

Review of the Effectiveness of the EIDHR Programme in Palestine ¹

2011 – 2015

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Final Report



European Union



**The project is implemented by
International Consulting Expertise EEIG**

1 This Designation shall not be construed as recognition of a State of Palestine and is without prejudice or the individual positions of the Members states on this issue

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LIST OF ACRONYMS

| | |
|---------|---|
| CBO | Community-Based Organisation |
| CBSS | Country-Based Support Scheme |
| CfP | Calls for proposals |
| CPN | Child Protection Network |
| CSO | Civil Society Organisation |
| CFTA | The Culture and Free Thought Association |
| DPO | Disabled Peoples' Organisation |
| EC | European Commission |
| EIDHR | European Instrument for Democracy and Human Rights |
| EU | European Union |
| EU MS | European Union Member States |
| EUREP | Office of the European Union Representative |
| GBV | Gender- Based Violence |
| GUPWD | General Union of People with Disability |
| HI | Handicap International |
| HLP | Housing, Land and Properties |
| HRCS | Human Rights Country Strategy |
| ICDI | International Child Development Initiative |
| IDP | Internally Displaced People |
| IHL | International Humanitarian Law |
| MoE | Ministry of Education |
| MoL | Ministry of Labour |
| MoSA | Ministry of Social Affairs |
| NDP | National Development Plan |
| NRC | Norwegian Refugee Council |
| NSA | Non-State Actors |
| OCHA | United Nations Office for Humanitarian Affairs |
| UNOHCHR | United Nations Office of the High Commissioner for Human Rights |
| PA | Palestinian Authority |
| PCCDS | Palestinian Center for Communication and Development Strategies |

| | |
|-------|--|
| PCS | The Palestinian Consultative staff for Developing NGO's in Jenin Governorate |
| PfP | Partnership for Peace Programme |
| SCI | Save the Children Italia |
| SCIA | Servizio Civile Internazionale Association |
| SHG | Self-Help Group |
| SI | Secours Islamique |
| TRC | Treatment and Rehabilitation Centre for Victims of Torture |
| UNDP | United Nations Development Programme |
| USAID | United States Agency for International Development |
| WCH | War Child Holland |

I. EXECUTIVE SUMMARY

The European Instrument for Democracy and Human Rights (EIDHR) is a worldwide EU programme that is applied to the occupied Palestinian territory (oPt) as part of the European Neighbourhood Policy (ENP) that aims to enhance prosperity, stability and good governance in the countries neighbouring the EU through a deeper political relationship. The EU's actions through the EIDHR are highly visible, as it is designed to help civil society become an effective force for political reform and defence of human rights. Building on its key strength — the ability to operate without the need for host government consent — the EIDHR is able to focus on sensitive political issues and innovative approaches through direct cooperation with local civil society organisations (CSOs), which often need to preserve independence from public authorities, providing for greater flexibility and increased capacity to respond to changing circumstances.

The global objective of this review is to provide the EU and the wider public with an overall independent assessment of the EU support to civil society in Palestine under the EIDHR-CBSS programme during 2011-2015 in order to identify key lessons and recommendations for programming, management and delivery of future support through this thematic programme.

The specific objectives of this review were to provide an overall, comprehensive and independent assessment of the past and current implementation of the EIDHR-CBSS Programme and identify key lessons and recommendations for programming, management and delivery of future support through this thematic programme.

The main challenge for this overall review was the great variety of projects funded under this programme and the difficult political context in which these projects were implemented.

EIDHR-CBSS was applied during the period 2011-2015 in an environment of increasing violations of the fundamental rights of Palestinians and a political impasse regarding the Israeli occupation and the Palestinian internal political division between Fatah and Hamas. The most significant violations referred to infringements of International Humanitarian Law (IHL) and the United Nations (UN) Conventions on human rights, especially on the prohibition of torture, arbitrary detention, legal defence, freedom of movement and residence, freedom of expression, assembly and association and fundamental economic rights such as the right to water and the right to work.

For this review, the evaluation team applied the standard EU Evaluation Methodology taking into account the contextual human rights situation in Palestine and the internal capacity of the implementing CSOs by aiming to assess the relevance, outcomes and impact of the EIDHR-CBSS projects. Various data gathering methods were employed. First, a desk review of the main policy documents related to the programme and its implementation through the 28 projects funded during 2011-2015. Then, a field visit to a sample of 13 projects, selected by geographic and thematic criteria, which included interviews with the implementing partners and target groups of the projects, and other relevant key partners and stakeholders in the West Bank, East Jerusalem and the Gaza Strip. Key partners and stakeholders included the relevant UN institutions working on human rights in Palestine, a sample of the EU Member States (EU MS) and other international donors funding programmes for human rights CSO projects, and the Palestinian Independent Commission for Human Rights (ICHR). Once the field

phase was finalised, three restitution workshops with the implementing CSOs and the EU MS were held to discuss the preliminary conclusions and recommendations.

The general conclusions of this review are the following:

1. **As a general assessment**, the **EIDHR-CBSS 2011-2015 responded to the main concerns and recommendations** stated by the main policy documents on EU support to local civil society taking into account the particularities of those CSOs working on human rights. The programme in Palestine fully reflected the worldwide EIDHR strategy as adapted to the local priorities on human rights. The Calls for Proposals (CfPs) showed an increasing strategic concern in: the most fundamental rights of Palestinians being at risk; the prioritisation of East Jerusalem and area C as locations, and of local CSOs as main applicants; the increase in grants and in the duration of projects to promote more impact and sustainable interventions; and progressive importance of platforms and networks to strengthen local civil society and promote specialisation. The EU's decision to contract a consulting company to provide regular capacity building activities for human rights CSOs was a very positive move to support more efficient implementation of the programme.
2. The EIDHR-CBSS projects were all **relevant** as regards the programme priorities. Nevertheless, not all the projects had the same level of importance. Of significant relevance were those actions related to fundamental rights such as the prevention of torture, legal defence of detainees, the right to water, Housing-Land-Property (HLP) rights, the right to association, freedom of expression and assembly and the protection of human rights defenders, especially when the victims belong to vulnerable groups. Others might have been funded by other EU instruments as their violation is not politically motivated. However, more specific groups (Bedouins) or locations (Seam zone, Hebron) were not specifically included, but those target groups and areas are covered by other programmes including Area C Programme and Civil Society Organization-Local Authority (CSO-LA) Programme. CSOs remain relevant service providers because of the special situation of the Palestinian Authority (PA) and the particularity of Human Rights interventions.
3. Most projects **followed the classic design** for interventions in the promotion of human rights: a combination of psycho-social protection, legal advocacy and public awareness. However, a general weakness in many projects was the lack of a sufficient legal side to have more effective interventions and poor human rights indicators to monitor the projects' outcomes. Also, it was noted that a human rights approach to daily problems is still emerging, related to the Israeli occupation and the actions of the Palestinian authorities, and based on binding International Law. Nevertheless, the collaboration with Israeli human rights CSOs was very relevant to deal with certain legal challenges of the Israeli occupation. Regarding efficiency, most of them were cost-effective in terms of financial, contractual, administrative and operational management. Good tools were found such as partnerships and Memoranda of Understandings (MoUs) between partners. There was adequate adaptation to the 2014 Israeli military attack on Gaza. However, issues of concern are: poor understanding of EC procedures, which shows the local CSOs' need for internal capacity-building on managerial skills; some over-spending in international travel and external evaluations;

and the importance of the English language challenge for local CSOs. Overlapping of programme projects was not an issue.

4. **Effectiveness was achieved** in general. Project activities were achieved as planned covering all oPt geographical areas. The action timeframes were in general an advantage for the outcomes. There was transfer of technical capacity between project partners in several projects. However, significant changes in local communities' perception of certain human rights issues were not always fully achieved (right to life, women's rights). Internal monitoring and evaluation of the projects needs further improvement. The role of Palestinian Authority (PA) institutions, although crucial to several projects, appeared to be weak because of insufficient institutional capacity. The rigidity of the EU financial procedures and the difficulty in amending project activities when there were significant changes in circumstances may have resulted in some level of ineffectiveness.
5. **The impact of EIDHR-CBSS is highly valued** because of the significance of the main features: its funding capacity and its active intervention in the most sensitive issues related to the fundamental rights of Palestinians, although its multiplier effects are relative due to the political impasse and the ongoing conflict. Nevertheless, significant impact exists through collective resilience, new PA legislation, empowerment of communities on collective HR, learning legal remedies to stop/delay forced displacement, better protection of vulnerable groups and general good impact related to the perception of human rights not as a charity issue. However, some concerns remain: legal remedies are slow, social media for raising awareness are still poor and the use of platforms and networks to spread impact is not yet developed.
6. Among local CSOs, it is difficult to fulfil their mandates without international funding. Some attempt to find alternative **sustainability** methods such as seeking core funds, and advocating and networking with international CSOs and platforms. In any case, there is a general need for proper strategies to generate sustainability through diversifying donors. It should be highlighted that the Palestinian CSO context is characterised by high competition and relatively poor specialisation. The co-partner INGOs should play an active role in building CSO capacity on EU regulations.
7. There is no formal and permanent EUREP-EU MS coordination system at the operational level to increase impact as regard HR projects, but there is a strategic plan for supporting CSOs and a non-formal EU Civil Society Working Group which also tackles human rights issues. The coordination of International donors by OCHA on humanitarian assistance is not enough as it is not based on a common strategy for intervention. Nonetheless, **the added value of the programme is highly appreciated** as it addresses critical human rights issues and violations against vulnerable citizens. However, at the beneficiaries' level, the **visibility was not clear to some beneficiaries** in terms of recognising the role of the EU in funding human rights topics.

The main recommendations are:

For the future EIDHR-CBSS in Palestine, including the 2016-2017 CfPs:

1. EIDHR-CBSS in Palestine should **focus on the politically motivated violations of fundamental rights** recognised by **International Humanitarian Law** and the **United Nations Human Rights Conventions**.
2. The programme should continue to promote **effective reporting to the UN human rights system** on the implementation of all international human rights instruments in force in Palestine by all duty-bearers.
3. In particular, **thematic priorities** of the programme in Palestine should be: **the right to liberty, the right to a due process of law, the prohibition of torture, restrictions to the freedom of movement and residence of Palestinians, HLP rights and the right to water and sanitation**.
4. **Vulnerable social groups(children, women, elderly)** should be a priority of the programme when the victims of those human rights violations belong to such social groups. The **Bedouin should also be included** among these vulnerable social groups.
5. The programme should continue considering a thematic priority the promotion of democracy by **ensuring respect for the fundamental freedoms of expression, peaceful assembly and association** in Palestine.
6. Special locations, like **area C, the “seam zone” and the restricted access area in Gaza, East Jerusalem and Hebron**, should be **priority locations** of the programme, in coordination with other main international donors.
7. EIDHR-CBSS CfPs should promote local multidisciplinary platforms/partnerships for the implementation of actions and should demand acknowledged operational expertise from CSOs in relation to the actions they would implement under the programme.

For the EU:

1. The **EU common strategy** on priorities/results for human rights projects should be **strengthened** to be a more effective tool to generate efficiency and impact
2. The role of **EIDHR in Palestine should be promoted** in public discussions and dialogues.
3. The **programme support measures for local CSOs should be enlarged**, especially in relation to improving their knowledge of International Human Rights Law (IHL) and social media strategy.
4. The **EU should support capacity building activities** for local CSOs between the different occupied Palestinian territories (oPt) to develop synergies and promote common views.

The main recommendations for the CSOs are:

1. **Local CSOs need to invest** in increasing their capacities in legal expertise, English language, internal monitoring/evaluation systems, reporting skills on project implementation and social media development for awareness/advocacy.
2. There should be **more coherent relations and coordination between CSOs and the PA** to enhance protection services.
3. Palestinian CSOs should **promote a human rights perspective** of daily problems, **based on the fundamental rights recognised by IHL and the UN Human Rights Conventions, in order** to combat collective frustration.

II. INTRODUCTION

The European Instrument for Democracy and Human Rights (EIDHR), in its Country-Based Support Scheme (CBSS) component, is the main tool of the EU to support Palestinian civil society in the promotion and defence of the fundamental human rights of Palestinians. The main intention of this review is to make an independent assessment of the performance and effectiveness of this programme during the period 2011-2015 in order to provide the European Union (EU) and the wider public with clear answers as regards the need to implement EIDHR-CBSS in Palestine and to provide recommendations and priorities for its improvement.

III. CONTEXT OF THE EIDHR-CBSS 2011-2015 IN PALESTINE: EVOLUTION OF THE HUMAN RIGHTS SITUATION

As regards the implementation of International Human Rights Law in Palestine, the duty-bearers are Israel, the Palestinian Authority (PA), and the Hamas authorities exerting jurisdiction in Gaza.

Impact of the Israeli occupation:

The Israeli occupation affects Palestinian politics, human rights, social cohesion, economic development and people's trust in public authorities and their legitimacy. The Israeli occupation had an adverse impact on freedom of religion and economic, social, children's, and property rights. The freedom of assembly rights were curtailed by the Israeli authorities, especially in Jerusalem and villages organising peaceful protests against the separation barrier. The aggression by the Israeli occupation in the Gaza Strip continued to put civilians at risk. Settlement construction, expansion and settlers' violence is ongoing and remains a matter of concern in the West Bank. Israeli occupation practices and violations against Palestinians human rights in Jerusalem increased in terms of demolishing houses, detaining children and youths and legal restrictions upon CSOs operating in Jerusalem.

Table 1 - Impact of the Israeli occupation on the Palestinian human rights situation.²

| Human Rights items | Violations in 2015 |
|---|--|
| Right to life | - West Bank and Jerusalem: 165 people were killed - West Bank and Jerusalem: 15710 people were injured - Gaza: 1,887 people were injured |
| Right to movement and travel | West Bank: 607 military check-points and 113 metal gates prevented farmers from reaching their lands and properties |
| Israeli settlements' expansion | Israeli government approved plans to build 7,843 housing units in west areas of the separation barrier and 2,939 units in east areas of the separation barrier |
| Confiscation of Palestinian lands | 215 dunums |
| Physical aggression by Israeli settlers against Palestinian people and their properties | 898 cases mainly in Jerusalem , Hebron and Nablus |
| Gaza siege | 31974 houses have still not been rebuilt as a result of the 2014 Israeli aggression |
| Control over area C(61% of Palestinian Land) | The Israeli control over area C prevents Palestinians from investing in this area. Were Palestinians allowed to invest in this land, GDP could eventually increase by 35%. |
| Violations against the environment | Untreated Israeli industrial water and water drainage go to Palestinian lands in Salfeet, Qalqilia and Wadi Foukeen-Bethlehem |
| Violations against journalists | 574 cases arose from investigation, arrest and injuries. 2 journalists were killed |

Situation in West Bank and Gaza

The political division between Hamas and Fatah in 2007 affected human rights negatively in the West Bank and Gaza. Each party repressed and excluded the other party's followers. The status of human rights and sustainable democracy in Palestine 2011-2015 was of concern. The failure of constant attempts to reach an agreement between the two parties (Fatah and Hamas), and the inability to hold presidential and parliamentary elections increased the instability of the political situation in Palestine.

Violations of the Palestinian security forces in the West Bank and Hamas de-facto security forces in Gaza prevented people from the freedom to join peaceful assemblies. In addition, it prevented freedom of speech and the right to express opinions. Moreover, violations in Gaza and the West Bank include taking away the right to live and the right to a fair trial by implementing death sentence orders without trials.

²Independence Commission for Human Rights- Annual Report # 21, produced in 2015; and Applied Research Institute-Jerusalem (ARIJ)

Table 2-Impact of the Palestinian Authority(PA) and Hamas de-facto Authority on the Palestinian human rights situation.³

| Human Rights items | 2015 | 2014 |
|-------------------------------------|--|---|
| Right to life | PA-Modified legislation related to honour killing, specifically the killer cannot benefit from the condition | The legislation was not changed |
| Death penalty | <p>PA and Gaza- legally still in existence.</p> <p>West Bank-47 cases reached the public prosecution offices and 11 cases are in the courts</p> <p>Gaza: 21 cases under investigation; 18 cases reached the courts.</p> <p>Cases under execution: 2 cases in West Bank 10 cases in Gaza To date, no cases were executed</p> | 2 cases were executed |
| Killing women in the name of honour | <p>2 cases (1 West Bank and 1 Gaza)</p> <p>However, 9 other cases of killings were classified under “unclear circumstances”</p> | 19 women were killed in “unclear circumstances” |
| Death in jails | 4 cases | 22 cases |
| Kidnapping | 4 cases in Gaza from the Egyptian side | NA |
| Legislation against torture | No amendment occurred to the existing law, an item was added which eliminated the inspections and monitoring procedures that should be taken by the legislation system to prevent the physical torture | |
| Physical torture | 1297 complaints received by ICHR (976 in Gaza and 321 in West Bank) | 750 (144 in West Bank and 606 in Gaza) |
| Torture by security forces | West Bank:180 Gaza: 624 | West Bank-149 Gaza-504 |

³Independence Commission for Human Rights, Annual Report No.21, published in 2015, Ramallah

| | | |
|--|--|---|
| Freedom and personal security | Gaza: 489 violation cases West Bank: 785 violation cases | |
| Arbitrary detention based on political affiliation | West Bank: 782 complaints reached ICHR Gaza: 918 complaints | |
| Right to expression | West Bank: 82 complaints reached ICHR Gaza: 15 complaints | |
| Freedom of expression | West Bank and Gaza- 30 cases were affected physically, and prevented from movement outside the country and from freedom of media coverage. | |
| Right to health | 72 complaints reached ICHR in terms of: no availability of medicine, low health services, external medical transfer and medical mistakes. Imbalance in the health situation between the West Bank and Gaza. | 74 cases of unavailability of medicine, poor health services, external medical transfer and medical mistakes. |
| Right to form associations | West Bank-no application to register an association was refused. Gaza-29 registration applications were refused. | |

In conclusion: The Palestinian Authority in West Bank and the de facto authority in Gaza should undertake serious interventions to ensure the protection of human rights in Palestinian territory and should work in line with the National Palestinian Agenda (NPA) 2017-2022 for enhancing democracy, human rights and governance through sustainable and effective partnerships with local and international CSOs and agencies.

IV. EIDHR-CBSS 2011-2015 IN PALESTINE

EIDHR- a worldwide EU programme

EIDHR is a worldwide EU programme. In the context of cooperation with Palestine, it is framed within the European Neighbourhood Policy (ENP) aimed at enhancing prosperity, stability and good governance in the countries neighbouring the EU through a deeper political relationship. The current EIDHR follows and builds on the European Instrument for Democracy and Human Rights that covered the period 2007-

2013 and on the preceding European Initiative for Democracy and Human Rights, which ran between 2000 and 2006. The most recent EIDHR strategy was adopted in June 2012 with the EU Strategic Framework and Action Plan on Human Rights and Democracy and the EIDHR multi-annual indicative programme 2014-2017⁴. For the period 2007-2013 the EIDHR had a total budget of EUR 1.104 billion and it has a similar financial envelope for 2014-2020.

The EU's actions through the EIDHR are highly visible, as it is designed to help civil society become an effective force for political reform and defence of human rights. Building on its key strength — the ability to operate without the need for host government consent — the EIDHR is able to focus on sensitive political issues and innovative approaches. It adds particular value through direct cooperation with local CSOs, which often need to preserve independence from public authorities, providing for greater flexibility and increased capacity to respond to changing circumstances. The programme's operational principles for implementation are the following:

- The EIDHR is flexible, reactive and tailor-made to the field circumstances.
- The EIDHR is able to act in a confidential manner.
- The EIDHR entails risks. The targeted difficult environments in which the instrument operates create physical and political constraints. These constitute serious challenges in implementing and monitoring projects which are often managed by beneficiaries under political pressure who lack enough resources.

EIDHR-CBSS

The Country-Based Support Scheme (CBSS) is one of the EIDHR implementation modalities for concerted action on local democracy and human rights issues of particular concern. All human rights concerns – political, civil, economic, social and cultural - and all aspects of democratisation may be considered, although the emphasis is mainly on assisting civil society to develop greater cohesion in working on human rights and democratisation, in contributing to peaceful conciliation of group interests and in combating discrimination, thus becoming an effective force for positive change. It implies a country approach, with support schemes (CBSS) managed by EU Delegations, building on the experience with micro project facilities under the previous EU Initiative for Democracy and Human Rights. Actors are primarily CSOs in general, but with a focus on local CSOs, which may wish to cooperate with other local or international CSOs and with national public-sector institutions. Transnational and regional activities are also foreseen. EIDHR-CBSS Action Fiches set out the implementation modalities of the programme in accordance with the EU HR country strategy. Each Delegation has to apply for CBSS funding and justify its application. Once the Delegation receives the funding, it is responsible for issuing the CfPs, which implies the drafting and setting of priorities. The quite broad description of the CBSS in the

⁴ This multi-annual indicative programme sets out the priority areas selected for EU financing between 2014 and 2017, the specific objectives in these areas, the expected results and the performance indicators.

EIDHR Strategy Paper leaves large room for manoeuvre, so that each delegation can tailor the calls according to the country's needs, as long as their content is compatible with the guidelines provided by EU policy documents.

EU Human Rights Country Strategy for Palestine

The Human Rights Country Strategies (HRCS), prepared by EU Delegations and endorsed by the Council, are the main vehicle for setting out the EU's human rights priorities for all countries. They provide an essential point of reference for programming and implementing financial assistance for human rights to third countries, including EIDHR. In June 2011 the EU Human Rights Country Strategy for Palestine was approved by the Heads of Missions of EU Member States in the country. It had validity for three years but it needed to be updated annually. This document established the strategy of the EIDHR-CBSS Programme according to which EIDHR-CBSS had to be applied in the oPt, in addition to the CSO consultation. This country strategy had to be applied in accordance with the wider political context, taking into consideration the ongoing Israeli occupation and the internal fragmentation between West Bank and Gaza.

EIDHR-CBSS 2011-2015 strategy

For the EIDHR-CBSS 2011-2015 programme strategy, the programme focused on the objectives "strengthening the role of civil society in promoting human rights and democratic reform, in supporting the peaceful conciliation of group interests and in consolidating political participation and representation:", the same as those endorsed by the programme in the period 2007-2010.

A specific local EU strategy on Human Rights Defenders was also developed, which included: a human rights working group with the aim of producing joint reporting and advice and to strengthen coordination; liaison officers as focal points for petitions, regular meetings with Palestinian human rights CSOs and rotating presence in courts. The situation of human rights in oPt would be raised with the PA in the sub-committee on human rights, rule of law and governance, and with Israel in every bilateral meeting.

The specific objectives of the Programme for the period 2010-2015 were:

| Specific objectives for 2010-2013 | Specific objectives for 2014-2015, |
|--|---|
| <p>1-Support to promote good governance and civilian oversight.</p> <p>Priority was given to Actions focusing on at least one of the following issues:</p> <ul style="list-style-type: none"> Enhancing the independence and effectiveness of the judiciary; | <p>1-Support to other EU Human Rights Priorities:</p> <ul style="list-style-type: none"> Promote and protect the rights of vulnerable groups (in particular children, women victims of violence, the disabled and the elderly) and the principle of non-discrimination. |

| | |
|--|--|
| <ul style="list-style-type: none"> • Ensuring transparency and accountability of the Palestinian Authority; • Reinforcing civil society participation in the decision-making process. <p>2- Support to promote human rights and fundamental freedoms.</p> <p>Priority was given to those Actions focusing on at least one of the following issues:</p> <ul style="list-style-type: none"> • Improving citizens' access to information on their rights; • Enhancing the protection of the rights of vulnerable groups; • Promoting freedom of association and expression in alignment with international standards. | <ul style="list-style-type: none"> • Promote respect for international human rights and humanitarian law (IHL) through observance, monitoring and advocacy actions. <p>2- Support to Democracy:</p> <ul style="list-style-type: none"> • Ensure respect for fundamental freedoms of human rights (Freedoms of Association/Assembly and Expression). • Promote effective reporting and implementation of international agreements, instruments and commitments to which Palestine has acceded, including inclusive capacity building initiatives. |
|--|--|

Complementarity between geographic and thematic instruments

This issue is of particular importance in the case of CBSS, as EIDHR can often be used to complement support under the geographic instruments. Support for democracy and human rights under the geographic instruments is used mainly to strengthen public institutions, although they target CSOs in a limited manner. Under EIDHR however, the key target group is CSOs and priority is given whenever possible to more sensitive issues targeted by CSOs, in line with the instruments' added value of not relying on partner governments' consent. This search for complementarity is fully in line with the 2009 Council Conclusions on Democracy Support Agenda for Action. In the context of Palestine, there are several EU thematic funding instruments which might be complementary, such as the CS Facility of the ENP, the Peace Partnership Programme and the special EU programme for East Jerusalem. Nonetheless, for the promotion of the fundamental human rights in a special context in which the main violations are politically motivated, the use of EIDHR-CBSS should have the priority for intervention because it has been particularly designed for these situations.

Priority areas identified for support for 2016-2017 by the Commission Implementing Decision on the adoption of the Multiannual Action Programme 2016 and 2017 for the EIDHR:

- pursue common agendas for human rights and democratic reform;
- build consensus on disputed or controversial areas of policy;
- enhance political representation and participation;
- enhance the inclusiveness and pluralism of civil society;
- increase safety structures for human rights defenders and democracy activists;
- counter the worrying trends of shrinking space for civil society;
- support activities aimed at promoting the issues covered by EU Human Rights guidelines and in the EUs Strategic Framework and Action Plan on Human Rights and Democracy;
- enhance the fight against torture, ill-treatment, enforced disappearances and extra-judicial executions as priority focus areas;
- enhance the rule of law and good governance.

V. OBJECTIVE OF THE REVIEW

The global objective of this review is to provide the relevant services of the EU and the wider public with an overall independent assessment of EU support to civil society in Palestine under the EIDHR-CBSS programme during the period 2011-2015. The review will contribute to strengthening the EIDHR-CBSS programme by increasing its efficiency, effectiveness and impact for the benefit of civil society in the country and the EU.

Specific objectives:

- To provide an overall comprehensive and independent assessment of the past and current implementation of the EIDHR-CBSS Programme in Palestine and in particular the relevance, efficiency, effectiveness, sustainability and impact against the objectives of the Programme and its Annual Action Documents as well as the local concept note of the CBSS in Palestine.
- To identify key lessons and recommendations for programming, management and delivery of future support through this thematic programme, including the review of priorities for the 2016-2018.

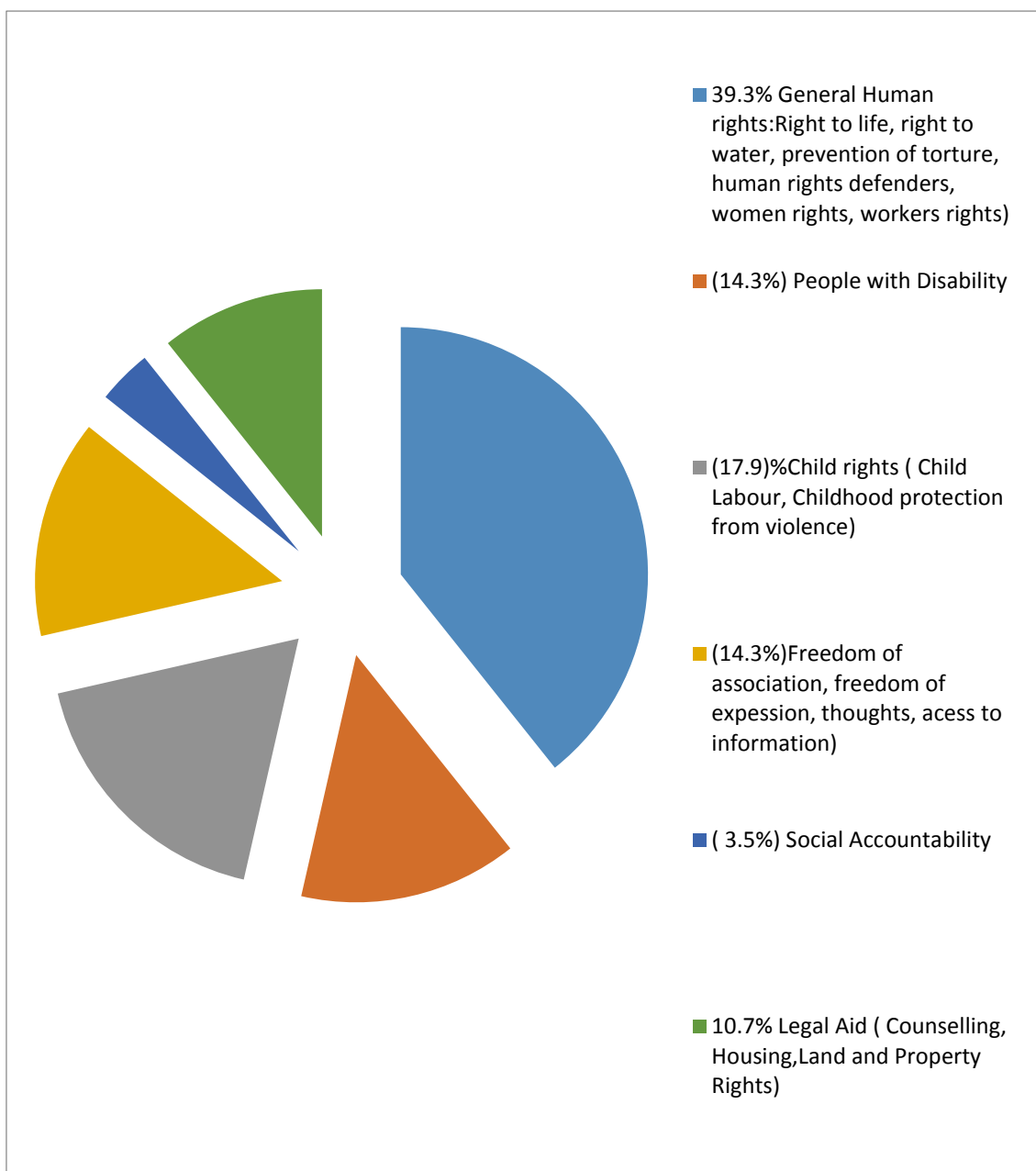
The programme funded **28 projects** during the period under review:

Table 3 – Projects funded during the period under review for the report

| Number | Organisation | Thematic area |
|--------|------------------------|------------------------|
| 1 | NRC | Legal Assistance |
| 2 | AMAN | Social Accountability |
| 3 | Aldameer | Freedom of Association |
| 4 | ICDI-south Ramallah | Childhood Protection |

| | | |
|----|---|---|
| 5 | PCS-North & Jordan valley | Rights of People with Disability (PwDs) |
| 6 | WCH: North and South | Child Labour |
| 7 | Secours Islamique | Childhood Protection from violence |
| 8 | Handicap International | Rights of People with Disability (PwDs) |
| 9 | TRC | Prevention of torture |
| 10 | PHG | Right to Water |
| 11 | PCDCR | Childhood protection from violence |
| 12 | MADA | Freedom of Expressions |
| 13 | NRC | Housing, Land and Property (HLP) Rights |
| 14 | TRUST- INI | Right for Education and Care |
| 15 | EDUCAID | Rights of Persons with Disabilities |
| 16 | Oxfam | Human Rights and Access to Information |
| 17 | JLAC | Legal Aid |
| 18 | TRC | Legal Aid and Human Rights in General Palestinian Society |
| 19 | CFTA | International Human Rights-Protect Women abused |
| 20 | PCS | Rights of People with Disability (PwDs) |
| 21 | DWRC | Rights of Palestinian Workers |
| 22 | Save the Children- Italy | Fighting Child Labour |
| 23 | Sharek | Life is a Right |
| 24 | Sharek-and HR- Palestinian Dialogue Center; Future World Centre; Neuroscience Institute | Death penalty |
| 25 | MUSAWA | Human Rights Defenders |
| 26 | OXFAM-Novib- PCHR in oPt | Respect for Human Rights. |
| 27 | OXFAM-GB | Freedom of Thought, Associations and Movement |
| 28 | Beyond Wall | General Human Rights |

Chart 1 -Thematic Selection of sample projects -Percentage of thematic areas



VI. METHODOLOGY

Tried and tested performance measurement frameworks were applied in adherence to the standard EC Evaluation Methodology. An emphasis was also placed on identifying the contextual details in Palestine that influenced the project outcomes, so that effective implementation strategies and approaches may be replicated, multiplied and supported, and negative ones mitigated. It is therefore important for this evaluation to scrutinise both impact and process.

Apart from its role to perform a thorough assessment with due diligence, a general review of a country programme also offers the opportunity to engage all stakeholders and renew their commitment and participation. With this in mind, the team designed a highly participatory process that not only harnessed the input from key stakeholders through sharing and analysing their experience of programme implementation, but also energised them to improve the programme through their participation in the way forward.

Various data gathering methods were employed in the evaluation to ensure multiple lines of evidence were obtained:

Literature Review: The desk review entailed revision of relevant programming documents, the wider strategy/policy framework documents and the relevant project documents including project evaluations and monitoring reports. A selection of around 230 documents from the programme files were selected for this desk review. This selection included general policy documents specifically related to EIDHR-CBSS in Palestine and the most significant documents on the implementation of the projects funded by the programme during the period 2011–2015.

Interviews: including officers at the EUREP, the Palestinian Authority, Palestinian Human Rights Institutions and EIDHR-CBSS funded projects, project target groups, together with other relevant key partners and stakeholders including EU Member States and other donors.

Project Visits: to a selected sample of project locations (13 projects) in the West Bank, East Jerusalem and the Gaza Strip. The evaluation team proposed the field visits to EUREP through the inception report using key criteria, specifically: geographical location and thematic area. The visits were executed in close coordination with EUREP, the beneficiaries and implementing partners.

Restitution Workshops: Three workshops were held: one in Ramallah for Palestinian and international CSOs based in East Jerusalem and the West Bank; the second in Gaza; and the third at EUREP, with the participation of EU MS. The preliminary conclusions and recommendations of this review were validated in those workshops. Nevertheless, the participants also contributed other ideas regarding the priorities and future of the programme in Palestine.

VII. BACKGROUND PROGRAMME DOCUMENTS

General policy documents

The main findings from the most relevant general policy documents influencing the EIDHR-CBSS implementation 2011-2015 in Palestine are the following:

- **The Structured Dialogue (SD) for an Effective Partnership in Development** represents one of the EU answers to the Aid Effectiveness Agenda, a confidence- and consensus-building mechanism aimed at increasing the effectiveness of all stakeholders involved in EU development cooperation by finding common

understanding on the main issues linked to CSOs and local authorities. In relation to the implementation of EIDHR-CBSS in Palestine, due to the particularities of local CSOs, several of its conclusions are important:

- i. CfPs, originally conceived as the fairest and most transparent mechanism of delivering aid, are now criticised by stakeholders because of their complexity; however, simplification of the procedures may entail an even more over-subscribed system.
- ii. An alternative to the EC's current focus on project funding would be programme-based funding as it provides greater flexibility, longer timeframes and better strategic focus.
- iii. Pool funding, in order to be effective, requires strong dialogue between donors.
- iv. The possibility of follow-up grants should be considered by the EU in order to reward high performance and strengthen sustainability. Core funding does not only cover specific activities but also internal costs necessary to strengthen CSOs' capacities to focus on their mission, and it is particularly relevant for advocacy.
- v. Stronger political articulation and coordination is needed from donors, especially the EU, which is called upon to draw up an appropriate mix of funding mechanisms (including modalities and selection procedures), incorporating sensible actor differentiation and a flexible set of responses adaptable to the local situation.
- vi. Ownership and alignment with local context based on the Paris Declaration should be a priority.
- vii. A long-term relationship between international CSOs and national CSOs is still crucial to provide internal capacity as local CSOs face challenges that include poor management and leadership skills, fundraising, and other internal technical issues.

In line with this document, EIDHR-CBSS in Palestine, during the period 2011-2015, adopted several of its recommendations in order to tackle the difficulties faced by local CSOs. It was mainly done through support measures to help them deal with the complexity of the application process and to improve their weak capacity to develop adequate internal monitoring and evaluation systems. For more effective effort in that sense, in 2013 EUREP contracted OPTIMUM to carry out support measures on managerial capacity-building to improve the EIDHR-CBSS projects through a results-oriented and rights-based approach and the use of log frame as a management tool to ensure better impact and sustainability with well-recognised visibility. Also, the successive EIDHR-CBSS CfPs during that period reflected a more focused strategy taking into account the situation of Palestinian CSOs and the need for deeper impact of the programme projects through longer timeframes and wider funding.

The two mappings of local CSOs mentioned below were also carried out. An appropriate mix of EU funding mechanisms was used when it was necessary for the

2013 CfP. Nevertheless, recommendations on follow-up grants and core funding were not considered in the CfPs as it is not a competence at EU Delegation level. There were stronger coordination efforts among the international donors, especially EUREP-EUMS. This is especially relevant in the context of Palestine due to the high number of international donors.

• **The 2011 and 2015 Mapping Studies of Civil Society Organisations in the occupied Palestinian territory** aimed to provide a comprehensive overview of CSOs, including their capacity-building needs, and recommendations for possible intervention. The most relevant findings from the 2011 document were:

- i. As Human Rights CSOs in oPt are somehow actors in a risk situation, they need to find their specific role facing the state building process in the oPt.
- ii. They may compete with the PA in service provision in certain areas.
- iii. They lack a common voice among Palestinian civil society.
- iv. There is increasing competition among local CSOs to obtain donor support with decreasing effectiveness in the use of available resources.

Some specific issues emerge when dealing with East Jerusalem (the legitimate existence and activity of Palestinian CSOs is under threat, the increasing social exclusion of Palestinians creates a growing demand for human rights protection activities), and Gaza (the siege situation affects trust among CSOs, there is little space for political dialogue and participation in governance, but CSOs continue to assume a role of change catalyst in social change for underprivileged groups). Specific needs emerge for local CSOs: individual capacity on project design, management, policy analysis, their role in governance at national level, and fund raising. There should be a general strategy supporting a shift from service provision to governance: engagement in a policy setting process and monitoring of policy implementation and public service management. Nevertheless, when considering the emergence of large groups of special needs people, such as the victims of human rights violations linked to the Israeli occupation that the PA is unable to serve, the strengthening of Palestinian CSOs on service delivery and project implementation continues to be relevant. Regarding the monitoring of the PA on human rights policies, the freezing of the legislative council and of most space for pluralistic political discussion undermines the possibility of CSOs establishing a functioning political dialogue and actually exercising activities such as policy monitoring and contributing to policy setting.

In 2015 a second CSO mapping study aimed at updating and widening that of 2011 was launched with the support of the EU's Civil Society Facility South programme. The most relevant findings of this document as regards EIDHR-CBSS implementation are the following:

- i. The legal situation of CSOs in Gaza is challenged as the de-facto authorities request that CSOs regulate their registration according to new legal procedures.

- ii. At the same time, CSOs in Gaza are also required to respond to the regulations in the West Bank. In the case of Palestinian CSOs in East Jerusalem, CSOs must register under the Israeli law and when they implement work in the West Bank they are required to follow PA regulations.
- iii. Israeli occupation practices and violations against Palestinians in Jerusalem pushed the CSOs to focus on providing services and respecting regulations of Israeli municipalities to prevent forced displacement or confiscation of properties.
- iv. In Area C, the separation barrier and check points create difficulties for CSOs to access and move around, forcing them to play roles focusing on service delivery, sometimes on behalf of the PA.
- v. The multi-legal framework governing the work of CSOs (Israel, Hamas, and PA) restricts integrating CSOs in governance and policy dialogue.

Both the 2011 and 2015 CSO mapping studies mentioned that the relations between CSOs and the PA are unclear, which challenges CSO engagement in policy and governance. Also, different ministries have different policies and different modalities when dealing with CSOs. While some ministries foster dialogue and cooperation, others tend to increase control over CSOs. This means that the PA is not coherent in considering CSOs as key partners in the development process as mentioned in the NDP 2014-2016. In Gaza, CSO relations with the de-facto authority are neutral and the CSOs avoid involvement with governance and political dialogue with Hamas. In East Jerusalem, there is no policy dialogue with the Israeli Authority, because it would be considered “normalisation” of the status quo situation, which is prohibited for CSOs⁵. The cooperation processes between international NGOs and international organisations are often challenged by the emergence of competition dynamics between the local and international actors, as well as by the tendency – often among INGOs – to engage directly in project implementation.

- **The 2012 EU Communication “The roots of democracy and sustainable development: Europe's engagement with Civil Society in external relations”** proposes certain approaches that are especially relevant for the programme implementation, taking into account the specificities of the Palestinian context, the ongoing conflict, the serious violations of fundamental human rights and the socio-political differences between the Palestinian territories. This document stresses that CSO participation in policy processes is key to ensuring inclusive and effective policies. The elaboration of EU roadmaps for engagement with CSOs at country level should activate and ensure structured dialogue and strategic cooperation, increasing the consistency and impact of EU actions. CSOs’ initiatives can be supported when addressing issues that do not receive adequate consideration within national policies but are key to social progress and reflect human rights concerns. These roadmaps are also meant to trigger coordination and sharing of best practices with the Member States and other international actors, including the simplification and harmonisation of funding

⁵The Code of Ethics of the Palestinian NGO Network.

requirements. They should identify long term objectives for EU cooperation with CSOs and encompass dialogue as well as operational support, identifying appropriate working modalities. This exercise should be linked to the programming of EU external assistance, namely bilateral, regional and thematic cooperation. These roadmaps should be developed taking into account the views of civil society, be regularly updated, and where appropriate made publicly available and shared locally with national authorities.

An issue of special concern in Palestine is the support to CSOs as service providers, which in the past was particularly sustained by the EU and is now being fine-tuned. However, CSO initiatives can be supported when addressing human rights issues that do not receive adequate consideration within national policies. Also, the EU should strengthen domestic accountability systems, promoting the role of CSOs in oversight. In that sense, EIDHR-CBSS in Palestine has become a strategic tool to face and complement these commitments, especially through the Multi-Annual Programme 2014-2020 for EIDHR-CBSS, which could also be considered a specific road map for those purposes.

The EU Road Map for Engagement with Civil Society in Palestine 2014-2017 is a consequence of the previous documents as a way to identify long-term objectives and to develop a common strategic framework in order to strengthen CSOs' contribution to governance. The document also contains a general assessment of the main challenges facing CSOs in Palestine to play a role as policy actors. In the political context of Palestine, under occupation and without a functioning Legislative, the ability to hold the duty-bearers to account is particularly important. However, when working under a permanent situation of insecurity and emergency, local CSOs have limited possibilities to develop their institutional and operational capacities. EUREP, the EU MS, Norway and Switzerland decided to coordinate their support to empower Palestinian CSOs, maintaining since 2010a structured dialogue with CSOs within the ENP framework and the programming processes, especially in 2013 during the programming of the Single Support Framework (2014-2015), and also sharing and discussing conclusions and recommendations of programme evaluations.

They established four priorities related to the need to enhance CSO internal organisational capacities through governance, transparency and accountability; their financial stability, their capacity to formulate and monitor public policies; and the need to promote networking between CSOs in all the occupied Palestinian territories.

The roadmap includes the expected results and the indicators for each priority, and it established an EU coordination mechanism dedicated to civil society issues to ensure the successful achievement of the four priorities. These priorities are very relevant for adequate implementation of EIDHR-CBSS in Palestine, particularly when referring to the strengthening of local CSOs to make the political duty-bearers accountable, which is one of the main objectives of the programme under review.

Some of the specificities of the 2015 CfP should be considered a consequence of the application of the EU Roadmap for Engagement with Civil Society in Palestine 2014-

2017, mainly: promoting innovative approaches and adherence to the Code of Conduct (CoC) by CSOs, including internal good governance and transparency practices that have been considered in the assessment of concept notes and full applications.

EIDHR-CBSS Calls for Proposals 2011-2015

As a general assessment, the EIDHR-CBSS CfPs 2011-2015 in Palestine fully reflected the general objectives of the EIDHR strategy during that period and they were adapted to the special needs of the human rights situation in the country. During that period, there were three EIDHR-CBSS CfPs: one in 2011; a combined one with the Neighbourhood and Partnership Civil Society Facility in 2013, pooling the budgets for 2012-2013; and another one in 2015 pooling 2014 & 2015 budgets.

Table 4-A reflection of the different aspects of the calls

| Particularities of EIDHR-CBSS CfPs | 2011 | 2013 | 2015 |
|---|--|---|---|
| Specific Objectives | <p>-To promote rule of law, good governance, to monitor and raise awareness on the performance of public institutions.</p> <p>-To advance the rights of vulnerable groups including rights of women, children, persons with disabilities and older people.</p> <p>-To strengthen freedom of association: in particular the free formation of professional associations, trade unions and to raise public awareness about the role of this freedom in the democratic process.</p> <p>-To strengthen freedom of expression including freedom of the media and access to the internet, to foster independent press and broadcasting, to abolish censorship, to improve media professionalism and to promote</p> | <p>-To promote good governance and civilian oversight by enhancing the independence and effectiveness of the Judiciary, by ensuring transparency and accountability of the Palestinian Authority and by reinforcing civil society participation in the decision-making process.</p> <p>-To promote human rights and fundamental freedoms by improving citizens' access on information on their rights, by enhancing the protection of the rights of vulnerable people⁶ and by the promotion of freedoms of association and expression in alignment with international standards.</p> | <p>-To promote and protect the rights of vulnerable groups (in particular children, female victims of violence, the disabled and the elderly) and the principle of non-discrimination.</p> <p>-To promote respect for international human rights and humanitarian law (IHL) through observance, monitoring and advocacy actions.</p> <p>-To ensure respect for fundamental human rights freedoms (Freedoms of Association/Assembly and expression).</p> <p>-To promote effective reporting and implementation of international agreements, instruments and commitments to which Palestine has acceded, including inclusive capacity building initiatives.</p> |

⁶ The same groups defined in the 2011 CfP.

| | | | |
|---|---|--|---|
| | adequate revision of communication/media legislation. | | |
| Targeted Locations | All oPt, with special attention paid to the Gaza Strip, Area C, northern and southern districts of the West Bank including marginalised communities in Hebron, Nablus, Tulkarem, Jenin and Qalqilia districts and East Jerusalem. | All oPt with special attention paid to East Jerusalem, the Gaza Strip, the “seam zone” and Area C | All oPt with special attention paid to Gaza Strip, Area C and northern and southern districts of the West Bank |
| Applicants | Local CSOs officially registered and founded at least 1 year previously | Local CSOs officially registered with the PA and founded at least 2 years previously | Local CSOs officially registered with PA, headquarters in Palestine, and founded at least 2 years previously |
| International CSOs as applicants | European CSOs | European CSOs | Only as co-applicants with a local CSO with no nationality restriction |
| Size of grants | Minimum: EUR 100000 Maximum: EUR 300000 | Minimum: EUR 150 000 Maximum: EUR 500000 | Minimum: EUR 500000 Maximum: EUR 750000 |
| Duration of actions | 12 to 36 months | 24 to 36 months | 36 to 48 months |
| Special priorities | -Special reference to economic, social and cultural rights | -Gender as cross cutting issue -Added value elements: proposals built on a clear local dimension and needs and actions engaging with CBOs | -Inclusive capacity building initiatives -female victims of violence as a vulnerable group -Granting security and confidentiality for applicants -Adherence to CoC ⁷ -Innovative approach as added value |

⁷ Palestinian NGO Network Code of Conduct.

The main findings regarding the priorities and requirements in the EIDHR-CBSS CfPs 2011-2015 are the following:

-On the specific objectives and priorities:

Priorities related to the promotion of democracy such as freedoms of association and assembly were in the three CfPs. It is noted that there is increasing concern about more concrete issues related to the main human rights violations in Palestine. Also, in all of them importance is given to partnerships and networks among CSOs, and the financial support to third party mechanisms. Cross-cutting issues including human rights, good governance, rights of children, rights of the disabled and the environment had to be taken into account in the action design; implementation and monitoring. Special attention was paid to sustainability beyond the project lifetime.

-On their focused location:

The 2011, 2013 and 2015 CfPs refer to the oPt: West Bank, Gaza and East Jerusalem. Area C is mentioned as a priority location in the three CfPs.

-On eligibility:

The registration of **local CSOs**, which was one of the eligibility requirements for applicants, was different in the three CfPs in terms of the number of years registered.

-On the size of grants and the duration of actions:

Along the three CfPs, the size of awarded grants and the duration of the actions increased considerably.

-On the indicative budget:

In terms of the budget allocated for each CfP, there is a stable amount of EUR 1.5 million every year from 2011 to 2014. Starting from 2015 the country allocation was brought down to EUR 1.3 or 1.2 M.⁸

A **Multi-Annual Programme 2014-2018 for EIDHR-CBSS** was established by EUREP in line with the Single Support Framework (SSF) 2014-2016. It stated that the EIDHR-CBSS has bi-annual programming taking into consideration the principles below:

- **Complementarity & Coherence** are basic features of the EIDHR- CBSS, mainly with HR Country Strategy, bilateral funding, country SSF, EU/PA Action Plan, Geographic Instruments and other thematic budget lines including IFS, CSO-LA, etc. The CBSS also considers the HR priorities of the Palestinian National Development Plan (PNDP) 2014-2016 and National Palestinian Agenda (NPA) 2017-2022, but preserving its independence of action without the host country's consent.

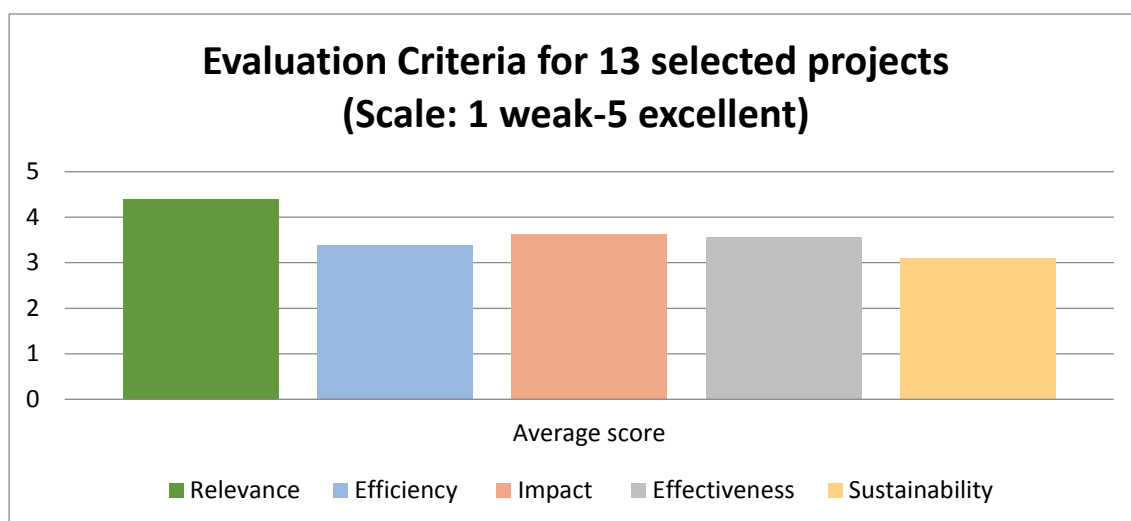
⁸For the 2011 CfP was EUR 1,500,000 from the 2011 budget and the balance of EUR 40,000 from 2010 budget. For the 2013 CfP was EUR 3.3 million divided as the following: EUR 2.3 million from the EIDHR- CBSS 2012 & 2013 budgets and EUR 1 million from the ENPI CS Facility 2012 & 2013 budgets. For the 2015 CfP was EUR 3,000,000, including: EUR 1,500,000 from the EIDHR- CBSS 2014 budget and EUR 1,500,000 from the EIDHR-CBSS 2015 budget (with a suspensive clause).

- **Country Objectives** corresponded to the EIDHR Global Strategy 2014-2016 objectives. **The CBSS objectives in Palestine** included support to other EU Human Rights Priorities by promoting and protecting the rights of vulnerable groups (women, disabled, children, etc.); respect for international humanitarian law (IHL) and support to democracy by ensuring respect for human rights fundamental freedoms (Freedoms of Association/ Assembly and expression).
- **Targeted Locations** are the most deprived areas of oPt, in particular the Gaza Strip, East Jerusalem, Area C and the "seam zone" (Palestinian areas isolated from the West Bank by the separation barrier).
- **Duration of projects:** from 24 to 36 months.

EUREP requested an increase in its CBSS annual allocation from EUR 1.5 M to EUR 3 M per year without further topping from CSF based on the following grounds: capacity to absorb a bigger financial envelope of approximately EUR 3 M with additional funds from CSF that topped the EIDHR-CBSS allocation; receipt of many quality proposals; tendency to increase the minimum duration of the project up to 36 months and minimum threshold up to EUR 750 000 for better impact and effectiveness; and the aim to encourage the sub-granting mechanism as a means for reaching out to CBOs and marginalised communities. The modality remains the CfP (pooling two years' budget). However, the final approved annual allocations varied between 1.2 MEUR and 1.3 MEUR a year, less than was anticipated or requested starting from the 2015 budget onward.

VIII. MAIN FINDINGS ON THE PROGRAMME IMPLEMENTATION

Figure 1-Average score for the 13 selected projects/ evaluation criteria⁹:



The graph illustrates that the relevance criterion for the selected projects got higher scores (4.4/5) compared to the other criteria, due to the projects' relevance to EU calls for proposals thematic areas, national human rights priorities and beneficiaries' needs.

Impact and effectiveness got a moderate score (3.56/5) due to the duty-bearers that affect the projects effectiveness by increasing the level of the human rights violations, while there are not yet National indicators to measure the impact of the human rights projects.

Efficiency got a score of 3.38/5 due to different concerns affecting this criterion specifically: the rigid EU financial system, budget expenditure for the legal aid activities being higher than estimated and the lack of CSO staff capacity in terms of IHL.

Sustainability got the lowest score (3.1/5) due to the CSOs' limited financial capacity in implementing similar activities and services without EU/donor funding and support, in addition to other concerns as clarified below.

I- RELEVANCE

Programme level

| General Assessment | General Concerns |
|--|--|
| The 28 projects implemented under EIDHR-CBSS during the period 2011-2015 were all relevant as regards the specific objectives and priorities established by the CfPs and the EU human rights | Taking into account the seriousness of the violations of certain human rights in Palestine, not all the projects had the same level of importance. As a general view, there were highly relevant projects for EIDHR objectives, which should focus |

⁹ Also see in the annexes the table on the evaluation of the sample of projects for more detailed information.

| | |
|--|---|
| country strategy. | on politically motivated violations of fundamental rights: ¹⁰ the prohibition of torture, legal defence of detainees, the right to water, HLP rights, the right to association, freedom of expression and assembly. |
| The projects' objectives and target groups are, in general, relevant to EIDHR objectives and consistent with beneficiaries' requirements. The beneficiaries included the most vulnerable citizens, such as women, children and disabled persons, CSO staff and PA staff. They are aligned with national strategies, and comply with international human rights conventions, with the exception of NRC's project in Gaza, which promotes an adequate implementation of the HLP rights for women according to local legislation not fully in accordance with CEDAW ¹¹ . | Some were not relevant, as they were dealing with human rights violations not especially related to the political situation. ¹² Others ¹³ were either not particularly relevant to the programme objectives and the EU human rights country strategy for Palestine as they rather tackled problems related to social development. All of them could have been funded by other EU financial instruments such as CSF ¹⁴ or NSA/LA ¹⁵ . This way, more funding for projects focused on the most fundamental rights being violated by the duty-bearers would have been available. |
| Most of the programme projects followed the classic triangle for intervention in human rights projects: psychosocial rehabilitation for the victims, advocacy to protect the human rights being violated and awareness to mobilize society to stop the violations. | The legal protection side, which is not properly elaborated in the design of the action of many projects in order to have an effective intervention. ¹⁶ Awareness campaigns were all based on traditional media without taking into account that the current Palestinian society, especially the younger generations, increasingly uses social media. ¹⁷ |

It would have been more adequate to fund the regional project on human rights and reconciliation (PDC) under the EU Partnership for Peace instrument than under the global EIDHR. This project could have controversial content¹⁸ as its objective was mainly to increase dialogue and collaboration between CSOs, youth, and local authorities in Israel and Palestine.¹⁹ The other EU funding programme would have been more appropriate for this type of project as it involved Palestinian and Israeli CSOs on reconciliation activities, and was not particularly related to the protection and

¹⁰ Projects by TRC, MADA, JLAC, NRC, Stitching-Oxfam-Novib, PHG, Sharek, Musawa and Al-Dameer

¹¹ The UN Convention on the Elimination of all Forms of Discrimination against Women.

¹² Such as SCI and WCH projects on child labour, or DWRC on rights of workers.

¹³ Such as TRUST-INI (early childhood education and care), ICDC (right to health for children), PCS and EDUCAID (rights for disabled persons), PCDC (sexual abuse of children), CFTA (gender based violence) AMAN (social accountability of the PA)

¹⁴ Civil Society Facility.

¹⁵ Non State Actor/Local Authority Fund.

¹⁶ Projects by MADA, PCDC, PHG and TCR

¹⁷ The only remarkable exception was the OXFAM-Novib project in Gaza, which used mobile phones to collect data and for awareness purposes.

¹⁸ It could be considered a project promoting the "normalization" of the Israeli occupation of Palestine.

¹⁹ The project, in fact, faced difficulties to be implemented in Jenin and Gilboa governorates.

promotion of human rights of Palestinians. However, in other cases, such as the OXFAM project in Gaza, in which an Israeli HR NGO participated to carry out the legal work in relation to permits, or SCIA's²⁰ project in which a key element was the collaboration between Palestinian and Israeli Human Rights Defenders, the collaboration between Palestinian and Israeli CSOs was very relevant and necessary.

Human rights projects should be rights-oriented, clearly based on the international standards established by IHL and the UN Human Rights Conventions, by connecting problems with solutions through the applicable legal provision. That is the way to document violations in an effective manner in order to have an impact on the human rights situation through the judicial system at local or international level, even in a situation of occupation.

With regard to the evaluated projects, certain specific issues should be highlighted in relation to their relevance:

- TRC was awarded two successive projects under the programme. Both target direct and indirect victims of any duty-bearer, Israel, PA or Hamas as de-facto authority in Gaza.²¹ The first project focused on the psycho-social rehabilitation of torture victim whereas the second one mainly focused on capacity-building on reporting about CAT²² and policy advocacy towards the PA institutions, legal advice for victims and training for legal practitioners and the PA's judicial branch. An issue of concern in the second project is the risk of overlapping with the activities of the Office of the UN High Commissioner for Human Rights. In addition, the TRC-PA cooperation to develop strategic policy for CAT implementation might be problematic to safeguard the neutrality and independence of TRC, as it is involved in the "shadow" report on the PA's respect of CAT.
- PHG's project dealt with the fundamental human right to water²³ in accordance with ICSCER²⁴. In Palestine, culturally, water has not been considered as a right but rather as a charitable question because it was always in private hands. The issue was not tackled in the Oslo interim agreement, and it was left for the final agreement. Therefore, Israel is in control of all water resources in area C and as it has not authorised the building of new wells since 1967, all new constructions are systematically destroyed. Consequently, there is a high risk that Palestinians living in area C will be forced to leave their villages and lands. The main objective of PHG's project was to make the most vulnerable communities understand that their access to water resources is a fundamental right, and they have to be empowered to defend it. The most needed areas, Northern Jordan valley and the area of Jericho, were priorities in the project. The Bedouin, nomadic people living in area C, were not treated in a specific manner by the project despite their singularity.

²⁰ Servizio Civile Internazionale Association.

²¹ Israel and Palestine are party to the 1984 UN Convention against Torture (CAT).

²² UN Convention against Torture.

²³ The right of everyone to sufficient, safe, acceptable and physically accessible and affordable water for personal and domestic uses.

²⁴ UN Covenant on Social, Cultural and Economic Rights.

- WCH was awarded a project on the prevention of child labour²⁵. Due to the increasing economic crisis in Palestine, many children, with the approval of their families, cross the “ separation barrier” to work in Israel, very often in begging and drug dealing, exposing themselves to sexual harassment. This problem mainly affects the regions of Hebron, Tulkarem and Qalqilya. The PA currently lacks the capacities to take on responsibilities and obligations towards these children. The interactive and participatory approach of the initial study in WCH’s action was very innovative as it aimed at involving the affected communities in the awareness process and in spotting those families with working children or children at risk of dropping out of school. However, the protection side was missing from the design of the action. In addition, it would have been advisable to have the collaboration of an Israeli HR CSO to carry out protection activities for these children in Israel.
- Another project by SCI with a longer duration²⁶ also tackled child labour and in the same locations granted under the global call for proposals. Therefore, it was obvious from the beginning that a risk of overlapping with WCH’s project existed and both organisations had to develop a common understanding to prevent it. Although SCI is a very well-known international CSO, with an excellent reputation on children’s rights and with very adequate strategies, the design of the action lacked the necessary information on the relevance of the project as it relied on a research process to be carried out as an initial project activity. The relevance of the action should be justified in the application for the funding by giving the adequate information. In addition, the description of the action looked very general, as it was a design made for interventions on child labour prevention in any country.
- The legal aid project by JLAC was relevant to the needs at a national level, to the PA strategy in supporting citizens in targeted areas in which the violations of fundamental rights are more serious, such as East Jerusalem and area C²⁷. The arbitrary confiscation of land against the main principles of International Humanitarian Law²⁸ is one of the most serious violations of fundamental rights of Palestinians. Although the fear exists that the Israeli judiciary always protects the Israeli government’s policies, the use of legal remedies can delay, and even stop illegal confiscations. International Law requires exhausting local legal remedies before denouncing human rights violations before international instances. The project complemented the government’s efforts in providing legal aid by working directly with the legal departments in the governors’ offices.
- Freedom of expression and access to information are still at risk and there is tight control by security forces in all the oPt. MADA’s project conducted an assessment study on the status of media in Palestine and identified the main gaps. The study indicated that working with lawyers, public prosecutors and

²⁵ ILO Convention No. 182 on the worst forms of child labour

²⁶ WCH Project last 18 months and SCI 36 months.

²⁷ According to the Oslo agreements, PA has no jurisdiction in either area C (more than 60% of the West Bank) or in East Jerusalem.

²⁸ Occupying powers cannot seize private properties and they can only administer public ones on a temporary basis.

judges contributed to improving access to information and the implementation of the Palestinian law on freedom of expression in Palestine.

- The right to free association is a high priority in Gaza because Hamas has issued decrees imposing new restrictions, and there is increasing pressure on their activities and assets. During recent years, it has closed down many of them with links to Fatah. Al-Dameer's project provided legal advice and it took cases to the local courts. The collaboration with PNGO, the Palestinian NGO network, was crucial throughout the project in order to make the project effective and to spread its results on advocacy and awareness among the CSOs/CBOs community in Gaza.
- NRC's project dealt with the protection of women's HLP rights in Gaza, where the social/family entourage does not respect even their limited rights recognised by Sharia Law. The strategy of the project was very appropriate: to find a solution in accordance with Sharia law through the mediation of mukhtars²⁹ to avoid a lengthy and costly judicial process. Due to the especially sensitive nature of this matter, and the aim to not harm the social position of women in relation to their husband's family and their children, the acceptance of a solution by all sides was a fundamental concern for the project's intervention. They also worked with religious figures, Imams, to better influence social cultural norms that negatively denounce women's inheritance rights.
- OXFAM-GB had a project with two objectives. First, to fight against the illegal consequences for the freedom of movement of the Palestinian population in Gaza, with the collaboration of the Israeli HR CSO Gisha, as Israeli authorities use the ambiguous term "security concern" arbitrarily. And second, to promote the CBOs' empowerment and internal capacity to have a human rights perspective on their daily problems. The target social CBOs: fishermen, farmers and youth, were very relevant.
- Regarding People with Disabilities (PwDs) rights projects³⁰, there was a need to define disabilities, identify PwDs' rights, and develop a human rights participatory approach to support PwDs. The current approach focuses on health and charity. This approach was not adequate as it should have been combined with a human rights-based approach. The analysis helped in diagnosing the main problem, the need to advocate for PwDs' health, social, and employability rights.
- The regional project³¹ on the right to life reviewed previous studies and research to ensure that the subject is a priority. In both the West Bank and Gaza, where honour killing of women still takes place, it is largely accepted by the community because of societal norms. However, the approach and level of activities should also have focused on changing the law and working with executive authorities, instead of just focusing on influencing the community's cultural perception. Furthermore, executions still take place in Gaza.

²⁹ Social mediators respected in the communities.

³⁰ The PWD Law and the National Strategy for PWDs 2011 – 2014 which has not been implemented because PWDs are not a government priority.

³¹ Egypt, Lebanon and Jordan, apart from Palestine.

II- EFFICIENCY

Programme level:

| General Assessment | General Concerns |
|---|--|
| EIDHR-CBSS 2011-2015 was largely cost-effective in terms of contract financial, administrative and operational management. The interventions were coherent internally within the same project/CSOs, as well as with other interventions with similar objectives. In addition, the interventions were synergised with EU policies and international obligations. All projects were, in general, efficient in terms of adhering to implementation of budget and timing. ³² | Most local CSOs pointed out that EU financial procedures are too rigid, long and complicated, which may have contributed to some level of inefficiency in the overall implementation of activities. An important reason explaining that problem may also be the lack of adequate staff within local CSOs with the necessary English language proficiency. EU information sessions, conducted before implementation, only gave them a general idea of the procedures. |
| The use of MoUs, either between the CSOs leading the projects and the PA, or between the CSOs leading the projects and the participating CSOs/CBOs, was an efficient tool in order to achieve consistent strategy and commitment. | PA institutions involved in the projects lacked technical capacities, and sometimes a clear will to collaborate. Some minor problems occurred regarding budget/expenditure for legal aid activities, which required a budget modification. |

Some significant events seriously affected the programme implementation, particularly the 2014 Israeli military attack on Gaza and the increase in Israeli repression in East Jerusalem and the West Bank. All the projects succeeded in adapting their activities to the new situation. EUREP was helpful in understanding the consequences and when necessary accepted the suspension of a project's implementation. For instance, after the conflict, NRC focused on the consequences of the destruction in relation to women's HLP rights. Another issue for those projects (MADA, OXFAM) implemented in Gaza was the tighter Israeli restrictions on the movement of goods and persons. Also, there was a significant effect on social perception of human rights after the conflict; the hard effects on daily life and the lack of international support made the population sceptical about some of the projects' planned activities. The use of video conference and seeking out local experts was a good way of solving the training problems in Gaza because of the Israeli blockade. Nevertheless, the EU should have put more pressure on Israel to get permits for EU agents and consultants to enter Gaza without difficulties. In the case of the West Bank and East Jerusalem, for TRC, since 2014, when a new outbreak of Palestinians facing

³²The only significant exception, as we mentioned above, was the difficult implementation of the PCD project because of the political context.

the Israeli occupation started, many cases of torture in detention required its special attention, including in relation to child detainees.

There were no complaints about EU procedures when the co-partner or main partner was an INGO as they have the relevant training and coaching capacity. The financial procedures followed EU financial regulations, and according to them, the EU responded to enquiries on time. The partners participated in the design and implementation phases, and the key implementers provided them with training on EU finance and administrative grants procedures.

Other issues of concern about the efficiency of the 2011-2015 programme are the following:

- A general lack of adequate internal Monitoring & Evaluation and reporting systems among local CSOs related to project implementation in accordance with ROM reports. The exception is the PHG project and those projects managed by international CSOs³³. Palestinian CSOs are not yet conscious of the advantages of M&E systems and there has not been much pressure from donors to build this capacity. In this sense, the case of MADA was relevant to this situation. Nevertheless, a number of training courses on monitoring and evaluations were organised for the EIDHR-CBSS beneficiaries under the support measures.
- The process of financial support to third parties including the selection of targeted CBOs is a delicate issue due to the guarantees that should be in place for the process to be efficient and fair, but it was not problematic in most projects (OXFAM). On the other hand, EDUCAID's project did not have adequate coordination among co-partners and the best mechanisms to grant transparency and efficiency.
- The difficulty in establishing adequate indicators for human rights activities to evaluate the results. In the case of legal aid activities, measurable indicators such as the number of complaints, or the judicial instance that legal actions may have reached are not generally used. A real indicator to evaluate the results of training activities or empowerment sessions (PCDCR) is not the number of attendees, but the actual knowledge that those attendees gained as a result of the training.
- A general need for training in International Law, International Humanitarian Law and UN Conventions on Human Rights for Palestinian lawyers in order to have expert Arabic speaking lawyers in this field so that they can substantiate their judicial pleas on binding International Law to hold Israel accountable to its international obligations. This problem may affect the cost-effectiveness of their interventions.
- The risk of overlapping between the WCH and SCI projects on child labour. It was well managed by EUREP and both international CSOs agreed and accepted

³³ OXFAM institutionalised the MEAL system along the implementation of the projects as a way to strengthen the internal evaluation systems to establish effective result-oriented implementation of activities

to coordinate to prevent it, which developed a good practice for the programme in case of risks of overlapping. This coordination included the exchange of tools and discussions on the initial assessment (they used the same questionnaire but they did not compare the data as WCH would have liked). During the implementation, there were also meetings to update each other on the respective projects.

- WCH held an external evaluation, the cost of which was considered excessive. The EU should request its prior approval in relation to external evaluations of projects to prevent overspending without justification.
- Booklets and publications printed by the projects were obviously in Arabic but they should have contained an executive summary in English for EUREP and EU MS (JLAC).
- The childhood protection and child labour projects faced challenges dealing with PA institutions, as they were often inefficient in terms of staff and logistics.
- The underuse of social media for CSO activities is affecting the efficiency of awareness/advocacy activities because traditional media currently have very limited outreach.
- The efficiency of the activities related to international advocacy/awareness led by CAFOD, an International CSO in the JLAC project was not well justified, especially as regards possibly excessive international travel. It might be possible to find other, less costly ways to hold these activities, such as CAFOD field visits for monitoring and reporting.
- Other minor inefficiencies such as for rights of People with Disability (PwDs) managed by Handicap International³⁴: there was a delay in the start-up phase due to the lack of qualified staff; however the implementers later contracted qualified staff who added value to the project. However, further coordination between the different stakeholders working on protecting and promoting rights of PwDs would be needed.
- An additional comment related to the euro exchange rate and tax exemption predicament, which caused delays in payments to some suppliers such as MADA.

III- EFFECTIVENESS

Programme level:

| Effective | Less Effective |
|--|---|
| EIDHR-CBSS programme's results have been realised as the activities were implemented and operational results were achieved | Effective to some extent in terms of involving different stakeholders from civil society and government bodies; however |

³⁴ Project title: "Advancing the rights of vulnerable and marginalized persons with disabilities in the West Bank through all inclusive advocacy led by the disability movement".

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| <p>according to the projects' logical frameworks. The planned benefits have been delivered and received by the beneficiaries. The programme has been effective in terms of coverage of the Gaza Strip, West Bank and East Jerusalem. Capacity building workshops for CSOs and CBOs on the right to citizenship, freedom of movement and residence in relation to the "permit regime" are useful to prevent human rights violations due to lack of knowledge.</p> | <p>in some cases more efforts should be added, since the role of government institutions in the projects, although crucial, appears to be weak. In addition, approaches aiming to change the community's perception and awareness of the problems were not productive in some human rights themes such as the death penalty.</p> <p>On a technical level, the strict EU rules and regulations hampered the potential of some of the programme's interventions. Furthermore, internal monitoring and evaluation of the contractors needs further improvements.</p> |
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Project level:

| Effective | Less Effective |
|--|---|
| <p>There were clear indicators to measure the progress, and there seems to be experience on how to collect data to measure impact.</p> <p>Effective actions such as: mobile legal clinics deployed to specific locations every week have been set up in the governorates, providing an office and promoting capacity building on land/housing law for the local civil servants helping project staff.</p> <p>The JLAC legal assistance team effectively handled the individual cases in order to stop the Israeli demolition and confiscation orders. In addition, having international partners to conduct international advocacy in GB is beneficial because of the expertise.</p> | <p>There was no formal agreement between organisations to enhance collaboration and develop needed expertise. The legal training on human rights is too general to have much impact on the law students' performance.</p> |
| <p>Freedom of association and expression projects implemented activities effectively and achieved the planned results, such as training judges.</p> | <p>A lack of adequate human rights indicators in order to measure the results hampers good analysis of the consequences.</p> |
| <p>The Al-Dameer project dealt with 261 complaints related to obstacles to the right to free association in Gaza. Eight cases were resolved favourably, 28 are still in the courts and the others are documented because of minor issues.</p> <p>An effective platform was developed which was used as a useful lobbying tool against the HR violations.</p> | <p>A lack of adequate human rights indicators in order to measure the results hampers good analysis of the consequences</p> |

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| <p>The childhood protection from labour and abuse activities and results were achieved. The child labour study was effective in terms of providing updated statistics and analysis on child labour to decision makers and researchers, and many future interventions by other CSOs can be built based on the study results.</p> <p>Social workers received effective training on psychosocial support.</p> | <p>The hotline was not an effective tool to report child labour; the involvement of local authorities, specifically MoSA, MoL and the MoE was not fully effective even after signing a Memorandum of Understanding (MoU). This was due to: unclear policy towards working with CSOs; the legal capacity of PA social services; the fact that they cannot work in area C; and the PA law on labour was not in force.</p> |
| <p>For PwDs' rights projects: activities were implemented and partners effectively participated in the implementation of the projects.</p> <p>GUPWD branch staff members were trained and their capacities built in EU financial and administrative procedures.</p> | <p>There was no specialised M&E expert to professionally follow-up and link results with the reporting system. However, there are still violations of PwDs' rights due to weak laws and lack of serious efforts by decision makers in PA institutions.</p> <p>Low capacity of PWD branch offices requires more time and budget.</p> |
| <p>The TRC project was effective in terms of: successful annual national conferences on torture prevention at which Fatah and Hamas parliamentarians participated; Effective therapy sessions to develop resilience and stop the circle of violence in the context of Traumatic Mental Disorder.</p> | <p>Implemented training has no clear objectives and purposes such as the training and awareness sessions developed by SHAMS and Hurryat on media on UNCAT for the PA security forces.</p> |
| <p>Right to life succeeded in effectively building the technical capacity and skills of partners, producing the human rights status report that focused on the death penalty in the partner countries.</p> | <p>The community opinion on death penalty has not changed much as social norms and religious culture are still dominant.</p> <p>The project design should have focused on law amendments and arbitrary detention, since the project theme was not a priority for public institutions which resulted in limited collaboration with the latter.</p> <p>Weakness in reaching female victims, due to weak performance from the implementers.</p> |
| <p>Right to water project: Policy roundtables to discuss water as a public issue among all the stakeholders.</p> | <p>Lack of an adequate legal side to support advocacy efforts has affected all actors targeted in this project. More attention should be given to social media for awareness and advocacy purposes.</p> |
| <p>Right to free movement project: Use of roundtable sessions with policy makers and CBOs was a good tool to empower CSOs' work in HR violations.</p> | <p>The training was not fully effective in terms of content and the training of trainers (ToT) should have been carried out by Arabic speaking experts</p> |
| <p>A useful manual on women's HLP rights was produced and disseminated.</p> | |

IV- IMPACT

| General assessment | Concerns |
|--|---|
| <p>The impact of the evaluated specific interventions for 2011-2015 was largely achieved; their results will be sustained beyond the end of the project. This is shown by different means: collective resilience against human rights violations, new PA legislation in accordance with International Human Rights Standards, empowerment of local communities on collective human rights, learning of legal remedies to stop/delay forced displacement and better protection of vulnerable groups, social influence of the rehabilitated victims, increasing awareness of the need to undertake judicial actions at local and international levels, social awareness of the human rights approach to daily problems, internal benefits for CSOs/CBOs, and others.</p> | <p>The general challenge for greater impact, and therefore to develop stronger multiplier effects, was the political impasse regarding the ongoing conflict and the Israeli occupation, and the freezing of the democratisation process in Palestine due to the confrontation between Fatah and Hamas. There was little room to have deeper impact on the duty-bearers for them to reduce the level of human rights violations in the future. The consequences of the Oslo Accord is another key challenge, as the PA only has jurisdiction in areas A and B, and lacks of effective power in Gaza, meaning that its increasing commitment to implementation of the UN Human Rights Conventions will have a limited impact.</p> |
| <p>There is generally good impact related to psychosocial activities in order to change the social reality of victims and their perception of human rights as true rights and not charity. In addition, the programme has contributed to generating hope throughout the international legal system in order to fight against frustration after so many years of occupation. However, there are some general concerns: the need for perseverance when dealing with legal remedies - justice is always slow; the importance of the use of social media to increase the effects of awareness activities; and the need to develop platforms and permanent networks as tools to spread impact and to achieve long-term results. Nonetheless, in almost every project there are important elements that generate impact. The mere existence of EIDHR-CBSS in Palestine has a remarkable impact as it has become, according to our interlocutors, a powerful international programme to promote the fundamental rights of Palestinians because of its funding</p> | <p>Nevertheless, the long-term impact of human rights projects is often only recognised later. EIDHR-CBSS implementation should be a long term process for local societies and this is the case in Palestine if we consider the evolution of the programme in the period under review. Also, projects that produce government policies/laws have long-term impact only if those results are actually implemented. In any case, the programme approach has contributed to the establishment of mechanisms for sustaining the benefits beyond the implementation period.</p> |

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| capacity and its active intervention in the most sensitive issues. | |
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Several successful events that show the impact of the programme:

- The 2013 Presidential decree on the prevention of torture might be considered a consequence of the awareness campaign under the programme. According to TRC, prior to the project nobody denounced torture by using legal remedies. Also, the socio-economic reintegration of victims has an important effect in diminishing the circle of violence.
- The awareness activities of the EIDHR project on the fundamental right to water succeeded in empowering Palestinian society on the general principle that water supply should be guaranteed to all citizens by the Public Administration. As a consequence, according to PHG, the PA decided not to introduce a pre-paid card system as a general system of water supply for the population due to pressure from many Palestinian CSOs/CBOs. In August 2016, the mayor of Al Aqaba village³⁵ addressed the Knesset using respect for international conventions as an argument. Also, because of the cultural changes in water saving, the use of tracks to supply water has been reduced in summer.
- In the case of the WCH project on child labour³⁶, the participatory way in which the needs assessment was conducted may have had an important impact on awareness in the region. Due to the advocacy activities, the PA opened a vocational training centre in Yata town in Hebron Governorate.
- The social impact of JLAC's legal aid is already very significant in area C and East Jerusalem as they have succeeded in delaying many judicial cases to prevent expulsion and confiscation. Nonetheless, the fact that there is a general lack of deep knowledge of IHL may affect adequate resolution of judicial cases and their international reporting may have a lesser impact.
- The existence of Mukhtar women as social mediators in Gaza because of NRC's project has important impact in changing the image of women. Also, as a consequence of some of the discussions held in roundtables with social actors on women's HLP rights, the Chief Sharia Justice person ordered that any waiver of women's rights should be made before both a Sharia judge and the woman concerned. Another significant element of impact of this project was that UNRWA incorporated the gender approach in their HLP rights issues in the context of refugee camps in order to protect women's rights.
- The empowerment of local CBOs by OXFAM-GB through the project in Gaza made them understand the importance of a human-rights based approach in defending their interests despite the effects of the blockade. And indeed it has a multiplier effect among civil society in Gaza as people have learned to express their concerns and make themselves heard, either through PNGO or before the de-facto authorities in Gaza. A great success, even if the restrictions on the

³⁵Where 95% of the constructions have received Israeli orders for demolition and its water pipe network was recently destroyed.

³⁶AS the project ended in 2014, the impact on the 22 600 children targeted in the project could not be verified at present by the evaluation team.

freedom of movement continue, was that through this project, the Israeli Supreme Court had to clarify the so called “permit regime” applicable to Gaza as related to the conditions of and limits on those who want to leave Gaza. Since then, although the restrictions are still quite tight, there are more people leaving Gaza for humanitarian and other reasons. In conclusion, it was worth making the duty-bearers of the applicable International Law in Palestine legally accountable before their own judicial system.

- The freedom of association and expression projects trained participants, who applied the knowledge they learned afterwards. Most lawyers and journalists who were trained in the project started monitoring and documenting violations voluntarily and sending them to the CSOs involved. In addition, the Public Prosecutor assigned one of the project’s public prosecution officers to follow-up on specific cases related to access of information and freedom of expression. University media departments were actively involved in the project.
- The childhood protection and child labour projects increased awareness among teachers, children, parents and counsellors on the threat of child labour across borders and its dangers. However, the impact is still limited because the main causes behind the problem are poverty and occupation, are two causes that are beyond the scope of the projects. Moreover, the weak role of the MoE and the MoSA limits the impact. The ministries are competing against each other, preventing comprehensive and effective collaboration.
- PwDs’ rights projects developed the technical capabilities of CBOs participating in the project. The training resulted in improved performance and boosted the confidence of GUPWD (and its branches) employees. In addition, the coordination between the branches increased. The project succeeded in promoting dialogue mechanisms between the branches. However, the coordination with ministries was weak; more efforts and readiness by the PA would be required. Unexpectedly, the project contributed to improving administrative and financial decisions in the union, although more effort needs to be dedicated towards improving those aspects.
- The right to life projects’ impact is different in each location depending on the legal and political context of the implementing country. The impact in Palestine was nevertheless unclear since the co-partner faced challenges in changing the community’s perception of the death penalty. It was more about freedom of expression and assembly.

V- SUSTAINABILITY

At the programme level:

| Positive findings | Points that need further improvement |
|--|---|
| The positive outcomes of the EIDHR-CBSS programme are likely to continue after the EU support ends because of the contractors’ ownership of the actions and commitment to improving the human rights situation in Palestine. | More efforts should be made towards beneficiary ownership and policy levels. The design of the projects seems to be top-down and needs to be more bottom-up to include more participation by beneficiaries. |

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| <p>Local CSOs improved their institutional capacity through the EIDHR and are able to sustain actions without direct technical support from the EU.</p> <p>In general, the benefits from the overall programme are likely to be maintained over time.</p> | <p>Sustainability of the results/impact requires clear indicators, empowerment of the target groups and commitment by CSOs.</p> <p>Better coordination with other donors is required, as most contractors need funding in order to sustain actions and results.</p> |
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At the project level:

| Positive findings | Points that need further improvements |
|--|--|
| The legal aid projects have a legal commitment to finish and follow-up on the cases even after the end of the project from the core fund they get from other donors such as the Secretariat of Human Rights. | The online database created in the projects for legal resources and jurisprudence was lost. Another general problem regarding the impact of human rights projects on their legal side is the politicization of the judiciary in Israel, PA and Gaza. |
| Freedom of association and expression rights projects: Knowledge and skills gained by executive authority staff involved were sustained and applied. The coordination between the stakeholders will continue. | It is difficult for freedom of association and expression rights projects to sustain their activities without funds, especially regular monitoring of the violations against journalists and covering the cost of legal consultants. |
| The GUPWDs constantly provide guidance services, raise awareness, and conduct activities that aim to help PwDs to integrate society in coordination with universities and CSOs. The union is financially and administratively sustainable to a certain extent. The project's ideas will be sustained through communication via the Facebook page as well as radio shows (Siraj Radio). In addition, there is a good level of networking in the governorates to support PwDs. | It will be difficult for PwDs' rights projects to continue implementing some activities and to keep some of the staff after the end of the projects. Low staff capacity to obtain funding. |
| Right to life and women's rights projects will sustain their interventions and participate in regional networks. | One co-applicant will not continue in the human rights theme as its mandate changed into youth economics. Weakness in the selection process of co-partners. Staff turnover after the end of project and knowledge capacity was not sustained. |
| The right to water project was important | |

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| <p>and handled the problem from an advocacy and human rights aspect and succeed in getting funding from other donors working on water resources, like UNDP, Netherlands, Spain and even the EU.</p> <p>Local CBOs, local authorities and women's associations have developed a strategy and a coalition for water rights to sustain the fight for the right to water.</p> | |
| <p>Torture: sustainable to some extent with partnership relations through a coalition of Palestinian CSOs working on the prevention of torture.</p> | <p>The TRC branch offices, due to lack of funding, shifted their rehabilitation and remedy activities to provide knowledge and awareness activities.</p> |
| | <p>Childhood protection projects: No sustainability without funding. Some key applicants such as WHC have changed their strategy and are no longer working in child labour, especially as the problem is not directly a result of conflict.</p> |
| | <p>Right to movement projects are at risk. In 2017 there will be a merging of Oxfam organisations in oPt and this may change their priorities to no longer work on HR directly.</p> |

VI- VISIBILITY AND EU ADDED VALUE

| Positive points | Points that need further improvement |
|---|---|
| <p>The programme's visibility strategy and activities followed EU communication and visibility guidelines throughout the implementation process. According to the contractors:</p> <p>All CSOs appreciated EU funding through this instrument.</p> <p>The programme was a significant opportunity to address vital human rights issues.</p> | <p>The EIDHR support was insufficient especially when it comes to human rights violations caused by the Israeli occupation.</p> <p>The visibility was partially clear to beneficiaries in terms of recognising the role of the EU in funding human rights topics.</p> |

VII- COHERENCE AND COMPLEMENTARITY

| Positive points | Points that need further improvement |
|---|--|
| <p>The programme ensured coordination between the implemented projects and no duplication of efforts occurred.</p> <p>The programme aligns with EU and other donor action policies.</p> <p>At the strategic level, EUREP and EU MS, in addition to Switzerland and Norway developed a strategic plan for 2014-2017 to support civil society in West Bank, Gaza and Jerusalem.</p> <p>More coordination should take place to ensure complementarity with other donor actions, especially EU Member States.</p> <p>High cooperation at the project level for legal aid; right to water projects work in cooperation with other CSOs/ donors in oPt for networking and complementarity purposes.</p> <p>PCCDS, the partner of WCH, also had a project with the World Bank, which was complementary to the EIDHR, as it provided income for those low income families whose children were at risk of becoming working children.</p> | <p>Childhood projects found some concerns in coordination with inline ministries due to a lack of cooperation policy at the PA level with CSOs.</p> <p>CSOs need to improve their coordination efforts with different actors at the IHR level.</p> <p>Having international co-partners is an advantage for CBOs, because they have experience in dealing with EU financial and administrative regulations and have the ability to transfer their knowledge and experience in rights-based approaches to the local organisations.</p> |

VIII-CROSS-CUTTING ISSUES

| Positive points | Points that need further improvements |
|---|---|
| <p>Gender, in terms of sensitivity and mainstreaming, is a key issue mentioned clearly in all calls for proposals and taken into consideration through implementation, in terms of focusing on women's rights in all thematic areas; increased female involvement, raised awareness among women of specific rights such as: social protection, right to life, property and legal aid.</p> | <p>Most of the CSOs gave more consideration to gender quantitative indicators and did not include qualitative indicators to maximise the impact of the programme interventions on women's rights and their position in society.</p> <p>Gender mainstreaming should be considered throughout the project cycle, and qualitative indicators should be developed further. To comply with that, the CSOs should develop their staff capacities.</p> |

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| Some CSOs developed good gender practices such as the project which trained and strengthened women's positions as decision makers (local Mukhtar) in remote areas of Gaza, where the rule of law is absent and the customary law is effective. | All CSOs still need to build their capacity on how to link international law with existing local laws and executive regularities related to the situation of women in Palestine. |
| The social protection projects offered good practices to the EIDHR programme. They worked on gender-based violence and sexual harassment against women and female children and provided treatment and remedy plans for women and female children affected by sexual harassment. | |
| Gender balance in terms of staff and beneficiaries. In addition, training materials and position papers adopted gender mainstreaming. | |
| The women and children networks at the district level bridged the gap and played an active role in identifying and reaching abuse cases. | |

IX- Complementarity with other EU support

The Local Authority funding instrument is not applied in Palestine, among other reasons because EUREP could not work with the de-facto authority of Hamas in Gaza³⁷. However, there is no reason to prevent part of the CSO-LA being added to EIDHR due to the high level of need to protect fundamental rights and also taking into account that Palestine is a medium income country.

Within EUREP, there is general concern that CSOs might go around "shopping" between the different EU funding instruments. There is the possibility that a Palestinian CSO with a project proposal on gender, children or youth that has a human rights perspective, and involves the participation of the PA, could apply for the Neighbourhood CS Facility and also for EIDHR-CBSS.

At the same time, there may be a risk of overlapping of actions in those thematic lines if there is no clarity about the differences between these three different funding instruments. As regards EIDHR-CBSS, the delimitation should be that when a project directly deals with the consequences of the Israeli occupation in relation to the fundamental rights of Palestinians, that project should come under EIDHR-CBSS and

³⁷ Hamas was included in the EU list of terrorist organisations.

not under any other EU funding instrument, with the exception of the EIDHR thematic lines. In this sense, the fact that the amount of funding for the 2013 EIDHR-CBSS CfP was increased with additional funding from the Neighbourhood CS facility should be considered as an adequate decision aiming to reduce the administrative burden as long as it did not affect the particular nature of the projects to be financed under EIDHR-CBSS.

The EU has a special programme for East Jerusalem open to Palestinian CSOs that have the capacity to work there. This programme awards grants to CSO projects directly, without a CfP, which is justified when the difficult situation for Palestinian CSOs in the Holy City is taken into account and in order to maintain confidentiality.

In the selection of the awarded CSOs: Although the target of this programme is mainly the private sector, several CSOs have been awarded grants to implement projects related to the promotion of fundamental human rights in East Jerusalem. In order to prevent EU funding “shopping”, there is a permanent exchange of information on CSO applications within EUREP.

The EU Peace-Building Initiative is a special funding instrument that supports the Two-State Solution. It can fund Palestinian CSO projects and also projects implemented by Israeli and Palestinian CSOs in partnership. It focuses on cross-border issues like health and environment to promote tolerance and non-violence. In the CfP of this programme, the difference with EIDHR-CBSS is clearly stated so as not to create confusion.

EUREP has a special strategy of intervention in the case of East Jerusalem, but not for Gaza or Hebron, which should also require special treatment. In the case of Gaza, humanitarian aid is not enough, and the promotion of fundamental rights and rule of law should be a priority according to the Norwegian Refugee Council (NRC)

EUREP-EU MS

The Netherlands Representative Office: The office supports the human rights portfolio by providing core funding and implementing actions through the Human Rights Secretariat which includes Norway, Sweden, Switzerland and Denmark. Those countries coordinate with each other in terms of advocacy and policies. This institution recommends with regards to EIDHR: more coordination and complementarity efforts between donors, especially to address critical human rights issues, and to open the programme to three year projects, with some flexibility in order to cope with emergency issues.

Italian Cooperation: The organisation supports human rights through a programme targeting CSOs focusing on women’s empowerment for government and gender based violence. The programme strengthens the gender machinery of PA by networking with organisations. The PA has different bodies working on gender mainstreaming. However, these bodies are fragmented and do not work with each other. There should be a budget item in the PA public budget directed towards those issues. Through the

organisation's women's empowerment programme, there is an emphasis on strengthening the relation between government and CSOs, especially as CSOs have good connections with citizens and the executive authorities. The coordination and complementarity with EIDHR is limited, however the Italian Cooperation is interested in strengthening coordination with EIDHR.

France funds a few human rights projects every year, some through the consulate (micro projects for Palestinian and Israeli NGOs) and others through the French Development Agency (for French NGOs with local partners). They do not fund human rights projects within the PA, as the support goes through civil society. The consulate does not have a precise human rights strategy, as funding decisions are based on the quality of the projects submitted. However, they always have ongoing projects targeting the rights of women, children and youth.

Spain has a special programme called "MASAR" for Arab countries to support local CSOs on human rights projects. Nevertheless, in the case of the oPt, Spain funds projects on the fundamental human rights of Palestinians by Palestinian and Israeli CSOs. Awareness activities focused on Israeli society in relation to the situation in the oPt should be considered a priority. Spain also participates in the basket fund managed by NRC against forced displacement in the oPt. There seem to be no familiarity with the EIDHR programme. There has, however been an expression of interest in learning more about the programme.

Other International Donors

USAID: Since 2014, when it changed strategy in Palestine, USAID has been working directly with Palestinian CSOs in three specific areas: accountability of local government, women's rights and children's rights. Palestinian CSOs willing to receive USAID funding must sign an anti-terrorism statement. Human rights, as such, cannot be object of any project supported by USAID as it is considered a political issue; nevertheless it has a special programme to promote Rule of Law within the PA. USAID does not work in area C.

The Swiss Agency for international Development: According to the agency, EIDHR should remain a tool for supporting human rights associations. 90% of the fund should be for CSOs and 10% should be for international organisations to enhance trust between Palestinian citizens and CSOs. In addition, Israel should be held accountable to international human rights. The international organisations should build local CSOs' advocacy, focusing on using a right based approach. The agency supports human rights in Palestine, through the Human Rights Secretariat, which is a donor funding mechanism led by the agency. The members include Sweden, Norway, Netherlands and Denmark. This tool is managed by NIRAS that sub-contracts Birzeit University. The agency's mechanism for funding includes core funding to 24 Palestinian and Israeli human rights CSOs for one year. The purpose of the core funding is to offer human rights projects financial security to sustain their services and support. The agency is

flexible in terms of employing the fund to enhance human rights issues. The core fund will be renewable based on fund availability.

Swiss Agency for Development mentioned the importance of having some level of flexibility in activities responding to emergency issues that might come up during implementation of human rights projects and enhancing coordination and complementarity between donors and with the EUREP and EU MS at the operational level.

UN Agencies

OCHA - United Nations Office for the Coordination of Humanitarian Affairs provides coordination on humanitarian affairs for all the UN agencies and CSOs working in Palestinian zones where there is a need and the PA has no jurisdiction. This coordination work is developed by thematic clusters; the one on protection is led by the Office of the UN High Commissioner for Human Rights (UNOHCHR). Every year, unless some exceptional event happens, there is an updated analysis of the situation.

OHCHR, the United Nations Office of the High Commissioner for Human Rights has been working in capacity building on human rights with the PA since 1999. It leads the humanitarian cluster of the OCHA humanitarian coordination and they try to prevent overlapping of projects. The big challenge now is to make the PA accountable regarding the 2014 ratifications of the UN HR conventions. Something important is that Hamas did not oppose these ratifications. They are working with the support of the EU and the Nordic countries to develop a project to help the PA to implement the UN conventions on HR and develop national human rights indicators and priorities for the coming years. The reporting obligation will have to be addressed by the PA. Also, it is very important for the CSOs to understand the UN reporting system and how the UN committees on HR work, which requires extensive and high level training. There is a general need to promote a human rights approach, based on International Law, to make Israel, PA and Hamas accountable with regards to politically-motivated human rights violations as a way to be more effective in the daily life of Palestinians. They support a more focused approach by the EU regarding the EIDHR CfPs, but the EU should put more political pressure on Israel to reduce the level of violations.

United Nations Development Programme (UNDP) manages a basket fund for a three year programme for the promotion of Rule of Law, to which the EU is contributing, among other international donors: Sweden, Holland and UK. Through this programme, UNDP provides funding for Palestinian CSOs working on Human Rights in order to provide legal advice. However, it considers that there should be an independent assessment of the quality/quantity of the legal advice on human rights issues given by CSOs as it may be rather low. There is no formal coordination structure between UNDP and EUREP as regards human rights programmes in Palestine to avoid overlapping on legal advice activities although the needs in this field are quite significant. UNDP is now preparing the launch, in collaboration with the University of Birzeit, of a webpage containing all the PA legislation, which will take into account the 2014 ratification of

the UN Human Rights Conventions. There should be more merging among Palestinian CSOs in order to develop more sustainable strategies. Also, there is a need for more transparency as CSOs are more and more scrutinised by Israel. On the controversy about the reduction of the role of CSOs as service providers, there are two factors to be taken into account:

- i. The PA has a very weak budget and it has no jurisdiction in East Jerusalem, area C and Gaza where fundamental human rights are at risk and there is a need to protect victims.
- ii. UNDP is preparing a new strategy for the coming year that should be more geographical and theme focused.

Currently, UNDP is conducting a needs assessment for East Jerusalem to evaluate international intervention and to establish recommendations. In Gaza, UNDP is supporting legal clinics that deal with family issues but not HLP rights for women. The fact that UNDP does not work with the Judiciary in Gaza may have negative consequences for the promotion of human rights

IX. EU SUPPORT MEASURES FOR THE PROGRAMME

During the period 2011-2013, EIDHR-CBSS projects were provided with information sessions on EU procedures, and also with Project Cycle Management (PCM) and M&E sessions/ training courses. From July 2013 to January 2014 a second service contract as part of the support measures entitled *“Building the Capacity of Palestinian Human Rights NGOs in PCM, EU Contractual Procedures and Effective Management of Human Rights Actions in Palestine”* was implemented. Under this contract, several training sessions on basic and advanced Project Cycle Management (PCM) and internal M&E were held which included coaching, counselling and follow-up of a significant issue focusing on the relevant internal problems faced by individual local CSOs to enhance their effective implementation of results-oriented and rights-based approaches as demanded by the programme. Nevertheless, the implementation of the M&E training in Gaza was not possible due to the restrictions on the freedom of movement by the Israeli authorities and the training had to take place using telecommunication means.

In 2014, EUREP decided that the programme needed stronger support through a wider vision of the internal capacity problems suffered by Palestinian Human Rights CSOs. A three year global contract was awarded to a consulting company, OPTIMUM, which started work in 2015. The contract duration is for three years (2015-2017), covering support measures on managerial capacity building to improve EIDHR-CBSS project implementation through a results-oriented approach, and the use of log frame as a management tool to ensure better impact and sustainability with well-recognised visibility. OPTIMUM is also in charge of building the capacity of potential applicants to design quality proposals with more innovative approaches. Other issues for intervention refer to training on internal M&E, financial monitoring and general coaching for project managers. OPTIMUM shall also support the European Union in its networking activities for promoting synergies and coordination among human right

CSOs, whether or not their actions are EU funded, by means of trilateral meetings. Subjects will tackle different topics.

During 2015, three activities were conducted: basic PCM Training (for this activity they received more than 100 applications), Information Sessions and individual Counselling for CSOs on PCM. The first two activities supported those interested in applying for the EIDHR CfP and the counselling assisted recipients of grants with their M&E system, reporting, reformulating their log-frames and monitoring plans, etc. In 2016, two experts in Human Rights were hired to produce a booklet on Human Rights resources/lessons learned and best practices for Palestinian CSOs. This booklet will be a very important asset as it will inform about what studies, manuals, publications and best practice have been produced to promote human rights. The booklet will serve as a data source to avoid repetition of activities.

According to OPTIMUM, an issue of concern regarding the programme support measures is to ensure that both project partners and co-partners participate in all support measure activities. At the Restitution Workshops, the participant CSOs stated that the programme should continue to provide support measures by using a coaching approach, face to face learning and knowledge transfer. The programme support measures should also focus on helping CSOs to develop adequate HR indicators to measure their actions.

X. CONCLUSIONS

1. The EIDHR-CBSS 2011-2015 in Palestine fully reflected the general objectives of the worldwide EIDHR strategy, and the recommendations of the relevant general policy documents, as adapted to the local human rights situation and priorities in the country. There was increasing concern about more concrete issues as regards specific objectives and priorities, taking into account the human rights situation in Palestine. It covered the occupied Palestinian territories and gave priority to East Jerusalem and area C. Priority was given to local CSOs as main applicants to build their capacity. The size of grants and the duration of actions increased, as a way to have more sustainable and higher impact interventions, and progressive importance given to forming platforms and networks for application purposes.

2. The 28 projects implemented under EIDHR-CBSS during the period 2011-2015 **were all relevant** as regards the specific objectives and priorities established by the CfPs. Nevertheless, taking into account the seriousness of certain politically motivated violations of fundamental human rights in Palestine, and especially when the victims belong to vulnerable groups, not all the projects had the same level of importance. However, other human rights issues might have been addressed by using other EU funding instruments as their violation is not politically motivated and they were connected to social development.

3. CSOs are relevant service providers because of the special situation of the PA and the particular nature of human rights interventions. The classic design of interventions

was reflected in all projects: psychosocial rehabilitation, local/international advocacy and local/international awareness, although general weaknesses were the lack of a sufficient legal side for the intervention to be effective, the still emerging human rights approach to daily problems, and the poor human rights indicators for project results. The collaboration with Israeli HR CSOs was very relevant in dealing with the legal challenges of the Israeli occupation.

4. The majority of the evaluated projects were cost-effective in terms of financial, contractual, administrative and operational management. Good tools were found such as partnerships and MoUs. Good adaptation to exceptional events: the 2014 Israeli military attack to Gaza. Nevertheless, many reports on project implementation presented difficulties in understanding EU procedures, which shows the need for capacity building on managerial skills and result-oriented project implementation. Issues of concern regarding efficiency were: the lack of adequate internal M&E systems in relation to results among local CSOs, some over-spending: international travel and external evaluations, the importance of the English language challenge and the possibility of overlapping of activities. The technical assistance and capacity-building intervention that was contracted by EUREP under the support measures marked a significant change in improving capacity building for HR CSOs.

5. Activities and results for the majority of projects were achieved according to the projects' logical frameworks. The programme was effective in covering all oPt geographical areas. The timeframe for the actions was considered an advantage to implement and achieve results: 11 projects were funded for 36 months; 16 projects for 24-18 months and one action for 12 months. Some projects were effective in building the technical capacity and skills of the partners. Human rights priorities, thematic areas and overall objectives identified in the CfP are still valid and consistent with the human rights priorities issued by PICH. However, **internal monitoring and evaluation of the projects needs further improvement**. Furthermore, the role of government institutions in the projects, although crucial, appears to be weak. Some results were not achieved effectively due to weakness in the project design (the legal side) or partners' incapacity. In addition, EU lengthy financial procedures and inflexibility to change or amend some activities resulted in some level of ineffectiveness.

6. The impact of EIDHR-CBSS is highly appreciated due to the main features of the programme: its funding capacity and its active intervention in the most sensitive issues related to the promotion of the fundamental rights of Palestinians in all oPt. However, its **multiplier effects diminish** due to a significant challenge: no political evolution as regards the Israeli occupation and the Palestinian internal political situation. Nevertheless, the impact of the programme was largely achieved and it was measured through different means: collective resilience, new PA legislation, empowerment of communities on collective HR, the learning of legal remedies to stop/delay forced displacement and better protection of vulnerable groups. Generally good impact related to psychosocial activities to change the social reality of victims and their perception of human rights as true rights and not as a charity issue. However, some

concerns remain: the **need for perseverance when dealing with legal remedies** (justice is always slow), the importance of the **use of social media for awareness**, the development of platforms and permanent **networks** as tools to spread impact.

7. A general dependence on international donors to sustain interventions exists, including the continuity of EU support. In general, it is difficult for CSOs to sustain their mandates without core funds, especially in advocacy, documentation and legal assistance activities. Some attempt to find alternative sustainability methods such as seeking core fund, advocating and networking with other INGOs or joining human rights regional networks. **Project design and the selection of co-partners are key factors affecting the sustainability** of interventions. There is a general need for proper strategies to generate sustainability through diversifying donors.

8. The Palestinian CSO context is characterised by high competition and relatively poor specialisation. The co-partner INGOs play an active role in building CSO capacity in terms of employing the human rights based approach, as they have experience in dealing with EU regulations. The cooperation between INGOs and local CSOs may be challenged by the emergence of **competition dynamics** between them, as well as by the tendency – often by INGOs – to engage directly in project implementation. Nevertheless, the **programme has reduced the role of INGOs**, as they can only be co-applicants, as a manner to strengthen local CSOs without erasing the important intervention capacity that INGOs may have.

9. Between EUREP and EU MS, there is still a need to have a more effective formal coordination system for human rights projects to develop common strategies and to increase impact. The practical coordination by OCHA on humanitarian assistance is not enough as it is not based on a common strategy for intervention. EU MS expressed an interest in meeting and coordinating with the EIDHR programme since they are working within the same field using different funding mechanisms.

10. The EU visibility and communication regulations were followed throughout the implementation of the programme. EU added value compared to other donors was proven: EU funds contributed to addressing very critical human rights issues and violations against vulnerable citizens. However, **at the beneficiaries' level, the visibility was not always clear** in terms of recognising the role of the EU in funding human rights projects for Palestinians.

XI. LESSONS LEARNED

- A Human Rights approach to the daily problems of Palestinians, based on the binding principles of IHL and the UN Human Rights Conventions, is a good tool to fight against collective frustration in times of political impasse.
- EIDHR-CBSS remains a powerful EU tool to protect the fundamental rights of Palestinians as long as it is focused on politically-motivated human rights violations and it is not used to deal with problems that can be tackled by using other EU funding programmes applicable in Palestine.

- A multi-disciplinary approach is necessary for human rights interventions to be effective.
- The strengthening of the legal side of EIDHR-CBSS actions, based on International law in force in Palestine, is essential to generate impact.
- The empowerment of the individuals/communities who are victims of human rights violations is crucial for the sustainability of the programme.
- Rule of Law demands clear legislation in accordance with International Human Rights Standards and the independence of the Judiciary.
- Strategic coordination between EUREP and EU MS as regards human rights actions in Palestine is the best way to prevent inefficiency and generate impact.
- Collaboration by Palestinian universities is important, as they are relevant political actors in Palestine, but there should be quality control where legal issues are concerned.
- EU visibility is not just about having a logo; it requires presence and understanding.

Best Practices:

- Local CSOs and INGOs working in West Bank, Gaza and Jerusalem stressed the importance of the development of the CSO mapping studies carried out in 2011 and 2015 with the funding support from the programme. Those studies helped in understanding the civil society sector in Palestine in terms of concerns, opportunities and future interventions.
- The programme CfPs can be done in two phases, with two different time line. This gives more opportunity for local CSOs in preparing and submitting their concept notes and full applications. However, this practice may add more management load to the EU programme team.
- Consultations EU-CSOs gave both sides a good opportunity to exchange ideas and feedback about the programme implementation and future priorities.

XII. RECOMMENDATIONS

Programme funding and design

1. The **EU should increase the annual funding** of the programme in Palestine due to the serious human rights situation.
2. **EIDHR-CBSS should expand** to become a more flexible instrument by allowing the possibility of new funding modalities such as core fund or funding extensions to ensure an adequate response to human rights' priorities, such as providing legal or protection services for critical human rights cases beyond the project duration.
3. The **role of EIDHR should be more visible** among beneficiaries. This should not only focus on promotional materials and logos, but through stressing the role and objective of the programme in public discussions and dialogues on human rights in Palestine.

Future priorities of the programme in Palestine 2016-2020:

1. EIDHR-CBSS in Palestine should **focus on the politically motivated violations of fundamental rights** recognised by **International Humanitarian Law** and the **United Nations Human Rights Conventions**.
2. The programme should continue promoting **effective reporting to the UN human rights system** on the implementation of all international human rights instruments in force in Palestine by all duty-bearers.
3. In particular, **thematic priorities** of the programme in Palestine should be: **the right to freedom and security, the right to a due process of law, the prohibition of torture, freedom of movement and residence** of Palestinians, **HLP rights** and **the right to water and sanitation**, by giving special attention to **legal support for judicial remedies and international advocacy**.
4. **Vulnerable social groups (children, women, elderly)** should continue to be a priority of the programme when the victims of those human rights violations belong to such social groups. The **Bedouin** should also be included among these vulnerable social groups.
5. The programme should continue considering a thematic priority the promotion of democracy by **ensuring respect for the fundamental freedoms of expression, peaceful assembly and association** in Palestine.
6. Special locations like **Area C, the “seam zone” and the restricted access area in Gaza, East Jerusalem and Hebron** should be **priority locations** of the programme, in coordination with other main international donors.

Programme support measures

1. The EU should continue to provide support measures for local CSOs on capacity building, with a special emphasis on **developing expertise in International Humanitarian Law and the UN Human Rights Conventions** as regards legal advice and reporting and in the **strategic use of social media**.
2. The EU should support **capacity building activities promoting exchanges between the different oPt** to develop common views and synergies.

Coordination with other stakeholders

1. The **EU should strengthen the common strategy on priorities and results** on human rights projects, together with the EU MS, and in consultation with the more relevant CSOs.
2. **More coherent relations and coordination between CSOs and PA ministries** should take place in order to enhance social protection services. In this regard, specific tasks should be assigned for government partners to deliver throughout the implementation.

For CSOs participating in the programme

1. Palestinian CSOs should **promote a human rights perspective**, based on IHL and the UN Human Rights Conventions, to face the daily problems of Palestinians and to fight against collective frustration.
2. Human Rights CSOs in Palestine should **invest in their knowledge of IHL and UN Human Rights Conventions** in their respective area of expertise. Specialisation is essential, as there is increasing competition for international funding among CSOs.
3. Local CSOs need to **invest to increase their capacities in English language**, internal M&E systems for their result-oriented activities and reporting skills on project implementation.
4. CSOs working in Palestine should **develop social media expertise** for awareness/advocacy purposes locally and internationally.
5. CSOs should **conduct lobbying and advocacy initiatives simultaneously** with other activities for a comprehensive rights based approach.
6. More exchange experiences to strengthen common strategies between East Jerusalem-West Bank and Gaza Strip.

Recommendations stated by most CSOs at the restitution workshops³⁸ for this evaluation:

1. The programme should continue and its annual budget should be increased to face increasing human rights violations.
2. The programme should include core funding for mandate activities as a new funding modality.
3. A new priority should be fundamental freedoms related to media.
4. The programme guidelines should put more stress on the promotion of ownership and sustainability criteria by local CSOs/CBOs.
5. The programme CfPs should ensure that there is no duplication of the activities of different projects, especially training on HR, and that they should have different approaches to remain complementary.
6. The programme CfPs should require more transparency on the roles of local CSOs and international CSOs to increase the transfer of internal capacity to local CSOs through EU projects.
7. There should be more efforts to raise awareness among local human rights CSOs and CBOs about the EU system and projects for the protection of human rights defenders in all oPt.

³⁸Two restitution workshops were held (WB and Gaza) with the CSOs funded under the programme to discuss the preliminary conclusions and recommendations. See page 20.