

Israel

Israel is among the world's leading countries in broadband Internet penetration. Although the censorship of information considered vital to national security is a reality, Israel has yet to legally authorize or implement filtering of the Internet by law or voluntary pact.



Background

Since its founding as a state in 1948, Israel has contended with the proper limits of security measures as a democracy under military threat. The Israeli Defense Forces' Military Censor decides what information should not be published, and both domestic journalists and foreign media organizations must comply as a condition of operating in Israel. This longstanding practice has been at the center of an ongoing debate about the curtailment of freedom of expression in order to protect national security and order.¹

Internet in Israel

As a country self-described as always having to "depend on its intellectual resources for survival and development," Israel is home to one of the most vibrant technology centers in the world.² In

2003, the country drew USD1.1 billion in venture capital funding, placing it behind only Boston and Silicon Valley in attracting funding for start-ups.³ Five major Internet service providers (ISPs) and approximately 70 smaller ISPs serve 3.6 million Internet users, about 60.6 percent of the total population in 2006.⁴

Israel ranks highest in the world in hours per user spent on the Internet, at 57.5 hours a month.⁵ The vast majority of Israelis access the Internet from home, though many also do so at school, work, and other places.⁶ Although blogs remain a relatively marginal activity in Israeli cyberspace, the Internet is now the main source of news for 26 percent of online users, second to

RESULTS AT A GLANCE

Filtering	No evidence of filtering	Suspected filtering	Selective filtering	Substantial filtering	Pervasive filtering
Political	●				
Social	●				
Conflict/security	●				
Internet tools	●				

Other factors	Low	Medium	High	Not applicable
Transparency				●
Consistency				●

KEY INDICATORS

	worst	best
GDP per capita, PPP (constant 2000 international \$)22,960		
Life expectancy at birth (years).....79		
Literacy rate (% of people age 15+).....97		
Human development index (out of 177)23		
Rule of law (out of 208).....56		
Voice and accountability (out of 208).....70		
Digital opportunity index (out of 180).....13		
Internet users (% of population)46.6		

Source (by indicator): World Bank 2005, 2006a, 2006a; UNDP 2006; World Bank 2006c, 2006c; ITU 2006, 2004

television but surpassing print newspapers.⁷ The Internet is also increasingly seen as a communication tool,⁸ even a “new battleground,” for vital Israeli interests and the national image.⁹

Initially, Internet penetration in Israel increased relatively slowly, because of the high cost of service—especially for broadband access.¹⁰ Since 2001, however, the government has taken steps to allow more service providers to compete in Israel, reducing costs and dramatically increasing Internet use in general and broadband access in particular.¹¹ Bezeq, a formerly state-owned telecommunications giant that privatized in 2005, began offering ADSL service in 2001.¹² In large part because of the introduction of broadband cable modem access offered by cable companies in 2002, the percentage of households using broadband Internet increased from 4 percent in 2002 to 62 percent in 2006, with broadband service costing approximately USD9 a month.¹³

Legal and regulatory frameworks

The Ministry of Communications (MOC) regulates the Internet as part of the telecommunications sector.¹⁴ Prior to the 1980s, the Israeli government controlled both telecommunications

regulation and operations. In 1984 those functions were split, and all telecommunications facilities were transferred to Bezeq, a state-owned company.¹⁵ Bezeq’s monopoly on fixed-line transmissions within Israel led to a relatively high cost of Internet service in Israel.¹⁶ After Bezeq’s legal monopoly on fixed-line services expired in 1999, the MOC began liberally issuing licenses to competitors. This and other regulatory changes led to a burst of competition within the Internet sector, lowering prices and contributing to a large increase in Internet penetration after 2001.¹⁷

Israel’s history as a state under constant military threat has strongly influenced its approach toward the control of information. Censorship of the media was “frozen” in law in 1945, when the military censor was authorized to ban the publication, printing, importing, and exporting of any material likely to cause damage to the security of Israel or public order.¹⁸ Since then, censorship of sensitive, security- or military-related information has operated through voluntary agreements between military authorities and an editors’ committee (the Israeli Committee of Daily Newspaper Editors). These agreements provide a platform for practical negotiation with a built-in arbitration body, and have been renewed periodically since

1949 with some significant amendments.¹⁹ Despite the lack of full consent from all media, all such organizations operating in Israel, including foreign agencies, must agree to abide by the censor's rulings.²⁰

The Directorate of Military Intelligence of the Israeli Defense Forces maintains the Military Censor unit that holds the authority to prevent reporting of information that may aid attacks on Israeli citizens. News outlets are prohibited, for instance, from revealing the exact location of enemy missile strikes, or stating that a high-ranking official is entering a threatened area.²¹ After periods of more slack enforcement, the Censor has recently scaled up its efforts. During the 2006 war against Hezbollah in Lebanon, for instance, the government banned specific reports on troop movements, the location of Hezbollah rocket strikes, and other information that could be used to coordinate attacks or aim weapons.²²

This regulatory structure has long been a source of controversy. In another example, the Military Censor blocked news about a National Security Council report on the vulnerability of an Israeli fuel depot. The censor was afraid the report might give terrorists ideas, but critics argue that such reports are necessary to spark public debate about security precautions.²³ A series of Supreme Court decisions limited the ban on publishing to content where there is a "tangible" and "near-certain" danger to the well-being of the public.²⁴ Over the decades, the Knesset has debated the role of the censors and the limits of free expression, especially in light of a changing media environment fueled by the growth of the Internet, but no legislation has been enacted to replace the current system.

Israel has yet to establish any explicit legal authority for filtering of the Internet. In 1998 the Knesset's Committee for Scientific and Technological Research and Development met to discuss the subject of Internet filtering.²⁵ Some groups in Israel, particularly the Orthodox community, were concerned over widespread

pornography on the Internet, though the legislature seemed more worried about the availability of privileged information such as Israeli missile deployments.

ONI testing results

ONI testing in 2006 found no evidence of Internet filtering in Israel. In addition to the global list, ONI tested sites with content critical of the Israeli government or reflecting sensitive national security issues and state policies, from Palestinian groups such as Hamas, human rights organizations, and militant organizations (Hezbollah).

Conclusion

After years of somewhat stagnant growth, the Israeli Internet community is expanding rapidly. The country is likely to remain a center for the development of new Internet technologies, with widespread Internet access and deep broadband penetration. Israel does not filter the Internet, and in this respect maintains the freest Internet community in the Middle East. However, as proposed legislation to restrict access to pornography and violent content online continues to be debated, and as the space for online media increases, the Internet will likely challenge the bounds of the specific historical tradition and established practices of Israeli censorship.

NOTES

1. Matti Friedman, "Stop the press," *The Jerusalem Report*, April 4, 2005.
2. Israeli Ministry of Communications, Telecommunications in Israel 2006, November 6, 2006, p. 10, http://www.moc.gov.il/new/documents/broch_1.11.06.pdf.
3. Matthew Kalman, "Venture capital invests in Israeli techs: Recovering from recession, country ranks behind only Boston, Silicon Valley in attracting cash for startups," *San Francisco Chronicle*, April 2, 2004, <http://www.sfgate.com/cgi-bin/article.cgi?file=/chronicle/archive/2004/04/02/BUG675V5L41.DTL>.

4. Global Technology Forum, Doing Business in Israel, Economist Intelligence Unit, http://globaltechforum.eiu.com/index.asp?layout=newdebi&country_id=IL&channelid=6&country=Israel&title=Doing+e-business+in+Israel.
5. comScore Networks Press Release, "694 million people currently use the Internet worldwide according to comScore Networks," May 4, 2006, <http://www.comscore.com/press/release.asp?press=849>.
6. "The Information Technology Landscape in Israel," American University, <http://www.american.edu/carmel/nk3791a/Internet.htm> (accessed January 29, 2007).
7. Judy Siegel, "Web sites are a major source of news for a quarter of Internet users," *The Jerusalem Post*, November 14, 2006, reprinted by BBC Monitoring International Reports.
8. Michal Lando, "Ingathering of the intellectuals," *The Jerusalem Post*, January 9, 2007.
9. See Steve Linde, "Israel's newest PR weapon: The Internet Megaphone," *The Jerusalem Post*, November 29, 2006, describing a computer software tool called the "Internet Megaphone" that acts like a beeper alert system for citizens to bring a pro-Israel slant to public opinion polls, and so on.
10. See Israeli Ministry of Communications, Telecommunications in Israel 2006, November 6, 2006, http://www.moc.gov.il/new/documents/broch_1.11.06.pdf.
11. Ibid.
12. Global Technology Forum, Doing Business in Israel, Economist Intelligence Unit, http://globaltechforum.eiu.com/index.asp?layout=newdebi&country_id=IL&channelid=6&country=Israel&title=Doing+e-business+in+Israel.
13. Israeli High-Tech & Investment Report, "Overview of Israel's Internet & broadband," January 2007, <http://www.ishitech.co.il/0107ar3.htm>.
14. See the Israeli Ministry of Telecommunications Overview at <http://www.moc.gov.il/new/english/index.html>.
15. Israeli Ministry of Communications, Telecommunications in Israel 2006, November 6, 2006, http://www.moc.gov.il/new/documents/broch_1.11.06.pdf.
16. Ibid.
17. Ibid.
18. Articles 87(1), 88(1), Defense Regulations (State of Emergency), 1945, 1442 Palestine Gazette Index 855, (1945), cited in Hillel Nossek and Yehiel Limor, "Fifty years in a 'marriage of convenience': News media and military censorship in Israel," *Communication Law and Policy* 6(1): 1–35. Article 87(1) states that the "the censor is entitled, in general and in particular, to order the banning of the publication of material, the publication of which, will, or is likely, in his opinion, to harm the security of Israel or the well-being of the public or public order." Article 88(1) states that "the censor is entitled to order the banning of the importing and exporting, the printing and publishing, of every publication ... whose import or export, printing or publication, were or are likely to cause damage, in his opinion, to the security of Israel, to the well-being of the public or to public order."
19. See Hillel Nossek and Yehiel Limor, "Fifty years in a 'marriage of convenience': News media and military censorship in Israel," *Communication Law and Policy* 6(1): 1–35.
20. Ibid.
21. BBC Monitoring International Reports, "Analysis: Is Israel censoring media coverage of Lebanon war?" July 18, 2006.
22. Benjamin Harvey, "Israeli censor wields great power over coverage of rocket attacks," The Associated Press, July 19, 2006.
23. Lavie, Aviv, "Sensing the censor," *Haaretz*, May 27, 2002.
24. See Hillel Nossek and Yehiel Limor, "Fifty years in a 'marriage of convenience': News media and military censorship in Israel," *Communication Law and Policy* 6(1): 1–35.
25. Protocol no. 33 of the Knesset's Committee for Scientific and Technological Research and Development, The Internet, Freedom of Information and its Limits, February 24, 1998.