (Commitment 8), and improving access to information on local authorities and data held by the Ministry of the Interior (Commitment 9).

Notably, Commitment 5 resulted in the publication of all amended legislation as well as budget amendments to the Knesset’s National Legislation Database, originally created during the previous action plan. This commitment has significantly improved public’s ability to access and understand laws and legal amendments. Also, the publication of the amendments now allows the public to more closely compare the amended budget to the original proposed budget. However, this commitment did not see the publication of draft government bills and secondary legislation to the database, which could have improved public access to legislation even further. Beyond access to legislation, Commitment 10 resulted in greater access to government databases on the data.gov website, with the possibility of more databases being opened up in the future.

It should also be noted that the development and implementation of the third action plan saw markedly better cooperation between government and civil society stakeholders compared to the previous plan. Disagreements that existed in the past between the implementing government agencies and civil society seem to have been significantly alleviated, and there are reports of informal engagements between the parties along the process.

2.2. Commitments

1. Expanding the scope of civic participation processes in government ministries' work, through inculcating the process and ensuring that the means to carry it out are publicly accessible

Language of the commitment as it appears in the action plan:¹

“Improving decision-making and performance of government ministries through processes of civic participation, that include diverse target audiences. Processes of civic participation help minimizing the distance between government authorities and the public and civil society organizations, and enable decisions to be made after a more comprehensive image has been obtained.”

Milestones

1.1 Developing an online platform for making processes of civic participation publicly accessible.

1.2 Training – offering workshops, conferences and meetings to raise awareness and build planning and implementation capabilities for processes of civic participation in government ministries and in support units

1.3 Creating and updating a methodology for planning and implementing processes of civic participation in the government's various spheres of activity, including legislation, work plans, regulation, etc.

1.4 Formulating indicators for evaluating processes of civic participation in government endeavors and their operation.

1.5 Increasing the number of participatory processes that will influence decision-making processes.

Start Date: January 2018

End Date: June 2019

IRM Design Report Assessment	IRM Implementation Report Assessment
<ul style="list-style-type: none">• Verifiable: Yes• Relevant: Access to information; Civic participation• Potential impact: Minor	<ul style="list-style-type: none">• Completion: Substantial• Did it Open Government? Marginal

This commitment aimed to equip government ministries with advanced tools to carry out public participation processes.² A government policy encouraging public participation has been in place since 2011,³ and through government resolutions as early as 2008.⁴ Nevertheless, the expansion of public participation processes is hindered due to lack of know-how among those in the ministries who need to carry them out. Similar commitments were part of Israel's first and second action plans.⁵

This comment was substantially completed. The activities carried out to expand and improve government public participation practices are significant, regardless of whether they follow the exact milestones laid out in the commitment. Looking at the milestones and their defined timeframe, implementations of some may have occurred after the declared deadline. An online platform for public participation (1.1) was launched and used during the development of this action plan. Trainings for public officials on public participation took place (1.2). Approximately 200 such trainings took place between 2017 and 2018, with up to 30 civil servants participating in each. They were divided into three different types of workshops: awareness-raising; skills development; and test-case analysis. These trainings targeted government employees on different levels in the government hierarchy (and some theme-based, such as training for gender-equality officers, training officers, regulators, and outsourcing directors). The methodology with indicators for evaluation (1.3

and I.4) was developed and laid out in a government publication on the implementation of public participation processes. It includes detailed instructions on how to plan, prepare for, implement, and evaluate public participation processes.⁶

For Milestone I.5, it was difficult to obtain information on the scope of implementation (number of processes carried out), as these were not reported to any central authority. However, the Prime Minister's office stressed that it prefers "quality" of consultations over quantity, meaning they prefer in-depth processes with identified organizations and experts over open, more inclusive processes.⁷ This may indicate some limitations that should be addressed, yet it does represent a plausible approach to the issue.

The progress made under this commitment is supported by significant budget allocations as well as human resources. Five employees dedicated to these goals were hired in the PM's office and carried out trainings,⁸ and the Director-General of the PM's office issued directives to ministries. These together deliver a clear message to civil servants that the government is taking these processes seriously. Such a message is important for a policy to take its own course, regardless of any specific milestone and often beyond it.

The commitment's implementation has so far led to positive, but marginal, changes to public consultation practices in Israel for two reasons. First, the commitment as implemented represents an expansion of a pre-existing policy. Namely, it is an evolution from a 2008 government resolution and several high-profile processes have occurred in the past under this policy (on topics such as preparation of the "home front" for emergency times and integration of immigrants from Ethiopia). The commitment was mostly aimed at improving (and perhaps in the future, expanding) an existing course of action. Second, the processes remained mostly confined to semi-closed circles of civil society organizations, focused on specific issues for which the government reached out. Hence, the information relevant to them was mostly shared with individuals within those circles. In spite of the importance of pro-active "qualitative" public participation processes, the IRM researchers recommend that the government explore tools to allow for substantial participation of wider circles among members of the public.

¹ "Open Government Action Plan for 2018–2019", Government OCT Authority, pp. 13–16, https://www.opengovpartnership.org/wp-content/uploads/2018/01/Israel_Action-Plan_2017-2019_EN.pdf

² For a more detailed description of the commitment, see: Guy Dayan & Roy Peled, "Israel Design Report 2017–2019", Independent Reporting Mechanism, 18 October 2019, pg. 16, <https://www.opengovpartnership.org/documents/israel-design-report-2017-2019/>.

³ Resolution 4028 of 25 December 2011, titled "Strengthening the governance, planning and implementation abilities of the government".

⁴ Government resolution 3190 of 24 February 2008. For a detailed description of the policy (as of 2008), see "Government of Israel, the Civil Society and the Business Community: Partnership, Empowerment and Transparency", Department of Policy Planning, Prime Minister's Office, February 2008, <http://www.pmo.gov.il/policyplanning/shituf/Documents/PolicyENG.pdf>.

⁵ For the first action plan, see Commitment 6 in the Israel IRM progress report (2012–2013), available at: "Israel IRM Progress Report 2012–2013", Independent Reporting Mechanism, 23 October 2015, <https://www.opengovpartnership.org/documents/israel-irm-progress-report-2012-2013>; For the second, see Commitment 8, available at: "Israel End-of-Term Report 2015–2017", Independent Reporting Mechanism, 28 June 2018, <https://www.opengovpartnership.org/documents/israel-end-of-term-report-2015-2017-year-2/>.

⁶ "Guide for Public Participation in Government Work", Department of Policy Planning, Prime Minister's Office, December 2017, available [in Hebrew] at <http://www.pmo.gov.il/policyplanning/shituf/Documents/all%20web.pdf>.

⁷ Sivan Vardi, government Point of Contact for OGP, phone interview by IRM researcher, 5 November 2019.

⁸ As of 2017, about 200 workshops were transferred, with about 30 people taking part in each workshop. In addition, the Prime Minister's Office held three conferences attended by about 300 government officials (overall).

2. Publicizing reports of implementation of government resolutions

Language of the commitment as it appears in the action plan:¹

“Publishing the data on the implementation of government resolutions that were passed as of the 34th government in a detailed manner, for every operative government resolution. A summary report for 2016 about the detailed performance data of government resolutions in 2015–2016 is available in the following link:

<http://www.pmo.gov.il/policyplanning/mimshal/Documents/mesakem210617.pdf>”

Milestones

2.1 Publication of a summary report about the detailed performance data of government resolutions

2.2 Consulting the civil society about the optimal format of data collection

Start Date: June 2017

End Date: To be performed as of this year and thereafter.

IRM Design Report Assessment	IRM Implementation Report Assessment
<ul style="list-style-type: none"> • Verifiable: Yes • Relevant: Access to information; Civic participation • Potential impact: Moderate 	<ul style="list-style-type: none"> • Completion: Substantial • Did it Open Government? Marginal

The commitment promised to publish an annual report on the implementation status of government resolutions.² It continued a pre-existing government activity, as such reports were prepared before the period of this action plan in 2015³ and 2016.⁴ An additional report was published within the period of this action plan for the years 2016–2017.⁵

According to government sources, a report for the year 2018 was not published because of the political situation in Israel.⁶ Regardless, the government sees this as outside of the action plan period,⁷ which rests on the assumption that the report should not have been published before the end of the action plan period, which was June 2019. The officials in charge of this commitment expect that this report will be released soon too. The government also indicated that in the future, such information will be put online on a per-resolution basis, as the assessment is made for it, without waiting for annual reports.

This commitment resulted in the release of some new information to the public, specifically indicators on the implementation of government resolutions. Civil society was contacted regarding the method of data collection and reporting, mostly the Center for Citizen Empowerment in Israel, but the format did not change much in spite of the consultation. However, overall changes to reporting on the status of government resolutions has been marginal because the commitment did not offer any new practice of information disclosure, rather the continuation of a pre-existing practice.

¹ “Open Government Action Plan for 2018–2019”, Government OCT Authority, pp. 17–18,

https://www.opengovpartnership.org/wp-content/uploads/2018/01/Israel_Action-Plan_2017-2019_EN.pdf.

² For a more detailed description of the commitment, see “Open Government Action Plan for 2018–2019”, Government OCT Authority, pg. 17, https://www.opengovpartnership.org/wp-content/uploads/2018/01/Israel_Action-Plan_2017-2019_EN.pdf.

³ “Final Report 2015: Performance Reports on Government Decisions”, Department of Policy Planning, Prime Minister’s Office, December 2015, available [in Hebrew] at <http://www.pmo.gov.il/policyplanning/Documents/dec2015.pdf>.

⁴ “Final Report 2016: Performance Reports on Government Decisions”, Department of Policy Planning, Prime Minister’s Office, available [in Hebrew] at <http://www.pmo.gov.il/policyplanning/mimshal/Documents/dm20161607.pdf>.

⁵ “Final Report 2017: Performance Reports on Government Decisions”, Department of Policy Planning, Prime Minister’s Office, available [in Hebrew] at <http://www.pmo.gov.il/policyplanning/mimshal/Documents/dm2017.pdf>.

⁶ “Final Report 2017: Performance Reports on Government Decisions”, Department of Policy Planning, Prime Minister’s Office, pg. 5, available [in Hebrew] at <http://www.pmo.gov.il/policyplanning/mimshal/Documents/dm2017.pdf>.

⁷ Ro’ee Dror, Manager, Department of Home Affairs, Planning and Development Division, Prime Minister’s Office, phone interview by IRM researcher, 24 October 2019.

3. Publicizing data on action plan performance indicators

Language of the commitment as it appears in the action plan:¹

“Publicizing the data on monitoring of performance indicators, which are published in the book of government work plans. The data on main performance indicators only, from the book of work plans for 2016, were publicized on the following link:

<http://www.pmo.gov.il/policyplanning/mimshal/Documents/D2016.pdf> “

Milestone

3.1 Publicizing the data on all performance indicators, which were published in the book of work plans for 2017–2018

Start Date: May 2018

End Date: To be carried out as of this year and thereafter

IRM Design Report Assessment	IRM Implementation Report Assessment
<ul style="list-style-type: none"> • Verifiable: Yes • Relevant: Access to information • Potential impact: None 	<ul style="list-style-type: none"> • Completion: Complete • Did it Open Government? Marginal

This commitment aimed to present to the public the actual indicators used to assess the completion of government work plans.² These work plans mostly flow from resolutions where the implementation is reported under Commitment 2. Prior to the action plan, the public had limited ability to assess and understand those reports published under Commitment 2 without the data published under this commitment.

The indicator reports were published for each of the years within the current action plan period (2017 and 2018). Therefore, the commitment has been completed.³ A similar report was published for the year 2016,⁴ but not in as detailed a manner as in the two reports published in the course of this action plan. The new reports include many more indicators, offering a more detailed look into government plans. For instance, they go beyond general plans regarding the number of public housing units to be constructed to also offer plans for specific areas. Also, they include not only “productivity indicators” (number of units constructed) but also “impact indicators” (length of wait periods for applicants approved public housing to enter their units). With this added information, the 2019 plan was 810 pages,⁵ compared to the 2016 plan that was 204 pages. These more detailed indicators allow for greater public scrutiny of previously published indicators, but offer only marginal new information or understanding of government operations.

¹ “Open Government Action Plan for 2018–2019”, Government OCT Authority, pp. 19–20
https://www.opengovpartnership.org/wp-content/uploads/2018/01/Israel_Action-Plan_2017-2019_EN.pdf

² “Open Government Action Plan for 2018–2019”, Government OCT Authority, pg. 19,
https://www.opengovpartnership.org/wp-content/uploads/2018/01/Israel_Action-Plan_2017-2019_EN.pdf

³ “Report of the execution of work plans 2017”, Department of Policy Planning, Prime Minister’s Office, March 2018, available [in Hebrew] at <http://www.pmo.gov.il/policyplanning/mimshal/Documents/plan2017.pdf>; “Report of Work Plan Implementation for 2018”, Department of Policy Planning, Prime Minister’s Office, May 2019, available [in Hebrew] at <http://www.pmo.gov.il/policyplanning/mimshal/Documents/report200519.pdf>.

⁴ “Reporting key indices for 2016”, Department of Policy Planning, Prime Minister’s Office, 2017, available [in Hebrew] at <http://www.pmo.gov.il/policyplanning/mimshal/Documents/D2016.pdf>.

⁵ “Reporting key indices for 2016”, Department of Policy Planning, Prime Minister’s Office, 2017, available [in Hebrew] at <http://www.pmo.gov.il/policyplanning/mimshal/Documents/D2016.pdf>.

4. Setting up a central call center for government ministries

Language of the commitment as it appears in the action plan:¹

“There is a need for a central government response, in which information about the various government services and the various service channels for receiving them will be provided to the public, while encouraging the public to use the self-service channels. The response will be provided in various languages, through a multi-channel response, and will make the service accessible to the handicapped.

The central government telephone response system will provide answers to questions relating to the various government services, such as: providing support for online services, finding information in the various government entities’ websites, providing general information about the various government services (contacting options, operating hours, addresses, procedures for receiving services and more), providing information about processes being implemented with the involvement of a number of government entities.”

Milestone

4.1 Selecting the winner supplier

4.2 Set up

4.3 Operation

Start Date: July 2017

End Date: May 2018

IRM Design Report Assessment	IRM Implementation Report Assessment
<ul style="list-style-type: none"> • Verifiable: Yes • Relevant: Access to information • Potential impact: Minor 	<ul style="list-style-type: none"> • Completion: Complete • Did it Open Government? Did not change

This commitment aimed to improve public service delivery by creating one central call center for residents to receive information about different services.² The underlying issue that this commitment was to meet was the low standards of service in Israeli government bureaucracy.³ It continued a commitment from Israel’s first action plan, which focused on the planning of the call center, and this commitment was to implement it.

The commitment was fully completed. While there was a delay in launching the center compared to the original timeframe in the action plan, that delay was not major, especially given the scope of the project. (It was launched in August 2018 instead of May 2018.) The IRM researchers tested the call center by calling a few times and talking to service representatives, and found it to be responsive and comprehensive in the services it offers. Thus, the commitment was implemented not only by the book, but also in spirit. Overall, however, this commitment’s implementation has not opened any new information or participation channels to citizens.

¹ “Open Government Action Plan for 2018–2019”, Government OCT Authority, pp. 21–22,

https://www.opengovpartnership.org/wp-content/uploads/2018/01/Israel_Action-Plan_2017-2019_EN.pdf.

² For a more detailed description of the commitment, see “Open Government Action Plan for 2018–2019”, Government OCT Authority, pg. 20, https://www.opengovpartnership.org/wp-content/uploads/2018/01/Israel_Action-Plan_2017-2019_EN.pdf.

³ Ibid.

5. Continuing the development of the National Legislation Database – increasing the transparency of information about primary and secondary legislation

Language of the commitment as it appears in the action plan:¹

- “a. Building an interface that will enable the linking of a government draft bill submitted to the Knesset to the first version disseminated as a memorandum of law, and presentation of the information in the National Legislation Database with a page for each law.
- b. Building an interface for receiving information about secondary legislation being enacted by virtue of laws of the State of Israel and presenting it in the National Legislation Database, and building a system that enables monitoring of the government’s performance in enacting secondary legislation required by law.
- c. Completing the information needed about budget laws for the purpose of including it in the database.
- d. Establishing a system to manage the full and updated version of the laws of the State of Israel – the Knesset took it upon itself to prepare and present the full version of the laws of the State of Israel. To this end, comprehensive, in-depth work was performed to collect information, documents, and data and to characterize a designated system that will prepare the full version, in order to start developing it.”

Milestones

- 5.1 Linking government draft bills that are contained in the National Legislation Database to the memoranda of law that are disseminated by the government, and presenting the information in individual law pages in the National Legislation Database.
- 5.2 Presentation of secondary legislation being enacted by virtue of laws of the State of Israel in the National Legislation Database.
- 5.3 Presentation of budget laws – locating and supplementing the information and presenting it in the National Legislation Database.
- 5.4 Presenting the full and updated version of the laws of the State of Israel, completing the establishment of the system and starting to prepare the full version of the State’s laws and presenting them in the National Legislation Database.

Start Date: January 2017

End Date: December 2019

IRM Design Report Assessment	IRM Implementation Report Assessment
<ul style="list-style-type: none"> • Verifiable: Yes • Relevant: Access to information • Potential impact: Transformative 	<ul style="list-style-type: none"> • Completion: Limited • Did it Open Government? Major

This commitment sought to significantly enhance the volume of information available for citizens in the National Legislation Database.² For decades, the full text of Israeli state statutes was only available through paid services. A commitment in Israel’s first action plan successfully created a free and open legislation database within the Knesset (Israeli parliament) website. The database, however, consisted only of primary legislation and not secondary legislation. The main goal of this current commitment was to add that immense and important body of law to the database, as well as draft bills, budget laws, and full updated versions of statutes as amended.

While this commitment was assessed in the IRM Design Report as potentially transformative, its implementation was limited. The first two milestones, namely the inclusion of draft government bills and secondary legislation, were not achieved, and as reported by the Knesset website director, have been temporarily dropped.³ The two other milestones—publication of updated online information on the budget law as amended and updated full-text version of laws as amended—were fully or nearly fully implemented by the end of the action plan. The limited implementation of this commitment, according to the website director, is a result of the complex cooperation required between two different agencies to bring upon the implementation of the first two milestones. Since the information to be published is created within the Ministry of Justice, much technological, procedural, and substantial coordination is required to allow regular flow of the information from one system to another. This seems to have prevented the completion of those two milestones on publishing draft bills and secondary legislation.

Although the draft bills and secondary legislation have not yet been added to the National Legislation database, the commitment has led to major improvements in the transparency and accessibility of information on amendments to legislation and the budget. Prior to this action plan, without the publication of laws “as amended,” the National Legislation Database was useful only to those with a strong understanding of the legal amendments processes and who had skills and time to follow often lengthy amendments processes. The addition of amended legislation makes the database significantly more useful to laypersons who seek to better understand a certain law or legal situation. The publication of budget amendments is also highly significant. This information is still not easily understandable to those not familiar with the field, but it is highly valuable to civil society organizations and researchers. The budget changed dramatically over the course of its year-long implementation. Public discourse in the past was mostly around the approval of the planned budget in parliament. Amendments approved in the parliament’s finance committee often did not receive public scrutiny, even if they rendered the debate around certain budget items irrelevant. This commitment has improved this situation by allowing for greater public scrutiny of the amended budget.

¹ “Open Government Action Plan for 2018–2019”, Government OCT Authority, pp. 23–26,

https://www.opengovpartnership.org/wp-content/uploads/2018/01/Israel_Action-Plan_2017-2019_EN.pdf.

² For a more detailed description of the commitment, see “Open Government Action Plan for 2018–2019”, Government OCT Authority, pg. 23, https://www.opengovpartnership.org/wp-content/uploads/2018/01/Israel_Action-Plan_2017-2019_EN.pdf.

³ Adv. Gali Ben-Or, phone interview by IRM researcher, 11 November 2019.

6. Establishing a reporting and control system on the implementation of the measures in the National Plan for the Reduction of Greenhouse Gas Emissions

Language of the commitment as it appears in the action plan:¹

“The Paris Climate Accord requires countries (that ratified the accord) to set national targets for reducing greenhouse gas emissions and to perform monitoring and control over the implementation of measures to achieve the targets. As a part of Government Resolution No. 542, the government of Israel has set a target for itself to reduce greenhouse gas emissions to 7.7 tons of CO₂e per capita by 2030. In addition, targets were set for efficient energy use, renewable energy and minimizing the usage of private vehicles. In order to achieve those targets, the government has formulated a national action plan (Government Resolution 1403). A system to monitor and control the progress towards achieving this target is currently being established.

The establishment of a system to control and report the progress towards the targets for reducing greenhouse gas emissions (MRV – Measurement, Reporting, and Verification). The system will be based on annual monitoring of the implementation of the measures to reduce greenhouse gases, on procedures for evaluating the quality of the efforts, and on submitting reports to the government and to the UN). Within the scope of this process, the Ministry, together with representatives of an interministerial committee, are formulating methodologies to calculate the reductions and to estimate the improvement in the situation and the progress towards achieving the defined targets. Collecting and analyzing the information will enable the government’s work to be streamlined and changes to be made in the national plan as needed.”

Milestones

6.1 Formulating the system’s infrastructure (monitoring methodologies, data collection tools, database, and models for forecasts and analyses) and obtaining the approval of the government ministries involved.

6.2 Collecting data from the government ministries

6.3 Submitting an annual report to the government

Start Date: January 2016

End Date: June 2018

IRM Design Report Assessment	IRM Implementation Report Assessment
<ul style="list-style-type: none"> • Verifiable: Yes • Relevant: Access to information • Potential impact: Moderate 	<ul style="list-style-type: none"> • Completion: Limited • Did it Open Government? Did not change

The commitment aimed to establish a system to report Israel’s progress on reducing greenhouse gas emissions (MRV—Measurement, Reporting, and Verification), as required by the Paris Climate Accord.² The commitment was based on some parts of the internal government not presenting any new information to the public (such as the collection of data) and the requirement of the accord to publicize an annual report that is open to the public.

It is difficult to assess the level of implementation of this commitment, as the Ministry of Environmental Protection did not provide any updates to the IRM researchers, despite repeated requests. The ministry’s website includes some annual information up to 2016 and no later.³ A search in a separate greenhouse gas reporting website yielded a link to 2016 and 2017 annual reports, published in May 2017 and November 2018 respectively.⁴ A 2018 report was not published,

though the commitment referred to June 2018 as the date for submission of annual reports. Thus, the 2018 report should have been published by June 2019.

This activity pre-existed the current action plan, and there is less information available on the ministry's website regarding the relevant information for the action plan period than before. Therefore, the commitment itself has not led to any improvements to access to data on greenhouse gas emissions. It made the information regarding the years 2016 and 2017 available to the public, as required by the Paris Accords, but this information was already available beforehand. Much information that needs to be collected under the Paris Accord, like specific voluntary reports on greenhouse gas emissions from industries, does not seem to be publicly available.

¹ "Open Government Action Plan for 2018–2019", Government OCT Authority, pp. 27–30,

https://www.opengovpartnership.org/wp-content/uploads/2018/01/Israel_Action-Plan_2017-2019_EN.pdf.

² "Paris Agreement", United Nations, 2015, https://unfccc.int/sites/default/files/english_paris_agreement.pdf.

³ "Voluntary Reporting and Reduction of Greenhouse Gases", Ministry of the Environment, available [in Hebrew] at <http://www.sviva.gov.il/subjectsEnv/ClimateChange/GHG/Pages/default.aspx>.

⁴ "Registration of greenhouse has emissions in Israel", Samuel Neaman Institute for National Policy Research, <https://www.neaman.org.il/Greenhouse-Gases-Reporting-Registration-System>. These reports appear on the website of the "Shmuel Ne'eman Institute for National Policy Research" in the Technion—the Israel Institute of Technology—which apparently contracted with the government to carry out the methodology and implementation of the reports.

7. Defining criteria for transparency

Language of the commitment as it appears in the action plan:¹

The use of the term “transparency” has become popular in recent years. Many public authorities and elected officials declare that they identify with the values of transparency and conduct themselves accordingly. However, the term is ambiguous and vague – what makes an authority transparent? How is transparency evaluated? Who needs to be evaluated? These questions have been left unanswered.

Defining the criteria for transparency will set a norm by which public authorities are to conduct themselves. As soon as the norm is set, public authorities will be required to strive to comply with it.

Milestones

7.1 Formulating a work methodology and a procedure for formulating the criteria

7.2 Inviting the public to offer input

7.3 Conference to review public comments and hold discussions by the transparency team

7.4 Formulating a draft for public comments

7.5 Approval of the defined criteria

Start Date: January 2018

End date: December 2018

IRM Design Report Assessment	IRM Implementation Report Assessment
<ul style="list-style-type: none"> • Verifiable: Yes • Relevant: Civic participation • Potential impact: Minor 	<ul style="list-style-type: none"> • Completion: Substantial • Did it Open Government? Did not change

This commitment aimed to create a common definition of transparency for all stakeholders involved in Israel’s OGP process and for other transparency processes.² The goal was to have one pre-determined set of indicators, according to which the level of transparency of different agencies can be evaluated.

The implementation of the commitment by the end of the action plan period was substantial, though significantly delayed. Its first three milestones—creating a methodology for the process, inviting the public to offer input, and formulating a draft criterion based on the review of public input—were completed by October 2019. (They were expected to be completed by October 2018 in the action plan.) According to the deputy head of the governmental Freedom of Information Unit in the Ministry of Justice, the delay was caused by the need to contract an external provider to outsource the implementation, which took time.³

The methodology was created through consultation with a committee of transparency professionals from within the central and local government as well as academia, think tanks, civil society organizations, and the private company hired for the implementation. It consists of four main indicators for the assessment of an agency’s level of transparency (basic transparency, administrative transparency, budgetary transparency, and extended transparency [beyond legal requirements], each with several sub-indicators). For each indicator, it is suggested to examine the accessibility of the information, its relevance, and its usability. The draft for public commenting was therefore only released early October 2019 on the Ministry of Justice’s website.⁴ Given this delayed publication, there is no information available at the time of the writing of this report on the content of the public consultation nor its outcome and steps towards approval of a final set of criteria.

A final set of criteria is yet to be adopted by the relevant government officials, and only then will be put to use in government's internal assessment mechanisms. Therefore, at this point, this commitment has not led to any changes in measuring government transparency or to public participation in transparency policies.

¹ "Open Government Action Plan for 2018–2019", Government OCT Authority, pp. 31–33,

https://www.opengovpartnership.org/wp-content/uploads/2018/01/Israel_Action-Plan_2017-2019_EN.pdf.

² For a more detailed description of the commitment, see "Open Government Action Plan for 2018–2019", Government OCT Authority, pg. 26,

https://www.opengovpartnership.org/wp-content/uploads/2018/01/Israel_Action-Plan_2017-2019_EN.pdf.

³ Shlomo Bilewsky, phone interview by IRM researcher, 24 October 2019.

⁴ The draft can be seen here: "Draft Transparency Index for Public Comments", Government Freedom of Information Unit, 2 October 2019, available [in Hebrew] at <https://www.gov.il/he/departments/news/news-8>.

8. Promoting Legislative Amendments regarding active publication of information

Language of the commitment as it appears in the action plan:¹

Expanding the public information being methodically and actively published by public authorities, beyond providing information in response to specific requests.

Fulfilling this commitment will involve examining the current situation and the need for amending it, considering the existing arrangements against the latest needs identified by the government. The imposition of a detailed and expanded obligation to disseminate information to the public will promote government transparency and will enable the public, civil society and the business sector to gain access to important information.

Milestone

8.1 Disseminating a memorandum of law concerning expansion of the obligations to make information publicly accessible

8.2 Completing the public discourse and clarifying comments by the public and by authorities to the memorandum of law

8.3 Submitting the draft bill for approval by the ministerial legislation committee

Start Date: June 2017

End date: October 2018

IRM Design Report Assessment	IRM Implementation Report Assessment
<ul style="list-style-type: none"> • Verifiable: Yes • Relevant: Access to information; Civic participation • Potential impact: Moderate 	<ul style="list-style-type: none"> • Completion: Not started • Did it Open Government? Did not change

With this commitment, the government intended to amend Israel's Freedom of Information (FOI) law, particularly around pro-active disclosure of information.² Israel's FOI law in 1998 has been enforced since 1999.³ However, over the twenty years since its enactment, the basic mechanisms, exemptions, definitions, and requirements have not changed, in spite of the dramatic changes in the concept of transparency, open government, and available technologies. The only changes made were to the scope of organizations covered by the law and some pro-active environmental disclosure.

The implementation of this commitment never started. According to officials in the Ministry of Justice, Justice Minister Ayelet Shaked opposed the suggested amendments.⁴ At the time of the writing of this report, Israel has an interim government, pending elections and the formation of a new government. It is yet to be seen whether a future Justice Minister will choose to revive this commitment.

It is worth mentioning that during a roundtable conference marking twenty years since the passing of the law, Minister Shaked, while expressing support to allocating the resources to promote its implementation, also objected to its expansion. She suggested that its implementation in certain aspects has gone too far, stating that not every discussion between politicians should be published.⁵ The Director-General of the Prime Minister's office suggested that the law should be amended to narrow its scope, since many information requests are filed for private or political vendetta, and the time and resources required to handle the thousands of requests are too burdensome.

¹ “Open Government Action Plan for 2018–2019”, Government OCT Authority, pp. 34–35,

https://www.opengovpartnership.org/wp-content/uploads/2018/01/Israel_Action-Plan_2017-2019_EN.pdf.

² For a more detailed description of the commitment, see “Open Government Action Plan for 2018–2019”, Government OCT Authority, pg. 28,

https://www.opengovpartnership.org/wp-content/uploads/2018/01/Israel_Action-Plan_2017-2019_EN.pdf.

³ For English version of the text of the statute go to: “Freedom of Information Law 5758-1998”, Ministry of the Environment, Israel’s Services and Information Portal, <https://bit.ly/3blK662>.

⁴ Eyal Zandberg, head of public law section at the legislation department, Ministry of Justice, interview by IRM researcher, 5 November 2019.

⁵ Roundtable at the Israel Democracy Institute, 19 May 2018. IRM researcher Roy Peled participated in the discussion. For a summary of the discussion on the Israel Democracy Institute’s website see: “20 years for enacting the Freedom of Information law”, Israeli Democracy Institute, available [in Hebrew] at <https://www.idi.org.il/events/23371>.

9. Increasing transparency, civic participation and the accessibility of information in local authorities and in the Ministry of the Interior

Language of the commitment as it appears in the action plan:¹

The promotion of civic participation and involvement in the local and regional democracy; improving the accessibility of information and services being provided to residents; improving good governance in the local authorities and encouraging innovation and economic growth in the local authorities

Milestones

9.1 Identifying and mapping the relevant databases

9.2 Improving the data for the purpose of publication

9.3 Beginning to publicize of the Ministry of Interior's databases and making them publicly accessible

Start Date: January 2017

End date: June 2018 and ongoing

IRM Design Report Assessment	IRM Implementation Report Assessment
<ul style="list-style-type: none"> • Verifiable: Yes • Relevant: Access to information • Potential impact: Moderate 	<ul style="list-style-type: none"> • Completion: Not started • Did it Open Government? Did not change

This commitment aimed to direct efforts and resources towards the pro-active publication of datasets held by the Ministry of Interior as well as information on the affairs of local authorities.² The underlying assumption was that municipalities, as public agencies, bear some of the most meaningful impact on the everyday lives of residents. The commitment called for mapping and publishing of all government databases, except for those that raise concern for specific reasons.³ Nevertheless, given the importance, described above, of information regarding local authorities, this commitment focused solely on the Ministry of Interior, which holds much of this information.

The outcome of this commitment runs contrary to its underlying assumptions. The governmental website that presents government databases pro-actively disclosed under the resolution mentioned above shows the Ministry of Interior as one of the least transparent.⁴ Out of 761 datasets available at the dedicated government website, only eight are from the Ministry of Interior, making it rank 17 out of 22 government ministries, in order of volume of disclosed datasets. In the mapping of the ministry's databases as required by commitment 11 in this action plan, only 28 databases were identified out of more than 1,000 governmental databases.

On several occasions, the Ministry of Justice officials informed the IRM researchers that the Ministry of Interior strongly objected to any central oversight over the implementation of the Freedom of Information (FOI) law in local authorities, and that this commitment served as a compromise, as it was to cover only information held by the ministry itself. However, as mentioned above, that too did not materialize. It is also worth noting that shortly before the writing of this report, heads of the Federation of Local Authorities in Israel met with the Justice Minister in the interim government, and asked him to consider exempting local authorities from the FOI law. According to a letter sent to the minister following the meeting by heads of the federation, the Minister "listened to the requests and promised to consider the suggestions raised."⁵

Because of the lack of implementation, this commitment has not changed access to data held by the Ministry of Interior or access to information on the affairs of local authorities.

¹ “Open Government Action Plan for 2018–2019”, Government OCT Authority, pp. 37–38, https://www.opengovpartnership.org/wp-content/uploads/2018/01/Israel_Action-Plan_2017-2019_EN.pdf.

² “Open Government Action Plan for 2018–2019”, Government OCT Authority, pg. 30, https://www.opengovpartnership.org/wp-content/uploads/2018/01/Israel_Action-Plan_2017-2019_EN.pdf.

³ Resolution 1933 of August 2016 on the opening of government datasets to the public. Full text is available at: “Improving government information transfer and accessing government databases to the public”, Prime Minister’s Office, Government Services and Information Website, 30 August 2016, available [in Hebrew] at https://www.gov.il/he/Departments/policies/2016_dec1933.

⁴ See “Welcome to Government Data”, data.gov.il.

⁵ For coverage and full text of the letter see: Binny Ashkenazi, “The Federation of Local Authorities: ‘Cancel the Freedom of Information Law in Local Authorities’”, themarket.com, 7 November 2019, available [in Hebrew] at <https://www.themarket.com/law/1.8093153>.

10. Making databases publicly accessible

Language of the commitment as it appears in the action plan:¹

With the objectives of encouraging the assimilation of innovation in the public sector and in public services, of promoting a policy of Open Government, and of encouraging the use, reprocessing and development of government information by the public and for public benefit, the Israeli government is committed to making all government databases publicly accessible, provided that their publication does not contain identifiable information, and provided that there is no obstacle to their publication by law or due to additional relevant considerations, and while taking into account privacy protection of personal information, information security, etc. Today, a great deal of government information is being publicized, but in different formats and on diverse websites. Other government information has not yet been publicized. In order to promote transparency and accountability to the public, the commitment changes the default – all of the government databases need to be open, apart from instances when there is a legal obstacle to doing so. The government undertakes to publish the databases on a central website (data.gov.il), in formats enabling free downloading and processing, under an open usage license.

The commitment includes the following steps:

- Mapping of all government databases
- Making all databases publicly accessible by 2022
- Annual plans for making databases publicly accessible
- Annual report of the implementation of making databases publicly accessible
- Processes of consulting with the public
- Formulating a policy about public entities making databases public accessible
- Creating a performance indicator for implementation of the resolution.

Milestones

10.1 Mapping all the databases in government ministries and support units*

10.2 Submitting a multiyear plan for making all databases publicly accessible by 2022* (at least 80% of government ministries and units have submitted multi-year work plans for making all databases publicly accessible)

10.3 Publishing work plans for public comments

10.4 Adjusting work plans according to the public comments

10.5 Allocating resources to government ministries to encourage accessibility*

10.6 Publishing an annual report about those databases that were made publicly accessible during the past year on data.gov.il and a report on usage of the databases*

10.7 Creating a performance indicator for implementing the resolution, including reference to standards for open information and to the quality of the databases

10.8 Creating a mechanism enabling citizens to provide feedback on the databases and to request new databases with an SLA

10.9 Defining an anonymization/privacy protection policy when making databases publicly accessible

10.10 Preparing a background document for formulating a policy about public entities making databases publicly accessible

10.11 Formulating a policy document on the subject of public entities making databases publicly accessible

* As per Government Resolution No. 1933 of 30.8.2016.

Start Date: January 2017

End date: June 2019

IRM Design Report Assessment	IRM Implementation Report Assessment
<ul style="list-style-type: none"> • Verifiable: Yes • Relevant: Access to information; Civic participation • Potential impact: Moderate 	<ul style="list-style-type: none"> • Completion: Substantial • Did it Open Government? Marginal

This commitment is the implementation of government resolution 1933, which attempts to proactively disclose to the public all government databases, short of those whose publication raises concerns regarding privacy, national security, or anything related.² The planned activities included mapping all government databases and launching a public consultation process, among others, in order to fully implement the resolution by 2022. The motivation behind the government resolution rests mostly on the possible contribution to innovation and entrepreneurship in the free market.³

This commitment required extensive measures taken across many different agencies. According to interviewed government officials, 95 percent of the databases were mapped.⁴ It should, however, be mentioned that the file presenting the mapping consists of only a little over one thousand databases, which is limited given the scope of government agencies.⁵ Budgets have been allocated according to government sources, and the majority of ministries have turned in their multi-year plans to make their respective datasets available.

Some milestones were changed during implementation due to the complexity of the planned activities. A move from an agency-based structure of the data.gov site to a theme-based structure required changes in some of the other stages of work with ministries and brought about delays. Also, many activities expected to end in late 2017 or in the first half of 2018 are yet to be implemented. These include the forming the criteria to assess progress in government resolution implementation, setting up a mechanism to allow citizens to provide feedback on published data, and creating an anonymization policy to allow publication of certain, more sensitive, datasets.

Since the implementation of this commitment is still in progress, its contribution to opening up government databases was marginal by the end of the action plan period. There are around 750 datasets available on the data.gov website. While this figure is nearly four times more than what was available before the action plan, it remains low for a country and government the size of Israel. Some of the more popular datasets, each viewed between 500–1500 times on the site (according to the counters on each page), include datasets from the Israeli mapping center, information on flights and public transportation from the Ministry of Transportation, and registries from the Ministry of Tourism (hotels, tour guides, etc.). These are assumingly used by professionals (for instance, planners in the case of mapping and tour organizers for hotels or guides) and private citizens. For example, sometimes third parties access these datasets, like datasets on flights (which update every 15 minutes) or public transportation lines, and present them in more appealing ways online.⁶

¹ “Open Government Action Plan for 2018–2019”, Government OCT Authority, pp. 38–42, https://www.opengovpartnership.org/wp-content/uploads/2018/01/Israel_Action-Plan_2017-2019_EN.pdf.

² “Open Government Action Plan for 2018–2019”, Government OCT Authority, pg. 33, https://www.opengovpartnership.org/wp-content/uploads/2018/01/Israel_Action-Plan_2017-2019_EN.pdf.

³ As per the language of the resolution.

⁴ Ms. Rachel Ran, Prime Minister’s office, several phone interviews and correspondences with government point of contact, October–November 2019.

⁵ For comparative purposes, the researchers looked into the volume of datasets published in other countries. In Canada, whose population is four times that of Israel, the federal government alone publishes more than 10,000 datasets (see: open.canada.ca/en/open-data); In the United Kingdom, whose government is seven times that of Israel, the government publishes more than 50,000 datasets (see: data.gov.uk); In Australia, whose population is about three times that of Israel, the government publishes nearly 85,000 datasets (data.gov.au), and in Ireland and New Zealand, each with a population a little over a half of that of Israel, publish nearly 9,000 datasets each (data.gov.ie and data.govt.nz). All these numbers refer to actually published datasets; the number of mapped databases may be higher.

⁶ See for instance the website madlan.co.il, which uses some of these datasets to geographically present information relevant for potential homebuyers (on schools and reported real estate deals), or bus.co.il, relying on public transportation datasets to present information on bus lines.

11. Promoting services identified with the objective of remotely accessing government services

Language of the commitment as it appears in the action plan:¹

Within the scope of this commitment, a safe integrated identification system will be developed that will enable remote access to government services through smart identification and at various authentication levels. The system will enable citizens to consume services through online applications that will be centralized in a personal zone on the integrated government website and on government websites. As part of implementing this policy, the use of the beta system will continue and be expanded, which has been operating since December 2016, to the implementation of an online change of address. Additionally, a pilot will be launched during 2018 in conjunction with the Courts Administration, which will enable citizens and attorneys to remotely access the court.net system, easily and at no cost (currently, the system is only accessible with a smart card with a level 4 authentication level, and payment is required in order to access it. The smart card is purchased from an external supplier – the new identity card will enable this kind of identification without payment for the card)

Milestones

11.1 Engagement with the winner supplier

11.2 System establishment Phase 1

11.3 System establishment Phase 2

Start Date: February 2018

End date: December 2019

IRM Design Report Assessment	IRM Implementation Report Assessment
<ul style="list-style-type: none"> • Verifiable: Yes • Relevant: Unclear • Potential impact: Minor 	<ul style="list-style-type: none"> • Completion: Substantial • Did it Open Government? Did not change

This commitment sought to develop an integrated identification system that would enable remote access to government services through smart identification.² This would enable the obtaining of such services without having to go in person to the offices of the relevant public agencies. However, the IRM Design Report found this commitment was not directly relevant to OGP values, despite its potential contribution to other worthwhile goals.

Two of the commitment's three milestones were completed. A service provider has been chosen through tender, and phase I of the project—focused on providing services to individuals—has been launched³ and now allows identification for 30 different government services. Such services include access to open court files, change of address, a portal for new immigrants, a credit score portal, and a customized “My Government” personal page. Phase II focused on corporations and businesses, which was originally expected to be completed in April 2019, and has been delayed to the first quarter of 2020.

¹ “Open Government Action Plan for 2018–2019”, Government OCT Authority, pp. 43–45, https://www.opengovpartnership.org/wp-content/uploads/2018/01/Israel_Action-Plan_2017-2019_EN.pdf.

² “Open Government Action Plan for 2018–2019”, Government OCT Authority, pg. 35, https://www.opengovpartnership.org/wp-content/uploads/2018/01/Israel_Action-Plan_2017-2019_EN.pdf.

³ Ms. Rachel Ran, government OGP point of contact, interview with IRM researcher, October 2019.

12. Paperless Government

Language of the commitment as it appears in the action plan:¹

“Within the scope of Government Resolution 1008, the decision was made to provide an online communications channel for the public’s use, for the purpose of communicating with government ministries. As part of this course of action, the commitment will include the establishment of a digital communications channel through a personal e-mail address – at the citizen’s decision and according to his choice, which will serve as an official e-mail address for all government ministries and, in the future, it will be possible to expand this arrangement also to additional public bodies, subject to any law. In order to implement this policy, the government will establish a central database of e-mail addresses, which the ministries will use to make contact with citizens who will opt to communicate with the government via this channel, and will also enable government ministries to send communications to these addresses for the purposes of reminders and initiating contact, subject to the citizen’s consent. Concurrently, a communications channel will be developed for sending text messages or voice messages to citizens, while using the citizen’s mobile phone number, and also in this instance, this process will be implemented solely with the approval and consent of the citizen.”

Milestones

12.1 Collecting half a million addresses (subject to the receipt of legal approval of this course of action)

12.2 Linking of at least two ministries

12.3 Sending acquisitions

12.4 Pilot dispatch to e-mail addresses

12.5 Analyzing the results and decision-making about continuation of the process

Start Date: January 2018

End date: September 2018

IRM Design Report Assessment	IRM Implementation Report Assessment
<ul style="list-style-type: none"> • Verifiable: Yes • Relevant: Unclear • Potential impact: Minor 	<ul style="list-style-type: none"> • Completion: Complete • Did it Open Government? Did not change

This commitment aimed to improve communication between citizens and government agencies, protect personal information, and reduce environmental hazards by moving more government-citizen communications to electronic channels.² While this goal of improving communication between government agencies and citizens is worthwhile, this commitment was not directly relevant to OGP values as written.

The commitment has been completed as outlined in the action plan. More than the projected 500,000 email addresses have been collected (representing roughly 10 percent of Israel’s adult population).³ Four government agencies have linked to the relevant systems (ministries of transportation and housing, the tax authority, and rabbinical courts system)⁴—twice the number set as a goal in the action plan—and pilot emails were sent out to registered citizens. In April 2019, Milestone 12.5 (evaluation and decisions on follow up) was completed when the Information and Communication Authority (ICT) created a government-wide mailing system to citizens, based on analysis of the earlier stages of this commitment.

Overall, this commitment contributed to worthwhile ends, such as improved communication with citizens, more efficient service, and reducing paper-based waste. However, it did not result in any noticeable improvements to access to information, civic participation, or public accountability.

¹ “Open Government Action Plan for 2018–2019”, Government OCT Authority, pgspp. 43–45,
https://www.opengovpartnership.org/wp-content/uploads/2018/01/Israel_Action-Plan_2017-2019_EN.pdf.

² “Open Government Action Plan for 2018–2019”, Government OCT Authority, pg. 37,
https://www.opengovpartnership.org/wp-content/uploads/2018/01/Israel_Action-Plan_2017-2019_EN.pdf.

³ Mr. Udi Glass, Special Projects Officer at the Information and Communication Authority (ICT), email correspondence with the IRM researcher (on file), 19 November 2019.

⁴ Mr. Yehuda Ofir, Transparency and Governance Director, ICT, email correspondence with IRM researchers (on file), 18 January 2020.

13. Open-Source Code

Language of the commitment as it appears in the action plan:¹

“Within the scope of Government Resolution 1008, the decision was made to provide an online communications channel for the public’s use, for the purpose of communicating with government ministries. As part of this course of action, the commitment will include the establishment of a digital communications channel through a personal e-mail address – at the citizen’s decision and according to his choice, which will serve as an official e-mail address for all government ministries and, in the future, it will be possible to expand this arrangement also to additional public bodies, subject to any law. In order to implement this policy, the government will establish a central database of e-mail addresses, which the ministries will use to make contact with citizens who will opt to communicate with the government via this channel, and will also enable government ministries to send communications to these addresses for the purposes of reminders and initiating contact, subject to the citizen’s consent. Concurrently, a communications channel will be developed for sending text messages or voice messages to citizens, while using the citizen’s mobile phone number, and also in this instance, this process will be implemented solely with the approval and consent of the citizen.”

Milestones

- 12.1 Collecting half a million addresses (subject to the receipt of legal approval of this course of action)
- 12.2 Linking of at least two ministries
- 12.3 Sending acquisitions
- 12.4 Pilot dispatch to e-mail addresses
- 12.5 Analyzing the results and decision-making about continuation of the process

Start Date: January 2018

End date: September 2018

IRM Design Report Assessment	IRM Implementation Report Assessment
<ul style="list-style-type: none"> • Verifiable: Yes • Relevant: Access to information • Potential impact: Moderate 	<ul style="list-style-type: none"> • Completion: Complete • Did it Open Government? Marginal

Government agencies in Israel create many codes as part of their regular operations to serve and communicate with the public and with each other, to manage their internal affairs. Also, the government is one of the largest purchasers of software in Israel.² When the government uses copyrighted software or creates its codes using copyrighted platforms, it limits the public’s ability to re-use the information created by the government and handled by these codes or the codes themselves, which should be seen as public property. This commitment planned to enable the public to access the work of government-hired coders and software purchased by the government.³ It also aimed to allow the public to build upon government codes, to further develop new and innovative applications by individuals.

The two milestones of this commitment, which are requirements for the larger goals, were implemented. A policy document encouraging government agencies to use open-source software was published, with guidance on how to prepare the systems for this change, mostly focusing on copyrights and security issues.⁴ An additional directive instructs agencies on how to share their open-code developed software and databases with the public. It also set up a committee authorized to approve the release of specific codes and procedures for its work.⁵

The approach of the commitment is important and promising, including promoting and assimilating open-code policy. However, the planned milestones provided only for a policy document and directive regarding the use of open-source codes in government. The commitment did not cover the actual implementation of these policies. The Information and Communication Authority (ICT) itself released the data.gov.il site, expanded as part of this action plan. Other agencies, such as the mapping center, have engaged with the open-source community, and some of its systems have been opened up, such as the tourism ministry that allowed developers on certain platforms to connect directly to some of its databases.⁶ To this date, this is the only source documented as an explicit implementation of the policy created through this commitment. Thus, while this commitment was a positive step forward, it has only marginally improved public access to open-source code used by government ministries.

¹ “Open Government Action Plan for 2018–2019”, Government OCT Authority, https://www.opengovpartnership.org/wp-content/uploads/2018/01/Israel_Action-Plan_2017-2019_EN.pdf.

² “Open Government Action Plan for 2018–2019”, Government OCT Authority, pg. 40, https://www.opengovpartnership.org/wp-content/uploads/2018/01/Israel_Action-Plan_2017-2019_EN.pdf.

³ Ibid, pg. 38.

⁴ “Open Source Solution Use Policy”, Government OCT Authority, available [in Hebrew] at https://www.gov.il/BlobFolder/policy/open_source_usage_policy/he/Open%20source%20usage%20policy.pdf.

⁵ “Policy regarding the use of Government Owned Code”, Government OCT Authority, 1 April 2018, available [in Hebrew] at https://www.gov.il/he/departments/policies/government_owned_code_publishing_policy.

⁶ Accessible via github: “Github – Contributed by Ministry of Tourism”, <https://github.com/CIOIL/nopcommerce-elastic-search-plugin>.

14. Building a system of evaluation of the strategic plan for Open Government

Language of the commitment as it appears in the action plan:¹

“Considering the insights produced from the public consultation process, the Government ICT Authority will take action to formulate outcome indices for Open Government in Israel. As part of this, the Authority will ascertain what the desirable outcomes are of Open Government processes that the Authority intends to evaluate, and subsequently, will formulate a methodology for evaluating the outcomes, so that it will be possible to understand the level of government effectiveness in achieving the objectives of Open Government and what courses of action should be adopted in order to achieve these objectives.” Within the scope of this commitment, outcome indices will be defined, and an evaluation methodology will be formulated, while mapping the evaluation challenges, identifying and recruiting the partners needed for the process and creating arenas for learning from international sources and from experts.”

Milestones

- 14.1 Decision about the selected indicators
- 14.2 Formulating an evaluation methodology
- 14.3 Integration in the 2019 work plans

Start Date: January 2018

End date: December 2018

IRM Design Report Assessment	IRM Implementation Report Assessment
<ul style="list-style-type: none"> • Verifiable: Yes • Relevant: Unclear • Potential impact: None 	<ul style="list-style-type: none"> • Completion: Limited • Did it Open Government? Did not change

This commitment aimed to create clear and quantitative criteria against which open government policy could be measured. Before this commitment, the government defined four outcomes for open government policies: trust, performance, influence, and uniformity in government. While the identification of these outcomes is presented as Milestone 14.1 of the commitment, they were already defined during the development of the action plan, following a consultation with Israel’s OGP multi-stakeholder forum in July 2017.² As with commitments 11 and 12, this commitment was not directly relevant to OGP values, despite its worthwhile purpose.³

The commitment was set to create specific indicators that could be measured to assess the achievement of these four sought outcomes. However, government officials report that a review of research from international organizations, as well as consultations with foreign governments, led them to conclude that the commitment’s premises should be reconsidered.⁴ As a result of the commitment, government officials working on the action plan are committed to include commitments in future OGP action plans that can be objectively and quantifiably measured, and that the indicators should be tailored to each commitment separately. Given the actions that took place under Milestone 14.1 (identification of desired outcomes) and those measures that lead to the revised evaluation of the commitment, its implementation is considered limited.

¹ “Open Government Action Plan for 2018–2019”, Government OCT Authority, https://www.opengovpartnership.org/wp-content/uploads/2018/01/Israel_Action-Plan_2017-2019_EN.pdf.

² “Open Government Action Plan for 2018–2019”, Government OCT Authority, https://www.opengovpartnership.org/wp-content/uploads/2018/01/Israel_Action-Plan_2017-2019_EN.pdf.

³ Ibid, pg. 41.

⁴ Mr. Udi Glass, government Point of Contact in the Prime Minister's Office, interviews and correspondence with IRM researchers.

III. Multi-stakeholder Process

Government officials charged with implementing this action plan have dedicated more time and effort to consult civil society compared to previous plans. However, much of this was done informally, and the actual influence of the consultation, while not doubted by some of the civil society representatives involved, is difficult to trace. During implementation, there were no such forums available, and discussion was sporadic, mostly in closed circles with the specific organizations interested in specific commitments.

3.1 Multi-stakeholder process throughout action plan implementation

In 2017, OGP adopted the OGP Participation and Co-Creation Standards intended to support participation and co-creation by civil society at all stages of the OGP cycle. All OGP-participating countries are expected to meet these standards. The standards aim to raise ambition and quality of participation during development, implementation, and review of OGP action plans.

OGP’s Articles of Governance also establish participation and co-creation requirements a country or entity must meet in their action plan development and implementation to act according to OGP process. Israel acted contrary to OGP process.¹ Israel did not involve civil society in the development of the action plan to the level that it gave clear feedback on how it considered CSOs input, and it does not publicly offer regular documentation of the action plan’s implementation online.

Please see Annex I for an overview of Israel’s performance implementing the Co-Creation and Participation Standards throughout the action plan implementation.

Table [3.2]: Level of Public Influence

The IRM has adapted the International Association for Public Participation (IAP2) “Spectrum of Participation” to apply to OGP.² This spectrum shows the potential level of public influence on the contents of the action plan. In the spirit of OGP, most countries should aspire for “collaborate.”

Level of public influence		During development of action plan	During implementation of action plan
Empower	The government handed decision-making power to members of the public.		
Collaborate	There was iterative dialogue, AND the public helped set the agenda.		
Involve	The government gave feedback on how public inputs were considered.		
Consult	The public could give inputs.	✓	
Inform	The government provided the public with information on the action plan.		✓
No Consultation	No consultation		

The development of Israel’s third action plan, as described in the IRM Design Report, included better public participation practices compared to previous action plans.³ However, while the development involved some consultations between government and civil society stakeholders, the role of civil society during implementation was more limited. The multi-stakeholder forum was not convened during implementation. Consequently, there were no formal channels for civil society to provide input on during this period or to receive updates on implementation status of commitments.

Opportunities for input were limited to informal contacts between CSOs and relevant civil servants. Some commitments had civil society input built into their implementation. For example, Commitment 7 “defining criteria for transparency” was based to some extent on the work of a committee with representatives of several stakeholders. But the action plan in general did not leave opportunities for any outside monitoring of the implementation progress and therefore no room for input.

¹ Acting Contrary to Process - Country did not meet (1) “involve” during the development or “inform” during implementation of the national action plan (NAP), and (2) government fails to collect, publish and document a repository on the national OGP website/webpage in line with IRM guidance.

² “IAP2’s Public Participation Spectrum”, IAP2, 2014,

http://c.ymcdn.com/sites/www.iap2.org/resource/resmgr/foundations_course/IAP2_P2_Spectrum_FINAL.pdf.

³ Guy Dayan & Roy Peled, “Israel Design Report 2017–2019”, Independent Reporting Mechanism, 18 October 2019, pg. 11, <https://www.opengovpartnership.org/documents/israel-design-report-2017-2019/>.

VI. Methodology and Sources

The IRM reports are written by national researchers in each OGP-participating country. All IRM reports undergo a process of quality control to ensure that the highest standards of research and due diligence have been applied.

This review process, including the procedure for incorporating comments received, is outlined in greater detail in Section III of the Procedures Manual¹ and in Israel's Design Report 2017–2019.

¹ "IRM Procedures Manual, V.3", IRM, OGP, <https://www.opengovpartnership.org/documents/irm-procedures-manual>.

Annex I. Overview of Israel's performance throughout action plan implementation

Key:

Green= Meets standard

Yellow= In progress (steps have been taken to meet this standard, but standard is not met)

Red= No evidence of action

Multi-stakeholder Forum	During Development	During Implementation
1a. Forum established: There is a forum to oversee the OGP process.	Yellow	Yellow
1b. Regularity: The forum meets at least every quarter, in person or remotely.	Red	Red
1c. Collaborative mandate development: Members of the forum jointly develop its remit, membership and governance structure.	Red	Red
1d. Mandate public: Information on the forum's remit, membership and governance structure is available on the OGP website/page.	Red	Red
2a. Multi-stakeholder: The forum includes both governmental and non-government representatives.	Green	Green
2b. Parity: The forum includes an even balance of governmental and non-governmental representatives.	Green	Green
2c. Transparent selection: Non-governmental members of the forum are selected through a fair and transparent process.	Red	Red
2d. High-level government representation: The forum includes high-level representatives with decision making authority from government.	Red	Red
3d. Openness: The forum accepts inputs and representation on the action plan process from any civil society or other stakeholders outside the forum.	Green	Green
3e. Remote participation: There are opportunities for remote participation in at least some meetings and events.	Green	Green
3f. Minutes: The OGP forum pro-actively communicates and reports back on its decisions, activities, and results to wider government and civil society stakeholders.	Yellow	Yellow

Key:

Green= Meets standard

Yellow= In progress (steps have been taken to meet this standard, but standard is not met)

Red= No evidence of action

Action Plan Implementation	
4a. Process transparency: There is a national OGP website (or OGP webpage on a government website) where information on all aspects of the national OGP process is pro-actively published.	Yellow
4b. Documentation in advance: The forum shares information about OGP to stakeholders in advance to guarantee they are informed and prepared to participate in all stages of the process.	Yellow
4c. Awareness-raising: The forum conducts outreach and awareness raising activities with relevant stakeholders to inform them of the OGP process.	Yellow
4d. Communication channels: The government facilitates direct communication with stakeholders to respond to action plan process questions, particularly during times of intense OGP activity.	Green
4e. Reasoned response: The multi-stakeholder forum publishes its reasoning behind decisions and responds to major categories of public comment.	Green
5a. Repository: Government collects and publishes a document repository on the national OGP website/webpage, which provides a historical record and access to all documents related to the national OGP process, including (but not limited to) consultation documents, national action plans, government self-assessments, IRM reports, and supporting documentation of commitment implementation (e.g., links to databases, evidence of meetings, publications).	Yellow

Editorial note: *If a country “meets” the six standards in bold, the IRM will recognize the country’s process as a Starred Process.*

Annex II. IRM Indicators

The indicators and method used in the IRM research can be found in the IRM Procedures Manual.¹ A summary of key indicators the IRM assesses is below:

- **Verifiability:**
 - Not specific enough to verify: As written in the commitment, do the objectives stated and actions proposed lack sufficient clarity and specificity for their completion to be objectively verified through a subsequent assessment process?
 - Specific enough to verify: As written in the commitment, are the objectives stated and actions proposed sufficiently clear and specific to allow for their completion to be objectively verified through a subsequent assessment process?
- **Relevance:** This variable evaluates the commitment’s relevance to OGP values. Based on a close reading of the commitment text as stated in the action plan, the guiding questions to determine the relevance are:
 - Access to Information: Will the government disclose more information or improve the quality of the information disclosed to the public?
 - Civic Participation: Will the government create or improve opportunities or capabilities for the public to inform or influence decisions or policies?
 - Public Accountability: Will the government create or improve public facing opportunities to hold officials answerable for their actions?
 - Technology & Innovation for Transparency and Accountability: Will technological innovation be used in conjunction with one of the other three OGP values to advance either transparency or accountability?
- **Potential impact:** This variable assesses the *potential impact* of the commitment, if completed as written. The IRM researcher uses the text from the action plan to:
 - Identify the social, economic, political, or environmental problem;
 - Establish the status quo at the outset of the action plan; and
 - Assess the degree to which the commitment, if implemented, would impact performance and tackle the problem.
- **Completion:** This variable assesses the commitment’s implementation and progress. This variable is assessed at the end of the action plan cycle, in the IRM Implementation Report.
- **Did It Open Government?:** This variable attempts to move beyond measuring outputs and deliverables to looking at how the government practice, in areas relevant to OGP values, has changed as a result of the commitment’s implementation. This variable is assessed at the end of the action plan cycle, in the IRM Implementation Report.

Results oriented commitments?

A potentially starred commitment has more potential to be ambitious and to be implemented. A good commitment design is one that clearly describes the:

1. **Problem:** What is the economic, social, political, or environmental problem? Rather than describing an administrative issue or tool (e.g., “Misallocation of welfare funds” is more helpful than “lacking a website.”).
2. **Status quo:** What is the status quo of the policy issue at the beginning of an action plan (e.g., “26 percent of judicial corruption complaints are not processed currently.”)?
3. **Change:** Rather than stating intermediary outputs, what is the targeted behavior change that is expected from the commitment’s implementation (e.g., “Doubling

response rates to information requests” is a stronger goal than “publishing a protocol for response.”)?

Starred commitments

One measure, the “starred commitment” (★), deserves further explanation due to its particular interest to readers and usefulness for encouraging a race to the top among OGP-participating countries/entities. To receive a star, a commitment must meet several criteria:

- The commitment’s design should be **Verifiable, Relevant** to OGP values, and have **Transformative** potential impact as assessed in the Design Report.
- The commitment’s implementation must be assessed by IRM Implementation Report as **Substantial** or **Complete**.

This variable is assessed at the end of the action plan cycle, in the IRM Implementation Report.

¹ “IRM Procedures Manual,” IRM, OGP, <https://www.opengovpartnership.org/documents/irm-procedures-manual>.