TRANSPARENCY MONITOR 2019
ENGLISH ABSTRACT

Lawyers for Good Governance (LGG) – Background

"Lawyers for Good Governance" (LGG) is a non-profit organization founded in 2014 by Arab lawyers and based in Nazareth. **Our mission is to promote transparency, encourage greater civic involvement and fight corruption within local government in the Israeli-Arab sector.** The work that we do is vital to the socio-economic advancement of the Arab society and we are the only organization addressing the issue of corruption specifically within Arab society.

LGG operates in two spheres: The first is the **legal domain**. Through our confidential hotline, we receive complaints from the public regarding suspected corruption or maladministration, offer legal advice and initiate litigation against local municipalities. The second is **educational outreach**. LGG develops and disseminates educational materials, operates an active [Facebook page](https://www.facebook.com/Lawyers.for.Good.Governance), runs educational workshops in schools advancing democratic values and delivers public lectures to raise awareness of the meaning of good governance, its importance and how it can be achieved.

The Value of Transparency

In the operation of public institutions, transparency is absolutely critical. It is an essential tool in combating corruption and cultivates trust between the public and its elected representatives. Transparency grants legitimacy to the governing bodies and encourages greater civic engagement, which strengthens the democratic process. Furthermore, in an era of advanced online technologies, transparency is a pre-condition for E-Government. From a legal perspective, transparency is intrinsic to the fundamental freedom of expression: If the public is not given access to data on the way in which its governing bodies operate, how can they scrutinize and voice their critique of these bodies? Moreover, the very data requested by the public actually belongs to the public! When public institutions grant people access to this information, they are simply giving them back data that was theirs to begin with.

Transparency within Arab Local Municipalities

'Transparency Monitor 2019' is part of a wider initiative to tackle the lack of transparency within Arab local municipalities. The first report was published in 2017 and has now been updated to reflect new data from 2019. In this report, we elucidate the concept of transparency, how it has evolved over the years and its meaning in today's society. We have also outlined, as a way of clarification and for the convenience of Arab local municipalities, the legal obligations and responsibilities of local municipalities.

A) Methodology

We conducted a comprehensive analysis of the websites of all **85** Arab local municipalities and have evaluated the degree to which each municipal website has met its legal requirements vis-à-vis transparency.

Types of Data

The law in Israel stipulates that every local municipality must operate a website that provides citizens with full access to important information such as the municipality's annual budget, protocols etc. We have listed **31 types of such information:**

a) **26** types of data that municipalities are **legally obligated** to include in their websites (and ensure that remain up-to-date).

b) A further **5** types of data, which we consider to be equally important, despite the fact that strictly speaking, municipalities aren't legally obligated to provide this information.

Transparency Scale

We have presented the results as a "Transparency Scale", using the following methodology.

1. **We divided the 31 items of information that should be included in every website into three groups, according to their importance and developed a point system accordingly.**

   - **Key Items**: We have classified 17 items of information as "Key Items"
     - The inclusion of these items on municipal websites is required by the Law.
     - Each of these items are worth 6 points.
     - For 8 of these items, we have awarded an additional 3 points if the information provided also related to previous years.

   - **Sub Items:** We have classified 9 items of information as "Sub-Items".
     - The inclusion of these items on municipal websites is required by the Law.
     - Each of these items are worth 4 points.

   - **Additional Items:** We have included an additional 5 items of information
   - The inclusion of these items on municipal websites is NOT required by the Law.
   - Each of these items are worth 2 points.
   - Municipalities are awarded an additional point if the information provided also related to previous years.

According to this system, the maximum number of points awarded to a municipality is 177.

2. After all the websites of Arab local municipalities were assessed and were awarded a score, we divided the municipalities into three groups based on their scores:
   a) 66% or higher
   b) 50%-65%
   c) Below 50%

B) Results

The results are unfortunately rather bleak, although are an improvement on the 2018 results.

- **5 out of 85 Arab local municipalities do not even have a website.**
- **Not a single Arab local municipality received a score above 65%.**
- **Only 6 Arab local municipalities scored between 50%-65%.**
- **The overwhelming majority (the remaining 74 municipalities) scored under 50%.**

These results reveal a gloomy picture in which it would seem that most Arab local municipalities have not yet internalized the importance of transparency or their legal obligation to uphold it. We also suggest that lack of transparency in Arab local municipalities hints at the larger problem of lack of good governance and a lack of understanding of the values that public institutions should embody.

C) Recommendations

Throughout the report we noted that it would actually take minimal effort and investment of resources on the part of the municipalities to meet the legal requirements for transparency. Therefore, despite this gloomy picture, it should be relatively easy to rectify the situation. **We therefore encourage Arab local municipalities to use this report as a tool to assist them in increasing their transparency and in meeting their legal requirements.** This is our main recommendation to Arab local municipalities and the ultimate purpose of producing this report.

However, over the years, Arab local municipalities have consistently neglected their minimal, legal obligations in transparency. We therefore suggest that the problem runs deeper. The municipalities' disregard of transparency requirements is indicative of a more fundamental lack of understanding of the nature of their work, their public mission and the fact that they exist solely for the service of the public.

We therefore recommend raising public awareness of this problem and leveraging public pressure on the municipalities to change their behaviors. We hope that this report will also serve as a tool in the hands of the public, empowering them to stand up, demand their rights and hold Arab local municipalities to a higher standard.