

OFFICE OF THE STATE COMPTROLLER

Audit report on disengagement

Issues in the activities of SELA Disengagement Authority

Local authorities' preparation and absorption of the evacuees

Jerusalem, Sh'vat 5766, February 2006

Catalogue No. 005-2006

ISSN 0793-1948

A version of this report may be found on the website
of the Office of the State Comptroller:
www.mevaker.gov.il

Typesetting: Onit Computer Services Ltd.

Print: Keter Publishing House.

The reports that are presented here and that are dealing with the disengagement, concerning the preparation of the Prime minister's office and other government agencies for the disengagement process, and the preparation of communities and regional councils for the disengagement, join the report that has already been submitted regarding the protection of communities in Gaza vicinity.

We shall recall briefly that on the matter of the protection of communities in Gaza vicinity, we noted at the previous report, submitted a month ago, regarding the conduct of unreasonable and inefficient process that continued for a long period of time, with discussions that ended without practical results. This situation continued until the date of disengagement, and moreover, it lasts until November 2005, the date of completion of the audit of the State Comptroller's Office.

Furthermore, in the report regarding the protection of communities in Gaza vicinity, we noted that it would be appropriate to learn the lesson from the conduct that was revealed and which can be summarized as problematic in the area of decision making processes and their implementation, especially in crucial, urgent and sensitive issues concerning the saving of human life. The responsibility in this case rests always on the highest ranking official, in this case the defense minister. We have emphasized in the past that personal responsibility is the heart of the audit in Israel.

The plan of disengagement from Gaza and settlements in the region of northern Samaria, which was set by the government, was accompanied by public debate and has defence, economic, political, and above all human aspects. To implement the program on the one hand, and reduce as much as possible the harm for the evacuees on the other hand, the government should have acted in a different manner than the routine. Establishment of the SELA disengagement administration was one of the actions designed to centralize under one roof the government activities in the civil areas.

Delays in recruitment and absorption of personnel in the SELA disengagement administration and absorption of the evacuees in the local authorities, were not the result of lack of appropriate laws and procedures, but foot-dragging in the activities of the responsible factors, in cases where circumstances demanded a vigorous and determined action.

The current reports, similarly to the report concerning with the protecting of communities in the Gaza vicinity, were done in "real time", while things have occurred. As already noted, this audit is preferred on "historical" audit that is done long after the completion of the act. This is the new policy of the State Comptroller's Office.

The additional reports listed here are meaningful and serious. Even if many months have passed, many evacuees still remained in temporary housing and without employment.

The report's findings clearly indicate that the Prime Minister's office, SELA Disengagement Authority and several of the designated ministries had not been mindful enough to the absorption of the evacuees.

There is no doubt that the evacuees, children and adults, elderly and toddlers, suffered from severe trauma in the evacuation and from the manner of their evacuation from the Gaza Strip. The evacuees paid a heavy personal price due to the evacuation. The improvement of the situation of the evacuees and their living conditions today is a duty imposed on the state and its institutions, a duty of great importance.

Not even a single evacuee should stay without the attention of the competent authorities or their complete assistance. All roads lead, in these reports, to the state and its institutions. It must overcome all budget obstacles; give utmost priority to resettlement and rehabilitation of the evacuees.

Any delay in this regard, is a clear expression of continued failure. Evacuees are eligible for immediate assistance, and the sooner the better.

Micha Lindenstrauss

State Comptroller and Ombudsman

Jerusalem, Sh'vat 5766, February 2006

Disengagement

Issues in the activities of SELA Disengagement Authority

Summary

In June 6th, 2004 the government approved plan for the disengagement from the Gaza Strip and settlements in Northern Samaria area (hereinafter - the disengagement plan). To that end, the Prime Minister's Office established an execution administration (hereinafter – SELA¹ Disengagement Administration or the Administration), and it began operating in August that year. In February 2005, the Knesset passed the Disengagement Plan Implementation Law 5765-2005 (hereinafter - the Law), which detailed the functions of the SELA Disengagement Authority and its powers.

During August - November 2005 the State Comptroller's office audit the Prime Minister's office (hereinafter - the PM's Office) and the SELA Disengagement Administration concerning several issues related to the preparation of the Administration to the disengagement plan and its treatment of the people who had been evacuated from their communities under the plan (hereinafter - the evacuees). Supplementary audits were done in the Ministry of Finance, the Ministry of Defense and the Ministry of Construction and Housing. Some data have been updated to February 2006.

Budget for the establishment of the Administration

The Government's decision of June 2004 provides, among other things, that the Budget Director at the Ministry of Finance, in coordination with the Director General of the Prime Minister's Office and the Director General of the Ministry of Justice, shall provide to the SELA Disengagement Administration, within one month from the date of receipt of the decision, that is until the July of that year, with budget and other resources for its activities.

The audit revealed that the Finance Ministry unreasonably delayed the allocation of resources necessary for the beginning of the operation of the SELA Disengagement Administration: the Ministry of Finance submitted a request in this regard to the Finance Committee of the Knesset only at the end of August 2004 and notified the Prime Minister on the approval of this request only in late September of that year, two months and a half after the deadline set by the government.

Personnel

The Director General of the Prime Minister's Office and the head of SELA Disengagement Administration as well as the civil service commissioner and the Budget Director at the Ministry of Finance, were slow to act and did not allow rapid absorption of essential personnel for the Administration. As a result, the

1 SELA - assistance for residents of the Gaza Strip and northern Samaria.

Administration did not absorb at time personnel of vital roles, as described below. The absence of these employees was one of the main shortcomings of the Administration in its dealing with the evacuees immediately after evacuation.

1. At the end of April 2005, about three and a half months before the evacuation, the SELA Disengagement Administration included 15 employees and two consultants only. At the time it did not yet recruit a coordinator in charge of the evacuation day, Director of Social assistance department, most of the employees that were planned to be employed in the south and two of the four employees planned to be employed in the north.

2. In April 2005 a committee was established, by a government decision, that some of its members were CEOs of government ministries (hereinafter - the CEOs Committee) to coordinate and promote the implementation of the Disengagement Plan and to assist the SELA Disengagement Administration with performing its roles. Therefore, the Committee should have assisted the Administration by removing bureaucratic obstacles delaying recruitment, especially when difficulties in this regard were expected. But it was found that it did not work in this manner, when the Civil Service Commission and the Ministry of Finance, who were responsible for the approval of recruitment, delayed the approval of the employees to the Administration. Only in mid-July 2005 when preparations for the evacuation were already supposed to be in the final stages, the Administration has been approved to recruit dozens of employees, including employees needed for tasks that should have been done before the evacuation.

3. The SELA Disengagement Administration was late to submit some of the applications for employment-approval of workers who were vital to its operations before the evacuation: even though accepting these approvals was likely to take several months, and it was known that it would take time to train the workers for their duties, only in May 2005 the Administration submitted application for approval of the employment of some of these workers.

4. The approval process of engagement with the Administration's media adviser took five months, and the process required to absorb consultant for alternative settlement, whose job was to be engaged in a major **part** of the Administration's work, took three months and a half. In the opinion of the State Comptroller, the parties concerning this issue in the Prime Minister's Office did not relate the proper importance of rapid recruitment of those two consultants and delayed execution of the actions required for the approval of their contract.

5. The head of SELA Disengagement Administration was aware of the difficulties of recruiting personnel to the Administration, and spoke strongly about it in internal documents of the Administration. However, it was not found that he raised the issues in its full severity before the senior management in the Prime Minister's office and the Ministry of Finance in an effort to try to find a solution - not even in advanced stages of the disengagement plan's implementation and after the law was enacted.

Treatment of the evacuees after the evacuation – the impermanent housing stage

The law requires the SELA Disengagement Administration to assist the evacuees during the evacuation process and with the transition to the new residences, and to give them assistance throughout the period of organization and adaptation to the transition to new places of residence and employment. This was indicated both from the article specifying the objectives of the Law and the article specifying the roles of the Administration. The government decisions and the Administration's actions indicate that the government took upon itself to help the evacuees in the process of transition and adaptation by assigning places for Impermanent housing immediately after the evacuation. The settlement of the evacuees was usually done in three stages: the Impermanent housing stage- the first days after the evacuation; the temporary housing stage - a specified time until the completion of the preparation of permanent housing; the permanent housing stage.

Until the beginning of July 2005 the government rented, using the Ministry of Defense, 800 rooms for impermanent housing and on early August, at the eve of the evacuation, the government decided to increase the number to 1,800. After the evacuation the number of rented rooms reached 2,806. Most rooms were rented in hotels and the rest in Yeshivas, seminaries and colleges.

1. In the months preceding the date of the disengagement the SELA Disengagement Administration dealt with preparing of temporary housing solutions for the settlers. It is likely that the completion of the preparation of the temporary housing was somewhat delayed because of the lack of cooperation of the settlers with the Administration. However, it was found that even before the evacuation the SELA Disengagement Administration and the Prime Minister's Office did not concluded from all the information they had that there was a shortage of readymade temporary housing solutions, and that due to this shortage many of the evacuees will remain in impermanent housing for a long time.
2. SELA Disengagement Administration's documents show estimates of the number of evacuees who would need impermanent housing, and the head of the Administration was aware of the need to prepare for various scenarios. However, the Administration did not prepared in advance to absorb in the impermanent housing the number of families in line with the estimations. Although the government had rented a large number of rooms within a short time, it was done mainly shortly before the beginning of the evacuation and following it, so it had to establish many unplanned centers for impermanent housing, and therefore SELA Disengagement Administration did not have enough workers to handle the evacuees at these centers.
3. In late July it was known to the SELA Disengagement Administration that the duration of the evacuees stay in the hotels will be about a month. Nevertheless, the Director General of the Prime

Minister's Office, who headed the CEOs Committee as mentioned, thought that the evacuees² should be allowed to stay in the hotels for two weeks at the most. In practice, about half of the families evacuated to impermanent housing centers stayed there for about two months after the evacuation and 40% stayed at the centers even around three months thereafter.

4. SELA Disengagement Administration's plan to absorb the evacuees in the impermanent housing centers, did not determined how many employees from each field, e.g. social workers, will be sufficient to assist with the absorption of the evacuees. The Administration was also not appropriately prepared to staff these centers with welfare professionals and professionals responsible for logistics, in part because a few months before the evacuation it didn't have essential employees, such as Director of Social Assistance and consultants to the coordinator who was in charge of the evacuation day,.

5. According to a scenario predicted by the SELA Disengagement Administration, it considered the possibility that it will be required to deal with most of evacuees in large number of impermanent housing centers, but it was not prepared for this possibility: until shortly before the date of the disengagement it planned to establish only seven impermanent housing centers, but in practice 31 such centers were established. The Administration did not have enough workers to plan the impermanent housing centers and to staff them; according to the Administration's plan there were supposed to be two representatives in each impermanent housing center, a total of 62 representatives in 31 centers. In practice, however, there were only 37 employees in 25 impermanent housing centers, in six centers there were no representatives of the Administration at all, in four centers did there were no administrative managers on behalf of the Administration, in four there were no representatives of eligibility committees, and in four there were no professional managers in the social area on behalf of the administration. Due to the shortage of personnel the evacuees did not receive the full assistance that they were entitled to in the area of mental and social wellbeing. So SELA Disengagement Administration did not fully fulfill one of its roles. As a result, the evacuees were harmed and suffered.

6. The impermanent housing centers operated through a limited number of SELA Disengagement Administration's representatives and through employees who were rapidly recruited and trained to their positions. Therefore, it was important that the Administration would receive regular reports of the events in the centers so that it could help their managers to solve problems arising in them. In practice, however, 16 of the impermanent housing centers did not report to the Administration at all, and the others reported to it only once. Moreover, most of the reports received by the Administration lacked vital information that could have make its work in the impermanent housing centers more efficient.

7. The Prime Minister's Office paid for employing contract workers in the impermanent housing centers without regularly monitor their work.

2 Apart of the evacuees who came to an agreement with the Administration on resettlement, under Article 85 of the Law.

8. For the execution of one the important roles prescribed to the Administration by the law, handling of the social field - role that included, among other things, assistance and consulting regarding the evacuation and coordination between state agencies and other entities regarding assistance to evacuees - the Administration employed three employees, when it was known from the outset that because of their employment status of consultants, their work is subject to restrictions that will make it difficult for them to carry out their roles. Moreover, the consultant responsible for the coordination of the social field, who was the senior employee in the administration in this field, was not employed continuously, and the other two started working there only in late May, 2005, about two and a half months before the evacuation. The State Comptroller's Office believes that recruiting the two additional consultants only two and a half months before the evacuation, harm the administration's ability to properly plan the workforce in the impermanent housing centers and to staff them.

Transferring the responsibility for treating the evacuees from the army to the Administration

During the audit the State Comptroller's office received complaints of evacuees concerning suffering caused to them during the ride from the Gaza Strip to the impermanent housing centers. It turned out that the division of responsibilities between the various entities participating in the evacuation of settlers focused on the issue of securing the vehicles that carried the evacuees and preventing their return to the communities from which they were taken, with no consideration to other issues, such as the need to accompany the evacuees by a welfare representative and the need for stopping to rest during a long drive. This conduct was improper. According to the allegations of the evacuees, some buses carried evacuees continuously for many hours without stopping to allow them to freshen up.

Establishment of Information Call Center

The PMO Director and professionals in the Administration thought that an information call center should be established, with the aim of assisting settlers, facilitating the connection with them and allow them to receive varied information concerning various topics; they thought that the establishment of the information center is of great importance, mainly since it will also allow anonymous contact.

Although the Administration has begun to work to establish the Information Call Center already in February 2005 and although it was vital for the connection with the settlers, its establishment had been delayed and trial operation begun only a few days before the evacuation. This late establishment of the Information Call Center has greatly reduced its contribution.

Containers for storing belongings of evacuees

The audit revealed deficiencies in the treatment of the Ministry of Defence and SELA Disengagement Administration of evacuees' complaints about damages to their property which was transferred in containers. It was also found that many families that still reside in impermanent housing centers are not allowed to take staff out of their containers stored at Qastina site.

Preparedness of the local authorities and absorption of the evacuees

Summary

The State Comptroller's office examined the preparedness to absorb the evacuees of the Gaza disengagement plan in three local authorities that absorbed large number of evacuees. Those authorities are: City of Ashkelon, Hof Ashkelon Regional Council and the Nahal Soreq Regional Council.

Preparation prior to evacuation

By the decision to implement the disengagement plan, the government initiated an extensive project which required considerable cooperation between the various government ministries as well as between the central government and local authorities. Following the decision of the disengagement plan the absorbing local authorities (hereinafter - the absorbing local authorities) were imposed by tasks that largely exceed the scope of their normal operations, and involved significant expenses and allocation of special resources.

The circumstances of the receiving the decision on the evacuations in the government, and the uncertainty it involved, emphasize the need to establish a detailed and clear system of rules and guidelines for the local authorities to make sure that the uncertainty involved in this situation will not prevent the actions necessary to properly implement the disengagement plan and the best absorption of evacuees.

The main findings indicate that the instructions the local authorities received from government ministries, especially the Prime Minister's Office, Ministry of Interior, Ministry of Education, Culture and Sports (hereinafter - the Ministry of Education) and the Ministry of Social Affairs, were partial and not detailed enough. Some of them were received in delay and without written authorization. The guidelines were especially lacking by not specifying the sources of funding for the activities required to absorb the evacuees in the local authorities. This absence of detailed guidelines harmed the preparation of the local authorities to absorb the evacuees.

Not receiving information in advance about the evacuees, partly stemming from the lack of cooperation of the Gaza Coast Regional Council headed by Mr. Avner Shimoni, and the evacuees themselves, also harm the preparations.

Budgeting of the local authorities

The preparation of the absorbing local authorities for the operations necessary to absorb evacuees required the government ministries to allocate the necessary resources to the local authorities already in the beginning of the preparation for evacuation, according to needs and according to clear criteria.

The audit revealed that although preparation activities to absorb evacuees began months before the evacuation, repeated requests of the authorities to allocate resources had not been accepted. Part of the activities has been made by the local authorities without receiving budget approval, in violation of the Budget Foundations Law. For example, the authorities spent money for student transport, construction of buildings, purchase of equipment and manpower absorption, for which they had no source of budget.

The government determined the amount of financing to be provided to the local authorities for each household only in September 2005. Transfer of funds that were promised to local authorities was delayed, and for a long time the authorities had to finance the expenses out of their own budgets.

The government had created uncertainty by failing to set clear and known rules in advance about the allocation of funds to local authorities. There is concern that this uncertainty and ambiguity caused the leaders of the local authorities to “go begging from door to door” and caused inequality between the absorbing local authorities.

State Comptroller's Office considers as gravely severe the prolonged delay in transferring all approved budgets to local authorities, delay resulting from obscurity regarding the budgeting model that was established for the local authorities and from time wasted and communication exchanges between the local authorities and the government. It should be appropriate that the Prime Minister's Office and the Interior Ministry shall act to transfer those budgets as soon as possible.

Infrastructure

The maintenance of infrastructure, although they had been built by government offices, will be imposed in the future on the local authorities that the infrastructure is within their boundaries, so it should have been appropriate to involve the authorities in planning the work, identifying sites for development and the supervision of the work, and provide funding to the local authorities for its supervision.

The local authorities were not involved in the supervision of the infrastructure works made in the impermanent housing sites, even though they are supposed to maintain them in the future. Follow-up audits revealed many faults in the infrastructure of water systems, sewage and electricity in projects that were under the responsibility of the Ministry of Construction and Housing (hereinafter - the Ministry of Housing). In other sites there were no adequate drainage solutions.

Evacuated students transportation

The procedure of the Ministry of Education, which sets rules for the funding for the transportation of students who were evacuated from Gush Katif and Northern Samaria, for the academic year 5766 (hereinafter - the procedure), reached the local authorities in delay, after they were already forced to finance the transportation out of their own budgets. Restrictions on the funding in the procedure arose doubts in the local authorities whether the funds they had spent would indeed be returned.

Daycares and kindergartens in the absorption sites

Despite the great importance of opening daycare centers shortly after the date of evacuation, which could have helped evacuees mainly in the issue of employment, disagreements between the Hof Ashkelon Regional Council and government departments regarding the responsibility for financing equipment for the daycare centers in Nitzan site, caused significant delay to their opening.

Weeks after the evacuation the kindergartens that operated at the site were without basic equipment, and development work had not been completed in them. Even when finally the Regional Council purchase the missing equipment, it did not received funds for those purchases , in the claim that these funds are part of the total budget allocations the Council received.

Treatment of welfare issues

Welfare activities were delayed or not done at all, due to manpower shortage. Because of this shortage, issues of families were not fully charted prior to their arrival to the sites in which they were absorbed. Even the activities of workshops and community activities where harmed due to lack of buildings and delay in the decision about their funding.

Treatment of the evacuees in the impermanent housing centers in Ashkelon

Although the decision to establish impermanent housing centers in Ashkelon was received long before the evacuation, and the guidelines of the designated offices were known at that time, SELA Disengagement Administration and Ashkelon Municipal Council failed to reach an agreement regarding the extent of Ashkelon municipal council's involvement in absorbing the evacuees in the absorption centers, especially concerning the question of the employment of social workers, until mere few days before the planned evacuation, a thing that hurt the absorption of the evacuees.

SELA Disengagement Administration housed about 30 families of evacuees at Ashkelon hotel that did not have business licence for the first two weeks of August. Also, during the period from October 31, 2005 to January 2006, one of the hotels operated without temporary permit or business licence, so the SELA Disengagement Administration housed evacuees, until the last day of the absorption center's operation, in hotel that did not have a business license.

SELA Disengagement Administration instructed the absorption center's managers not to treat families who came to the center before August 18, 2005, not to register the families who arrived and their needs, and not to supply them with social services, education or any other service, despite housing them at the hotel.

The psychological service of the Ministry of Education (hereinafter - The psychological service) and SELA Disengagement Administration, should have guide the municipality regarding the scope of psychological assistance to be given in the impermanent housing centers and its financing. Absence of clear guidelines for municipal psychological services caused it to misunderstanding its obligation in the scope of allocating psychologists and funding them, and makes it difficult to provide the necessary assistance.

The SELA Disengagement Administration and the psychological service at the Ministry of Education should have taken in account the fact that with the beginning of the school year at September 1st,2005, the employees of the municipal psychological service would not be able to assign all of their time to treating children and adults in the absorption centers, so they had to prepare in advance to provide response, as far as the controversy touched to lack of work. Because of this, and due to controversy between the managers of the impermanent housing centers and Ashkelon municipal council regarding the scope of assistance required, the activity of the municipal psychological service was limited after September 1st, 2005.