



Report of the State Comptroller of Israel | May 2022

Systemic Topics

Supervision over Purity of Elections in the 24th Knesset Elections



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Background

Section 4 of the Knesset Basic Law prescribes that the Knesset shall be elected by general, nationwide, direct, equal, secret, and proportional elections. One of the purposes underlying the provisions of the Knesset Elections Law and the authority of the Central Elections Committee is to preserve the elections purity, namely a proper and fair election proceeding, preventing, as much as possible, manipulations and changes that are liable to adversely affect the basic right of an individual to elect and be elected in a democratic proceeding. The elections for the Knesset form the basis of the democratic nature of Israel's regime, and the Central Elections Committee is entrusted with its implementation. The Committee's role is to preserve proper and effective elections management to ensure the voter's wish is realized.



Key figures

**4
fold**

the increase of the elections purity inspectors number within one and a half years (between the 22nd Knesset and the 24th Knesset elections)

**NIS 51
million**

the cost of supervision array operating of purity of 24th Knesset elections

114%

the rate of expenses increase of inspectors' employment and the supervision array operation within one and a half years (between the 22nd Knesset and the 24th Knesset elections)

18%

of all the polling station committees, defined as "sensitive polling stations", operated without an inspector on the 24th Knesset Election Day

**NIS 19.3
million**

the total cost of body cameras for elections purity supervision during three election campaigns

0.08%

the rate of polling stations in the 24th Knesset elections where videos were used in police investigations

34%

of the inspectors in the 24th Knesset elections that failed to use the app intended for reporting alleged violations of the elections purity

only 7%

of the polling stations required an in-depth examination due to concern of elections purity violation were inspected following the supervision array report

Audit actions



From June to October 2021, the Office of the State Comptroller examined the supervision over the purity of the 24th Knesset elections. The examination included the decision-making proceeding of establishing a supervision array for elections purity; protection of the voters' privacy and security of the video products; the supervision array operation in three Knesset election campaigns; the information integrity of violation suspicions of the elections purity; and the supervision array effectiveness. The audit was conducted at the Central Elections Committee. Supplementary examinations were conducted at the Israel Police, the Ministry of Justice, and Magen David Adom.



Key findings



The decision-making proceeding for establishing a supervision array for elections purity – between the 22nd and the 24th Knesset elections, the total cost of the supervision array operation for elections purity Committee tripled (from NIS 17 million to NIS 51 million). In the 22nd Knesset elections – the Committee's administrative headquarters did not present to the Committee's presidency data on which the number of polling stations inspectors was based, such as the mapping of the polling stations where the elections purity is liable to be adversely affected and the number of polling stations where the administrative headquarters decided to place inspectors. Moreover, it did not present the total cost – NIS 17 million – of the supervision array, including the cost of inspectors' training, before the Committee's presidency resolved to place 1,500 inspectors during the polling and 3,000 inspectors during the counting. In the 23rd Knesset elections – the administrative headquarters' documents for determining the inspector's number at the polling stations did not include the complete relevant information. In the elections for the 24th Knesset – no total costs regarding two of the five alternatives for the supervision array operation formulated by the Election Committee's administrative headquarters were presented. Likewise, the headquarters did not present to the presidency all the information and conclusions in its possession relevant to the supervision array operation: including the costs of four out of the five alternatives formulated by the administrative headquarters, alternative A which responded to the need raised by the presidency – using a video camera at all the polling stations. The Committee's "lessons learned" team presented no conclusions on whether the supervision model used in the 23rd Knesset elections had achieved its main objectives – ensuring public trust in the elections proceeding and preserving the election's purity. Moreover, the presidency was not presented with the Committee's administrative headquarters' data about the decrease of elections purity events between the 22nd Knesset and the 23rd Knesset elections.



The legal regulation of using a video camera in the polling rooms – after the 24th Knesset elections (March 2021), the Central Election Committee's administrative headquarters had not begun the legislative regulation of the array of elections purity supervision and the placing of video cameras in the polling station committees. Thus, by the audit completion date, the permit to use video cameras in the polling station committees' rooms has still not been regulated by primary or secondary legislation by a precise regulation in primary legislation.



Officials authorized to use a video camera in the polling station rooms – in a sample conducted by the Office of the State Comptroller, it was found that in 50 out of 283 sensitive polling stations (18%), there was no inspector during the 24th Knesset elections; out of these, in 13 polling stations (26%) the votes counting was videoed; in



16 polling stations (32%) it is doubtful whether the votes counting was videoed, and in 21 polling stations (42%) the votes counting was not videoed at all. This is despite the Chairman of the Elections Committee's decision that only an inspector who has undergone special training may use a video camera in the polling station room. Thus, in the 24th Knesset elections, other parties (amongst the secretaries – according to the Committee) who had not been authorized before Election Day used the video cameras at the sensitive polling stations.



Security of the video products – during the 22nd, 23rd, and 24th Knesset elections, the Committee did not document the transfer of the video footage to the police, as required by its procedures. The absence of systematic documentation raises concern that the Committee is not tracking the preservation and destruction of all video footage as required by law.



The recruitment and employment of inspectors – notwithstanding the considerable increase in the number of inspectors between the 22nd Knesset and the 24th Knesset elections (four-fold) and the subsequent significant increase in the supervision array costs (three-fold) – in the 24th Knesset elections, no purity inspector was present in 18% of the polling stations which the Committee itself had defined as sensitive polling stations from the aspect of purity of elections. Alongside the extensive placing of inspectors in most of the polling stations, specifically in the polling stations requiring intensive supervision, the rate of polling stations where an inspector was absent was higher than average (18% and 12%, respectively).



The procurement of services and products for the supervision array operating during the 24th Knesset elections – the Central Elections Committee purchased for the 22nd, 23rd, and 24th Knesset elections, 15,500 video cameras (including 12,350 video cameras which were purchased for the 24th Knesset elections) for the elections purity supervision array at the cost of NIS 19.3 million. In practice, approximately 13,240 video cameras were required for the regular polling stations operating on Election Day, about 2,200 less than the number purchased. The Committee purchased a computerized system for managing reports by elections purity inspectors on Election Day (the Eyal system) one month before 24th Knesset Election Day; in practice, 34% of the inspectors failed to connect to the system using a designated app. The Committee did not publish the decisions of its Tenders and the Ministerial Exemption Committee regarding the body cameras and the Eyal system purchase without a tender, as required by the Mandatory Tenders Regulations, and the graded control created by the legislator for approving engagements without a tender was not followed.



The integrity of the suspicions of a violation of elections purity information – there was no information in the Committee's computerized systems about handling suspicions of a violation of the elections purity. No information was found in about one-quarter of the concluded reports in the 22nd Knesset elections, about one-third of the



closed reports in the 23rd Knesset elections, and in almost 40% of the closed reports in the 24th Knesset elections.



The supervision array effectiveness – data raised in the audit indicate the necessity to examine the supervision array effectiveness for election purity. For example, only 7% of the polling stations (56 out of 799 polling stations) required an in-depth examination following a supervision array report; the Committee transferred to the police videos for investigating suspicions of the 24th Knesset elections purity violation in 10 polling stations (0.08% out of approximately 13,240 polling stations). For about one year between the 23rd Knesset and the 24th Knesset elections, the Committee did not examine the supervision array effectiveness in the two previous election campaigns, nor did it commence any such examination. The decision to increase the number of inspectors by 2.6 fold between the two election campaigns was therefore not based on an effectiveness examination.



Four election campaigns were conducted in Israel from 2019 to 2021. The 24th Knesset elections were held at the height of the covid-19 pandemic and entailed appropriate preparations, including the addition of polling stations and a reduction in the maximum number of voters in each polling station. The Office of the State Comptroller commends the success of the Central Elections Committee in conducting the 24th Knesset elections at the height of the covid-19 pandemic.

Key recommendations







It is recommended that the Central Elections Committee's administrative headquarters present its relevant data before the Chairman of the Committee, and if necessary, also before the Committee's presidency, including data regarding the cost of the proposal brought before them, before discussing the additional manpower, and if so – to what extent.



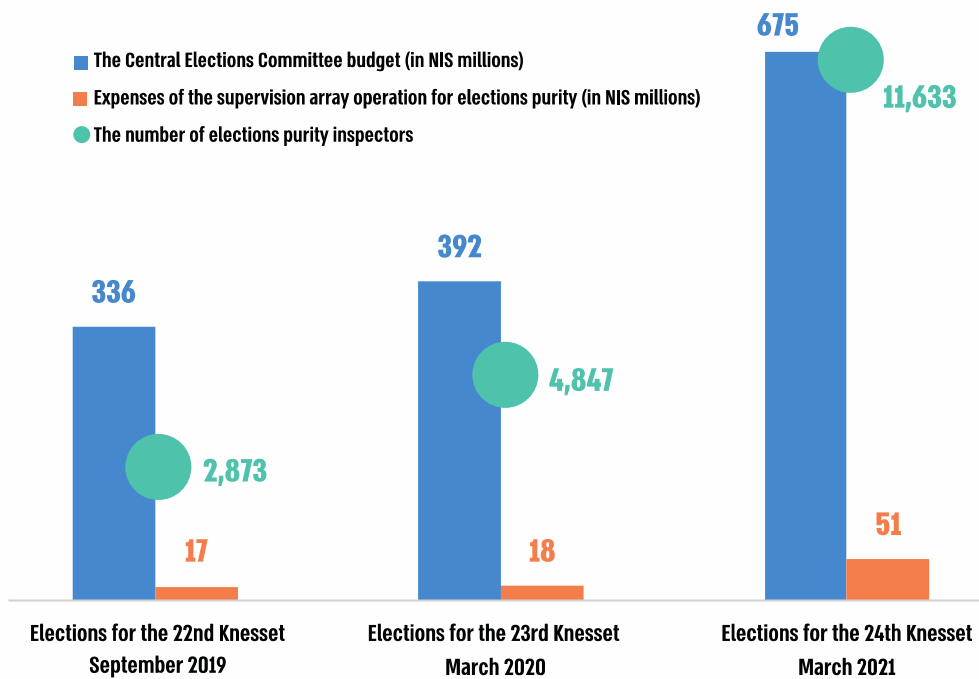
The Central Elections Committee's administrative headquarters should implement the Chairman of the Elections Committee decision as a binding infrastructure for a permit to use video cameras at the polling stations committees. Moreover, it should conduct strategic work based on comprehensive information and expertise in a variety of fields, in consultation with all the relevant parties, to determine all the arrangements required for the precise legal regulation of supervision and recording of videos at the polling stations committees, whether by primary or secondary legislation.



-  It is recommended that the Central Elections Committee document systematically and track the video footage which was transferred to the police by the polling station committees, including preserving and destroying the footage, as required by law.
-  It is recommended that the Central Elections Committee examine the necessity of placing two secretaries and an inspector at every polling station, considering their cost and the number of suspected violations of elections purity events in previous election campaigns. Likewise, it is recommended that the Committee examine placing two secretaries and an inspector at sensitive polling stations, where there are more needed, and fully staff these positions at the sensitive polling stations before staffing the other polling stations.
-  The Central Elections Committee should prioritize engagement under a tender as much as possible, even when the Regulations grant a tender exemption. Likewise, the Central Elections Committee should publish decisions regarding engagements without a tender under the Mandatory Tenders Regulations. It is further recommended that the Chairman of the Central Elections Committee determine the hierarchy of powers between the various procurement committees and an operation method, ensuring control over the proceedings and thus compensating procurement without a tender.
-  It is recommended that the Committee will be prepared ahead of time to manage supervision array in future elections campaigns to ensure the complete and systematic collection of supervision array reports if it is indeed decided to operate it. It is further recommended that the Committee examine the supervision array's effectiveness for elections purity before deciding to use a similar array in the next elections and to what extent.



The number of elections purity inspectors, the Central Elections Committee budget (with changes), and the total cost for the supervision array operation for elections purity – from the 22nd Knesset elections in 2019 until the 24th Knesset elections in 2021



According to data from the Central Elections Committee, processed by the Office of the State Comptroller.



Summary

The audit raised deficiencies in the work of the Central Elections Committee's administrative headquarters in various aspects of the supervision array operation for elections purity, including the following: the administrative headquarters had not begun to regulate the legislation of the supervision array and the placing of video cameras in the polling station committees; and in the 24th Knesset elections, unauthorized parties used video cameras in the polling station rooms. Deficiencies were also raised in the supervision array operation: alongside the extensive placing of inspectors in most of the polling stations, it was actually in the polling stations where more intensive supervision was necessary where the rate of placement was lower than average; 34% of the inspectors did not succeed in using a designated app to transfer reports of elections purity violations suspicions; due to the Central Elections Committee's lack of information in their computerized systems (approximately 40% of the reports) it was not possible to assess whether the Committee's handling of violation suspicions of the purity of the elections had been exhaustive and whether all the cases requiring in-depth examinations had been examined as needed. For future decisions about the necessity of setting up a supervision array for elections purity, and if so, to what extent – a comprehensive examination should be made of the effectiveness of the arrays which operated during the 22nd, 23rd, and 24th Knesset elections, considering their costs. It is appropriate that the Elections Committee use the information and conclusions in the future when deciding about a supervision array in the field of election purity.