

Evaluation of
**The BADIL Campaign for Palestinian
Refugee and Residency Rights**

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Badil Resource Center
for Palestinian Residency and Refugee Rights

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Executive Summary

The evaluation has been an interesting and exiting endeavour as we came to realize that Badil stands as special when comparing it to other Palestinian NGOs. Their unique performance has different reasons, one is their dedication to the Palestinian refugee cause which they think has not been well taken care of by other institutions of the civil society and another is the quality of their work and production.

The evaluation has on one hand exposed the evaluators to an important area of work where few organizations have been committed to work in, and on the other documented the innovative networking and institution-building strategy employed by Badil to overcome the challenge of mobilising and representing refugee communities and defending their rights.

It has been observed that during the last decade, most of the Palestinian NGOs have professionalized and institutionalized their work in a way that has enlarged the gap between the elite and the community. This is not the case with Badil. Although Badil has professionalized their work and advanced the quality of their production, they have continued to be community oriented and their representative bodies including the General Assembly and their Board, which is representing activists of the refugee camps has bridged the gap between the community and the organization and have been able to successfully empower the refugee community through their dedication.

One of Badils participatory tools is community programs that respond to the needs of the refugee community, and involve them through a participatory approach to become part of the decision making process. Because their programs are proposed by their board and general assembly, Badil has maintained its relevance to the refugee community and has at the same time empowered its local institutions.

In this way Badil has avoided to go into the same style of alienation that other NGOs have gone through. Their source of accountability has not been removed from the local community to the donor community. Indicators of this are also the salary scale and internal management style, which does depend on a growing and heavy bureaucracy but is cooperative, innovative and democratic in nature. The following section highlights some of the overall conclusions and recommendations that the evaluation has reached:

Conclusions and recommendations

Management and Administration

- Over the years Badil's executive has relied heavily on a small number of key individuals including the founders of the organization. While relying on a small group of individuals dedicated to the organization can be a viable strategy to ensure institutional integrity and avoid bureaucratization, it involves a risk. The evaluation has shown that Badil is managing this risk quite well.
- Today Badil appears to have a well functioning structure with a healthy separation of responsibilities between the executive and the Board. This has been achieved on the basis of past challenges and difficulties which Badil seems to have managed to overcome and use as a platform for further development. The Board participates in executive decisions in regard to hiring staff, salary scales etc. in order to balance the small executive. In view of this well functioning relationship, Badil may consider whether the oversight committee is still necessary.
- Badil is currently making an effort to involve more members of the executive in various fields of decisions and external contacts including fund-raising. This can help to reduce the dependence and identification of Badil with a few individuals and improve institutional sustainability. Also the ongoing and projected strengthening and mainstreaming of the administrative and financial systems and procedures constitute a viable strategy for reducing dependency on individuals and a vehicle to bring in the next generation. Badil has involved external consultants in evaluating and supporting the development of administrative and management procedures to strengthen this process.
- The evaluators observed that over time Badil showed continuous progress in the quality of programme documents and organizational management, and a receptiveness to professional advice and documented methodologies. The

evaluators take this as an indication that Badil is an organization that will continue to increase its relevance and impact in the coming years.

- **Recommendation-1:** Although the General Assembly reflects a broad spectrum of representation, Badil should increase representation of refugee communities in the Jerusalem-Ramallah area and the Board and GA should continue to discuss how representation of all relevant refugee groups including the internally displaced in the work of Badil can best be ensured. The current composition of the GA is influenced by some of the obstacles and constraints that Badil is confronted with due to conflict and occupation.
- **Recommendation 2:** Badil should renew its efforts to include and strengthen representation from the Gaza Strip in its work and in the work of the Right of Return Coalition.
- **Recommendation 3:** The evaluators recommend that Badil now capitalize on its own experience as an organization, and on its vast experience in supporting organizational development of partners, to develop a strategy for organizational development and institutional strengthening of Palestinian organizations and how to encourage voluntary participation. This strategy will help to clarify the relation between the organizational development activities and the overall objectives of Badil, ensure transparency and direction in the organizational support activities and facilitate the identification indicators for measuring the impact of these activities.
- **Recommendation-4:** The evaluators have analyzed the small activities and programs of the different community organizations in the camps that are supported by Badil through the campaign program and have realized that there are no clear criteria for deciding on financial support to activities or for measuring their contribution to reaching the objectives of Badil. It is important that Badil develops a policy and transparent criteria that can ensure fair opportunities for support and simple indicators for monitoring how small-scale support of community initiatives contributes to BADIL's program objectives. See also the proposed form, Annex-1.

Campaigning and Advocacy

- BADIL is unique in its approach in combining participation from grassroots activists in the OPT with voluntary local and international experts, and

linking up with representatives of the Palestinian refugee community in the region and in other regions as well. This combination allows Badil to present a combination of quality and activism.

- Partners in Europe perceive Badil as an organization that stands out notably because it has a high level of professionalism, distributes information efficiently and effectively responds to messages and enquiries.
- The evaluators appreciate the conscious and inclusive process in which Badil's decisions are taken.
- Badil has been able to very aptly use its rather limited resources in a cost-effective way and act as a catalyst in promoting other organizations activities by giving them catalytic support and inspiration through their quality research, and by coordinating the work of many actors together.
- **Recommendation-5:** Badil wants to shift its focus from research to campaigning. Campaigning requires different competences and resources from those needed for research. The perspective of publications intended for campaigning should change from mainly providing information- towards a focus on skills and capacity development.
- **Recommendation-6:** Badil's popular activities will have to move from "awareness raising" into the much more difficult fields of attitudinal and behavioral change, which require longer interaction with the target group and more follow-up. And requires a focus on issues that are directly relevant to beneficiaries and can be brought within their influence. Such issues include rights based protection in the camps and in relation to government and UNRWA service provision. Past Badil empowerment efforts, in particular training and capacity building were unsystematic and too small in scope. Badil had already identified the need to change them. The evaluation recommends developing a popular advocacy training tool and programme based on participatory methodologies. As this requires additional resources and competences which Badil does not currently have in house, Badil should try to identify partners who might share in such a programme. Organizations working with child rights could be very important partners and resources for Badil in this process.
- Badil is an important actor in the European campaign for Palestine. It plays

an important role in ensuring that the refugee issue remains part of the campaign agenda.

- Badil is conscious of not assuming or being perceived to assume coordination tasks that go beyond the scope of its role and the capacities it has. In practical terms Badil plays an important role in the coordination and launching of the BDS campaign which seems to lack coordination at the national level. Badil risks being “sucked in” by the existing coordination vacuum.
- **Recommendation-7:** Badil has played a role in redefining the concept of Return to include more than physical return but needs to take into account that for new generations the concept is more functional, developmental and challenging. For the young refugees that the evaluators met, the right of return was synonymous with a normalized situation characterized by dignity, equality and influence on ones own life. It is about having a future and about that future starting right now. This means that the right of return is not just something that may happen in the future - it is a right that they have even if it is not materialized. Badil can help them materialize their right by helping them to find ways to improve their current living conditions and opportunities, defend their human rights and develop their capacities and skills. One such way is to strengthen their capacity for advocacy within their own society, and with governmental and international institutions.
- The evaluators value highly Badils engagement in preparing the Nakba commemoration anniversary in 2008. This is an easily comprehensible event that can help to raise awareness and promote dialogue and discussion about the refugee and residency rights for Palestinians and unite the Palestinian Diaspora with activists in the West.

Research and Publication

- Badil has the ability to produce high-quality research and information which continues to open new opportunity for networking and advocacy among the professional community.
- **Recommendation-8:** Badil has as a priority the development of materials in Arabic specifically targeting government immigration officials, politicians, academicians, and other target groups including ordinary persons but they have to pay more attention to distributing and promoting these publications.

BADIL should increase efforts and resources allocated to broad dissemination of its materials, especially in the camps including in Syria, Lebanon and Jordan in cooperation with its partners there.

- **Recommendation-9:** BADIL should redouble its efforts for the transfer of knowledge to community activists, women and politicians and develop professional tools for this purpose.
- **Recommendation-10:** Research has been focused on analysis of the major bodies of international law which establish Palestinian refugees' rights to return and property restitution in the context of durable solutions, and on the general framework for international refugee protection during forced displacement (civil, political, social, economic and cultural rights). In this context, it is important that BADIL also address the particular rights of vulnerable groups (women, children, a.o.) and link the general rights of Palestinian refugees to their specific political, social and economic contexts.

Links to other NGOs

- **Recommendation-11:** It is obvious that Badil has a problem linking and developing partnerships with the mainstream Palestinian NGO community - especially human rights NGOs. While this may reflect past and present resistance involving a perception of refugee rights as somehow more political than other rights, evaluators still think that more effort should be put by Badil to initiate partnership and cooperation with other NGOs, who are relevant to their work in order to fulfill its objective of placing refugee rights firmly on the Palestinian human rights agenda. The high quality of Badil's work and the respect it enjoys should place it in a good position to engage with other organizations and have a positive impact on the quality of their work.
- **Recommendation-12:** Linking with women NGOs can facilitate Badil's community work and also expand their work in other geographical areas in addition to the South and North of the West Bank.

Gender Perspective

- **Recommendation-13:** More representation of women in the EC, Board and GA should be taken into consideration for the near future. Following a quota

of 30% women representation like other Palestinian institutions could be one possible way to improve gender representation if taken seriously. The fact that the executive committee has 3 female members, and that many members of the LSN are women is not necessarily indicators that Badil has found a way to ensure that the Palestinian refugee women participate in the organizations decision making and that their voice is heard.

- **Recommendation-14:** “BADIL should consult gender experts in order to:
a) conduct gender training for all staff who deals with human rights and refugee rights. b) assist with integration of refugee rights and human rights in a gender perspective to be enhanced in different centers and activities in the camps; and, c) help BADIL develop gender sensitive indicators to monitor its activities.
- **Recommendation-15:** More attention should be focused on investigating the conditions and status of refugee women and their rights. It is difficult to conduct gender analysis if qualitative data on the camps and living conditions of families is not available. BADIL is committed to finalizing its analysis of Palestinian refugee women’s rights under international law. When this is done, BADIL can proceed to review existing qualitative and quantitative research about actual living conditions and consider cooperation with external social scientists or gender experts to obtain good data.



1. Introduction

“The refugee issue....must be understood...as an existential issue for the Palestinian people as a whole, the most compelling embodiment and expression of the Palestinians’ experience of dispossession and injustice”.¹ The refugee issue is one of the issues left for final status talks in the framework of the Oslo Agreement.² This delay in itself reflects the level of complexity and difficulty of the refugee issue, which represents the real political challenge to the Palestinian people on one hand, and Israeli society on the other.

Reviewing the academic literature on the refugee issues we realize that it has been focused on political and legal aspects, while sources on the social dimension or empirical studies are scarce. Lately, more empirical studies have developed, but they still present refugee return in its traditional and emotional meaning. In particular they do not reflect the views of the young refugees, who have re-defined the concept of “right of return” to include more than physical return and made it more functional, developmental and challenging. For instance, in one of our interviews with young female students in a vocational center in Burj el-Barajneh camp in Beirut, they discussed their definition of return using different components that were not used before. They said, for example: “Return” is a right and a dream, and the only way that we can make return more visible and real is by attaining our education. They believe that Palestine does not need illiterate people, and that they should be educated, in order to make their return more meaningful and functional: “if we want to go back and build Palestine, we have to be prepared to do this”. They also expressed their confusion about the meaning of the concept of the “land.” For the old generation it meant a means of production (a farm, or an orchard), but to the young, it means identity mixed with deprivation, and they do not want to wait and put their life on hold until time

¹ Palestinian Refugees and the Politics of Peacemaking, Middle East Report N°22, 5 February 2004

² The other are Jewish settlements, borders, water and Jerusalem

passes, they want to use whatever time is available to equip themselves with available skills to return and make use of their lives.

1.1. Objective of the evaluation

The purpose of this report is to evaluate Danchurchaid's support to Badil, a Palestinian NGO devoted to Palestinian residency and refugee rights. This objective entailed a comprehensive evaluation of the organization, both looking at its structures, functions, administration and management, links and cooperation with partners at the local and regional levels, as well as at the impact of its activities on the Palestinian refugee community, the civil society, and international and national networks and bodies related to the refugees, such as the UNRWA the Arab League, and the PLO. Additional entities relevant for donors and other partners of Badil were also included in this evaluation. For this reason the evaluation was considered to be of relevance to all the donors of Badil and one of them, Trocaire, has also contributed financially to the evaluation by funding the section on the institutional sustainability and management issues.

During the evaluation period the evaluators, Eileen Kuttab and Maja Sverdrup, visited refugees and Badil partners in the West Bank, Jordan, Lebanon and Syria. They also participated in the annual meetings of the Palestine Right of Return Coalition and the BADIL Legal Support Network in Holland and met with some representatives of host governments and a large number of UNRWA officials, diplomats and representatives of various donor organizations and NGO's.

The evaluation is focused on the Badil project "Refugee Rights Campaign" as described in Badil's plan of action for 2002-4, but also takes into account the whole Badil action plan and organization and draws the line from the current situation back to previous activities and achievements. Furthermore, this evaluation looks into the future, in order to give recommendations and suggestions for the current action plan 2005-7 and beyond.

The evaluation has been conducted in the most economical (in terms of time and resources) manner possible. For that reason the evaluators have, to some extent, relied on existing documentation and used the most easily accessible information.

During the last phase of the evaluation, evaluators have faced certain constraints

as a consequence of the Hamas election victory and the Danish cartoon crisis, including security constraints and lack of availability for meetings of persons in the PA and Palestinian NGO sector.

1.2 Introduction to Badil

Badil ('badeel') is an Arabic word that means 'alternative'. BADIL's alternative approach to the question of Palestinian refugees and internally displaced persons is based on international law, UN resolutions, and the participation of refugees.

Badil was established in 1998 as a Palestinian NGO, guided by principles of equality social and political justice and human rights, as the outcome of three popular conferences on the refugee issue. This background gives Badil a unique character among the organizations working with the Palestinian refugee issue. While in many ways resembling an international NGO,³ Badil understands itself as a community based organization rooted in the Palestinian refugee community. Badil takes into consideration all Palestinians and Palestinian refugees, including those who are displaced and dispossessed within Israel, those who are displaced and dispossessed and currently live in the OPT, and those in neighboring countries and outside the region.

Badil functions as a Resource Center for Palestinian Residency and Refugee Rights and also plays a more classic NGO role in providing support including financial contributions to activities of partners mainly in the countries in the region including Israel and a score of small projects and activities in the OPT – mainly in the West Bank.

Badil aims to employ a rights-based approach to the Palestinian refugee issue through research, advocacy and support of community participation in the search for durable solutions.

The purpose of Badil's programme for 2006 is: "To build refugee community competence and capacity and to strengthen community-based campaigns and publicity for innovative and practical ways of addressing the complex issue of Palestinian refugee protection, return and housing and property restitution within a framework consistent with international human rights and refugee law".

³. Mixed local and international staff, and with a wide production of publications in English, targeting the international community and professionals

By involving Palestinian refugees themselves at all stages of program implementation, Badil encourages participation and an active role of Palestinian refugees in shaping their future.

By seeking a rights-based cooperation with Israeli civil society actors, Badil aims to show that refugee return and protection of their housing and property rights is not only an imperative for future peace, but something that is practical, feasible and attainable”.

Badil supports the development of a global and local popular Palestinian lobby for the right of return and the respect of the Palestinian refugees rights through research combined with campaigning and partnership-based community initiatives. Badil sees the refugee issue as an issue that can be addressed in Palestinian unity, irrespective of the various political affiliations that divide the Palestinian polity on other issues.

Badil provides policy advice and documentation to i.a. the PLO Negotiation Unit and other institutions interested in the rights of refugees. Badil seeks to bring violations of the rights of Palestians and refugees rights before relevant international fora (such as the Human Rights Commission) and seeks to maintain a dialogue with institutions that play an important role in the lives of Palestinian refugees, notably UNRWA.

Recently Badil has decided to put more emphasis on the campaigning element, while cutting-back on the research component or balancing it in a way that feeds more into the campaign.

Badil is unique in its approach in combining participation from grassroots activists in the OPT with voluntary local and international experts, while linking up with representatives of the Palestinian refugee community in the region and in other regions as well. This combination allows Badil to present a combination of quality and activism.

Organizational Structure

Badil's General Assembly is the legal owner of the institution and is responsible for the implementation of its policies. The General Assembly is composed of activists in Palestinian refugee community organizations and national institutions, mainly from the northern West Bank (Nablus, Tulkarem) and the southern West

Bank (Bethlehem, Hebron). The board does not include representatives from the refugee community outside of the WB.

The Oversight Committee is elected by the GA and monitors and evaluates the performance of the Badil Board and Executive. The Board is elected from Badil's General Assembly. Badil's Executive Committee (director, unit coordinators and the admin-finance officer) is responsible for ongoing supervision, monitoring and adaptation of Badil's programme.

Badil Friends operate as an informal network of refugee community activists in 1967 occupied Palestine and serves as the 'long arm' of Badil for planning and implementation of its projects among the refugee community.

Badil Legal Support Network consists of Palestinian and international legal experts who provide legal advice and support on the Palestinian refugee issue.

Palestine Right of Return Coalition, of which Badil is a member, is a global network of Palestinian community organizations and right of return initiatives in Palestine and in exile, coordinated by regional representatives. Badil played an active role in establishing the Coalition in 2000 and hosts its secretariat.

Badil's campaign unit facilitates partnership-based initiatives with local Palestinian and international organizations i.a. the right of return coalition members, in order to strengthen refugee identity, promote refugee unity, and empower initiatives of refugee self-organization for Palestinian refugee rights. Activities include workshops on refugee rights, support for rallies and community lobbying, study tours to villages of origin, regional workshops, support for media initiatives, English training courses for activists, and capacity building for community initiatives and organizations.

Badil's is strongly involved in the boycott, divestment and sanctions campaign targeting Israel. Badil sees this campaign as an integral part of the campaign for refugee rights and as a means to unify the Palestinian voice and to put the refugees firmly on the agenda.

Badil's research, information and legal advocacy unit publishes research and information materials in Arabic, English and Hebrew to support the local and international community-based campaign for Palestinian refugee rights.

Activities include the Arabic bi-monthly (Haq al-Awda) and English quarterly (Majdal) magazines, an annual Survey of Palestinian Refugees and IDPs, a number of primarily legal papers and studies and documents from expert workshops. Badil also sends out regular updates to partners and activists on events, issues press releases and publishes advocacy materials.

2. Campaigning Strategy

Badils campaign is rooted in the refugee community and aims to increase their representation and influence. Badil is engaged with Palestinian organizations and activists in and outside the Palestine/Israel through the Right of Return Coalition, the Legal Support Network and its board and the Friends of Badil. In addition to this, it partners in an informal way with organizations and initiatives such as Zochrot, Palestine Remembered and Civitas and participates in NGO coalitions, such as the Occupied Palestinian and Syrian Golan Heights Advocacy Initiative (OPGAI).

The campaigning strategy of Badil is holistic and multifold. Badil has been able to very aptly use its rather limited resources to act as a catalyst promoting other organizations' activities by giving them inputs and inspiration through research and articles, through carefully targeted financial support and by bringing actors together facilitating their organization and coordination, and mobilizing in turn their resources to support the work of Badil.

This strategy has permitted Badil to achieve results with small investments in terms of financial resources. With the proposed adjustment in Badils strategy – which gives more priority to campaigning and advocacy it is probably possible to go a lot further along this road.

Badil notes in its self evaluation: “...*past Badil empowerment efforts, in particular training and capacity building, were unsystematic and too small in scope*”. At the same time a change towards a focus on campaigning and empowerment will be a big challenge for Badil if it is to keep up its current quality level. Campaigning requires different competences and resources from those needed for research. Physical presence and participation plays a more important role both in mobilization and dissemination of information. The perspective of publications, materials and projects will have to change from providing information – which has been the dominating perspective - even for Badils “advocacy resource package” and activist training programme - towards a focus on skills and

capacity development. Similarly Badils popular activities will have to move from “awareness raising” into the much more difficult fields of attitudinal and behavioral change. This requires linking directly the information and training provided with practical activities where people exercise their new skills and experience the direct benefits that such action may bring. Furthermore it requires systematic follow up to measure if the activities have a long term impact.

In order to achieve a successful change in attitudes and behavior, the evaluators believe that Badil will need to develop a comprehensive empowerment and advocacy programme focused on refugee rights based on a popular advocacy training tool and implemented in cooperation with its partners – who should expand to include more organizations that have experience with empowerment of groups that are marginalized in decision making.

Currently some of the most interesting achievements have been made by Badil partners and other groups that combined the perspective of Right of Return and other refugee rights with their activities to empower youth and children.

Badil is seen as an important actor in the campaign for Palestine by ECCP, the European Coordinating Committee of NGOs on Palestine – notably for its important role in ensuring that the refugee issue remains part of the agenda of the European campaign, but also because it has a high level of professionalism, distributes information and effectively responds to messages and enquiries.

2.1. The 2008 Nakba Commemoration

The annual Nakba commemoration is an easily comprehensible event that can help to raise awareness and promote dialogue and discussion about the refugee and residency rights for Palestinians. A Nakba commemoration can help to unite the Palestinian Diaspora with local members/activists in the West. The upcoming 60th Nakba anniversary in 2008 may be the last anniversary which has participation of persons who are old enough to remember the events in 1948 and it is going to be a highly profiled event for Badil, the Right of Return Coalition and many other Palestinian organizations.

The evaluators hope that there will be opportunities to establish a more permanent institution – museum and or research-institute which will undertake and coordinate historical research and contribute to raising awareness of the Palestinian Nakba among Palestinians, Israelis and globally.

2.2. The Boycott, Divestment, Sanctions (BDS) Campaign

This initiative is a campaign that unites many Palestinian activists and activists abroad around a common cause. The purpose of the campaign is to isolate Israel until it complies with international law. This is promoted as a peaceful alternative to armed struggle against the occupation. Badil uses its participation in the BDS campaign as a means to bringing the refugee issue in the mainstream of the Palestinian agenda.

The evaluators appreciate the difficulty in prioritizing the tasks and the conscious and inclusive process in which Badil's decisions in relation to the campaign are taken. Because of its capacity, Badil faces a risk of being "sucked in" by the existing coordination vacuum between the many actors campaigning at various levels. Badil is conscious of not assuming coordination tasks that go beyond the scope of the role it has defined for itself and the capacities it has. This is also valid in relation to its involvement in the BDS campaign and the campaign for the commemoration of the 60th Nakba anniversary in 2008. Badil feels able to initiate some activities as it perceives that the Nakba commemoration does not necessarily require the "mother coordinator" but can allow for organizations to take initiatives and to coordinate with each other.

Thus Badil has not taken a formal lead but in practical terms plays an important role in relation to the coordination and launching of the BDS campaign which seems to lack coordination at the national level. Palestinian organizations are still grappling with the precise message of their campaigning. Some progress towards clarity and unity was achieved with the July 2005 call issued by over 170 Palestinian civil society organizations and networks. It promotes the broadest possible call from Palestinian civil society for BDS; the call for compliance with international law is not only a call to end the occupation, but also a call for the right of return and equal rights inside Israel; and it asks the global solidarity movement to implement all forms of boycotts, divestment, and/or sanctions according to their judgment of what is most effective. More organizations are still discussing whether they can join the campaign. The campaign is still not organized inside Israel.

Again experience from other campaigns, such as South Africa suggest that strong national leadership and a clear agenda are important in achieving results. The current campaign lacks a clear vision of the political end game (i.e. beyond the demand for implementation of international law), i.e. Palestinian

civil society organizations do not (yet) have a consensus over a two-state or a one-state solution. South Africans had a clear vision, i.e. one person one vote. Another obstacle, when compared to South Africa is that Palestinians do not have – and will not have in the short run – an equivalent to the ANC, i.e. a national leadership calling for BDS. This means, that Palestinian civil society leadership substitutes this role when it comes to BDS.

This situation may change. For example consensus over a one-state solution may eventually emerge if the trust in a viable Palestinian state further dwindles with political, social and financial crisis, territorial reductions, barriers and restrictions in the movement of goods and people.

Badil says: “We believe that all forms – boycott, divestment, sanctions – should be implemented based on the judgement of each organization of what is most effective. We do not prioritize one over the other, because at the end they all feed into the same strategy, i.e. trying to find ways to enforce international law”.

Information obtained from BADIL partners in Europe shows that not all Badil partners in Europe are ready to advocate for a general boycott of Israel. This is the case for DanChurchAid, while ICCO supports the call for a boycott. ECCP while calling for sanctions leaves Boycott and Divestment up to the members.

The position of DanChurchAid is explained as follows: DanChurchAid does not believe boycott to be morally wrong, but it does not believe that a general boycott will be effective. DanChurchAid in a recent news paper article proposed a global boycott of any activities – cooperation as well as trade - that may contribute to violations of international law, including the human rights – in Israel and elsewhere. In fact DanChurchAid believes that boycotting such activities is both a moral and a legal obligation. DanChurchAid believes divestment should follow the same line as boycott of enterprises whose activities may directly or indirectly lead to violations of international law including human rights. DanChurchAid said, that it foresees discussing whether to continue support to the part of the programme that promotes a general boycott of Israel.

Indeed the ECCP told the evaluators that some organizations had experienced a very strong reaction from the public, for example in Belgium, rendering the boycott campaign counterproductive. There is also huge pressure on the churches to take back some of their resolutions on divestment. Zionist

organizations and institutions play a very important role in orchestrating such pressures. Also in Denmark organizations working on the Palestine campaign (and even those supporting humanitarian programmes) often face negative public reactions. In Denmark a new element has been introduced: Since Denmark experienced a massive consumer boycott from Muslims following publication of satiric cartoons playing on blasphemy and islamophobia, many Danes feel that boycotts strike indiscriminately. (Please also refer to the section on “the campaign against the campaign”).

In Palestine it is difficult to effectively boycott Israel. For this reason campaigners want to work inside Palestine to raise awareness and to identify a few products that they can focus on calling for the boycott and substitution of – and to go for “pride in Palestinian products”.

A complete boycott may make cooperation with partners inside Israel more difficult. Evaluators suggest more emphasis on promoting a positive agenda for engagement with Israeli society – such as identifying lists of organizations, products and places to stay and to visit, that are not contributing to the violations of Palestinians rights. In order to increase the visibility of and enhance the solidarity within Israeli Society, and promote a positive vision of the future for everybody.

Badil has informed the evaluators that a set of guidelines have been approved by a large Palestinian NGO meeting in Ramallah in 2004, for identifying which Israeli organizations/projects are not contributing to violation of Palestinian rights. According to Badil these guidelines are easy to use by all Palestinian civil society organizations, if they want to. But they need more dissemination in the context of the local BDS campaign, exactly in order not to hurt cooperation with positive Israeli organizations by a blanket boycott. Badil is cooperating with Zochrot based on these guidelines. - The evaluators would like to suggest that such elements would also be publicized more in the context of the international campaign.

2.3 International Actors and Fora

Badil has identified the need to target the Arab states and integrate the Arab world more in the activities and the campaigns for the Palestinians. Targeting of the Arab countries is a priority for the RoR Coalition in 2006. Badil has previously attempted to invigorate the mechanisms at the regional level such as

the League of Arab States, but has not been very successful in this. One reason is the weakness of the institution, which also shows very little openness to the public. The evaluators finally gave up trying to reach a relevant person through the secretariats central switchboard. None the less Badil and its partners have not given up: activating Arab actors is one of the purposes of the Arab-International Civil Society Conference in Solidarity with the Palestinian Right of Return and Self-determination; co-organized by the Coalition of Lebanese Civil Society Organizations and the Palestine Right of Return Coalition in order to build Arab-international coordination for BDS and Nakba awareness-raising campaigns. The conference takes place on May 20-21 in Lebanon.

One way to influence international actors is to engage more with non-Palestinian organizations, sympathetic to the cause of Badil. Popular organizations in western countries may potentially play an important role in shifting the opinion of major international players on the refugee issue and can also help Badil to get the strategic governmental support it needs to succeed in international fora such as ECOSOC and the Human Rights Commission.

Right at hand, the Donors of Badil form a group of solid Badil partners in the West. Some of them, such as DanchurchAid and ICCO are organized in international networks that have resources and facilities for advocacy, lobbying and campaigning at various international levels. Those are instruments that are not readily available to Badil APRODEV has not taken on the refugee issue, but there are other institutions such as the World Council of Churches that may be able to take on issues.

Also the organizations that support Badil have long standing partnerships with their governments which they use in order to facilitate advocacy. In many cases, such as the case of DCA, the funding to Badil comes from the government budget. Such relationships might be cultivated by Badil by providing briefings to Governments on the refugee situation as they did together with ICCO when they were in Holland for the RoR and LSN meetings.

2.4 The European Union and Western Governments

The EU has very little current policy on the Palestinian refugee issue. At the same time, it has been very principled in ensuring that its support to the refugees did not contribute to a de facto resettlement of the refugees. However, the only indication of policy regarding the refugees in the most recent policy document

from the commission on “EU-Palestinian cooperation beyond disengagement – towards a two-state solution” issued in October 2005 indicates a gradual change in this position:

“While not pre-empting the outcome of future negotiations, an independent Palestine can have no place for refugee camps. The conversion of camps into permanent dwellings will, however, require major investment. This is just one of many aspects of a just solution to the refugee issue which will need to be considered”⁴.

The Canadian Government is responsible for the multilateral working group on the refugee issue, but in recent years has limited its activities to regularly holding technical conferences on the issue. In 2006, the (new) Canadian government voted for the first time against the Palestinian refugees’ right of return at the UN and has been the hardliners front runner in the financial and political showdown with Hamas after it formed a government in 2006.

Like most other actors, Wolfensohn’s Team (special envoy of the Quartet) did not deal with the refugee issue - not because it was not important, but because of a lack of capacity to deal with current crisis and long term issues at the same time.

Awareness of Badil’s work and publications among members of the international community was high with individuals who had worked with the refugee issues before, and very low with those who had not. All interlocutors felt that the refugee issue was a crucial element in a sustainable peace and involves durable solutions including return. This would require a long term investment and effort. Few believed that the issue would get the necessary attention in the years to come. Those who knew Badil’s work commended its high quality research and the importance of its work. As one person said: “Organizations like DanChurchAid and Badil will just have to keep raising the issue by campaigning and going around meeting people”. The only government actor we spoke to who was proactive on the issue was the Swiss Government.

Donors as Partners

A European organization which supports a campaigning organization like Badil would also have an interest in engaging its own membership. The campaign for

⁴ http://europa.eu.int/comm/external_relations/gaza/news/ip05_1224_en.htm

refugee and residency rights has a rich potential for engaging memberships. Residency right and oral history activities, the book about Lubya, Nakba-commemorations, land-day commemorations, the ADRID-marches and the wandering exhibition on life in Palestine before 48 currently under preparation by Mahmoud Issa together with the Danish National Museum all have a high human interest element and can be used for activities that engage and directly involve the membership of broad based organizations in Europe (Denmark in the case of DanChurchAid).

None of the Badil donors currently explicitly campaign for the right of return but some said that if/when the unilateral separation would be implemented – and thus the settlement and wall issues lost - this would become the new focus for campaigners. Considering the low level of awareness in Western countries, both among decision makers and the general population, of factual information related to residency and refugee rights in Israel and the OPT, there is an opportunity for coordinated information campaigns and calls for respect of international legal instruments.

UNRWA Donors

The European Union and its member states, as well as a number of other countries, mainly engage with the Palestinian refugee issue as donors to UNRWA. EU is UNRWA's biggest core donor (total EU contributions to UNRWA in 2005 were around 140 Meuro) while USA gives large support to programmes.

The European Union and European donors are pushing for comprehensive management reforms in UNRWA. EU and Switzerland also emphasize improved programme quality through the introduction of rights based and participatory approaches, better needs assessments and the systematic use of planning and monitoring tools that would bring UNRWA in line with the standards of other UN agencies.

The EU has been pushing for policy and decision making, including that of UNRWA's donors, to be informed by refugee representation. In this context it has been pushing for the participation of NGOs and other agencies in the donor meetings.

The EU has been identified by Badil as the international actor most likely to

support Palestinian refugee rights including the right of return. While on one hand EU has provided very substantial financial support to UNRWA, it has not taken any active role in promoting the rights of refugees. The European Union is aware of the existence of Badil and the press department receives the Badil press releases, but no direct dialogue or meetings have taken place.

Recommendation: The evaluators believe that briefings by Badil could help to inform EU and European countries' policies on the refugee issue, draw their attention to relevant Badil publications and provide a valuable source of information about developments in the refugee community.

Many of the diplomatic missions to the PA handle relations with UNRWA on a day to day basis but policy on the refugee issue, which is considered regional, is handled in their capitals. Government involvement also suffers from the fact that the refugee issue is not seen as an important concern for their diplomatic missions in the host countries in the region. A few, Canadians and Swiss, have regional portfolios, handled by regional offices in Amman. Few if any have a developed long term policy for the refugee issue. The Swiss Government has produced a comprehensive policy which will be published within the next month.

As a result of pressure from donors, including the EU, the last donor meeting in UNRWA, which took place in November 2005, had participation from a small group of Palestinian and International NGO's, including AIDA, Care, PRCS and the Welfare Association. According to donor participants whom we spoke to, none of the NGO-participants played an active role in informing the meeting. Remarkably, neither Badil nor any of the other specialized Palestinian NGOs working on the refugee issue were present.

The evaluators believe that the lack of participation of refugees in the fora taking important decisions, including lack of contact between donors and refugees, affect the quality of their decision making. Badil could play an important role in contributing to fill that gap by contributing information and insight to participants in the donor meeting based on its research and on its connections to the grass-roots in the refugee communities. The evaluators would like to encourage international donors to UNRWA to request the inclusion as a consultative body of organizations that are intimately familiar with the refugee issue and work on the basis of representation, including Badil.

Due to the fact that the refugee issue is currently mainly dealt with by the

international community in the framework of support to UNRWA, the evaluators believe that pursuing dialogue with UNRWA donors on an individual basis is central, both to increasing awareness of and interest in the refugee issue, and promoting possible scenarios for a just solution and improving the situation of refugees in the short and medium term.

The campaign against the campaign

A number of Israeli organizations systematically fight what they view as attacks on Israel from organizations and institutions promoting human rights and international law in the Middle East. One such organization is the “NGO – monitor”. This organization claims that Badil: “- Engages in promoting politicized and ideological agenda using distorted history of Palestinian refugee issue and adopting the language of demonization. - Refuses to recognize Israel as a Jewish state while actively promoting the ‘right of return’ in order to destroy the Jewish character of Israel. - Uses UN resolutions selectively in order to promote its agenda”⁵. The evaluators have reviewed the article by NGO-monitor and found the criticism to reflect the political position of its authors that Israel should be a safe haven only for Jews not for its Palestinian inhabitants, a lack of in-depth knowledge about the wide range of issues included in the research and activities of Badil, and an intention to discredit the issue of refugee return from any possible perspective.

The following quotation from a letter from the Head of the EU-delegation in Israel to the Director of The NGO monitor in response to an article about the European Unions human rights projects gives a good general picture of the quality of the information provided by the website. He wrote:

“The conclusions reached in your article are based on information which is either inaccurate and tendentious, or even worse - on information which has been distorted”⁶.

Why has the NGO-monitor then been relatively successful in diverting Badil’s application for consultative status with ECOSOC?⁷

- The use of misinterpretations, information taken out of context and labeling with words such as “politicized” is difficult to detect for someone, who is not intimately familiar with the issues, documents and institutions concerned.

⁵ www.ngo-monitor.org

⁶ www.ngo-monitor.org

⁷ BADIL was granted status with ECOSOC in January 2006

- The sensitivity of the international community to any allegation of anti-semitism makes decision-makers cautious – thus raising a doubt maybe enough to make people nervous.
- Badil is not well known – even by the governments who are in fact its back donors.
- The NGO-monitor cooperates with Israeli government representatives, who are not afraid to accuse organizations like Badil of “supporting terrorism” without substantiating their accusations.

2.5 Israeli Society

For most Israelis the mere mentioning of “right of return” shuts off any further discussion about the refugee issue. Angst, anger and insistence that the mere idea of return equals the destruction of Israel are the most common reactions encountered.

The director of the Economic Cooperation Foundation characterized Badil as “war mongers”. The reason being that “the right of return” frightens the Israeli public and leads to even harder positions on the issue, and that Badil is not part of the “common ground” for the peace process. And indeed the *raison d’être* of Badil is that it is not satisfied with the composition of the current “common ground”. Badil believes that the peace process should be based on international law, and that refugees and civil society should be represented in the process.

The ECF director felt that Badil should formally recognize Israel's right to exist. Badil says: “Jewish-Israeli society has not played an informed and substantive role in the search for non-discriminatory alternatives to Zionism, including a rights-based solution of the Palestinian refugee question. The Israeli public is misinformed by an official information and media policy which hides and distorts historical facts, dismisses international law and UN resolutions as enemy propaganda, and encourages public fear of ‘millions of Palestinian refugees aiming to return, in order to destroy Israel’ and the livelihood of its Jewish citizens”.(Badil Project proposal 2006) The ECF director explained that, this discourse from Badil equals denial of Israel's right to exist and of the Jews' right to self determination.

As a matter of fact, Badil has published a research paper that examines the

relationship between Israeli rights and the Palestinian rights of return. The research does not indicate that Jewish self-determination in Israel would annihilate the right to return and property restitution of Palestinians nor that the right of return equals the destruction of Israeli society or the State of Israel. The research points towards a solution taking into account the rights of both refugees and secondary occupants of refugee property.

One of the persons interviewed found that Israeli politics across the board seemed to have hardened regarding the refugee issue in recent years. Another confirmed that there is a kind of “Oslo syndrome” which makes it difficult - perhaps even illegitimate - to discuss the final status issues. In the current situation the discussion and dialogue needed in order to pave the way for the necessary compromises on the refugee issue hardly takes place on any of the sides. The growth of the debate on the return issue in Syria is perhaps an important exception. (pls. refer to the section on Syria).

Indeed, even to ask Israeli interlocutors to qualify why no refugees can be allowed to return, seems difficult, as it is very much an emotional issue. Mostly, the answer given is simple: “Israel will never allow that.” Some argue that taking refugees back will make it impossible for the Jews to “rule themselves” and thus to have national self-determination, or for Israel to provide Jews with a “homeland” and be “a safe haven for the Jews”. But as one interlocutor stated, “in a way it is contradictory that we are ready to absorb 250,000 Palestinians in order to include Jerusalem in Israel, but we cannot envisage taking back even a symbolic 10.000 refugees from Lebanon”. The dominating emotions are fear, but more complex feelings may also be involved – some clues may be found in this student paper written by Noa Kram, an Israeli woman who volunteered with Zochrot:

It was not an easy experience; I heard and saw things that were difficult for me. I felt angry, ashamed and frustrated but I had no doubt that I was doing something meaningful and important. My experience working with Zochrot forced me to confront the fact that my home is built on the expense of other people's homes, life and history. And this is not an easy thing to do.... My experience with Zochrot and the personal connection and relationship I had with Palestinian refugees shifted my own understanding of the 'refugee problem' and the 'right of return.' For me, being able to have conversations with myself, with Jews and Arabs and others, about the right of return is an empowering experience; I face and deal with difficult and relevant issues, rather than let my fears control myself.⁸

⁸ www.nakbainhebrew.org

Opening a discussion about return of refugees, opens the Pandoras box of questions of justice, truth and guilt that essentially form part of a reconciliation process. In the current context of continued hostilities, very few individuals are ready to open that box. It also opens up debates about issues such as human rights, nationality and racism in Israel.

Zochrot is an Israeli organization which believes in the need for Israel to come to terms with its own history through increased awareness of the Palestinian Nakba and the destruction of Palestinian villages.

Zochrot is one of the partners of Badil inside Israel, others are Adrid and the Emil Touma Institute. The evaluators find this cooperation very important. Unfortunately two planned projects involving cooperation with Zochrot were not implemented in 2005 due to lack of funding. Evaluators would like to encourage donors to support such projects and also try to find funding for organizations working on awareness of Palestinian refugee rights in Israel.

The Legal Support Network (LSN) recommended that Badil work on the development of realistic rights-based scenarios that explain how in very practical terms return can take place. The intention is to contribute to a heightened level of debate and increase the credibility of campaigns and advocacy in the eyes of decision makers. This could be a very big step forward to promote public and international debate about refugee return and restitution.

Badil has excellent possibilities of contributing to the development of such tools and messages by working on the basis of its research results and using the same methodologies to develop:

- 1zs. Return Scenarios for different solutions;
2. Easy access information and documentation on the human rights situation of Palestinians in Israel, governmental practices and functioning of the legal system;
3. Q and A on the relationship between right of return and anti-Semitism.

The LSN discussed a call and campaign for the democratization of the state of Israel and abolishment of discrimination, which is in fact a precondition for the long term success of both the one- and the two-state solution. Equal rights would also have to be an element in the demand for the right of return. This would require an effort by the Palestinians – and Israeli human rights activists - to document and expose discriminatory and un- democratic practices of that state

and of its legal system. In particular, it is important to conduct such advocacy by the use of a vocabulary that is internationally recognized and designed to mobilize support and win over supporters, rather than reinforce differences and entrenching opinions.

2.6 UNRWA

The single most important institution influencing the life situation of the majority of Palestinian refugees is the United Nations Relief and Works Agency - UNRWA. Many of the refugees – including UNRWA staff met during the evaluation - expressed the impression that UNRWA's role is to guarantee the refugees' right of return. Few had a high level of awareness of what is actually UNRWA's mandate. For this reason, despite dissatisfaction with the functioning and service of the agency, refugees were very protective of UNRWA and weary of the risk – often repeated by UNRWA staff – that the agency would be closed down in an attempt to scrap the refugees. As one refugee put it: "UNRWA is a monument of the suffering of the Palestinian refugees".

The mandate of UNRWA does not describe in clear terms a protection mandate for the organization and protection has not been at the forefront of the agency's activities,⁹ although the services delivered by the agency have contributed to fulfilling some of the protection needs of Palestinians. Resolutions passed by the UNGA over the years have also increasingly requested UNRWA to take on a protection role. This particularly concerns the Occupied Palestinian Territories.

Arguably all UN-agencies, including UNRWA, have an important protection role when it comes to human rights. The secretary General stated in his 1997 programme for reform that "human rights are a concern that cuts across the entire UN-system", and in his 2002 report he stated that "the promotion and protection of human rights is a bedrock requirement for the realization of the Charter's vision for a just and peaceful world".

In this light it gives rise to concern, that a senior international UNRWA staff in Lebanon informed the evaluators that: "We have nothing to do with human rights", and that it is "not our job to advocate with the Lebanese Authorities for the civil rights of refugees".

⁹ A paper analyzing UNRWA's role and Mandate in Protection of Palestinian Refugees was delivered by the Head of the International Law Division of UNRWA at a Conference organized by the Aidoun Groups in Syria and Lebanon in Cooperation with GAPAR in Damascus in December 2005.

UNRWA in Lebanon does have a child rights programme in its schools and, through lending the space of its women and youth centers, supports a British Embassy funded, NGO-implemented programme on women's empowerment. NGOs in Lebanon informed the evaluators that the child rights programme had come about after publication of supplementary NGO reports on the rights of the Palestinian child in Lebanon which also urged measures from UNRWA to ensure that children's rights were not violated within its programmes.¹⁰ Similar violations have been observed in some UNRWA schools in the West Bank and Gaza and empowering the community to address such issues could be an important role for Badil.

In the past year UNRWA has increasingly worked towards conceptualizing its role in protection and has decided to strengthen and structure this role by including in its staff a protection expert charged with developing a protection strategy for UNRWA. Badil has played an important role in feeding this process through its research and advocacy for refugee rights.¹¹

UNRWA and UNHCR are developing cooperation on technical issues in relation to protection of Palestinian refugees. But in view of the recent decision to introduce a coherent protection effort – the strategy is not yet finalized – the current reforms in UNRWA and the agency's lack of experience in implementing more comprehensive protection activities, the need for further technical advice and practical help from Badil and other organizations with protection expertise are needed in this process.

The level of awareness of Badil and of Badil research and publications varies enormously between UNRWA field offices and among field office staff. All senior officials (field directors) met were aware of Badil publications, used them as reference material (for example the refugee survey) and saw the work of Badil as important and beneficial to the work of UNRWA. None of the deputy field directors and other international field HQ operations staff met had heard about

¹⁰. The NGO's in the supplementary report on the rights of the Palestinian Child in Lebanon "strongly urge UNRWA to introduce the CRC as a standard practice for all its staff, particularly those dealing directly with children and more specifically its teaching Body. We further recommend the immediate incorporation of the CRC in all its pre-service and in-service training for UNRWA teachers.... Priority should be given to the UNRWA field office in view of recurring reports of the mistreatment of students. We also recommend the establishment of a monitoring and complaint mechanism available to all children and their parents."

¹¹. Interview with UNRWA HQ-staff February 2006

Badil or were aware of their publications. Generally Palestinian UNRWA field staff was aware of Badil but did not consider this relevant in relation to their work. Field staff working with the Neirab project in Syria were well aware of Badil's work, and were establishing a small library with refugee rights relevant literature (not only from Badil) in a community centre in one of the camps.

Recommendation: The evaluators also want to encourage Badil to initiate a dialogue with UNRWA about a consultative role for Badil – and possibly other NGO's working with the refugee communities – including in relation to the donor meetings. One such consultative function could be an advisory group on refugee protection, but certainly consultation on other issues, such as how to better reflect the needs and capacities of refugee communities in service delivery, would also be of relevance. Supporting community activist to monitor UNRWA service delivery and engage in rights based advocacy with UNRWA could be an important activity in community empowerment that would in fact support the ongoing reform process within UNRWA.

3. Participation and political representation

3.1 PLO

In 2004 the International Crisis Group described the situation of refugees – in particular those of the neighboring Arab countries - as a situation characterized by lack of representation. The factions of the PLO are not elected as representatives of the refugees, neither are the camp committees who tend to be appointed by factions and/or host governments. According to the Oslo Accords refugees and other Palestinians outside the occupied territories are not allowed to vote in Palestinian elections.

The structural link between the PLO Department of Refugee Affairs and the PLO executive is the General Director, who must also be a member of the PLO Executive Committee.

The activities of the Refugee Department include documentation (of the situation in camps, agreements, etc.) and collecting and providing the information necessary for the negotiators. They also produce some publications including a newsletter. They connect with the community through the Popular Committees which represent the PLO factions and were established in order to interact with UNRWA. The Department depends on these committees to carry out activities and projects and to assess the needs of the refugee community. Their activities are sometimes financed by the PLO and sometimes by donors. Attempts to obtain a small independent budget for the refugees within the framework of the PA have not produced results – but that may change with the newly established Ministry for Refugee Affairs.

On the other hand the PLO Refugee Department explained to the evaluators that the PLO is the sole representative of the refugees in both the occupied territories and exile and they did not seem to have any concern about their constituency and legitimacy. They also did not see an important role for the civil society of the refugees to be organized – rather they expressed the view

that NGO's take money and do nothing – as opposed to the PLO which has no money but is confronted with all the problems.

They saw Badil as a professional organization which has both research and popular advocacy, but they saw no role for Badil in providing a civil society representation for refugees. They have reservations about Badil. They associate Badil with the legal protection framework of UNHCR - which a senior official characterized as “an empty slogan”. The main reason is that Badil promotes choice between different durable solutions according to resolution 194. In the opinion of the PLO Refugee Department Badil should not interfere with the return issue.

While praising UNRWA for not interfering with the return issue, they see UNRWA as the sole legitimate international actor on behalf of the refugees – also when it comes to protection.

In January 2006 during the PLC elections in the OPT, Badil and the RoR coalition organized mock elections in several European cities as a protest. While the Palestinian refugees inside the territories participate in electing the PLC, the refugees in Lebanon and Syria do not vote in the national elections in those countries. They consider themselves part of the polity of the PLO. For this reason the weakening credibility and partial disintegration of the PLO has further contributed to the feeling of a lack of representation of the refugees.

The lack of representation and lack of influence on decisions affecting their life situations is further perpetuated by the fact that UNRWA does not apply participatory tools or methodologies based on rights in its programme implementation. The popular committees are far from providing sufficient opportunities for participation – women and youth in particular are underrepresented.

Since Hamas' victory in the elections on 25 January 2006, the refugee issue has suddenly moved higher on the Palestinian national agenda. It has formed an important element in Hamas' proposal for a government programme, leading to the establishment of a Ministry of Refugee Affairs. The evaluators believe that this is a reflection of the influence of the exile community in Hamas decision making through the Shura-mechanism. The PLO Refugee Department, however, interpreted this change as an attempt to alienate the exile communities and divide the refugee issue between those in the areas controlled by the PA – who

would have a spokesperson in the refugee minister and the refugees in exile who would not have a legitimate representative in this figure.

Increasing the representation and participation of refugees is the core of the Badil programme. Badil is focused on the PLO as the legitimate political entity for the representation of all Palestinians, including the refugees, and has been working hard to support its capacity on the refugee issue. However, the gravitation of power towards the PA since the Oslo accords, and the humanitarian and political crisis in the West Bank and Gaza have not strengthened the refugee issue and the PLO. Much will depend on the power balance between PA and PLO in the future. A crucial issue is whether the PLO will employ a democratic strategy to assert its legitimacy (as the RoR coalition has been lobbying for) or rely on support from external partners and the bad image of Hamas to reassert its role as the legitimate representative of the Palestinian people.

Badil has sought to promote representation by strengthening and building organizations that can represent Palestinian refugees and support their development into a global network = the Right of Return Coalition.

3.2 The Right of Return Coalition.

The Global Palestinian Right of Return Coalition (started in 2000 on the basis of the desires expressed during the popular refugee conferences in the 1990's for coordination between Palestinians in the homeland and in exile for the defense of Palestinian refugees' right of return.) is a network of Palestinian refugee community organizations and NGOs in Palestine/Israel, Lebanon, Syria, Jordan, Europe and North America.

The RoR Coalition meets annually to coordinate its positions and activates. In November 2005 the RoR Coalition held its sixth annual meeting in Vlaardingen, Holland. Badil played an important role in organizing and funding the meeting, but logistic support was provided by the Dutch Interchurch Organization for Development Cooperation (ICCO) and the Al-Awda Palestine Network, Netherlands.

The most important messages coming from the forum were to keep the right of return at the core of the Palestinian public agenda, upholding the work of UNRWA, and improving the mechanisms for protection of Palestinian refugees until they can implement durable solutions based on their right of return.

The Coalition also called for the launch of preparations towards a broad public awareness-raising campaign around the 60th anniversary of the Palestinian Nakba in 2008, and concerted global efforts for campaigns of boycott, divestment and sanctions against Israel until it abides by international law.

The Coalition raised strong concern about the U.S.-led occupation of Iraq and Israeli efforts to destroy the territorial and socio-political basis of Palestinian statehood in the occupied West Bank and Gaza Strip. Israel's withdrawal from the Gaza Strip was seen by members of the Coalition as a tool for territorial disconnection while Israel's Wall under construction in the West Bank serves to annex Palestinian land.

The Coalition decided to launch a strategic debate among the Palestinian community around the world on the pros and cons of a new Palestinian strategy which combines the quest for implementation of Palestinian refugee rights with a one-state, rather than a two-state framework of conflict resolution.¹² (This was followed up by a debate arguing different viewpoints in the pages of Haq AlAwda and Al Majdal.)

The coalition plays an important role in seeking to establish a global legitimacy and representatively for the RoR campaign. However, it is also clear that the participants in the coalition are not necessarily representative of the refugee communities in the countries where they live. They represent groups who are interested in the RoR campaign and many of them are activists involved in campaigning and other activities in their own communities. The American Al-Awda has 28 chapters and a web-site. The European ror-coalition has 15 chapters that are more or less active. The RoR coalition by no means substitutes for political representation of the Palestinian refugees. Rather it campaigns for political representation of the refugees:

“Symbolic elections to the Palestinian National Council (PNC), the PLO's exile parliament, will be held by Palestinian communities in Paris and Brussels on

¹² The following organizations participated in the meeting: Association for the Defense of the Rights of the Internally Displaced in Israel (ADRID), BADIL Resource Center, Popular Service Committees-West Bank Refugee Camps, Popular Service Committees-Gaza Strip Refugee Camps, Union of Youth Activity Centers-Palestine Refugee Camps; Committee for the Defense of the Right of Return, Union of Women's Activity Centers-West Bank Refugee Camps, Aidun Group-Lebanon, Aidun Group-Syria, Forum of Community Organizations in Palestinian Refugee Camps-Lebanon, European Confederation for the Right of Return.

25 January parallel to the Palestinian Authority's second round of elections to the Palestinian Legislative Council (PLC) in the Israeli occupied West Bank and Gaza Strip (OPT). The symbolic elections aim to raise public awareness of the exclusion of over half of the Palestinian people from the internationally-sponsored process of Palestinian political decision making applied under the terms of the Madrid-Oslo agreements between Israel and the PLO."¹³

Badil played an important role in supporting the establishment of the Global RoR Coalition. The coalition still depends on the resources of Badil for the preparation and organizing of meetings, for funding meetings and initiatives, and for establishment and maintenance of its website. Since the establishment of the coalition, Badil has attempted to encourage and empower the coalition to become independent.

The coalition has not been very successful in establishing a sustainable funding base of its own, and the activists who are currently most active find it difficult to take on the management of the coalition, in addition to their regular jobs and ongoing advocacy activities. Palestinian refugees overall are not a rich constituency. Some Palestinian business people are sympathetic to the cause, but they are hesitant to be in a situation where they must pay a contribution every year. They prefer to invest in creating a stable funding source for the campaign and such possibilities are currently being explored.

One opportunity for the RoR coalition to become stronger is to increase its membership by allowing more organizations to join. In order to facilitate this development the coalition has debated the criteria for membership. One of the challenges is how to strengthen the relationship with organizations that share in the cause of the RoR coalition, but do not necessarily represent refugees.

Badil has promoted the Civitas project which is a project hosted by Oxford University that promotes democratic civic refugee representation and reinvigoration of the PLO.

Badil has also supported financially or technically the activities, establishment or consolidation of numerous other organizations such as ADRID, the Palestinian Right of Return Coalition, the European Right of Return Coalition and the Aidoun Groups in Syria and Lebanon, as well as smaller community initiatives and organizations in the West Bank and in a few instances also in the Gaza Strip.

¹³. Press release from Badil 2006

3.3 West Bank and Gaza Strip

One of the recommendations of the popular refugee conferences in 1995/6 clearly reflected an urgent need to establish a specialized NGO that could, on one hand, address and sponsor legal and political refugee rights and, on the other, develop a strategy that can protect such rights.

Critical issues were raised during the conferences, such as the lack of democratic representation by the Popular Committees in camps and the absence of specialized organizations that could advocate for refugee rights together with the refugee community. It was raised that legal and political research and documentation and the use of different advocacy tools could impact the national and international bodies and communities - and at the same time involve the refugee community through the transfer of knowledge about how to advocate for their own rights, mobilize the refugee community, lobby and get involved in the different political activities to safeguard their political rights, and organize different sectors of the community to use the information and generalize it. Other critique related to the disconnection between NGOs and the community.

The above put pressure on Badil to become an organization that is relevant to the community and responsive to its needs through both its organizational structure and program. For example, its organizational structure emphasizes the principle of representation and so its General Assembly (GA) is a body that represents activists in the camps, political groups and (Palestinian National Council members (PNC), hence guaranteeing political continuity. Their board is elected from the GA.

With regard to the program, Badil supports the community either through education campaigns and consciousness-raising on refugee rights, through training courses, or support of small activities, such as responding to emergency needs, building classrooms, language courses, computer literacy, etc. Although they are not tied organically to the campaign, such a support can make Badil relevant and effective in the community. While Badil takes legitimacy from such activities that respond to community needs, it is not very clear whether such activities become entry points for lobbying or advocacy for refugee rights. It seems that such activities may not be strategic enough to integrate refugee rights. Through specific awareness raising activities, notably the Nakba commemorations, training of activists, and through the popular bi-monthly

newspaper Haq al Awda, Badil advocates for refugee rights and disseminates some of the information that is useful for the refugee community to mobilize and lobby for their rights.

Another principle of Badil's program is the linking with policy makers including the PLO. Badil has been working with the grass-roots to pressure the policy makers on both the local and international levels. Palestinian officials and political parties in general have not been brave enough to address refugee rights, they stick to slogans and justify failures with explanations not based on a strategy.

3.4 Jordan

The High Committee for the Right of Return is a contact point for Badil. The committee is not an NGO but a coalition of refugee representatives and political parties. The committee is highly concerned with the political rights of refugees.

Jordan has a unique situation as Palestinian refugees make up almost 60% of the Jordanian population. 600,000 – 800,000 refugees are from the West Bank who fled after 1967 war. Most of the refugees, except those from the Gaza Strip, have been granted Jordanian citizenship. In Jordan there are 15 camps, 10 of them under the auspices of the UNRWA.

Palestinian refugees in Jordan on one hand defend their rights as refugees, on the other they play a role in Jordanian politics. Although the Palestinian refugees have Jordanian citizenship, they do not enjoy same rights under the law. For instance, they cannot serve in the military or security forces. Politically, their influence is limited through a complicated system of under-representation and, according to the High Committee, state policy is discriminatory and does not treat Palestinians as equals.

According to the High Committee, refugee normalization (host country integration) is a political rather than economic or social phenomenon, and as the Jordanian government has become the refugees' only representative and the PLO is no more part of their political life, the refugees may lose their political identity.

In Jordan, it is difficult to work as an NGO with the refugee issue due to the tight regulations of the Jordanian government which controls the camp life and limits the space for advocacy.

3.5 Lebanon

Discussions with different NGOs including members of the Coordination Forum of NGOs Working Among the Palestinian Community were held and the following issues and conclusions have been reached:

One of the issues raised in both Jordan and Lebanon was the ownership of the right of return. Who has the right to advocate and protect the right of return, the political parties or the NGOs?

There is a big generation gap in the discourse and vision of how to address the right of return. The old generation represented in the popular committees and the political factions have been addressing the issue in a classical and old fashioned way, i.e. in terms of physical return to their homeland and farms, and have not left any space for advocating for civil rights as refugees in the hosting countries.

The younger generation, however, had a different way of representing return, a vision that was more operational. They were more creative and less emotional in addressing the return. Return to them was not physical, neither was it expressed as the experience of a deadlock ; they opposed the old generation's style of putting their lives on hold and refusing to make any improvement in their living conditions. The young look at the return as an opportunity that can come later and they have to be prepared for it; it imposes on them responsibilities and duties that can empower them to become useful and active persons and future citizens.

Recommendation: All the participants wish that Badil could become more practical and responsive to the needs of the refugees and make their research and campaigns more relevant to people's immediate needs.

The new approach in promoting and advocating their rights is through attaining civil rights until return, a slogan that the young have used to reflect their understanding of their rights in a comprehensive way. Refugee rights are human rights and hence they should not be separated but should be complementing each other.

They all have common understanding of the importance of UNRWA's existence and see it as a legitimate body to address refugee needs and political aspirations. Although they do not evaluate UNRWA positively, they see its continuity as

representative of the political rights of refugees. There was some confusion, even among UNRWA staff, about what is in fact the role and mandate of UNRWA in relation to the right of return.

Recommendation: Most of the organizations met did not know Badil and its activities, so one of the recommendations was to send pamphlets or brochures on Badil to all camps so that their work becomes familiar and useful.

In Lebanon, the Aidoun Group was established in 1999 and it consists of intellectuals, activists, academics and researchers. Their first contact with Badil was in 1998. They believe that Badil should be more active in researching the refugee community in Lebanon, especially since Badil is not conducting any research on refugees in exile.

Aidoun is part of the NGO Forum in Lebanon that has a partnership with Badil, and so is PARD which currently represents the Forum in the RoR coalition. Apart from Aidoun the members of the forum are mostly focused on social and economic rights issues including, while some of their activities and workshops reflect the right of return and Palestinian heritage.

The NGO Forum has opened a dialogue with the Lebanese government regarding the poor conditions of the Palestinian refugee communities in Lebanon. They have tied the right of return to civil rights of the refugees, because although refugees are not granted citizenship, they are residents and should enjoy civil rights. This dialogue with the government is new.

They criticized Badil's policy of dissemination of publications. They think that more efforts should be put to distributing the materials and especially the popular magazines. They also proposed the idea of producing learning materials on the refugee issues and the right of return through more field work and development of different case studies. One of the means of active learning they all talked about was a summer camp which was initiated by a network of 42 Lebanese, Palestinian and other Arab NGOs who met for 9 days in Cyprus. Through exchanging their experiences as Arab youth and Palestinian refugees they were able to better understand their deprivations and concerns.

They have also discussed the need to initiate coordination of youth groups who are already working among the refugee communities and who need to come together and enhance their work.

3.6 Syria

In Syria the refugees enjoy better protection than in the other countries in the region. Palestinian refugees enjoy civil, but not political, rights and equal access to most social services and employment. In addition to that, they have access to support from UNRWA. The level of poverty among Palestinian refugees is less than in Lebanon and the Occupied Territories, mainly due to the higher level of education of the refugees, including women also in the mature age group.

What is felt as the biggest problem in relation to the protection provided by the Syrian government is the lack of a travel document. This makes it difficult for Palestinians living in Syria to travel.

In Syria Badil's partner, the Aidoun groups, work on the promotion of durable solutions to the refugee issue based on the right of return and other refugee rights. Aidoun in Syria is established as a legally recognized NGO and has formal recognition from GAPAR, the governmental department in charge of the Palestinian refugees. The Syrian government supports the right of return for Palestinian refugees but pays careful attention to the activities of Aidoun. For example, Aidoun requires approval by GAPAR to engage in activities in the camps. Aidoun has formed a number of local groups in cities such as Aleppo and Homs in recent months, and generally the support and interest in its work among the refugee community seems to be increasing.

The activities of the Aidoun groups appear to be mainly of an intellectual nature. Especially in the new groups, the study of documents and discussion of the meanings and implications of the right of return are very important parts of the activity.

The Aidoun groups mobilize an elite within the refugee community. Hardly any women are involved in the groups, although the Aidoun Youth Group in Damascus does have some female members. The Damascus group is planning to start a women's group. In the group in Aleppo the participation of women in the group was an issue of serious debate. Aidoun groups appear to give space to persons of very different religious and political affiliations.

While Badil and the Aidoun groups in Lebanon rely on cooperation with other NGOs, the lack of such NGOs in Syria forces the Aidoun groups to develop a much more comprehensive outreach to spread the culture of right of return.

However, they have still not developed regular activities that appeal to large numbers of people in the refugee community. Oral history and folklore are the most prominent popular activities.

In addition to the Aidoun groups a lot of other return organizations have formed among the Palestinian refugees in Syria. Some were inspired by the Civitas project and most of them are linked to different political factions. Together they have formed a National Committee on the Right of Return. They want Aidoun to join this committee and they in turn want to become part of the Right of Return Coalition. The right of return seems to become increasingly popular among the refugee community and activists and the level of awareness of various aspects involved in a rights based approach was high among the activists.

Recommendation: They all express interest and at the same time a lot of reservations regarding Badil for various reasons, and there is a need for Badil to visit Syria and have time to explain its activities and vision and enter into discussions with the activists there. Haq al Awda is studied and appreciated, and some have also visited the web-site and are familiar with the research. There is a need for activists in Syria to develop a method of distributing the magazine in the camps in order to reach the majority of the people, who do not have access to computers and internet.

The Aidoun Groups have a close working relationship with UNRWA. UNRWA in Syria, as a result of a good working relationship between individual staff, such as the former Director of Operations in Syria, with GAPAR, is more advanced in relation to discussion and promotion of refugee rights than we found in the more adverse circumstances in Lebanon. In Syria there are examples of UNRWA activities, such as the Neirab-project, that use participatory methods and tools such as gender analysis in the project design.

3.7 IDP's in Israel

Adrid is the umbrella organization for 20 local village committees formed by residents of destroyed Palestinian-Arab villages located inside Israel/1948 Palestine. Adrid fights for the right to return, property restitution and compensation and access to maintain religious sites in the villages. The exact number of internally displaced persons is not known, but it is estimated to be some 250.000, i.e. approximately one quarter of the Palestinians living in Israel.

Currently residents are deprived of the right to return to their villages and lands. Some were displaced twice in 1948 and again in the 1950s. A few even obtained rulings from Israel's high court to the effect that they should be allowed to return to their villages, but these rulings have never been implemented. Under Israeli law they are considered as "present absentees". Their property, and the property of all refugees, were initially transferred to the "Custodian of Absentee Properties" and were then used as state properties. Some villages are completely destroyed, some are left to time and others are fenced off as military zones.

Adrid has organized visits and marches to the destroyed villages. Every year on the "Nakba Day" (Israel's "Independence Day") it organizes a march to one of the de-populated villages.

Adrid received important financial and technical support from Badil to establish its office and to hire a coordinator. Badil helped Adrid obtain a part of the Body Shop's human rights award in 2004 and ICCO is currently a donor to Adrid.

4. Organizational Development Support from Badil

One of the most visionary aspects and important achievements of Badil is its effort to help towards the development of other organizations and networks. Rather than seeking to become a very big organization that takes care of everything, it has aimed to help establish and strengthen a large number of organizations that could represent refugees' points of view and sought to connect and coordinate them through building and strengthening local, regional and global networks.

Also in the West Bank (primarily) and Gaza, Badil has been supporting community organizations in an effort to empower them.

Badil has proven very successful in supporting the strategies and quality of the work of partner organizations, mainly by furnishing information and information materials and by coordinating and organizing meetings. Furthermore, Badil has provided strategic financial support to activities or running expenses of organizations.

Badil has also been successful in helping some of its partners find international donors that could support them, for example ADRID and ZOCHROT. Some of the organizations that have been supported by Badil have difficulties with becoming independent of both practical and financial Badil support, and all those that have found donors continue to rely on funding from the same international donors as Badil.

Recommendation: The evaluators believe that the capacity building activities of Badil could be strengthened if Badil would develop a policy for organizational development based on its own experience and that of other actors working in this field. Such a policy document should clarify the concepts used by Badil (e.g. "empowerment"). It should clarify how Badil understands institutional sustainability and how it is best enhanced. It could also consider how the tools used by Badil – such as financial contributions to activities - contribute

to empowerment rather than create dependence, in light of the fact that organizations in the region have difficulties to carry out activities without access to donor money – from Badil or elsewhere.

5. Agenda Setting in the Palestinian Civil Society

While agenda setting in Palestinian civil society and influencing the agendas of other NGO's is part of Badil's objectives, it was clear from the different interviews that Badil has a problem linking and developing partnerships with other Palestinian NGO's - especially human rights NGO's. This has to do with the nature of their programs and political reasons. Major local human rights organizations have not dealt with refugee issues and refugee rights and it seems that the nature of grants and donor policies have prohibited or discouraged the promotion of refugee rights as an integral dimension of human rights. Yet on the other hand, it was also the organizations themselves who took a position not to address refugee political rights in order not to jeopardize their funding, and at the same time present an image of being objective and not political to the international community.

Furthermore, because refugee rights, and especially the right of return which Badil focuses on, are considered by many as political and have not been well hosted in national agendas due to political reservations, linking with Badil has been seen as problematic.

We learned in one of the interviews, that Badil applied in 1998 to become a member of the Palestinian non-governmental forum PNGO but were told that one of the problems was that they have officials in their board and that this violates the PNGO statute. PNGO later told Badil to consider themselves members and that their application was being processed, but they have not yet been granted formal membership. In addition, Badil's possibility to impact on the mainstream of the Palestinian NGO community is weakened by the location of their office and the composition of the GA; their presence is stronger in Bethlehem area and the northern West Bank, and not in the Ramallah area where most of the influential NGOs are located.

Badil seems marginalized within the local NGO establishment. For an organization that aims to put refugees on everybody's agenda this is not a good

position. Also this may exclude them from some of the information in other coordination fora such as AIDA – the forum of International NGO’s – even if Badil does participate in AIDAS International Humanitarian Law Forum.

One example of Badil’s strategy was to start the Badil Refugees Right Campaign by linking with existing NGOs to initiate a network of NGOs that can work on refugee rights, but this did not happen for political reasons. It was clear from the analysis of the interviews that there is a rigid framework of bigger human rights organizations focused on the West Bank and Gaza where the refugee issues do not fit.

There has been a recent improvement in the mainstreaming of refugee issues and rights in the Palestinian NGO community through a coalition of 10 local NGOs working in the field of advocacy (OPGAI) and the BDS campaign which have brought together a network of NGOs where refugee issues are being represented by Badil.

We have chosen to interview two NGOs, one is a human rights organization and the other is an NGO that works specifically on refugee issues, in order to explore the impact of BADIL on the civil society at large and other NGOs in particular.

Al-Haq

In relation to other human rights organizations like Al –Haq¹⁴, Badil’s position was that the relationship between them and Al-Haq has not been very cooperative. Such organizations have not represented refugee rights because they labeled them as political rather than rooted in international human rights and humanitarian law. A conference organized by Al-Haq in 2005, for example, which dealt with final status issues, did not include the refugee question, although this issue, especially the right of return, is one of the most complicated issues of the final status negotiations.

This was confirmed in our interview with Al Haq. They said that there is no active relationship with Badil, because the agendas and programs

¹⁴. There is no authoritative list of human rights organizations in Palestine, the Alternative Information Centre quotes 8 including Badil. The Euro Mediterranean Human Rights Network has 3 Palestinian members (not the same), another website lists 21 Human Rights organizations (not including Badil) working in Israel and Palestine. Al Haq is relatively big and well known.

are different. Al-Haq emphasizes violations of human rights and does not advocate for refugee rights. They do not consider the refugee issue part of the human rights agenda. Their program includes three sub-programs, one is on war crimes, the other is about documenting Israeli violations and ensuring the implementation of international conventions (Geneva Conventions) regarding civilians under occupation, and the third is advocacy for the development of Palestinian Legislative Council (PLC) legislation that meets international human rights standards. It is policy oriented towards the Palestinian laws in order to impact the laws and make human rights an integral part of the Basic Law. They considered the programs different from and irrelevant to the work of BADIL and therefore saw the lack of cooperation and connection as justified.

Another issue raised in the interview was the distance and location of Badil which to them is far and makes a continuous relationship impossible. Yet, with regard to the use of Badil's publications, they said that they see them and read them as staff, but they do not use them, because they are far from their immediate interest and work as a human rights organization. Another explanation was that they do not want to duplicate the work of Badil.

Shaml

Regarding relationships with other NGO's that do address refugee issues these are very few, and Shaml is the best known, however the issues are similar, but there is a different explanation regarding the possibility of coordination or the use of Badil publications. Shaml is an independent NGO that is dedicated to research of issues related to Palestinian refugees and the Palestinian Diaspora, and it represents a resource center on Palestinian refugee issues. It shares objectives, such as: raising public awareness regionally and globally about the conditions of Palestinian refugees and the Palestinian Diaspora, their basic rights, problems and difficulties; primary research on refugee issues in Palestine and elsewhere, including comparative research; and, enhancing the formulation of a coherent long-term policy for Palestinian refugees. Still, their connection with Badil is minimal or absent.

Shaml's explanation for the absence of relations has various levels. On a program level, their target groups are different. Their understanding of BADIL is that they target the people and the masses and they work as advocates for refugee rights in form of popular mobilization and campaigns, while Shaml's target group is

more the elite and the academia. Hence it is Shaml's understanding that Badil should benefit from their research - not the opposite.

They also said that in their Oral History Conference, which should have been of interest to Badil, Badil did not engage in any way. They think that this is due to the cultural habits of the NGOs; they do not like to interfere in each other's work, and hence, each one stays isolated so as to not engage in any kind of competition. Although Shaml deals with the right of return, they deal with it in a scientific way and not in a lobbying style. They base their work on studies, especially comparative studies of different refugee communities in the Palestinian territories and the Diaspora.

Yet, Shaml thinks that there should be more cooperation with BADIL, and that more joint meetings and initiatives should be built among them, so that their joint efforts can have a stronger impact on the improvement of the Palestinian refugees' living conditions. They think that BADIL should activate itself within the Palestinian civil society because it is isolated, and that Badil should attend PNGO meetings which can initiate continuous relationships with other NGOs. They recommended that more efforts should be put into forming a legal committee representing different human rights organizations which could coordinate joint activities and advocate for human rights, including refugee rights.

The evaluators have not been able to meet neither the members of the PNGO secretariat nor the executive. One of the reasons was their involvement in the PLC election and post election politics as several of them ran as independent candidates. From the interviews with NGO members of PNGO it appears that they believe that Badil is a member of PNGO and is invited to all the PNGO meetings, but never comes.

Recommendation: Evaluators suggest that Badil take active steps to clarify its status with PNGO and that it seizes the moment to cooperate with Shaml to put refugee rights more firmly onto the Palestinian refugee rights agenda.

6. Reconstruction and Development

While Badil does not see itself as a development organization it is clear that modern theories of development consider increased rights awareness and capacity for advocacy as very important aspects of social development. In chapter 7 we discuss the potential of “the Right of Return” as an empowerment tool.

An important achievement of the new “Right of Return culture” is to disconnect the right of return from continued human suffering and unacceptable living conditions. Rather than poor living conditions serving as a tool to increase sympathy from the international community and ensure attention from UNRWA and thus enhance the chances of the rights of refugees eventually being fulfilled, it seems that deprivation increases the chance that such deprivation will continue and further alienate the refugees from their rights. One reason is that the refugees then fall into the category of recipients of humanitarian aid, and are judged by the standards applied in acute disasters (nature or man made), rather than by standards that befit people who have been in a national political deadlock for generations. Furthermore as the International Crisis Group observed in its 2003 report on the refugees and the peace process: “There is every indication of a strong correlation between poor camp conditions and rising militancy”; obviously such a situation does not promote a peaceful rights based approach.

The most active partners of Badil are those who are also involved in development of the refugee community, including institutions and the human capital of the refugees. This goes hand in hand with making return, or any other durable solution, a real and sustainable possibility. For this reason it is not surprising that the evaluation¹⁵ of the 2002-3 Badil Emergency Project (reconstruction and income generation) was positive and recommended further involvement of Badil in such activities.

¹⁵. Undertaken by Oxfam

The evaluators believe that it was right of Badil to let the Board form a special committee and to take responsibility for this kind of activity, rather than not taking it on at all, or adding it to the regular programme. This shows that Badil has the capacity to deal with such decisions. In the future, if the push for such activities increases, new debate about how to handle them may become necessary.

7. Tools for Popular Advocacy

The right of return has important potential as an empowerment tool that creates hope for a better future among refugees currently living in very difficult conditions. The Right of Return can motivate them to improve their lives. The most successful examples we saw were those which linked right of return activities with activities aimed at promoting other rights and with efforts to improve the life situation of refugees in the short and medium term.

They include the al-Rowwad (Pioneers) Center in the Aida Camp, Bethlehem district, where Badil has supported the training of Palestinian youth to represent their issues and rights through theater, drawings and other popular tools. In a discussion with the youth we realized that the level of awareness of their rights and the tools that they use to raise the consciousness of the public are very innovative. Although they have expressed their dreams of return, yet, they have pointed out also other rights that should be actualized to make their dream come true, such as education, as one of the main tools.

In the same context, they also indicated that they have other rights and that the right of return is the umbrella for all the other rights. They see their rights as inseparable and interrelated. One of the unique comments they made was that the camp has constructed their identity and awareness and hence they still would like to maintain their physical connection to the camp even if their right of return was to be realized. They cherish the camp that has embraced their existence and fulfilled their aspirations, it has taught them strategies of survival and steadfastness, and hence it should be cherished. To them the right of return should not only mean actual return, but living in dignity and freedom to choose. It is not necessarily a question of return to the original place, but it is to be able to remember the historical events while being free from ongoing humiliation and injustice that can transform their identity from refugees to citizens.

Another good example of empowerment through participation is a community center in Shatilla camp in Lebanon which caters for youngsters of both sexes

and enhances their opportunities in improving their life conditions and choices. Through its activities, the children revive historical events and raise their consciousness of their political and civil rights. Through its community courses, the center empowers the young and children to cope with the hardships of life in a camp that was destroyed completely by the Lebanese forces in 1982 and has now 18,000 inhabitants who live under severe socio-economic conditions. The center has a library, and it conducts training workshops for those who need additional academic support due to the low quality of education in UNRWA schools, which they described as a producer of hidden illiteracy. The center offers remedial courses to strengthen children's competence in languages and other academic areas, such as math and sciences. It also serves as a meeting place for the young people, where they discuss daily issues and review documents and books available in the library of the center.

The center recognizes Badil's role in documenting refugee issues and rights, but at the same time the director critically expressed his concern regarding the issue of overlap, and/ or the inability of different organizations to pool their resources for coordinated activities.

Less successful Badil activities (also in the eyes of Badil) included a more academic refugee rights awareness and advocacy training programme targeting high school and university students to develop them as activists. The programme was implemented in 2005 in cooperation with consultants from Bir Zeit University. The programme appeared academic and not action oriented, and would not lead to increased representation of vulnerable groups among the refugees. The programme seemed more fit to help the participants qualify for a job with UNRWA.

Recommendation: The evaluators would suggest that Badil start working not only on the right of return but also on other protection issues for the Palestinian refugees. This has not traditionally been the role of Badil, and Badil rightly does not claim any capacity or experience in community protection work. But for the right of return to be seen as relevant and attractive path by the majority of the people, more immediate targets need to be involved. Badil had the following comment to this recommendation: "agreed, but it should be noted that we have put a lot of effort in conceptualizing the appropriate legal framework for launching concrete work for protection rights of Palestinian refugees. This because it is a quite complex matter, in legal and political terms, to ensure that protection efforts remain consistent with the rights of Palestinian refugees in the context

of durable solutions based on their right of return. A rights-based approach to protection and the right of return should guide UN agencies, international and local NGOs, and we do see that BADIL has a role here. BADIL can provide, and has already provided, conceptual guidance to other organizations wishing to develop concrete protection programs, while Badil can learn from others about appropriate practical tools and projects. We are on the way, but not quite there yet.”

Recommendation: Child rights organizations have been working on rights based mobilization and involvement in advocacy activities in recent years. They have developed the most advanced tools and experience for the involvement of marginalized groups in advocacy. Already some of the best refugee rights activists that we met during the evaluation were working with the empowerment of youth and children. Badil has identified youth as the target group for its advocacy training programme for 2006-8. On this basis Badil should seek closer cooperation with child rights organizations such as Defense for Children International-Palestine Section, who have a programmes to involve youth and children:

“A key component of DCI/PS projects and programs is direct work with Palestinian children, including programs to increase children’s life skills, awareness of their rights, and to promote their active participation in the community. Such programs and activities include developing Palestinian girl-children, a “Palestine Future” project designed to encourage children to think about their role in the future Palestinian state, CRC¹⁶ training, child-to-child methodology and rights awareness workshops”.¹⁷ According to the DCI annual report, in 2004 DCI held one 40 hour workshop for 20 children 14-17 on refugee and child rights advocacy in an SOS-children’s village. It could be interesting for Badil to learn about this experience. The special challenge is to take into account how refugee status, living conditions in camps, refugee services, and exclusion from development processes (including political representation and economic activity) increase the risk of rights violations and to promote their rights as refugees and as children at the same time.

DCI has worked to develop a trained and skilled cadre of teachers, specialists and members of the local community, who is able to work with children in

¹⁶. Child Rights Convention

¹⁷. DCI/PS website

providing training and managing rights-awareness activities. Badil would have to rely on similar facilitators to succeed in a refugee advocacy programme.

Recommendation: The evaluators suggest two tracks in an effort to reach out with awareness and advocacy for refugee rights – one could be a refugee resource pack/or tool for other organizations working with rights based approaches to development. The tool could be a kind of refugee mainstreaming tool allowing organizations to include refugee rights in their activities and allowing for analysis of the impact of beneficiaries' refugee status on the programmes.

The other tool should be developed for Badil partners who want to undertake a more focused advocacy training for refugee rights advocacy and activism. This tool should be build up in order to allow participants to identify a refugee rights issue, identify duty holders and plan and execute an advocacy effort with realistic objectives that they can achieve.

The tool kit should include a systematic mapping of the refugees' situation according to rights, participatory tools to involve people in identifying the problem they want to address, tools to analyze the problem, to identify the stakeholders, to decide the action they want to do and to carry it out. Inspiration for development of such a tool (which could be equally relevant for other groups than children) can be found in Save the Children Denmark: "A tool kit on child rights programming"¹⁸ and in "Get Global!"¹⁹ a teaching programme for schools developed by Action Aid, Christian Aid, Christian Aid Wales, Oxfam, Oxfam Wales, Cafod, Cafod Wales, Save the Children and DfID.

Get Global! is a response to young people feeling powerless to change the world around them. The methodology underpinning Get Global! is based on learning methods known as participatory rural appraisal techniques (PRA) developed in less economically developed countries. These encourage people to work together to explore issues relevant to their lives. They use a range of participatory learning styles and visual tools, such as graphics, to understand and assess people's roles in the community, and how they can affect change. They are essentially about empowering individuals and groups to engage in issues important in their lives. The tools enable them to develop the skills and confidence to discuss and resolve issues.

¹⁸. The tool kit is available for download at www.redbanet.dk

¹⁹. A free download of the teachers manual is available at:
<http://www.actionaid.org.uk/schoolsandyouth/getglobal/>

Reflect is one such approach. It was developed by Action Aid in 1993 and fuses the theories of Paulo Freire, a Brazilian educator, with PRA. Reflect encourages people to analyse the linkages between local issues and wider forces, so the community can influence change at national and global levels. For more information see: www.reflect-action.org.

Evaluators would suggest that Badil seeks partners with this kind of experience to help develop the tool and to work on joint programmes to achieve the objectives for Badil's strategic long term refugee youth education-activation project. Badil's comment to this recommendation is: "While we agree in principle, it has to be understood that this will be a longer-term effort. Badil will start by consulting with local and international NGOs and UN agencies working in the country and by studying their tools and activities, as well as those suggested for study on the internet. We will then be better able to see what exactly should be done by Badil, and what can be done better by others."

8. Gender

In its annual report of 2005, Badil reported about women's leading role in the management team but less success with involving women in the governance bodies: Board and General Assembly. 8 of 46 GA members are women and only two of them are elected in the Board.

Recommendation: This is not a rosy picture on the representation level, Badil has to put more effort towards women's representation, especially in the GA so that women issues and needs are reflected in the advocacy programs. On the other hand, women are involved in Badil program as activists and experts, mainly as voluntary workers. However, due to their reproductive roles, women have no time to participate in all activities, especially in workshops and planning sessions. Thus their role is limited to service and some participation in activities but they do not share fully in planning or policy making. Although Badil expresses its interest in expanding membership of women in the GA and raises the importance of women's participation with community partners, the strategy for increasing women participation is not clear.

Also, it is worth reminding that the purpose of considering gender is to be sure that the organization and activities are relevant to all. The fact that there are three women in the EC is not a guarantee of a high level of gender awareness which translates into activities that cater to both groups.

One of the members of the board who is active in a women's center in Amari camp said that Badil approaches women only when they need them to launch an activity, or when they need them to arrange or participate in an event. Yet, they do not see women as a priority, and hence they do not offer any financial support for any activity that the center needs to launch. Therefore, she does not see Badil's genuine commitment to gender. She thinks that the women's center is a source of legitimacy and empowerment for Badil. She does not think that women representation in the board is based on a commitment to gender, hence it is not programmatic. She thinks that women's presence in

the board amounts to mere physical presence, rather than a serious gender representation.

On the other hand, when Badil is compared with the PA, she thought it was obvious that the Palestinian Authority is not at all committed to the refugee issue, and hence Badil should take a lead role in advocating for refugee rights. However, there should be more compatibility and complementarity between Badil and the women centers, especially since women constitute the backbone of the refugee community.

Recommendation: It seems that Badil has interest in integrating gender into its representative bodies and programs, but the tools and methods to achieve this are not clear. In our view, Badil should find different entry points to achieve a gender sensitive program and organizational structure. Following are some guidelines that Badil can follow to enhance a gender sensitive organization and program:

Representation Level:

- The executive Committee has to become more gender aware and this can be achieved through either training or consultation with gender experts.
- The Board has to become gender sensitive through training so that they can initiate a program that is gender sensitive and gender specific.
- More efforts should be put to involve more women in the GA for example through a quota system where each camp and locality promotes 30% quota of women members within each site. This can ensure more representation of women in the board.

Program Level:

- It is essential to apply gender analysis when drafting proposals, or planning programs and activities and passing and reviewing internal rules.
- Ensure the systematic and full integration of gender issues into different levels of planning, monitoring and reporting in the context of international human rights including refugee rights obligations. Monitoring and reporting mechanisms focus on accountability for failures within a social system. This means that the goal of protection of rights and the goal of human development that focuses on a right- based approach are reinforcing and can enhance and empower women within the process.

- Research should expand to take a human dimension where women refugee living conditions, coping strategies, women's roles in transferring national identity is exposed and used for advocacy. For this type of research Badil can commission researchers in universities to conduct it.
- Integration of gender issues into newspapers and pamphlets to encourage media outlets and campaigns to include statements on gender equality is necessary.

8.1 Possible Intervention and Entry Points

Promotion of legal literacy: Various steps should be taken to ensure that both men and women refugees should be acquainted with their rights and responsibilities, and that they are aware of mechanisms that help in protecting these rights.

Specific interventions may include:

3. Integration of refugee rights and human rights in a gender perspective should be enhanced in different centers, clubs and activities in the camp including schools.
4. Gender –sensitive training for all staff who deal with human rights and refugee rights should be reinforced. It is important that all staff share a commitment to understanding gender equality so that the entire process is made accessible to those people with complaints of gender violations. In this context, a gender analysis workshop at the planning stages should be conducted where local camp committees understand gender relations, gender roles and gender needs. It is important to institutionalize gender analysis for projects that have impact on advocacy and transfer of knowledge.
5. Prepare refugee gender briefs for media to shape public opinion, bringing new issues into perspective to light, and mainstream gender analysis within the public.
6. Special attention should be given to vulnerable groups in the camp like female headed households, displaced families and large families to ensure their participation in activities. Their under-representation in different activities indicate the limited opportunities and restrictions that they are subjected to, hence, Badil should pay more attention to these categories in order to empower them and integrate them in the political life.

9. The Role of Research and Publications in the Campaign

Badil has the ability to produce high-quality research and information which continue to open new opportunities for networking and advocacy with and among the professional community who were not previously exposed to the Palestinian refugee issue. Evaluators wanted to look at ways and tools to bring about a balance between research production and advocacy on the different levels like community-based campaigns vs. professionals and policy makers. For this reason the evaluators have looked into the types of documentation produced and their consumption – by the various groups and individuals encountered in the course of the evaluation. Refugees, activists and professionals organizations – UN agencies, academia – and policy makers.

9.1 Arabic Language Publication

Many of the persons met during the evaluation, including members of the Badil Legal Support Network, UNRWA staff and the PLO Negotiations Department said that Badil has emphasized publications in English and neglected Arabic publications. We met people in far flung camps who read everything they could get into their hands on and even struggled through some of Badil's English language publications in spite of their limited capacity to read that language. The desire for more legal research in Arabic was voiced by various technocrats of government, UNRWA and refugee organizations. This stands as a contradiction to the fact that Badil publishes all research in both languages – and sometimes in Hebrew, so it seems that physical availability and timing and promotion of the publications are issues that need more attention. Bringing out the Arabic publications in parallel and with cross references can contribute to rising awareness and capacity in the region to protect the rights of Palestinian refugees and also improve the image of Badil.

There has been a doubt from Badil about the need to translate the ambitious “Handbook on the Protection of Palestinian Refugees in countries signatories

of the 1951 Refugee Convention mainly for economic reasons – it will be very expensive – and it is a tool that will serve the professional target groups of Badil, which tend to read English. The fact that the discussion in the Legal Support Network resulted in a decision to publish the book in Arabic after all, is a reaffirmation of Badil’s commitment to strengthening legal research available in Arabic.

9.2 Physical Availability

Difficulties in making materials physically available is an important obstacle to readers – especially in camps outside the West Bank. This problem particularly concerns the publications that are not available via the internet, or require printing. Badil has attempted to publish Haq al Awda as a supplement to a Lebanese newspaper, but this has not been possible so far due to legal restrictions. Partners of Badil should seek ways to print and distribute copies locally. Perhaps the issue of finding creative ways to distribute information could also be discussed in the framework of the RoR coalition.

9.3 Research for Advocacy

The research carried out by Badil has been very much axed on a legal and theoretical track aiming to establish the international law framework applicable to Palestinian refugees in the context of durable solutions (right of return and restitution of property) and in the context of international protection until durable solutions are implemented. Some research activities have also aimed more concretely to document the situation of the Palestinian refugees, such as the annual Survey of Palestinian Refugees and Internally Displaced Persons and documentation of oral history (which may be a matter of urgency for the coming years). One of the critiques to Badil’s publications on the regional and local level is that they do not serve well to empower the ordinary activist of the camp, and are not adapted to use for advocacy or campaigning purposes within the local and regional community. But Badil has also used other tools such as the fact finding delegations to Bosnia-Herzegovina, South Africa, Cyprus (2002 – 2004; radio programs and TV campaigns. They have been important tools for Badil to convey information otherwise difficult to transmit and/or to reach the largest possible audience.

Badil has different kinds of publications, targeting different groups. The following is a sample:

- a) for community-based campaigning and advocacy (refugee community, civil society)
 - Haq al-Awda; Al-Majdal magazines
 - Bulletins
 - Briefs (easy-to-read summaries of Working Papers)
 - Returning to Kufr Bir'im, a model for community-based advocacy (former "Mapping Project")

- b) for general information, all target groups
 - Annual Refugee Survey
 - Oral History Book (Lubya)
 - Press releases

- c) for researchers and advocacy among professionals
 - Working Papers
 - Handbook on Protection
 - Ruling Palestine (BADIL-COHRE)

1-Al Majdal, is an English language quarterly that includes strong editorials which address important and up to date political issues and debates. One of its strengths is its ability to recruit outside experts and researchers in its editorial board. This has spared time and effort for Badil. Al-Majdal includes a variety of themes and titles like commentaries, debates on the one state or two state solutions, general articles, resources and documents. Such a combination of information plays an important role in advocacy and lobbying for the political rights of Palestinian refugees, and at the same time offers an in-depth analysis on political and legal issues that enriches the analysis of other researchers and authors.

2- Haq al-Awda, is an Arabic language publication comes every two months it deals with legal, social and political issues. Its target is the refugee community. It is an important advocacy tool and an important contribution to increasing awareness in the refugee community.

3- Information and Discussion Briefs launched in 2000 to enhance public debate about ways to promote Palestinian rights. They are produced by

legal staff, interns or expert partners and are presented as easy-to read booklets. Among them is a series of briefs dedicated to analysis of rights, under international law, of especially vulnerable refugee groups like internally displaced refugees, children and women. Due to limited financial resources, production and publication of the brief on Palestinian refugee women's rights has been delayed. Badil has reassured the evaluators that this is not due to lack of priority and that it will be published.

4- Badil Bulletins: They were launched in 2000 as four-page pamphlets to provide commentary and analysis related to current events, issues and debates regarding refugee rights. They mainly stress the legal rights and expose the living conditions of Palestinian refugees.

5- Working Papers: These are specialized papers produced by experts, members of the Legal Support Network and/or participants in a series of four seminars organized by BADIL in 2003-4 ("BADIL Expert Forum"). The papers are designed for legal advocacy. One of the strengths is that these working papers include comparative studies that can strengthen the analysis and comparisons with similar contexts. The fact that Badil as one of the few publishes this type of analysis in Arabic and English expose the political and legal issues on refugee rights to the local community and enhance local research and analysis.

6- Other [forms of] Publications: Badil has also Published books such as Ruling Palestine. A History of the Legally Sanctioned Jewish-Israeli Seizure of Land and Housing in Palestine. Written and prepared by Souad R. Dajani (COHRE), Center on Housing Rights and Evictions (COHRE) and BADIL Resource Center, Geneva - Palestine, May 2005

7- The Annual Survey of Palestinian Refugees and Internally Displaced Persons (since 2002, English and Arabic is possibly the only publication which attempts to give an overview of the situation of the Palestinian refugees and is used by many professionals as a reference document.

8- The Handbook on Protection of Palestinian Refugees in States, Signatories of the 1951 Refugee Convention, 2005, English; Arabic is under production and will likely become an important tool i.a. for refugee lawyers and officials.

9.4 Recommendations on Research and Publications

It is clear that there is a lack of knowledge of the international rights framework applicable to Palestinian refugees – or refugees in general - among legal experts, government officials and activists in the region, as well as among the refugees themselves. Badil is ready to consider as a priority the development of materials in Arabic specifically targeting government immigration officials, politicians and academics and other target groups including possibly the ordinary persons. Training for communicating more practical and action oriented information in “Arabic” should be a priority to Badil. This activity or task can also be commissioned with other institutions who have the expertise in producing popular literature, or experts from the Arab countries can train Badil staff or other interested researchers to do this.

The research should put more emphasis on the comprehensive framework of civil, economic and social rights of refugees to avoid compartmentalizing the level of understanding of the refugees lives and support the recommended rights based approach to community empowerment.

Because Badil has a strong research unit, they should remain involved in research and especially in upgrading and improving the standard of conceptualization on refugee issues in the Arabic publications. At the same time they should balance it with more campaign oriented production

Shaml, which produces academic work on the refugees through academic researchers and oral history, targets only intellectuals and academics through their productions, hence there is a big difference between the political and legal writings of Badil and the academic materials of Shaml, while both lack materials that address core issues of the ordinary people in an easily accessible way.

Obviously Badil cannot stretch its resources to cover everything. In a situation where Palestinian universities barely survive with the help of foreign funding, they lack resources for research. Research on central national issues is increasingly pushed into the hands of NGO's and universities abroad. Badil could contribute to institutionalizing a research framework on issues such as the Nakba, oral history and refugees by encouraging more coordination and burden-sharing among organizations and universities/institutions in the region interested in the issues. The physical distribution of Badil publications deserve

further attention and should perhaps be discussed in the RoR coalition in order to find creative solutions to the logistical challenges.

Most of the publications are gender blind and hence more gender analysis and more gender specific research projects should be carried out to complement the strong analysis on the legal and political level. Empowerment of the refugee community cannot happen without guaranteeing women's rights. To ensure the latter, there should be basic information and baseline data on women's conditions and gender gaps.

10 Institutional Sustainability

10.1 The Executive Committee

Badil relies on a small number of key individuals, who have been driving the development of the organization throughout its existence. International experience proves that relying on a small group of individuals dedicated to the organization may be a viable strategy to ensure institutional integrity and direction. The robustness to external pressures and agendas may allow such organizations to manage relationships with many donors and partners and to seize opportunities more easily than organizations that rely more heavily on the balance between an elected board and a set of professionalized and opportunistic “NGO civil servant” staff and run a bigger risk of being captured by external agendas.

However, the model chosen by BADIL also involves a risk. Relying on a very small number of key individuals renders an organization vulnerable to their personal fate, health etc. If a key actor is for some reason suddenly lost to the organization, important knowledge and identity is lost and the organization may be unable to compensate. A construction such as Badil’s can tip the power in the organization towards the executive.

Both the executive and Board of Badil are very aware of the risks involved. Three instruments have been employed by Badil to mitigate against risks in relation to the role of the executive: The first is a carefully balanced involvement of the Board in executive decisions such as the hiring of staff. – Board members are present in all hiring committees and hiring decisions are approved by the Board. The second is to include more than one person in central decisions and contacts – including fund raising and to start considerations regarding generation change in the executive. The third is to involve an external consultant in evaluating and supporting the development of administrative and management procedures in order to ensure documented and standardized procedures that will make it easier to replace an individual. Evaluators find that Badil’s board and executive

handles integrity in a very professional manner and has taken steps to ensure the sustainability and legitimacy of the current structure.

10.2 The General Assembly

The composition of the GA to some extent reflects the setback and logistical difficulties since the re-invasion in 2002 and the logistical challenge of communicating with Gaza. The current opening of the Rafah border crossing may be a window of opportunity to engage with refugee activists in Gaza.

Some observers of Badil believe that it should change or enlarge the circle of people involved in its General Assembly and board, in order to become more representative of the refugee community and to get a group of more active profiles into its organs. The same recommendations to the BADIL board had been raised by the BADIL General Assembly since 1999 involving the need to get stronger representation of women, as well as representation from weakly represented West Bank areas (Jerusalem-Ramallah) and from the Gaza Strip. Efforts for implementation have brought mixed results:

- Jerusalem-Ramallah: representation is stronger now than in the past;
- Gaza: one visit was undertaken by the Board to Gaza before the intifada in order to start discussion with people and organizations there, but the process was stopped in 2001 due to the closure of the Gaza Strip by Israel for Palestinians from the West Bank;
- Women: Badil has found it difficult to find active women who are ready to dedicate their time to follow-up of BADIL work; unfortunately, some of the women recruited to the GA in the past - and later on elected into the Board - were less active than the men and Badil has still not found a way to resolve this problem.

Badil has explained that between 2001 - 2004, the major effort went into ensuring that involvement of the existing GA would be maintained in spite of military operations, arrests, and movement restrictions, and little energy remained to work on improving representation in the GA. These efforts were resumed by the 2004 GA meeting and continue since then.

Recommendation: The board of Badil should discuss how to increase representation in the General Assembly and Board including of women and geographic areas currently underrepresented and consider how to involve

especially refugees from Gaza in the work of Badil and the RoR coalition. This issue could be taken up with the RoR-coalition.

A geographic Bias in the Activities?

Badil was perceived by many partners we met, as an organization that raises a lot of money for the West Bank – in particular Bethlehem and Hebron - while neglecting other needy areas in the OPT and neighboring countries.

Badil's annual narrative and financial report provides detailed information about the activities supported during the year. The budget for the refugee campaign for 2004 was 166,236 USD. Out of this less than 10%, only 14,578 USD was spent on "Support of Refugee Community Initiatives". Most of these grants were very small – less than 200 USD. The three grants exceeding 1000 USD went to Al Anka Society in Hebron, the Phoenic Centre in Deheisha Camp (emergency project) and the Emil Touma Institute in Haifa. Yafa Cultural Center in Balata camp and the Laji center in Aida camp both benefited from several grants.

Nevertheless, the partner receiving most support from the Refugee campaign was ADRID which received 20,932 USD for "Community Education and Awareness Raising" through organizing information materials and visits to destroyed villages.

Badil supported the largest number of activities (34) and organizations (21) in Bethlehem, the largest amount of money for community support, however, was spent in Nablus (15 activities, 7 organizations).

The number of organizations and activities supported and the amount of funding provided was almost equal in Tukarem (7 orgs, 10 activities, USD 5,765), Ramallah (6 orgs, 10 activities, USD 7,270) and Hebron (7 orgs, 10 activities, USD 5,025).

Most under-represented were Jerusalem (1 org, 1 activity, USD 152) and Gaza (2 orgs, 3 activities, USD 961).

This points towards a picture where in general, with regard to the OPT, areas are more or less equally supported, with the clear exception of Gaza and Jerusalem.

In addition, Badil spent 47,254 USD on other community awareness raising and empowerment activities in the West Bank, including the production of the Haq Al'Awda and the salaries of field officers. Badil also spent 10,930 USD on the Right of Return Conference in Haifa. Other important expenses were the fact finding visit to Cyprus and the annual meeting of the RoR coalition.

No financial contribution were provided to partners in Jordan, Syria and Lebanon in 2004 – Badil finds it difficult to raise funds for regional activities, but some of its donors also support regional partners (Aidoun Syria, Zochrot)

10.3 The Board

Badil has achieved a very delicate and carefully developed distribution of responsibilities between the executive and the board of Badil. The current situation is characterized by a very high level of awareness among both, of the need to maintain a balanced relationship and carefully determined distribution of roles between the executive committee and the board. On one hand the board is not bogged down with “trivial” management decisions while on the other hand the board approves important decisions and plays a role in planning. The current balance has developed on the background of past disagreements and crisis in the relationship between the executive and the board. Interviews with board members showed a high level of awareness and ownership in relation to priorities in and resource allocation to Badils programme.

The evaluators are very impressed with the fact that Badil has come out strengthened from the kind of conflict between board and executive which either de-legitimizes or paralyzes a very large number of NGO's - not least in this region where the management style is traditionally autocratic.

10.4 The Legal Support Network

BADIL's Legal Support Network (LSN) is an informal collective of Palestinian and international legal experts who provide legal advice and support on the Palestinian refugee issue. The network is formed of a group of individuals who are well known by Badil – i.a. through previous work – and have formally agreed to be part of the network. The members have different institutional affiliations and communicate with Badil via a special email list which also includes other partners, RoR coalition, friends, board members. The network meets annually at the same venue as the RoR Coalition and holds at least one joint session

with the Coalition. The network includes approximately 80 persons, of whom around 15 participate in the annual meeting.

The LSN does not have any formal decision making power in relation to Badil's programme. But its contributions and advice play a crucial role in ensuring the high quality of Badil's legal research. The LSN also provides a link to other organizations involved in rights based campaigning for Palestinian rights. It is clear that the LSN has strong influence on the work-plan and priorities of Badil. Generally the discussions at the annual LSN meeting were operational, almost had the character of decision making, and dealt extensively with priorities for the coming year's work. It was also clear that indeed the advice of the LSN did directly inform the Badil 2006 programme, subject to the approval by the board. This was exemplified by the fact that Badil at the insistence of Palestinian members of the LSN, accepted to take on a test activity related to property loss registration.

Many LSN members are deeply involved in the international campaign for Palestinian rights and take ownership of the research programme of Badil to which they are contributing. The evaluators consider that the responsiveness of Badil to their advice is a strong factor motivating members of the LSN to participate and contribute to Badil's work on a voluntary or semi voluntary basis. The evaluators appreciate that the Badil EC has been able to balance this influence with the authority of the Board.

Recommendation: Considering the fact that the Board exercises a control function in relation to the executive committee, there appears to be an overlap with the role of the oversight committee. Evaluators believe that this organ is a relic from a form of organization where the Board plays an executive role. Evaluators recommend abolishing the oversight committee for the benefit of a simpler structure.

10.5 Human Resources

The team's composition of international and local staff has given Badil its very special character as an organization with international quality standards deeply rooted in a Palestinian local context with a 100% local GA and board.

BADIL has aimed to build a small, but dedicated and professional staff team with a high degree of stability. This policy has allowed Badil a high productivity

at a low cost, and reduced the vulnerability to lack of mobility as staff is able to work independently. At the same time this approach involves a risk of stagnation – inability to adapt to changing needs, perpetuation of existing weaknesses (see below) – and in relation to capacity building and succession of leadership (please also refer to the section on integrity above). A certain degree of mobility of staff in an organization is healthy. Hopefully the intake of new staff in 2005 and -6 will increase such opportunities.

One of the means to maintain staff stability is conditions and benefits. In Badil this includes salaries and a provident fund for the staff – Staff benefits are some of the most delicate issues to deal with in an NGO that serves a poor community. The need to contract international staff, while at the same time maintaining the local character of Badil, and avoiding discrimination, has led Badil to adopt a compromise salary policy.²⁰

The need to adapt the salary scale has been further accentuated by income tax arrears generated by the fact that Badil staff had not been paying income tax. It appears that Badil had believed that staff of NGO's was exempt from income tax. While this may sound strange, it should be considered, that many local and international organizations in Palestine – including a number of diplomatic missions - currently find themselves in the same situation. The practice has been widespread and the information provided by tax authorities in the past was less than clear.

A new salary scale was approved in 2005. The involvement of the Board in this process was strong. Furthermore, Badil sought professional external advice in designing the salary scale and reforming the provident fund.

Evaluators found that Badil tackled this very delicate issue in a professional and prudent manner, while maintaining transparency in the process.

Training priorities are very operational. In 2006-2007 the focus is skills required by the new Action Plan (financial planning and management; computer-based

²⁰. It is composed of a basic salary calculated based on the average monthly income from labor (PCBS, 4th quarter 2005) + 27% risk allowance x score of BADIL job positions according to the ILO Job Evaluation Manual (responsibility, complexity, decision making, skill, scope). Due to the extremely adverse living conditions in the 1967 OPT, and BADIL's need to recruit personnel coming from abroad, BADIL offers special and individually negotiated income packets for ex-pat and international staff (e.g. salary + contribution to housing + flight ticket for family visit back home). Quote: Badil Project and Proposal 2006.

budgeting and accounting are skills required of staff in BADIL program units). Training will be conducted as on-the-job training (involvement in team meetings and management tasks; pass on institutional memory) accompanied by external training when appropriate courses and funds are available.²¹ Evaluators find this strategy good under the current resource constraints.

10.6 Donor Relations

Most of Badil's donors are European faith based organizations, who are firmly committed to international law and human rights both as the basis for their humanitarian and developmental efforts and for a sustainable peace in the Middle East. Many of the donations to Badil are back-funded by European governmental donors.

Many Palestinian NGO's, in their quest to fulfill conditions, agenda and requirements of their donors and maintain funding, have lost their connection with their local grass roots. Badil has also faced pressures from donors – an example cited by Badil – (but not entirely confirmed by the donor) – was that it lost funding from the Swiss Government because it refused to support the Geneva Initiative.²² Evaluators find that Badil has been able to balance its relationship with donors, by finding donors with shared values. Managing the relationship with donors may become more demanding when moving the focus further towards the campaign element – and in particular the international BDS-campaign.

Recommendation: The evaluators recommend that Badil treat its donors as partners and stakeholders of a particular kind, along with its other partners, by seeking to bring them together in a donor forum. A donor forum may also be used for debating and planning coordinated campaigning activities as many of Badil's donors are involved in campaigning.

While on the one hand Badil does not want to be controlled and owned by its donors, it does rely on their support on the other, and thus needs to manage the relationship with donors in a structured manner based on common values and

²¹. Badil Project and Proposal 2006

²². The Swiss Development Cooperation has informed the evaluators that the Geneva Initiative was an informal initiative supported by the Government, but that it was never official Swiss foreign policy. Switzerland is in the process of publishing a new comprehensive policy on Palestinian refugees, which is based on international law and a rights based approach.

an understanding of the situation and constraints of the other. This can render donor relations and influence more transparent. It is possible to introduce a donor codex, whereby for example donors endorse the decision-making and policy formulation mechanisms of Badil, while on the other hand clarifying conditions. Furthermore, a donor forum can give acceptance for reporting formats and core and basket funding.

One of the Badil donors had a policy of limiting its possible influence on Badil's agenda by avoiding to discuss the programme prior to its finalization. However, since organizations receiving funding usually anticipate the priorities of the organizations funding them, the evaluators do not give much credit to this approach. Rather, the evaluators prefer to see international donors becoming equal partners by clearly stating their intentions, priorities and motives for wanting to support a local organization.

One of the constraints faced by donors that tap into state budgets is that development aid criteria, such as DAC-ability, do not respond well to issues of a regional or global nature, and that the only funds available for the regional refugee issue are the UNRWA contributions. The Swedish government extends its NGO facility to also cover Israeli NGO's, while the Swiss Development Cooperation has a regional aid programme that includes training of refugee authorities in Arab host countries and refugee representation.

Badil seems to fulfill the criteria for funding from the newly established local NGO grant facility for the promotion of human rights sponsored by a number of European donors.²³ The grants are only for human rights activities in the West Bank and Gaza but may also be used for litigation in Israel. For Badil obtaining such funding for activities in WB and Gaza may help donors free funds for Badil and partner activities in other parts of the region.

²³. The eligibility criteria are attached as an annex

11 Management

In its 2006 proposal Badil has included a self evaluation. In Badil's own words: "Management (Executive Committee, Director, Board) have been able to guide the organization through time of crisis characterized by military occupation (closures, curfews and detention of BADIL members) and political uncertainty. The sense of urgency to advance BADIL program objectives, however, has lead to a situation where administrative affairs and long term planning for institutional sustainability and development were perceived secondary and management issues were treated on an ad-hoc basis.

In 2004, BADIL thus undertook an effort for systematic assessment of medium-term management needs both by means of internal and external evaluation. The results of this assessment can be summarized as following:

- a) *Lack of a systematic plan for recruiting and training new staff and executive leadership at BADIL;*
- b) *Inability to adapt and develop financial planning, monitoring, reporting and fundraising strategies to meet new needs created by institutional growth:*

The above resulted, at the end of the period, in a vicious circle of shortage of staff and long-term funding, and excessive project funding and project work. Director and senior executive staff became excessively involved in program implementation and were thus prevented from finding timely solutions to the lack of long-term funding and the general shortage of staff.

External evaluation of BADIL's management system moreover showed that:

- c) *BADIL's management-finance system is inefficient, and there is duplication of work on some tasks. These problems, if unresolved, may cause inefficient use of resources, inefficient reporting, and miscommunication between the management and staff and/or the organization and its donors and partners.*

Particular areas of weaknesses identified include: long-term financial planning and budgeting; accounting and audit policies and procedures; BADIL institutional currency; and staff provident fund policy.

- d) *BADIL management lacks professional knowledge in financial planning, public accounting and treatment of transactions. Financial planning and accounting as currently available is the result of 'learning by doing,' and management personnel has not benefited from systematic training.*²⁴

The evaluators, based on interviews with management and the external consultant and the study of Badil documents, confirm that the problems identified in the self assessment were relevant for the 2002-4 period. Evaluators appreciate that they are currently being addressed by Badil with support from a management consultancy firm. New salary scales, new provident fund structure, new accounting system, change from cash to engagements based accounting, change of the currency to Euro and training of financial and management staff all were initiated during 2005. The implementation of the changes recommended will continue into 2006.

In addition to the issues identified in the self assessment, evaluators found that project management procedures do not fulfill good standards for transparency, documentation and quality assurance (please refer to section 11.5, management of community grants). On the other hand The evaluators would like to commend Badil for a high degree of transparency and detail provided in its financial reports.

Badil manages a very high number of diverse activities and staff is already stretched. Evaluators are concerned that Badil may not have the capacity to implement effectively the necessary changes in management procedures. Also, the evaluators wonder whether external support and training of existing staff are sufficient means, or whether Badil should recruit a person with a solid management/administration experience to support the management in carrying the process forward. Evaluators note that enlargement of the staff is planned in 2006.

11.1 Cost Efficiency

Evaluators found that the resources consumed by Badil were spent in a very economical manner. Many activities relied on volunteers, partially voluntary contributions and synergies from cooperating with other organizations,

²⁴ Badil Project and Proposal 2006

institutions and academia. Participants in meetings and conferences were mostly volunteers receiving only coverage of expenses. As an example, the annual RoR coalition meeting in Vlaardingen in Holland was organized in a church and a local community centre, food for participants was prepared by volunteers and local transport was organized by volunteers contributing to keeping the costs at a minimum and maintaining a grass-roots character of the activities, which evaluators believe has a motivating effect on the participants.

Also with regard to community activities Badil is generally reluctant to spend large amounts of money – in fact evaluators have found that some grants were so small that they were probably mostly symbolic. However, Badil explains that Badil contributes to cost of activities only after they ensure that the contribution will make the activity possible and/or resolve an existing problem. This should be clear from the documentation (see section 11.5). The evaluators appreciate the economical manner in which in particular the refugee rights campaign is being managed. But a penny saved is not always a penny gained, the evaluators would like Badil to consider the following:

When grants are very small the costs related to administration and management can exceed the benefit of the grant itself. Very small grants may become a disproportionate administrative burden both on donor and recipient, and an effective obstacle to quality assurance and documentation of results. The suggested development of a strategy for support to organizational development could help to clarify the relationship with the community organizations and the role of the grants.

When organizing events it may be relevant to consider the time of participants – even if it is given on a voluntary basis - as an expenditure, and consider whether savings on logistics, location etc. is outweighed by the extra time they spent.

When relying on volunteers, there is a risk of exhausting their capacity and personal resources. If the competence of the volunteers makes it difficult to replace them, it may be a worthwhile to consider how to preserve this asset in the long term, for example by investing in the development of new volunteers, paying a compensation or replacing them with staff for certain tasks. Evaluators were pleased to learn that an investment in development of volunteers that can handle international advocacy is planned for the coming years.²⁵

²⁵. Training of refugee and IDP community activists was undertaken, and at least 10-15 community representatives and BADIL members (in addition to staff) are competent in refugee rights advocacy on the local and international level (Badil Project and Proposal 2006)

11.2 Cost Effectiveness

Cost effectiveness is difficult to assess in an organization that works with advocacy. One must be able to assess impact. However, Badil has not been monitoring impact of activities systematically. Evaluators, based on the insight they have gained through interviews with the beneficiaries and target groups have had to estimate the impact.

The evaluators find that Badil gives its donors value for money by mobilizing a very large – almost global - network of individuals contributing voluntary resources, by exploiting synergies with other organizations and by contributing to a very large number of activities involving a very large number of very different actors. Evaluators particularly emphasize that Badil works on an issue that is crucial to a sustainable peace in the region, that very few institutions deal with the issue, and that Badil contributes to representation of a group, which is systematically deprived of influence in peace initiatives that will have decisive impact on their lives and future livelihood.

Evaluators also believe that Badil, together with its partners, will reach more people and have more impact in years to come – especially if there are more resources reserved for developing and disseminating publications and representing and discussing informally with actors at all levels - as is indeed Badil's stated objective for 2006 onwards, and if Badil succeeds in developing a more operational popular advocacy tool (this is also one of the objectives for 2006).²⁶

11.3 Programme Logic and Planning

The Programme document for 2002-4 clearly mentioned the long term goal as well as the objectives and activities and had a clear separation of beneficiaries and target groups. The objectives were presented at the same time as indicators for successful programme implementation. But they were formulated as activities and were not specific enough to really enable Badil to systematically monitor the programme. Thus, in the 2002-4 report it was not clear for some of the activities, how they contribute towards the objectives.

During the programme period 2002-4, the quality of project documents improved.

²⁶. "BADIL proposes to continue development and implementation of a participatory and activity oriented advocacy education program", Badil Project and Proposal 2006

The 2004 project document objectives were separated from indicators, but indicators were still formulated as actions. Activities were more clearly described. This positive development continued, and the quality of programme documents and reports improved further in 2005 and 2006. The 2006 proposal is well structured and has better formulated objectives and indicators.

Recommendation: The proposals are all based on a problem analysis and an assumed scenario. They would be even stronger if they paid more attention to alternative scenarios, and a risk assessment.

11.4 Monitoring

Recommendation: In spite of an improved 2006 proposal, some indicators are still not specific, measurable and time bound.²⁷ For Badil it may be a helpful rule of thumb to think of good objectives and indicators as “SMART” (1. Specific, 2. Measurable, 3. Achievable, 4. Realistic, 5. Time-bound) . They should be few, selected according to availability, significance and the cost of using them. They do not need to cover every detail. It is important that indicators are measured at the activity level and aggregated for objectives at the programme level. Badil has to develop a set of simple indicators that it will follow for each of its programmes. Working on the basis of written selection criteria and explicit strategies (such as suggested for the small grants/organizational development – see 11.5 below) and the use of standardized reporting formats, when possible, will make the identification and use of indicators less burdening.

Recommendation: Monitoring of impact also requires good baseline information. A baseline study is done when activities and indicators have been identified but before activities start (the baseline should not be confused with a needs assessment or situation survey).²⁸ It does not have to be complex. It can even cover only a small part of the target group. The purpose is to calibrate the indicators. For awareness raising and advocacy training Badil should also do ex-post testing.

11.5 The Management of Badil Community Grants

The community grants from Badil serve the purpose of “empowering refugee community organizations by assisting their initiatives in the field of community

²⁷. For example a short guide to smart objectives can be found at http://www.marchofdimes.com/files/HI_SMART_objectives.pdf

²⁸. This is a very common mistake that makes systematic monitoring difficult

awareness raising, education-training, cultural events, lobbying.”²⁹ A large number of the activities carried out during 2002-2004 targeted youth or included youth in its target group.

The evaluators recognize the benefit of these social, cultural and educational activities not least for camp youth, in view of the situation in the West Bank during intifada and occupation, and appreciate the long term connection between social cohesion and the achievement of durable solutions based on the right of return. We also found that relatively few of the activities funded in the period 2002-4 had a direct or documented relevance to the right of return. Activities with no apparent direct link to the objectives stated in the programme of Badil included education, culture and sports events. We do not mean to say that such activities are not relevant, but that it needs to be clarified why and how they contribute i.e. in a policy or strategy document.

According to the project document, the motive for providing the support is to sustain and invigorate refugee community organizations - more than the activity in question. However, this is not clear in the relationship with the beneficiaries. Badil does not have a strategy for organizational capacity building³⁰ that explains how these contributions contribute to the empowerment of local organizations.

Evaluators found that in 2002-4 by a large number of very small grants, with very little money Badil has reached a very large number of beneficiaries. The evaluators believe that this probably had an overall impact on the confidence and wellbeing of especially youth in the camps, not least in light of the difficult situation that made cultural community activities very difficult. However, we also believe that this impact was probably marginal for most of the concerned. Another effect of the activities could be that they improve the image of the refugee community. No attempt has been made to measure such impact.

From this picture in 2004, the development in 2005 was very positive. In 2005 grants focused more on activities directly relating to the right of return and residency and refugee rights. Badil started the development of a training program for refugee rights activists. Still a number of grants for various activities such as football and basketball tournaments, summer camps and cultural competitions did not show a clear relationship with the promotion of rights.

²⁹ Badil programme and Projects 2002-2004, final version, 9 September 2001 pg. 13.

³⁰ Refer section on organizational capacity building.

Recommendation: Badil should develop a policy or strategy clarifying the role of the small grants in achieving the overall objectives of the campaign programme and/or include a section on community organizations in a strategy for support to organizational capacity building (see chapter 4)

The small community grants was the activity most frequently criticized by partners and observers of Badil (please also refer to chapter 10.2) . There was a recurrent impression that grants were not fairly distributed. Probably such criticism can not be completely avoided, but transparency in the granting process can help dispel misconceptions and suspicion.

Recommendation: Procedures in relation to the granting of small funds need to be formalized, selection criteria should be specified and made public, and documentation should be standardized and improved. This would bring Badils management of small grants up to good administration standards, increase transparency and facilitate monitoring and reporting.

The following steps are recommended to improve the administration of the grants:

Each application received should be given a number for identification regardless if it is approved or not.

A simple proposed comprehensive standardized format for application, recommendation by field officer, approval by programme coordinator and reporting on grant is annexed to this report as annex 1. The form will ensure that Badil gets relevant information and documentation, ease the reporting for beneficiaries and make decisions transparent. This document should follow the application through the approval procedure to the payment.

The procedure for giving small grants should be specified in a manual (one pager) stating the procedure, responsibility and required documentation at each step.

Application (according to format) – applicant

Recommendation (according to criteria, format) – field officer

Decision (according to criteria, budget, format) – programme coordinator

Letter of approval

Narrative and Financial Report (format) - applicant

Approval of report/payment (format) – field officer?
Payment – (transfer document) administrator
Reception of funds – (letter) – applicant
Filing – (file) administrator
Audit (annual audit) - auditor

The criteria for funding should be made clear in a funding policy (one pager), developed by Badil and approved by the board. Examples of criteria are cited below:

Registered organization
Bank account
Refugee or IDP based
Organisation not affiliated to political party
Organisation has capacity to report
Organisation has capacity to follow up
Activity related to one of Badils objectives
Activity related to refugee rights
Activity raises awareness of refugee issues
Activity targets refugees/decision makers
Activity enhances organizational sustainability of the applicant
Activity targets women/youth
Activity benefits marginalized group
Contribution decisive to the activity
Geographic distribution of grants

The policy should reflect the strategy(ies) and objectives of Badil for organizational capacity building and/or community empowerment and be approved by the board. The suggested application/reporting format should be adjusted accordingly.



Annexes

Annex 1 List of Organizations Interviewed

Annex 2 Format for Management of Community Grants

Annex 3 Eligibility Criteria for HR NGO Grants

Annex 1

List of Organizations Interviewed

- Members of the RoR coalition
- Members of Badils Legal Support Network
- Members of Badils Board
- Badil Rsource Center
- Zochrot
- ADRID
- Management Consultant, Wissam Kutom
- International Crisis Group
- Peres Center for Peace
- Israel Resources
- Economic Cooperation Foundation (Israel)
- The Higher Committee for the Right of Return (Jordan)
- Bader (Syria)
- Aidoun Syria (Damascus and Aleppo)
- The National Committee for the Right of Return (Damascus and Neirab Camp)
(includes a number of national organizations working on Right of Return)
- Womens Center, Neirab Camp
- GHAD Center for Youth and Childhood, Neirab Camp
- Aidoun Lebanon
- Representatives of Popular Committees Lebanon
- Representatives of Popular Committees Jordan
- UNRWA
- EU-delegation, Jerusalem
- Wolfensohns Team
- Danish Representative Office, Ramallah
- Norwegian Representative Office, Ar Ram
- Swiss Development Cooperation
- GAPAR (Damascus and Aleppo)
- World Bank
- ICCO (Holland)

- Danchurch Aid
- European Coordinating Committee of NGOs on Palestine (ECCP)
- AIDA (Palestine)
- The European Coalition for the Right of Return
- The Global Coalition for the Right of Return
- General Union of Arab Palestinian Women in Lebanon
- National Institute for Social and Health Services (Lebanon)
- Popular Aid for Relief and Development (PARD) (Lebanon)
- Norwegian Peoples Aid, Lebanon
- Al-Jana/ARCPA Youth center (Shattila Camp, Lebanon)
- Vocational Training Centre (Burj Al Barajne Camp, Lebanon)
- Phoenix Centre, Betlehem
- Shaml
- Al Haq
- Women Community Center in Amari Camp
- PLO Department of Refugee Affairs
- And spoke informally with many more

Annex 2

**Format for Management of
BADIL Community Grants**

Grant Number: _____

To be filled by the applicant:

Application

Name of implementing organization: _____

Address and contact details of implementing organization:

Names of volunteers/staff involved in the activity:

1. _____
2. _____
3. _____
4. _____

Registration number and date (or equivalent): _____

Bank account number: _____

Title of Activity: _____

Date(s) of events/time-frame: _____

Location: _____

Main objective of the activity: _____

Description of proposed activities:

Description of target group:

Number: _____ Age group : _____ Male: _____ Female: _____

Describe planned follow-up if relevant: _____

Total cost of activity: _____

(For grants over 250 euro a budget must be attached)

Financing acquired: _____

Amount requested from Badil: _____

Other contributors to the funding of the activity:

1. _____

2. _____

3. _____

To be filled by Badil:

Field officers recommendation:

number: _____

Name of field officer: _____

Date: _____

Location: _____

Relevance to Badil programme objectives (if relevant mention which objective):

Ability of the applicant to carry out and report on proposed activities:

Recommendation: _____

Signature: _____

Programme coordinators decision:

Recommendation of field officer endorsed yes ___ no ___ referred ___

Ex. Com decision _____ Board decision: _____

Motivation for supporting: _____

Motivation for granting reduced support: _____

Reason for not supporting: _____

Amount granted: _____

Date/Signature: _____

To be filled by applicant after conducting the activity:

Activity Report, Badil Grant

number: _____

Date of events: _____

Actual number of participants: _____ male: _____ female: _____

Age group(s): _____

Narrative description: _____

Significant changes in relation to planned activities, please explain:

Total expenses: _____

Expenses to be covered by Badil (attach vouchers)

1. _____
2. _____
3. _____
4. _____

List contributions from other supporters:

1. _____
2. _____
3. _____
4. _____

Date/Signature: _____ Stamp: _____

To be filled by Badil:

Report and payment approved by Badil:

Date: _____ Signature: _____

Annex 3

Eligibility Criteria

For applying for funds from the Secretariat for Human Rights & Good Governance Organizations

I. Organizations:

1. A registered Palestinian HR or GG NGO (mu'assasah ahliya), on its behalf or on behalf of a consortium with similar local NGOs.
A registered network of Palestinian HR or GG NGOs.
A registered Israeli HR or GG NGO on its behalf or on behalf of a consortium with similar local NGOs.
A registered network of Israeli HR or GG NGOs.

II. Scope and Commitment of Core Programs:

Only activities of organizations working on improving human rights and good governance in the Gaza Strip and the West Bank, including East Jerusalem, will be considered.

2. HR organizations must have a specific formal commitment, in their constitutional document, to International Human Rights and International Humanitarian Law, as a basis for their work.
3. HR organizations must target in their program of work the performance of relevant authorities (Israel and the PA), or non-state actors who violate HRL and/or IHL.
4. GG organizations must promote the development of principles of integrity, transparency, responsibility, participation, equity, legality and accountability in governmental institutions.
5. Both HR and GG organizations must promote the observance of the principle of the rule of law and human rights in governmental and non-governmental institutions.

Additionally, organizations involved in the following activities may be eligible for support.

6. HR and GG organizations that monitor, document and report on the behavior of governmental authorities (Israeli and Palestinian), or non-state actors, to observe these principles in practice.
7. HR organizations that monitor, document and report on violations by the Israeli military occupation of Palestinian human rights, as well as undertake campaigning and advocacy activities to address these violations and raise awareness about them.
8. GG organizations that conduct policy, educational and advocacy activities that develop preventive strategies to address potential governance problems.
9. HR organizations that conduct policy, educational and advocacy activities to influence Palestinian policies and legislation, and ensure the rule of law in the Palestinian Territories.
10. The activities of HR organizations could include legal representations and litigation related to individual cases of human rights violations. This could include cases brought before Israeli and Palestinian courts on relevant human rights issues.

II. Organizational Structure:

11. A formally approved Mission Statement
12. A clearly delineated administrative structure
13. A Board of Trustees (Directors) with formally delineated responsibilities, and with minuted meetings.
14. A transparent system of internal assessment and accountability
15. A transparent system of financial control, including external audit
16. A track record of 2 years of activities in HR or GG.

II. Record of Financial Support:

17. Special consideration will be given to organizations that show evidence of local community support to their activities, including financial, contribution in-kind, voluntary support, etc.

Approved by the PSC on 29.12.2005

