

# PROMOTING ACCESS FOR A SUSTAINABLE FUTURE IN PALESTINE

## Offering support to Gaza Residents through the project of Gisha (Legal Centre for Freedom of Movement)

Final Report on the Mid-term Evaluation  
of a program supported by the DROSOS Foundation



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## **Foreword and Acknowledgments**

In the evaluation process, we organized first a one-day meeting in Zürich (November 2014) with Mrs. Carole Gürtler, Head of Department Levant, and Stephanie Hofer, (at the time) Programme Manager for Palestine, at Drosos Foundation. The meeting allowed for reviewing in details the evaluator's mandate and discussing various items related to the situation in Gaza in the aftermath of the summer 2014 war. We are thankful to both Drosos representatives for the time spent with us.

Our field trip took place between January 17 and February 3, 2015. It was facilitated by the Drosos Foundation for obtaining an entry visa to Gaza via Erez. Atfaluna, a Palestinian NGO (also supported by the Foundation) made available a driver who welcomed us at the ' Hamas border ' in Beit Hanoun, and took us at the hotel. The Gisha personnel in Tel Aviv and its field coordinator in Gaza proved to be extremely supportive during our evaluation process: we thank them all.

Our work would not have been possible without the excellent cooperation of the many beneficiaries of the Gisha's program: their availability and their generosity in terms of time, analyses and ideas must be praised. We are also grateful to a number of Gaza residents, friends and/or earlier acquaintances: all have been available for discussing several aspects of the situation in the Strip.

Finally, this report was originally due by the Spring 2015. However, several un-forecast events prevented us to meet the scheduled deadline. We thank Mrs Gürtler for her patience and support.

Geneva, Summer 2015

## Executive Summary

Founded in 2005 and registered in Israel as an independent, not-for-profit organization, Gisha – whose name means both ‘access’ and ‘approach’- is funded by public and private donors in Israel and abroad. The NGO’s mainly legal work aims at promoting the freedom of movement of the Gaza residents, in particular through the crossing points of Erez / Beit Hanoun for individuals and of Kerem Shalom for goods.

Gisha began its partnership with the Drosos Foundation in 2007. It is through the promotion of the freedom of movement that the Israeli NGO pursues the aim of fostering socio-economic development for Gaza, the Palestinian territories and its population. To meet its objectives, three main approaches are embedded into Gisha activities:

- empowering Gaza civil society’s actors by facilitating their mobility outside the Strip;
- building bridges over the Palestinian national divide (Gaza controlled by Hamas and the West Bank controlled by Fatah) by creating concrete possibilities for the social actors of both areas to meet and access resources;
- involving national (the Israeli local border authorities, a number of political decision-makers and influential citizens) and international actors (donors and supporters) through their daily work and advocacy campaigns.

The evaluation of the NGO’s activities, conducted between late January and early February 2015 has been based on a preliminary desk analysis of Gisha’s documents and other secondary sources, and on interviews conducted during a field mission of almost three weeks to Gaza and Tel Aviv. After having introduced the main socio-political and economic issues at stake as they have developed over the past decade in Gaza and in relation to the on-going Israeli-Palestinian conflict, this report includes five main criteria/clusters for assessing Gisha’s activities –relevance; effectiveness and impact; efficiency; sustainability; coherence and complementarity- and a number of recommendations.

It is against a background of continued military occupation, closure policies and ‘economic siege’ that one can clearly see the **RELEVANCE** of the Gisha project aimed at promoting the freedom of movement for the Strip residents. The project is relevant at the level of short-term strategies for its direct beneficiaries and at the level of long-term view for Palestinian civil society and economic development in the Strip. The relevance of the Israeli NGO’s work is also positively assessed by other (UN, private and public sectors’) organizations working in Gaza: their representatives unanimously found that the ‘niche’ in which Gisha operates is extremely important, the efforts to present accurate information is successful and contributes to counter the Israeli government’s misinformation on the socio-economic context in Gaza, and the human rights’ situation in particular.

Concerning its **EFFECTIVENESS**, Gisha goals and approaches translate into clear objectives and process design. We could verify this through four concrete

examples: the website; the outreach activities; the 'access kits'; and the networking activities to get support from outside Gaza.

The **IMPACTS** are manifold, at the level of both individuals and organizations, but also at a larger level by contributing to foster economic development for Palestinian society in the Strip and increase consciousness for respecting human rights among the Israeli (military) administration and its civil servants:

- the number of cases successfully assisted during the third phase of Drosos funding has met the objective of supporting an average of 80 cases per year between 2012-13 and 2013-14;
- Gisha has been successful in having procedures and protocols progressively posted on the internet, and translated into Arabic and English in order for these to be accessible to its potential users;
- the NGO's personnel are not simply human rights' professionals: they are also vectors for raising awareness and promoting positive change in their home country;
- in terms of overall gender impact, the number of women assisted since 2012 to access economic, professional and business opportunities has usually averaged 50% of the total cases supported, and the number of women successfully assisted has varied according to the semesters between 30% and 40% of the total cases.
- Gisha has successfully reached out to members of the public and opinion-makers using publications in various media, in order to promote awareness and sensitivity for human rights in the occupied Palestinian territories.

It is possible to measure the **EFFICIENCY** of the NGO's project by examining two levels of its activities:

a) **Project planning and implementation** have been evaluated through the work of three main Gisha's departments and the Field Coordination:

- the Legal Department has guaranteed so far an efficient contribution of the legal officers to persuade the Israeli authorities to put on paper the procedures regulating the movement of individuals and goods;
- the Communication and Public Department has been very rigorous in its communication, very efficient in protecting its activities and increasing its reputation in different milieus. The Department has also efficiently redesigned and upgraded its donor database.
- the Research Department plays a key and efficient role in collecting the data that allow for updating and assessing the situation in Gaza (but also partly in the West Bank). The research activities efficiently support the internal decision-making processes and feed into the publications, reports, graphs and various audio-visual materials made available to the wider public through the website.
- the Field Coordination has built a solid reputation of commitment, honesty, competence and professionalism; it is very efficient in either making known the opportunities and support offered by Gisha to potential clients, or in following up on requests of help by individuals and institutions. The FC also efficiently liaises daily with the two 'intake officers' in Tel Aviv.

b) **The monitoring system** adopted by the organization. The NGO has adopted an excellent log-frame, with an in-built system for capitalizing on the lessons learned, adapted for managing the project's manifold challenges.

Gisha is operated by a 25 professional staff –which in many cases has benefitted from an international experience before joining the NGO- and guided by a board that includes legal academics and practitioners, women and men. Part of the NGO's efficiency, success and reputation is due to the fact that its personnel counts Palestinian and Israeli Jewish employees, which adds to the credibility of the NGO's work in Gaza.

The **SUSTAINABILITY** of Gisha's work has been assessed in relation to two main parameters:

- the capacity of securing domestic support through influential Israeli citizens and organizations, but from abroad as well (through Jewish individuals and organizations or from foreign non Jewish donors) looks like a pertinent strategy fulfilling the political protection needs.
- on the financial side, the fundraising strategy looks effective and efficient to guarantee the sustainability of Gisha.

Finally, Gisha activities show high levels of **COHERENCE** with and **COMPLEMENTARITY** to the work of many local and international organizations. The positive comments on Gisha's activities recorded from Palestinian and international organizations go well beyond simple positive perceptions. Actually, most interviewees affirmed consulting regularly the Israeli NGO's website and reading its reports and position papers to update their own information.

Through its daily work with the Israeli military, intelligence and bureaucracy, Gisha indirectly contributes to develop a right-based approach to democratic peace-building in its own society and to the sustainability of its project for the Gaza residents. For the latter, the Israeli NGO program delivers also hope. Beside the tangible positive results achieved for some of its clients, Gisha shows that change is possible, something which is much needed for the Gaza population, whose majority is presently hopeless and without much perspectives.

Four main **RECOMMENDATIONS** could help develop and complement Gisha objectives and on-going activities:

- There is scope for developing the criteria for entries into Gaza by other Palestinians from the West Bank and from the Palestinian diaspora (we think, among others, to Palestinian businessmen from abroad).
- The circulation of university students from Gaza to the West Bank should be fostered. It is certainly important to support the mobility of Palestinian students abroad, in other countries of the Middle East and elsewhere, but the quality of some West Bank universities should not be undervalued and the youth from Gaza would gain in studying there (at least for BA programs) for networking with other fellow Palestinian students, before eventually opting for pursuing abroad.

- A half-time (or full time) post should be created in Gaza to second the FC. This would not only help the FC in his daily tasks, but would anticipate possible problems in case of illness or other reasons for which he might necessitate to suspend for a period his role.

It could be interesting to establish partnerships with young Gaza film directors and photographers who produce audio-visual material on the daily life in the Strip. This would complement, at another level, several aspects of the already highly creative audio-visual Gisha work. Actually, it would be important to show images about the living conditions in Gaza, other than the usual ones of 'terror attacks and misery' circulated by the average media or militant NGOs. By freely posting on its website the work of young artists, Gisha would also

# 1 - The Country Context (2006-2015)

For the Gaza residents, the past 10 years have probably been among the most tumultuous ones in the recent decades. Following the Israeli unilateral disengagement during the summer of 2005 and the Palestinian legislative elections of January 2006, the international donors' community decided to boycott the democratically elected Hamas government. This ushered, among others, into a civil war in Gaza and the seizure of power by Hamas in June 2007, creating what a number of observers have labelled a 'Fatahstan' in the West Bank and a 'Hamastan' in Gaza. The Palestinian National Movement has never been so divided. The situation legitimized in the eyes of the Israeli government its entrenchment of the blockade and of the separation policy.

This chapter aims at providing the reader with a number of key background political, economic and sociological items, which allow for contextualizing the relevance of Gisha's program in relation to the Israeli and Palestinian decision-makers, the evolution of the Gaza economy and its civil society with whom the Israeli NGO is partnering.

## 1.1 - THE POLITICAL DEADLOCKS <sup>1</sup>

Three main interrelated deadlocks -whose effects are cumulative- can account for the persistent and increasingly deteriorating situation in the Strip, a barely 365 square kilometres territory, sharing a 14-kilometer border south-west with Egypt and a 51-kilometer (fenced) border to the north and the north-east with Israel. Gaza is inhabited by almost 1.8 million people, 50% of them below the age of 24.

### 1.1.1 - The Israeli deadlock

From the E. Olmert's government onwards and through the last three Netanyahu cabinets, Israel has kept a strict security policy towards Gaza, its population and the Hamas leadership. The latter has never been invited to participate to the official 'peace initiatives' during the Bush or the Obama's presidencies. Contrary to the hopes of most Israeli political decision-makers, the successive forms of collective punishment, the carefully planned siege inflicted upon the Gaza residents, and the serious deterioration of the economic and overall living conditions have not led to local upheavals promoting a change in the *statu quo*.

While the S. Fayyad premiership (2007-2013) has witnessed a process of criminalization of the resistance in the West Bank, Hamas and its local allies have constantly put forward their will to fight the occupation. As Sara Roy put it: "Unlike the West Bank, which has been effectively been subdued by Israeli policies of land expropriation, settler expansion, territorial cantonization, demographic isolation, extrajudicial assassinations, and other forms of military control (supported by a cooperative PNA security structure), Gaza has continued to resist and defy. This is a

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<sup>1</sup> This section is in part inspired by the work of J.-P. Filiu (2015).



characteristic feature of Israel's relationship with Gaza and has been since 1967" (2011: 227).

Starting from 2006, Israel has engaged in five main military operations – 'Summer Rains' in 2006, 'Warm Winter' in 2008, 'Cast Lead' in 2008-09, 'Pillar of Defence' in 2012 and 'Protective Edge' in 2014- meant to fight back the Islamists' rockets. The consequences for the Strip in terms of human toll and damage to all sorts of infrastructures have been unprecedented.

While the occupation policies in the Palestinian territories have markedly changed after the Oslo Accords (Gordon 2008), Israel has also shifted from geographical expansion as a means of control to the use of massive firepower, as evidenced in the Lebanon war of 2006 and in the above-mentioned Gaza operations of 2008-9, 2012, and 2014.

However, the objectives of ensuring full security for the Israeli settlements bordering the Strip, and/or fomenting Palestinian opposition against Hamas inside Gaza, do not seem really met. As a former intelligence (Shin Bet) head has recently stated<sup>2</sup>, Israel will probably keep winning battles, but will hardly win the war...

#### 1.1.2 - The Humanitarian deadlock

Gaza has been often described as the 'largest open-sky prison worldwide'. This is not exaggerated if we consider that the Strip's residents cannot freely exit from their territory. The airport is closed and largely destroyed, and no boat is allowed to enter or exit the Gaza harbour –exception made for the fishermen who enjoy a 3 to 6 maritime miles' space from the coast to fish, depending on the good will of the Israeli authorities. The movement of goods and people has been restricted to few crossing points. Individuals can exit Gaza, either via Erez (i.e. Beit Hanoun Crossing) for entering Israel, or via Rafah to enter Egypt. The data provided by various reports published by the United Nations Office for the Coordination of Humanitarian Affairs for the Occupied Palestinian Territories show that many of the current restrictions, originally imposed as early as 1990, were intensified in June 2007.

The number of people entering Israel via Erez (Beit Hanoun Crossing) has dramatically decreased over time: from more than 500'000 in 2003, down to almost 161'000 after the Palestinian elections of 2006 and to 86'000 in 2007. From 2008 to 2014, the number of passages has been steadily increasing, from 26'000 to more than 85'000. Erez is open six days a week, mainly for the movement of aid workers and a limited number of authorized travellers including Palestinian medical personnel, traders and humanitarian cases. On the other side, the movement of people to and from Egypt via Rafah Crossing has been shrinking down from almost 310'000 passages in early 2006 to barely 21'000 in mid-2008. Then, it has been steadily and

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<sup>2</sup> We refer here to the interviews in the documentary film 'The Gatekeepers' (see: References / Audio-visual sources), and to the diverging stands of PM B. Netanyahu and a number of upper army and intelligence officers before and during the 2014 summer about the Gaza war's effectiveness.

progressively increasing until mid 2012 (420'000 passages) –at the time of M. Morsi's presidency- and down again to less than 100'000 in 2014.

Concerning the movement of goods, Kerem Shalom (Karm Abu Salem) is the only crossing point, located in the South of the Strip and close to the airport, opened 5 days a week for authorized goods only. The number of truckloads exiting Gaza has decreased from 5000 in 2006 to an average of 220 per year between 2010 and 2014. In 2014, agricultural products (in particular strawberries and tomatoes mainly destined to the West Bank markets) constituted the bulk of the goods exiting the Strip. The export of carnation flowers –once an important international business- has practically disappeared. On the other side, the number of registered truckloads entering Gaza has almost doubled between 2010 (more than 30'000) and 2013 (almost 60'000)<sup>3</sup>.

The international and local humanitarian community seems tasked with an almost 'impossible mission', obliged to deal with the issues at stake only in terms of urgency and assistance. The negative impacts of each war cannot be absorbed because of the difficulties of importing goods for the reconstruction (with due exception for the Israeli goods), and the foreign assistance to keep the local labour force active is insufficient, since it is dependent on the Israeli and the Palestinian Authority's good will. In a context of constantly increasing pauperization, the humanitarian organizations working in Gaza are somehow the 'fig leaves' of the international political decision-makers incapable of finding sustainable solutions to the recurrent crises (Le More, 2008), and limiting their efforts to keep the Strip residents' noses 'above the water'<sup>4</sup>.

The most visible example of that is UNRWA, which caters to the needs of almost 1'250'000 registered refugees, i.e. 2/3 of the Gaza population. Often called the 'Blue State' (because of the colour of the UN flag), the Agency performs a quasi-State role by delivering relief aid (shelter, food and sanitation) during crises, besides its usual education, health and social services to its beneficiaries. UNRWA, as many other humanitarian organizations operating in Gaza, is usually caught between the devil and the deep blue sea: on the one side, it has to deal with the Hamas authorities, who feel politically challenged by its work while, on the other side, the Agency has often to defend itself from accusations of partiality and support to the Islamists' constituencies!

### 1.1.3 - The Palestinian deadlock

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<sup>3</sup> In its February 2015 report « A costly divide », GISHA offers a comprehensive and detailed analysis of the flows of people and goods through the crossing points connecting Gaza to Israel.

<sup>4</sup> A number of documentaries have been critically assessing the role of development aid in the Palestinian Territories (see in the References/Audio visual sources : 'Donor Opium', a film co-funded by the Swiss Development Cooperation) or the issue of the blockade, poverty, unemployment and humanitarian aid in Gaza (see : 'Gaza lives on...'). In 'Ordinary Gaza', the famous Palestinian psychiatrist Eyad Al Sarraj, details the psychological suffering and the mental health problems affecting the Gaza population. The interview, done during the Second Intifada, applies dramatically well to the 2015 context...

From 2007 onwards, the numerous initiatives for Palestinian reconciliation have not materialized, while the leaders of the opposed camps – President Mahmoud Abbas and PM Ismail Haniyeh - have exceeded the legal terms of their official mandates. The last attempt to form a ‘National Unity Government’ in June 2014 –recognized by the USA and the EU- has aborted due to the summer war between Hamas and Israel. The Jewish State has kept using in its favour the double-edged situation: when there is no national government, the Israeli PM can claim that there is no partner to negotiate; when a national government is formed, the same PM refuses to deal with the representatives of a ‘terrorist organization’. If the Israeli and Palestinian doves have been silenced over the years, the Hamas and the Israeli hawks seem to have paradoxically developed convergent objectives...

In the meanwhile, the fratricidal Palestinian conflict has fostered the development of security forces and clientelistic bureaucracies in both camps, including a policy of regular repression, imprisonment and torture for several affiliates of the rival movements in both the West Bank and Gaza. In the West Bank, the security sector reforms implemented by S. Fayyad have also produced several intra-Fatah conflicts. An average of 70’000 Palestinian civil servants out of a total of 150’000 are presently employed by the PA security services. So far the investments consented by the main international donors have not benefitted the majority of the Palestinian population, and the political experiment of building a State under military occupation has amounted to recurrent cycles of violence and to a process of ‘de-development’ for most Palestinian civilians.

## **1.2 - THE ECONOMY AND THE ISRAELI ‘SEPARATION POLICY’**

The 1994 Paris Protocol put the Palestinian economy under almost full control of Israel, while one-third of the Palestinian workforce became officially dependent on the Israeli labour market. International donors were counting on plans of economic development at the national and regional levels to ensure future political stability. The European Union took the role of main funder of the peace process, while the USA positioned themselves as the ‘godfathers’ of the political process aimed at reaching a peace agreement. The Gaza context, however, was a daunting one, since the Strip had undergone a “de-development” process specific to the Israeli rule in the Strip from 1967 to 1994, which meant a deliberate and systematic deconstruction of the Palestinian economy (Roy 1995).

The ‘Oslo peace years’ did not materialize into dynamics of sustainable economic development. Actually, during the second half of the 1990s and through the Second Intifada, the pseudo economy created by the reliance on foreign aid, the UN and the international NGOs, and an unpredictable market for the Palestinian goods and labour force as well, have all indirectly legitimized the Israeli occupation policies, and have contributed to keep the Strip’s economy dependent on external factors (Bocco and Mansouri, 2008).

Since 2006 in particular, Gaza’s relatively productive (albeit captive) economy has been reduced to one largely dependent on public sector employment, relief aid and smuggling. Due to the Israeli regulations imposed on money transfers, the

Strip's formal banking sector has witnessed serious problems in meeting the cash demands of its customers. This in turn has opened the door to the reinforcement of the *hawala* informal banking system, largely controlled by Hamas and its middlemen.

The siege on Gaza and the disconnection of its economy from that of the West Bank – the so-called 'Separation Policy' -, has further contributed to the development of the 'tunnel economy' and of a large black market sector. Confronted to the ban on export of most of its products to the West Bank and because of the high prices of the imported goods from Israel, Hamas has developed over time a parallel economy by constructing underground tunnels to facilitate the movement of people and to smuggle from Egypt all sorts of goods -from weapons to cars, food, pharmaceutical products, etc. Other tunnels have also been built to hide ammunitions or, for those in direction of Israel, to wage attacks against the occupying power<sup>5</sup>.

The GISHA report of February 2015 summarizes a number of historical evolutions in different economic sectors – construction, fishing, agriculture, industry and manufacturing, energy, ICT... –, points at the precarious situation of the Palestinian labour force from Gaza<sup>6</sup>, and shows how the GDP per capita in the Strip has shrunk by almost 15% over the past 20 years, from some 1350 US\$ down to 1160. The combination of a withering private sector and of a stagnating economy has led to high unemployment rates<sup>7</sup> that have translated into a process of overwhelming impoverishment among the Gaza residents.

Overall, and besides the evolutions in the dynamics of the armed conflict, a key factor to understand the on-going (economic) 'de-development' of the Gaza Strip resides in the various closure/blockade policies and the limitations and control over the mobility of people and goods, which constitute one of the occupying power's main strategies for trying to curb Palestinian resistance.

Several recent studies have shown the different levels of control and monitoring of the Israeli army and intelligence bodies over every single thing that goes into or comes out of Gaza. In a collection of essays, A. Ophir, M. Givoni and S. Hanafi (2009) have addressed the unpredictable bureaucratic apparatus of the occupation regime, the fragmentation of space, and regulation of movement, the intricate tapestry of law and regulations, the discriminatory control over economic flows and the calculated use of military violence. Over time, Israel's control of Palestinian life,

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<sup>5</sup> Among the audio-visual sources mentioned in the references at the end of the report, five documentaries are worthwhile to be watched. Mainly shot by Palestinian film directors and almost all available on line, they portray in a dramatically, interesting way the economy of the tunnels, its workers and the risks they take, the people who use their services and the different kinds of goods that are smuggled. See : 'Abu Jamil St.'; 'Gaza : Tunnels to nowhere'; 'Into the Belly of the Whale'; 'The Gaza Tunnels'; and 'Ticket to Azrael'.

<sup>6</sup> Two documentaries by Israeli film directors, released in 2005 and 2006 respectively, portray the situation of the Gaza Fishermen ('Men on the Edge. Fisherman' Diary' by Avner Faingulernt and Macabit Abramson) and the Strip's strawberry farmers ('Strawberry Fields' by Ayelet Heller).

<sup>7</sup> Since 2001, the unemployment rate in Gaza has never gone below 30% and peaks close or above 40% have been recurrent.

society, space and land has become firmly entrenched, while acquiring more sophisticated and enduring forms.

Another edited volume by E. Zureik, D. Lyon and Y. Abu Laban (2013) shows, among others, how Israel has complete control of the Palestinian population registry in the West Bank and East Jerusalem. The registration of births, deaths, marriages, and divorces, as well as simple address changes, all require Israeli approval<sup>8</sup>. An audio-visual account of the military-industrial-surveillance complex is also offered by the recent documentary 'The Gatekeepers', directed by Dror Moreh and released in 2013. Another Israeli film director, David Ofek, has also shown through his 2011 documentary 'Luxuries', the (often arbitrary) control of the Israeli authorities over the merchandise entering or exiting Gaza<sup>9</sup>.

Finally, like most occupying powers, Israel is often seeking to recruit Palestinian collaborators, by exploiting their need for work, money, medical treatment or travel. Working 'willingly' for the Israeli intelligence has usually been prompted by hard financial crises. Consequent effects of the unemployment increase the possibility of recruiting new spies and the psychological aftermaths of jobless people weaken their enthusiasm to resist collaboration offers from the intelligence. As far as Gaza is concerned, many patients and relatives of patients who regularly go to Israel for medical treatment - as the health sector in Gaza is unqualified to deal with several diseases, including cancer- often complain of receiving collaboration offers from Israeli intelligence at the Erez crossing checkpoint while passing through. In a 2013 report, the Al Mezan Centre for Human Rights in Gaza revealed that in a number of cases the refusal to collaborate has been met with a denial to enter Israel. According to the Gaza Ministry of Interior, in 2014, 70-80% of Palestinians crossing Erez have been subject to recruitment attempts by the Shin Bet. This does not only happen at the Erez crossing, but also via cell phone contact and the Internet<sup>10</sup>.

It is therefore against this background that we will evaluate the Gisha program aimed at promoting the freedom of movement for individuals and goods, from and to Gaza. Furthermore, the targeted beneficiaries, i.e. the civilian victims of the three above-mentioned political deadlocks and their economic shortcomings, appear today even more in danger for exercising their economic, social and cultural rights, and their right to mobility in particular. Actually, the February 2015 stand of the Egyptian President, who has officially listed Hamas as a terrorist organisation, is jeopardizing the possibility for most Gaza residents of using Rafah as a regular crossing point to

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<sup>8</sup> The 2012 documentary 'Gaza Calling' by Nahed Awwad shows the dramatic consequences of Israeli policies preventing freedom of movement at the family level, between members residing in the West Bank and Gaza. The docu-fiction 'Habibi rasak kharban' by Susan Youssef portrays the tragic romance of two university students from Gaza studying in the West Bank.

<sup>9</sup> In this documentary a staff member of Gisha is interviewed as well.

<sup>10</sup> Two recent articles offer a number of details related to the Israeli policy of collaborators' recruitment and the strategies of Hamas intelligence. See: « Families of Palestinian Spies for Israel Face Stigma in Gaza », A. Ayyoub, Aug. 16, 2013 (<http://www.al-monitor.com/pulse/originals/2013/08/palestinian-spies-israelgaza-hamas.html>); and « Israel's spy recruitment puts Gazans in tough spot », R. Abou Jalal, April 29, 2015 (<http://www.al-monitor.com/pulse/originals/2015/04/gaza-citizens-israel-threatsrecruit-informants-erez.html>)

the outside world. These new conditions make therefore Erez –the main focus of Gisha work for the mobility of individuals- a more than ever ‘vital’ crossing point for the Strip residents.



## **2 – Main Findings and Evaluation Criteria of the GISHA Program**

### **2.1 – GISHA AND ITS PROGRAM**

Founded in 2005 and registered in Israel as an independent, non-partisan, not-for-profit organization, Gisha is funded by public and private donors in Israel and abroad. The NGO's mainly legal work aims at promoting the freedom of movement of the Gaza residents, in particular through the crossing point of Erez / Beit Hanoun for individuals and of Kerem Shalom for goods. Gisha – whose name means both 'access' and 'approach'- uses legal assistance and public advocacy to protect the rights of Palestinian residents.

Gisha began its partnership with Drosos in 2007, at a time considered extremely critical for the mobility of the Palestinians in Gaza, due to the Hamas-Fatah crisis and the seizure of power by the Islamic Movement in the Strip. In the 2012 document describing the objectives of the organization for the last phase of the Swiss Foundation funding, Gisha had set four main aims:

1. Mapping the obstacles to women accessing business and professional opportunities;
2. Facilitating travel and transfer of goods between Gaza and the West Bank for people, especially women, seeking economic and professional opportunities;
3. Renewing social, economic, professional and trade ties between Gaza and the West Bank;
4. Providing professional, business and civil society institutions with tools to facilitate travel in the future.

It is through the promotion of the freedom of movement, that the Israeli NGO pursues the objective of fostering socio-economic development for Gaza, the Palestinian territories and its population. Actually, the violation of the Palestinians' freedom of movement has serious repercussions on other basic rights like the right to access medical care, to education, or to family unity, to mention a few.

To meet its objectives, Gisha is confronted to, at least, two main challenges in dealing with the Israeli administration: on the one side, to limit the arbitrary interpretations of the rules for delivering travel permits and authorisations of import and export of goods in and out of Gaza; on the other side, to try to expand the criteria which restrict travel. As one can also read on the organization website: "As part of its legal work, Gisha represents individuals and organizations in Israeli administrative proceedings and courts. (Its) legal activity is based on Israeli law, international human rights and humanitarian law".

Gisha is operated by a professional staff and is guided by a board including legal academics and practitioners, women and men, it includes Israeli citizens of Jewish and Palestinian origins. The NGO has been directed until April 2014 by Sari

Bashi, a Jewish-Israeli legal expert, one of its co-founders now residing in Ramallah. At the time of our visit, the organization was directed by Eitan Diamond, an experienced jurist as well, and counted some 20 staff at the headquarters in Tel Aviv, working in six main departments. A field coordinator was based in Gaza City.

The organization is structured in several departments. In our report, we will present only those whose activities more explicitly allow for assessing the relevance, effectiveness, impact, efficiency, and sustainability of the NGO's work. It goes without saying that the human resources and the accounting departments play an important role as well.



Erez crossing from the Israeli side to enter Gaza





Aerial view of Erez from the Gaza Strip side



Erez (Beit Hanoun) crossing : the walk between the PA border checkpoint and the Israeli terminal

## 2.2 – EVALUATION GRID, METHODOLOGY AND DATA COLLECTION

Building upon the Drosos Foundations' terms of reference (see Annex 5.1) we elaborated in Geneva an evaluation grid, which we slightly adapted during the field mission (see detailed items in Annex 5.2). The grid included five main criteria for assessing Gisha's activities:

- 1- RELEVANCE – it ascertains if the 'right things' have been done at the 'right time'; how Gisha has analysed the situation, if it has been able to adapt to a changing context; if, how and why the beneficiaries and third parties consider pertinent or not the interventions of the NGO.
- 2- EFFECTIVENESS and IMPACT – these two criteria question how and whether Gisha intended objectives are translated into clear objectives, results and process designs; and they ultimately assess whether the NGO's activities have achieved the stated goals.
- 3- EFFICIENCY – it relates to the development of a number of procedures: planning, implementation, monitoring (including reporting).
- 4- SUSTAINABILITY – following Gisha's intervention this criterion aims at checking the continuation of benefits for the NGO's clients; it also looks at the sustainability of the NGO's work itself in the wider political context and in relation to the funded needed to pursue its activities.
- 5- COHERENCE AND COMPLEMENTARITY – these criteria aim to examine the degree to which Gisha's activities are coherent with and complementary to those of other organizations working in Gaza, like local and international NGOs (in particular those active in the human rights field), UN organizations, or bilateral cooperation agencies.

Beside the evaluation grid, our methodological approach included, firstly, a desk analysis of the documents provided by Gisha in late December, and a collection of reports by other organizations active in the field, including a selection of academic references related to the situation in Gaza during the past ten years (which corresponds to the time frame of the NGOs interventions).

Secondly, we headed for a field mission, which took place between January 17 and February 3<sup>rd</sup>, 2015 (see Annex 5.5). During the mission we spent two full days of interviews in Tel Aviv with Gisha personnel, one day before our stay in Gaza and one day upon coming back from the Strip. While in Gaza, where we spent two weeks, we shared several moments with the Gisha field coordinator and interviewed more than 20 beneficiaries of the NGO's program (see Annex 5.4). For the interviews, we also elaborated an interview guide for the Gisha Program

beneficiaries (see Annex 5.3), which we adapted in the field after some preliminary contacts.

We also tried to triangulate, as much as possible, the information collected, both the written (reports and publications) and the oral sources. For that, we also contacted other Gaza residents and some of our personal acquaintances who know the work of Gisha. We also met with the local Head of the ICRC delegation, the local SDC program manager, as well as with the Swiss Representative to the Palestinian Authority who was on an official mission to the Strip with other colleagues of the Federal Department of Foreign Affairs.

Last but not least, we also met with a number of local Women Affairs' CBOs and Human Rights NGOs, who cooperate at different levels with Gisha, in particular for data collection related to the various areas of concern and intervention of the Israeli NGO.

Upon our return in Switzerland, we had a debriefing session with the Drosos counterparts; by late March, we provided Drosos with an interim report which was submitted to its Foundation Board.

## 2.3 – RELEVANCE

It is against a background of continued military occupation, closure policies and ‘economic siege’ that one can clearly see the relevance of the Gisha project aimed at promoting the freedom of movement for the Strip residents.

Most of the interviewees, in particular people operating in the business or the construction sectors, traders in agriculture and manufactured goods, underlined the vital role of mobility of goods and people for their own activities. At the time of our field mission, for example, a key issue was the import of material allowing for the physical reconstruction of infrastructures following the summer 2014 war. The export for agricultural products in Israel and the West Bank was also severely restricted.

For members of civil society organizations, the freedom of movement is an important asset because they can participate into meeting abroad and follow training courses for updating their skills. We have been in contact as well with a number of students who, as a category of people, have usually benefited from more regular permits. This time, and notwithstanding the fact that those we spoke to had received a scholarship and a visa to study abroad, they were stuck in the Strip. Some of them, already registered as students in the second or the third year of their academic curriculum in a foreign university, had entered Gaza during the summer, before the hostilities, and were having serious difficulties to leave either through Erez or through Rafah.

The program is relevant at the level of short-term strategies for its direct beneficiaries and at the level of long-term view for Palestinian civil society and economic development in the Strip. Actually, the reports produced by Gisha attest to the relevance of their analyses based on the thorough work of its Field coordinator and the staff in Tel Aviv, who assiduously map the needs, research new possibilities of access and economic opportunities, and develop contacts to make Gisha activities known.

In a number of interim reports (covering the period from 2012 to late 2014) made available to the Drosos Foundation, we could clearly see how Gisha has been capable to successfully face the changing, more restrictive attitudes of the Israeli administration by adopting relevant strategies that allowed for meeting fully or partially its objectives, as in the case of the students of the Gaza Music School or the Palestinian Athletic Federation.

The relevance of the Israeli NGO’s work was also positively assessed by other (UN, private and public sectors’) organizations working in Gaza: their representatives unanimously found that the ‘niche’ in which Gisha operates is extremely important, the efforts to present accurate information is successful and contributes to counter the Israeli government’s misinformation on the socio-economic context in Gaza, and the human rights’ situation in particular.

The program is also gender relevant by promoting the mobility of both men and women. This is the case through the cooperation for legal counselling and assistance to a number of civil society organizations that specifically target women affairs, but also through other governmental and non governmental organizations, Palestinian and international, whose feminine staff may benefit from the work of Gisha.

Finally, the advocacy work of the Israeli NGO aimed at promoting, among others, awareness and sensitivity for human rights in the Occupied territories is extremely relevant in the context of the prolonged conflict for both Palestinian and Israeli societies, for local and international decision-makers.



The Rafah crossing point towards Egypt

## 2.4 – EFFECTIVENESS AND IMPACT

Three main approaches to meet the objectives for socio-economic change in Gaza are embedded into the Gisha activities:

- (a) empowering Gaza civil society's actors, and women in particular, by facilitating their mobility outside the Strip;
- (b) building bridges over the Palestinian national divide (Gaza controlled by Hamas and the West Bank controlled by Fatah) by creating concrete possibilities for the social actors of both areas to meet and access resources;
- (c) involving national (the Israeli local border authorities, a number of political decision-makers and influential citizens) and international actors (donors and supporters) through their daily work and advocacy campaigns.

In terms of **effectiveness**, Gisha goals and approaches translate into clear objectives and process design. We could verify this through at least four concrete examples: the website; the outreach activities; the 'access kits'; the networking activities to get support from outside Gaza.

The NGO's website (available in 3 languages: Arabic, English and Hebrew) is a clear example of how the NGO goals are clearly formulated and effectively explained; it also allows for conjugating advocacy work and action-oriented information.

The website contains different kinds of information (written and audio-visual) at different levels of complexity (from the FAQ section to the possibility of downloading the reports produced by the organization) for different publics (the Palestinian possible beneficiaries; Israeli, Palestinian and international NGOs; laymen and decision-makers...). In section 4 of this report we listed a number of website information<sup>11</sup>, which pertinently illustrate the effectiveness of their work.

The outreach activities are an important dimension of the FC's work. We followed the FC in the field in a number of cases<sup>12</sup> and we witnessed his effectiveness in dealing with NGOs (as in the case of a kindergarten in Khuza), or traders (as in the case of a cement and concrete company) or individuals, members or not of organizations. Beside the human rights NGOs and other usual partners of Gisha, the outreach work is particularly important for organizations whose members may need the help of Gisha to support the traveling permits' requests of some of their members. This is a task that the FC seems to be implementing in a very professional way and has been appreciated by a number organizations we contacted<sup>13</sup>. In his daily activities, the FC is either directly contacted by people who

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<sup>11</sup> They are accessible on-line by clicking on the titles.

<sup>12</sup> Some meetings were set by the FC and others by the evaluator.

<sup>13</sup> During our stay in Gaza, we came across two cases of members of different organizations who did not want to get in contact with Gisha for fear of being later accused of 'normalization' with Israel. But we could not get more information from them because they did not wish to be interviewed.

face problems to get exit permits from Gaza or he himself contacts people and organizations about whose difficulties he has been told about. This equally applies in cases where the movement of goods is concerned. During the period of our evaluation we rather noticed the FC being contacted than the other way round.

Over the past three years Gisha has also effectively and successfully developed “access kits”, i.e. documents that supply information on how travel requests can be made, including suggestions for improving the chances of getting a positive reply, and information on where recourse can be sought in the event of denial. The access kits are regularly updated and have been distributed to individuals, and a wide variety of organizations and institutions (through the outreach activities among others).

The kits are more important than ever when Gaza residents face the so-called ‘chilling effects’ following episodes of Israeli military retaliation for Hamas attacks, or serious armed conflict in the Strip, like the 2014 summer war. In these contexts, the Palestinians tend to give up hopes and initiatives to implement their right to mobility; but, paradoxically, it is also in these situations that the Israeli military administration may show some ‘largesse’ and open up more than usual the border or interpret in a more liberal way its own procedures. During our mission in the Strip, we had the possibility of checking with two past beneficiaries and a would-be potential beneficiary of Gisha support the usefulness and clarity of the access kits.

Gisha has also been effective in securing the support of influential persons, like members of parliament, to counteract the effects of changing contexts, i.e. the more restrictive interpretation of the criteria for Palestinians’ eligibility to travel. Though the good contacts with and the support from the US consulate have not been instrumental on one occasion for obtaining a travel permit for the FC, the idea of involving external donor countries’ representatives may prove to be a good strategy. If Danish support for letting Gaza athletes travel to the West Bank did not usher into a positive answer from the Israeli administration, in another case (the Gaza Music Conservatory) the Swiss support contributed to the success of Gisha’s work<sup>14</sup>. Actually, and independently from the eventual success, the strategy of involving foreign donors is a good way for both putting indirect soft pressure on the Israeli administration, and for making Gisha activities better known to already existing or potential donors.

In terms of **impacts**, we can say that they are manifold: at the level of both individuals and organizations, but also at a larger level by contributing to foster economic development for Palestinian society in the Strip and increase consciousness for respecting human rights among the Israeli (military) administration

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<sup>14</sup> This also contributed to make Gisha activities known at the Municipality of Geneva, which has been funding over the past years a cooperation program between the Geneva Conservatory and School of Music, the ‘Instrument for Peace Foundation’ (part of the Metin Ardit Foundation) and the Edward Saïd Palestinian National Conservatory in the West Bank. Back to Geneva, we spoke to the above-mentioned Swiss institutions’ representatives: they wish to expand their activities to Gaza and hope that the mobility of teachers and students can become effective and regular.

and its civil servants. This can be substantiated through a number of examples and figures.

If we look at the number of cases that Gisha has successfully assisted, during the third phase of Drosos funding the NGO has met its objectives of supporting an average of 80 cases per year between 2012-13 and 2013-14 (it actually reached the number of 168 by November 2014).

But to evaluate the impact of Gisha work simply in terms of yearly numbers of people whose mobility has been facilitated by the NGO, would not render justice to the larger effects of its endeavours. Actually, on the one side, figures need to be contextualized according to the events that have occurred during a specific time frame. There is no 'routine' time in Gaza, unless we consider as such war events, punitive actions or administrative changes in travel criteria and quotas set by the Israeli authorities and spurred by the evolving dynamics of confrontation.

On the other side, one has to look at the impact of the juridical activities pursued by the Gisha through formal and informal channels. Over the years, the NGO has submitted three *Freedom of Information Court Petitions* and over a dozen different requests for information under the *Freedom of Information Act*. In the interim activities' report to the Drosos Foundation of January 2015, Gisha was proud to state that, by the end of November 2014, it had 'won a big battle'. In fact, the Israeli administration had announced that it would release (some one hundred) documents related to its protocols and procedures! The release was going to be done officially in three steps and the first one was due to be implemented shortly after our mission<sup>15</sup>.

Before this last event and through its daily work and contacts with the military administration, Gisha had already been successful in having procedures and protocols progressively posted on the internet, and translated into Arabic and English in order for these to be accessible to its potential users. If the ICRC and the UN have also worked directly and indirectly in the same direction, the contribution of Gisha in recent years has been probably among the most important ones, and its results are clearly visible on the CLA's (*Israeli Coordination and Liaison Administration*), and the CoGAT's (*Coordination of Government Activities in the Territories*) websites.

For the above-mentioned reasons, it is also clear that Gisha personnel are not simply human rights' professionals performing according to their own expertise: they

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<sup>15</sup> The announcement included some substantial improvements. Among the good news, the overall quota of traders allowed to travel was going to increase from 2000 to 3000 (300 to 400 traders aged 26 years and above, were going to be allowed to cross Erez daily) and around 200 permits for businessmen's wives were going to be given every week. The number of permits for Palestinians working for international organizations was going to be increased from 400 to 1000 (500 for civil servants aged between 25 and 28, and 500 for individuals above 28 years of age. On a monthly basis, one hundred medical workers were going to be allowed to travel to the West Bank for training purposes. Athletes, members of the Palestinian national teams (and not only footballers) could travel to the West Bank and, from there, abroad. Finally, 200 people aged 60 and over could travel to Jerusalem for religious duties / pilgrimage.



are also vectors for raising awareness and promoting positive change in their home country.

The possibility of travel to Israel, the West Bank and abroad has benefitted different categories of people for business' (traders), and CSO's (human rights, agriculturalist and women associations) goals for face-to-face contacts and group meetings or participation to PA activities. Other educational (academic students and executive trainees), health (patients and their companions), sport (for athletes' travels) or social (family meetings, visit to detainees) objectives have been reached too in a number of cases<sup>16</sup>. The facilitation of individuals' mobility has in many cases also directly and indirectly impacted in a positive way the organizations that a number of beneficiaries direct, own, or are member of. This mainly concerns the private sector, but not exclusively.

In terms of overall gender impact, the number of women assisted since 2012 to access economic, professional and business opportunities has usually averaged 50% of the total cases supported, and the number of women successfully assisted has varied according to the semesters between 30% and 40% of the total cases.

The case of UNIT ONE is an exemplary one in terms of impact on both a company business and on women employment. Actually, and as confirmed by the company's director during our visit to his offices, Gisha has played a key role in successfully assisting the company's personnel who needed to visit Israel and the West Bank to discuss and finalize a number of contracts with local and international partners. The contracts have secured the possibility for employing quite an impressive number of employees (over one hundred), whose large majority were women. The company's premises had been organized in a way, which was respectful of the principles of separation of men and women at work. When we visited the company in late January 2015, and notwithstanding the context of crisis that Gaza was going through, Unit One was still employing one third of its former workers, half of them women.

Gisha reaches out to members of the public and opinion-makers using publications in various media, in order to promote awareness and sensitivity for human rights in the occupied Palestinian territories. Gisha also advocates directly before decision-makers to promote policies that respect human rights.

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<sup>16</sup> The most recent Gisha position paper of February 2015 we read for this evaluation, details, among other things, the very tortuous road to exit Gaza for a family event... (*A Costly Divide*, p.9). This report offers as well an in-depth review by sector of the different challenges for the Gaza reconstruction process in the aftermath of the summer 2014 war.

## 2.5 – EFFICIENCY

At a first level, it is possible to measure the efficiency of the **project planning and implementation** by briefly examining the work of three main Gisha's departments and the Field Coordination:

### *The Legal Department*

The strategy of Gisha is not one of open confrontation with the Israeli military authorities and the intelligence services. An efficient contribution of the legal officers is to persuade the Israeli authorities to put on paper the procedures regulating the movement of individuals and goods. Actually, only by having written procedures, a legal case can be instructed when the rights of people are not respected. But this is a last resort, where neither a human rights' organization, nor a State administration can come out claiming full 'victory'.

In this respect, and through its daily contacts with the Israeli bureaucracy, Gisha has been very efficient in convincing the personnel of Erez, Kerem Shalom and Tel Aviv to make more transparent the protocols and procedures allowing to get permits to enter and exit the Strip, for both individuals and goods.

### *The Communication and the Public Department*

The Department has efficiently redesigned and upgraded its donor database, increasing information collected about donors, organization of distributions lists and methods for contacting and recording contact with different donors. This reflects into improved contact and more efficient communication with donors.

Furthermore, by looking at Gisha's website, one can notice the strict professional communication policy of the NGO. Actually, compared to a number of other Israeli and Palestinian organizations who host more often than not 'sensational' interviews and audio-visual material, or more political analyses and statements, Gisha sticks to its mandate, it is very rigorous in its communication (see for example the 'FAQs' section of the website), and is therefore efficient in protecting its activities and increasing its reputation in different milieus.

### *The Research Department*

The department plays a key and efficient role in collecting the data (written and oral) that allow for updating and assessing the situation in Gaza (but also partly in the West Bank). The department personnel entertain daily exchanges with Gazan and international NGOs, private research centres, public Israeli and PA administrations, and representative offices of UN organizations in the Strip. The supervision of a Palestinian-Israeli director facilitates as well the contacts with the local institutions in Gaza at different levels.

The research activities efficiently support the internal decision-making processes and feed into the publications, reports, graphs and various audio-visual

materials made available to the wider public through the website. The information presented is the outcome of data collected and always triangulated in a rigorous way for checking their validity and soundness.

### The Field Coordinator (FC)

Through his previous job with the Gaza Community Mental Health Program and his present position with Gisha, the FC has built a solid reputation of commitment, honesty, competence and professionalism. The beneficiaries interviewed, but also other persons and institutions concerned (which we knew from our former contacts in the Strip) all expressed positive comments. On the other side, Gisha's Palestinian personnel is also in a position to get quick feedback through its own contacts in the Strip on the quality, efficiency and professional attitude of the FC.

Through his manifold daily activities, the FC is very efficient in either making known the opportunities and support offered by Gisha to potential clients, or in following up on requests of help by individuals and institutions.

The FC efficiently liaises daily with the two 'intake officers' in Tel Aviv to set up the clients' files and follow up with their cases and requests. During our mission, we had a very good impression on the fluidity of communication and the cooperation between the FC and the headquarters in Tel Aviv.

Overall, during our interviews in Tel Aviv, most members of each department showed a very constructive self-critical approach for improving their own work. This clearly means that the personnel are not simply performing a 'routine' job: they are constantly seeking creative ways to better their engagement. Presently, Gisha is operated by a 25 professional staff –which in many cases has benefitted from an international experience before joining the NGO- and guided by a board that includes legal academics and practitioners, women and men. We think that part of the NGO's efficiency, success and reputation is due to the fact that its personnel counts Palestinian and Israeli Jewish employees, which adds to the credibility of the NGO's work in Gaza.

At a second level of analysis, it is possible to look at the efficiency of the Gisha program by examining the **monitoring system** the organization has adopted.

Because of the context, the instruments for monitoring and evaluating the activities of Gisha matter. The NGO has adopted an excellent log-frame<sup>17</sup>, with an in-built system for capitalizing on the lessons learned, adapted for managing the previously mentioned challenges.

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<sup>17</sup> See Annex 5.6. This is a 2014 updated version of the original version of the logframe and the one used at the time of our evaluation.

The logframe is organized around five main objectives:

1. To improve economic opportunities in the Gaza Strip for professionals, traders, and manufacturers, especially businesswomen, through legal assistance to facilitate movement between Gaza and the West Bank of persons and goods
2. To strengthen women's civil society organizations and professional and commercial groups in Gaza by helping them access resources, training and programs, including those that will enhance their capacity to fundraise and improve their effectiveness
3. To expand criteria which restrict travel from Gaza and are a root cause of economic insecurity and de-development
4. To map the travel needs of key Palestinian economic and civil society institutions, revive their programs across Gaza and the West Bank and build their capacity to facilitate the necessary travel beyond the duration of the project
5. To strengthen the impact and sustainability of Gisha's work

With corresponding expected results, activities, indicators, risks and assumptions, the log-frame allows for an efficient monitoring and self-evaluation process.

Gisha has also recently developed a good approach for its clients' evaluation through questionnaires administered before and after travel for the successful cases they have assisted, but for the unsuccessful ones as well. Ultimately, the database that Gisha has been building up over the years can definitely serve the purposes of the NGO's activities, but could also be shared in the future with different kinds of Palestinian partners for research and monitoring objectives of various economic sectors in the Strip.

## 2.6 – SUSTAINABILITY

The sustainability of Gisha's work has to be assessed in relation to at least two main parameters: one the one side, the way the NGO is able to politically protect its activities and it is financially capable to secure its long term existence; on the other side, it is the sustainability for its clients, i.e. the continuation of benefits for the beneficiaries following Gisha's intervention.

The evolution of the domestic (Israeli) context since 2009, and through the different Netanyahu cabinets, has been particularly challenging and the pressure on Israeli human rights' NGOs has increased after the legislative elections of the past spring. Often targeted as 'the enemies from within' because of their critical stands against the government, the kind of NGOs walking the path of Gisha have to be extremely careful. Actually, Gisha seems to be able to avoid main frontal attacks by right-wing ministers and MPs because it sticks to its juridical mandate and refrain from making public political statements during major crises or situation of overt confrontations in Gaza. At the same time, the capacity of securing domestic support through influential Israeli citizens and organizations, but from abroad as well (through Jewish individuals and organizations or from foreign non Jewish donors) looks like a pertinent strategy fulfilling the political protection needs.

On the financial side, the fundraising strategy seems to be effective and efficient to guarantee the sustainability of Gisha. Over the past two years, the NGO has been successful in both recruiting eleven new donors and increasing the financial support from already existing donors, reaching an overall increase of some 20% of its funding in 2014 compared to 2013. In this sector of activities, the Communication Department plays a fundamental role.

Ultimately, and for the majority of beneficiaries we checked, the sustainability of Gisha work very much depends on the good will of the Israeli authorities. This has been the case, for example, of some 'senior traders', who could regularly and frequently travel to Israel during the past decade, but have seen their permits revoked since the fall 2014. The official reason for that has been the permits' quota. In fact, the refusal to let senior businessmen to pursue their activities can be interpreted in the framework of a larger Israeli policy to sanction people that, though opposed to Hamas, have not been vocal against the Islamist party during or after the war. On top, in the case of some businessmen we interviewed, it seems that they responded negatively to the propositions of the Israeli intelligence to collaborate.

But again, and though aware of the limits imposed by the Israeli occupation system, one should look at the long-term impact and sustainability of the work of Gisha. The NGO activities are definitely going to bear fruits for those individuals and organizations that can survive in the short and medium-term and can benefit from the networking activities and the access to economic opportunities Gisha can offer.

## 2.7 – COHERENCE AND COMPLEMENTARITY

The Gisha program is highly coherent with and complementary to the work of many local and international organizations. Actually, most UN, World Bank, think tanks' and experts' reports advocate the key role of mobility for ensuring the attainment of economic, social and cultural rights by the Gaza residents. Furthermore, the February 2015 decision of Egypt to list Hamas as a terrorist organisation jeopardizes the possibility for most Gaza residents of using Rafah as a regular crossing point to the outside world. These new conditions make therefore Erez –the main focus of Gisha work for the mobility of individuals- a more than ever 'vital' crossing point for the Strip residents.

During a number of interviews with GISHA partner organizations (mainly human rights' NGOs) in the Strip, their directors often underlined the complementarity of the Israeli NGOs with their own work. The representatives of the UN, of the ICRC or the program manager of the SDC we discussed with, praised the quality of Gisha work and reports, considered as references for them. The same kind of appreciation was expressed as well in interviews with a number of Palestinian Authority's representatives.

The positive comments on Gisha's activities we recorded from Palestinian and international organizations go well beyond simple positive perceptions. Actually, most of our interviewees affirmed consulting regularly the Israeli NGO's website and reading its reports and position papers to update their own information. Some of them also affirmed entertaining regular, sometimes *ad hoc* phone conversations, or face-to-face meetings with the Gisha field coordinator in Gaza or its personnel in Tel Aviv.

### 3 - CONCLUSIONS AND RECOMMENDATIONS

Since 1949 (with the creation of UNRWA) and from 1993 onwards in particular -with the so-called Peace Process and the conflation of the 'peace industry'- the international donors' community has basically tried to persuade the Palestinians to give up their rights in exchange of development programs and humanitarian aid, delivered through bilateral and multilateral channels. By adhering to the principles of freedom of movement for people and goods, the approach of Gisha is resetting the balance by 'putting human rights and international law first'. It is only through the end of the military occupation and the restoration of people's and goods' mobility that a virtuous process of economic development and State-building can take place, at a much lower price than the one paid until now by the international and the Palestinian communities.

Over the past ten years, Gisha has been often walking a tight rope. As a human rights' organization, the NGOs has had to face difficult periods, especially since B. Netanyahu has been back as prime minister. In fact, after the release of the Goldstone report following the Gaza war of 2008-09, many Israeli human rights' organizations have been targeted as 'the enemies from within', a trend that has intensified in particular after the last elections of 2015. This is not surprising since a growing number of governmental actors consider that these NGOs are discrediting the policies and the image of the Israeli State in its fight against 'Palestinian terrorism'. Though the official mandate of Gisha doesn't entail political objectives, the consequences of its activities to make human rights implemented may be considered political. It is therefore in view of the unintended consequences of its work that the Israeli NGO sticks as much as possible to its juridical mandate, a way to protect itself, its personnel and its beneficiaries.

Through its daily work with the Israeli military, intelligence and bureaucracy, Gisha indirectly contributes to develop a right-based approach to democratic peace-building in its own society and to the sustainability of its project for the Gaza residents. For the latter, the Israeli NGO program delivers also hope. Beside the tangible positive results achieved for some of its clients, Gisha shows that change is possible, something which is much needed for the Gaza population, whose majority is presently hopeless and without much perspectives. It would be wrong to think that the impact of Gisha work is simply a drop in the ocean: they are seeding for long-term crops to grow. The social-national belonging of its staff is a promise as well in this direction.

We think that **four main recommendations could help develop and complement Gisha objectives and on-going activities:**

- a) There is scope for developing the criteria for entries into Gaza by other Palestinians from the West Bank and from the Palestinian diaspora (we think, among others, to Palestinian businessmen from abroad). This is probably an objective that the NGO is willing to further develop because it goes hand-in-

hand with its overall policy of facilitating the freedom of movement in and out of Gaza and contributing to the socio-economic development of the Strip. The already existing Gisha networks in the West Bank, and the fact that its former director, Sari Bashi, is presently residing in Ramallah should help furthering this goal.

- b) The circulation of university students from Gaza to the West Bank should be fostered. It is certainly important to support the mobility of Palestinian students abroad, in other countries of the Middle East or elsewhere, but the quality of some West Bank universities should not be undervalued and the youth from Gaza would gain in studying there (at least for BA programs) for networking with other fellow Palestinian students, before eventually opting for pursuing abroad. Among other interesting curricula offered in the West Bank, a master program on international cooperation and development (funded by the EU and the Vatican) and catering to young Palestinian students and mid-career professionals is offered in Bethlehem through the cooperation of three Palestinian Universities (Birzeit, an-Najah and Bethlehem) and three associated European Universities.
- c) A half-time (or full time) post should be created in Gaza to second the FC. This would not only help M. Azayzah in his daily tasks, but would anticipate possible problems in case of illness or other reasons for which he might necessitate to suspend for a period his role.
- d) It could be interesting to establish partnerships with young Gaza film directors and photographers who produce audio-visual material on the daily life in the Strip. This would complement, at another level, several aspects of the already highly creative audio-visual Gisha work<sup>18</sup>. Actually, on the one side, it seems to us important to show images about the living conditions in Gaza, other than the usual ones of 'terror attacks and misery' circulated by the average media or militant NGOs. By freely posting on its website the work of young artists, Gisha would also contribute to show aspects of cultural life in Gaza which are poorly known. On the other side, a number of European countries (the Scandinavian countries and Switzerland in particular) have focused part of their assistance on funding Palestinian arts and culture as a way to counteract the effects of the Israeli occupation, which has aimed among others at limiting (if not erasing in some cases) the manifestations of Palestinian identity. In this sense, and by supporting Palestinian arts and culture (including their economic dimensions) Gisha could also benefit from other forms of international support for its own activities.

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<sup>18</sup> See, for example, the short film [Gaza, Tel Aviv, Gaza](#) created by I. Rose, which places ordinary Israelis in the roles of those enforcing the criteria on travel from Gaza: specifically the requirement that requests to visit ailing relatives be submitted by first-degree relatives only. Or the animated film [Gaza Reels](#) released at the end of May 2011 and challenging the commonly held belief that Israel no longer exercises control over Gaza and does not bear responsibility for what goes on there.



Last but not least, we have also had the opportunity to check the reputation of Gisha in Geneva. Actually, the work of the Israeli NGO and some of its legal experts is well known to the International Commission of Jurists and to the Academy of International Humanitarian Law, two institutions based in Geneva. During the spring, we were also invited to attend a panel held at the UNOHCHR, focused on the situation in Gaza. A number of Palestinian and Israeli Human Rights NGOs –Al Haq, Ad-Dameer, Adalah and The Civic Coalition for Defending the Palestinian Rights in Jerusalem- were present at the debate. Their representatives unanimously praised the competence and the value of Gisha’s advocacy programs.

Eventually, these positive statements are not so surprising if we recall that, in 2014, Gisha has been awarded the Emil Grunzweig Human Rights Prize. The award is given annually by the Association for Civil Rights in Israel (ACRI) to an individual or organization that has made an outstanding contribution to the advancement of human rights in Israel.

To conclude, we would also like to add a personal note. As evaluators, we have an experience of 15 years of analyses of projects and programs funded by the UN or by public institutions (through bilateral cooperation bodies or NGOs) in the Near East -mainly in Palestine, but also in Lebanon, Jordan and Syria. This is the first time ever that we did not find a single important critic levelled against the organization that has been the object of our evaluation. The responses of the Gisha program’s beneficiaries to our questions have been overwhelmingly positive and the enthusiasm for the NGO activities practically unanimous. We are therefore very happy to write, for the first time, a report that fully confirms to the project’s donor his well placed investment and long-term support.

## 4 – REFERENCES AND DOCUMENTATION

### 4.1 - GISHA Documents

*A Costly Divide. Economic Repercussions of separating Gaza and the West Bank. February 2015, 25pp.*

*Promoting Access for a Sustainable Future. Proposal to the Drosos Foundation – Three-year project proposal.*

*Interim Report to the Drosos Foundation (DF), July 2013 (covering 1.1.2012-31.5.2013), 6pp.*

*Interim Report to the DF, January 2014 (covering 1.6.2013-30.6.2013), 7pp.*

*Interim Report to the DF, July 2014 (covering 1.1.2013-31.5.2013), 10pp.*

*Interim Report to the DF, January 2015 (covering 1.6.2014-30.11.2014), 7 pp.*

*Gaza Access and Movement : 2014 Summary, 6pp.*

### Website information

[Infographics: Exiting from Gaza for weddings and funerals in Israel and the West Bank](#) (December 2014) - Exit from Gaza is not possible other than in exceptional cases. One such exception: exit by first-degree relatives and their children to attend a wedding or funeral.

[The Gaza Cheat Sheet – Real Data on the Gaza Closure](#) (November 2014) - In this information sheet you will find concise answers to questions such as: What is the economic situation in Gaza today? Is there a lack of food in Gaza? What are the restrictions currently imposed on the movement of people and goods into and out of the Strip? The Gaza Cheat Sheet is updated regularly.

[Frequently Asked Questions: New Gaza Construction Material Procedure](#) (October 2014) - Last month, Israel announced a new procedure for allowing construction materials into Gaza: Gisha responds.

[Turning a new page: The end of the civilian closure and the possibilities it offers](#) (August 2014) - Alongside the need to rehabilitate the Strip, an opportunity has been created for fundamental change that will facilitate respect for basic rights and prosperity and security for Palestinians and Israelis.

[The Separation Policy: List of references prepared by Gisha](#) (July 2014) - The following document provides a list of references of which Gisha is aware that have been made directly or indirectly to the separation policy.

[Gaza Access and Movement: 2013 Summary](#) (March 2014) - A year that began in the shadow of operation “Pillar of Defense” and saw tunnel activity stopped almost completely by Egypt – 2013 was not an easy one for Gaza’s residents. An info sheet.

[No construction, no jobs](#) (January 2014). It has been three and a half months since the Israeli Ministry of Defence banned the sale of construction materials to the private sector in Gaza. Despite the considerable impact on the lives of Gaza’s residents, it’s unclear how long the ban will continue.

[August 2013: Movement of people and goods to and from Gaza on the backdrop of turmoil in Egypt, Infographics](#) - In August, although there was a drop of more than

15,000 in the number of exits via Rafah, compared to the monthly average during the first half of 2013, Israel increased the number of exits of Palestinians via the Erez crossing by only 1,000. There was also a decrease in the amount of goods entering Gaza via the Kerem Shalom crossing compared to July. This is how it looks.

[Tunnels and crossings: Movement of goods and people to the Gaza Strip following the events in Egypt](#) (August 2013) - In early July, Egypt began restricting the movement of people and goods into and out of the Gaza Strip. At the same time, Israel increased the number of people crossing through Erez and the amount of goods shipped through Kerem Shalom. New infographics by Gisha.

[Position Paper: Blurring boundaries](#) (August 2013) - Lack of transparency and ambiguous rules of engagement harm civilians in Gaza's border area.

[A position paper with infographics by Gisha: The maximum possible](#) (August 2013) - Renewed peace talks must address the Gaza Strip's 1.7 million residents. Promoting access will facilitate normal life and economic development. Gisha offers a practical principle for a new Gaza policy.

[Gaza 2013: Snapshot](#) (June 2013) - What is the cause of the electricity shortage in Gaza? Why are medicines lacking? What's the fishing zone limit? How close can one approach to the border fence? Access issues in Gaza today in seven parts.

[A position paper by Gisha: Creeping Punishment](#) (May 2013) - A position paper by Gisha looks at access restrictions imposed in recent months following rocket fire from Gaza toward Israel: what is the impact of the closures on residents of Gaza? What do Israeli farmers and security officials think about it?

[Gaza, Tel Aviv, Gaza](#) - A short film created by Itamar Rose, places ordinary Israelis in the roles of those enforcing the criteria on travel from Gaza: specifically the requirement that requests to visit ailing relatives be submitted by first-degree relatives only.

[Gisha presents: Strawberries for sale](#) - Gisha is launching a campaign within Israel to overturn the ban on the sale of strawberries from Gaza in the West Bank during the coming winter season

[Gaza Reels](#) – An animated film released by Gisha challenges the commonly held belief that Israel no longer exercises control over Gaza and does not bear responsibility for what goes on there (31<sup>st</sup> May 2011).

[Let Dana leave for her studies in the West Bank](#) – (25<sup>th</sup> April 2010)

[Closed Zone: 90 animated seconds on the closure of Gaza](#) - (22<sup>nd</sup> November 2009)

## **4.2 - Written (published) sources**

In this section we decided not to quote a number of relevant reports made available by several UN and bilateral cooperation agencies. Actually, we consulted some two dozens of reports circulated after the 2014 summer war in Gaza and we checked if Gisha had been making use of them in its own reports. This was the case for the February 2015 report 'A costly Divide'. We randomly checked earlier Gisha reports and we found as well a pertinent use of other similar sources in the analyses provided by the Israeli NGO.

- BAUMGARTEN-SHARON, Naama, 2014, *So Near, Yet so Far. Implications of Israeli-Imposed Seclusions of Gaza Strip on Palestinians' Right to Family Life*. Tel Aviv, HaMoked and B'Tselem, January, 67pp.
- BOCCO, Riccardo, 2011, « Pratiques des lieux, logiques des pouvoirs : une lecture foucauldienne des espaces israélo-palestiniens », in : *A l'Ombre du Mur. Israéliens et Palestiniens entre séparation et occupation*, S. Latte Abdallah et C. Parizot (eds.), Arles, Actes Sud, pp. 283-304.
- BOCCO, Riccardo & MANSOURI, Wassila, 2008. "Aide internationale et processus de paix: le cas palestinien, 1994-2006", in: *A contrario*, vol. 5(2), pp. 6-22.
- FILIU, Jean-Pierre, 2015, *Histoire de Gaza*. Paris, Fayard, collection 'Pluriel'.
- GORDON, Neve, 2008, *Israel's Occupation*. Berkeley, University of California Press.
- HILAL, Jamil, 2010, "The Polarization of the Palestinian Political Field", in : *Journal of Palestine Studies*, n°39, pp. 24–39.
- HROUB, Khaled, 2010, "Hamis: Conflating National Liberation and Socio-Political Change", In : *Political Islam: Context Versus Ideology*, Kh. Hroub (ed.), London, Saqi Books, pp. 161–81.
- ICG (International Crisis Group), 2014, *Toward a Lasting Ceasefire in Gaza*. Middle East Briefing n°42, October, 70pp.
- JPS (*Journal of Palestine Studies*), 2014-15, "Israel at a Crossroads—Unable to Vanquish Resistance or Negotiate Peace. Interview with Ramadan Shallah", vol.44, n°2, pp.
- KADMAN, Noga, 2009, *Rafah Crossing: Who Holds the Key?* Tel-Aviv, GISHA and Physician for Human Rights Israel, 184pp.  
[http://www.gisha.org/UserFiles/File/publications/Rafah\\_Report\\_Eng.pdf](http://www.gisha.org/UserFiles/File/publications/Rafah_Report_Eng.pdf)
- LE MORE, Anne, 2008, *International Assistance to the Palestinians after Oslo. Political Guilt, Wasted Money*. London, Routledge.
- NATIL, Ibrahim, 2014, "A Shifting Political Landscape: NGOs' Civic Activism and Response in the Gaza Strip, 1967-2014", in: *Journal of Peacebuilding and Development*, vol. 9, n°3, pp. 82-87.
- OPHIR, Adi, GIVONI, Michal, HANAFI, Sari (eds.), 2009, *The Power of Inclusive Exclusion. Anatomy of Israeli Rule in the Occupied Palestinian Territories*. New York, Zed Books.
- RIBEIRO RODRIGUES PEREIRA, Laura, 2014, *Under Fire. Israel's Enforcement of Access Restricted Areas in the Gaza Strip*. Geneva and Gaza, IDMC (Internal Displacement Monitoring Centre) and PCHR (Palestinian Centre on Human Rights).
- ROY, Sara, 1995, *The Gaza Strip. The Political Economy of De-Development*. Washington D. C., Institute of Palestine Studies.
- ROY, Sara, 2011, *Hamis and Civil Society in Gaza. Engaging the Islamist Social Sector*. Princeton, Princeton University Press.
- SAYIGH, Yezid, 2010, "Hamis Rule in Gaza: three years on", in: *Middle East Brief*, n°41, March.

ZUREIK, Elia, LYON, David and ABU LABAN, Yasmineen (eds.), Surveillance and Control in Israel/Palestine. Population, Territory and Power. London, Routledge, 2011.

### 4.3 - Audio-visual sources

The list below is far from being exhaustive: the selection includes films that are available online or some accessible in DVD format on the market.

**ABU JAMIL ST.** by Monchovet Alexis and Stephane Marchetti, 2010, 51’

Synopsis : Beneath deafening bombs and in tunnels on the brink of collapse, the film directors follow four Palestinian tunnel workers burrowing under the Gaza strip. Six feet under the street where Egypt meets the Gaza strip, they laugh while comparing the conflict to a cartoon: “it’s always Jerry who wins”! But this laughter stops when Israel’s bombs shake the earth. It’s December 2008, and Israel’s air strikes, which destroyed almost all of the tunnels connecting Egypt to Palestine, have begun. When the worst of the bombing stops, the men emerge from the shells of their former homes with new drive: “they destroy one, and another one appears”. For them, as long as Israel’s embargo stands, the tunnels remain an important symbol of resistance and a matter of pride.

<http://www.youtube.com/watch?v=Yca3m8lx9wY>

**DONOR OPIUM** by George Azar and Mariam Shahin, 2008, 25’

Synopsis : the documentary (co-produced by the Swiss Development Cooperation) takes a critical look at the impact of the last 20 years of international aid to Palestinian communities in the Occupied territories. The film explores whether the declared goals of all the support -peace and the establishment of a democratic Palestinian state- have in fact been its actual result, or the exact opposite.

<http://www.youtube.com/watch?v=wVTYyRLMljc>

**GAZA CALLING** by Nahed Awwad, 2012, 64’ (in this documentary, one of the protagonists, Hikmat, approaches Gisha for support, but unfortunately the organization could not help for this case)

Synopsis : Samer lives in Ramallah in the West Bank, he succeeded in studying in the West Bank, where he has remained since graduating. He cannot travel abroad and his study scholarship is running out. His family lives in Gaza, one hour away. They have not seen each other for six years. When Mustafa went for a visit to Gaza in 2006, he was 18 years old. He was never allowed to return – his mother Hikmat has been fighting to see him again for seven years. Two families torn apart share the same “problem”: being registered with a Gaza address in their identity cards. Under Israeli rule, they are considered “infiltrators” in their own country. Their lives have turned into a permanent struggle. Parents can only talk to their sons on the phone; sisters can only see their brothers on the internet – mothers and their children fighting to be together at last...

Trailer: <http://www.nahedawwad.com/gaza-calling/gaza-calling-trailer/>

**GAZA LIVES ON...** by Ashraf Mashharawi, Al Jazeera Program, 2011, 47’

Synopsis : Since 2007, most Palestinians living in the Gaza Strip have suffered from an intensified land, air and sea blockade imposed by Israel. The blockade,

deemed illegal by the United Nations, was implemented after Hamas took control over the territory and ousted Fatah officials from power in the battle of Gaza. After more than two decades of tight sanctions, the blockade continues to take a heavy toll on Gaza's civilian population, with many essential and basic goods banned from being exported or imported. This has led to rampant poverty and a massive unemployment rate in Gaza. Israel's policies have forced the vast majority of Gazans to rely on foreign humanitarian aid for survival.

<http://www.aljazeera.com/programmes/aljazeeraworld/2011/10/20111019124914593989.html>

**GAZA : TUNNELS TO NOWHERE** by Miriam Abu Sharkh, 2013, 15’.

Synopsis : After Human rights’ professor Miriam Abu Sharkh is compelled to travel through the Gaza-Egypt tunnels to visit her family in Gaza, she grows increasingly interested in the lives of tunnel workers and their families. Her resulting documentary enjoys rare access, illustrating all the risk and heartbreak of this most perilous of trade routes.

[http://www.youtube.com/watch?v=X\\_9wslQqgZ0](http://www.youtube.com/watch?v=X_9wslQqgZ0)

**GAZA TUNNEL SMUGGLERS TRADE IN NEW CARS**, BBC News, Program « The Hub », 2010, 2’20” –

<https://www.youtube.com/watch?v=AEV5GTAQpsQ>

**HABIBI RASAK KHARBAN** by Susan Youssef, 2011, 78’

Synopsis : Habibi, based on the Arabic folkloric story of Layla and Qays (the Arabic Romeo and Juliet) is re-told, and filmed, in modern day Gaza. The subjects of this tragic romance are two university students studying in the West Bank whose love story is abruptly interrupted after their student visas are revoked by Israel and they are forced to return to their families in Gaza. Desperate to be together, Qays requests to marry Layla but is refused by her middle-class family who feel he is too poor to support her. Trapped between political oppression and a patriarchal society, the film reveals the modern day pressures and lack of opportunities for the youth living in Gaza.

Trailer: <https://www.youtube.com/watch?v=pTEneD1dZY>

**INTO THE BELLY OF THE WHALE** by Hazim Bitar, 2010, 25’

Synopsis : Younis is making his last run to bring in goods via the warren of tunnels 100 feet under the border zone between Israel, Gaza and Egypt. The tunnels evade Israel border controls but they are highly dangerous & threatening collapse and suffocation at any moment. After an Israeli attack, Younis is trapped in the middle of the “Whale” tunnel. While stuck underground, he ponders existential questions about his fate in a film which uses the potent symbolism of the story of ‘Jonah and the Whale’ to examine the plight of Palestinians trapped within the belly of a hostile world.

**LUXURIES (MOTAROT)** by David Ofek, 2011, 54’ (a staff member of Gisha is interviewed in the documentary)

Synopsis: an elusive ‘coordinator’, vague formulas that calculate ‘survival capacity’, warehouses cramped with rotting goods, and donkeys dressed up as zebras : all these take part in the mosaic that sketches the surreal reality where evil and stupidity merge. The film is a journey to the absurd front of the Israeli

blockade on Gaza: it is the story of the merchandise -kiwis, fresh meat, toys, shoes, notebooks, canned goods- that have been purchased, stored, expired, spoiled, and ultimately destroyed. It is an ironic observation, sometimes comic, always tragic, exposing the line Israel draws between necessities and luxuries.

Producer's site: <http://www.edenproductions.co.il/productions.html>

**MEN ON THE HEDGE – A FISHERMAN'S DIARY** by Avner Faingulernt and Macabit Abramson, 2005, 93'

Synopsis: for four years, the co-directors filmed Palestinian fishermen living in harmony with Israelis on a half-deserted beach near the border between Gaza and Israel. They are rough straightforward, uninhibited men, who spend long and cold nights out to sea and then come back to warm themselves by the fire. Despite the on-going bloody conflict between the two enemy peoples, this eclectic group of men is brought together by the needs of shared living. This is also an excursion into the masculine soul.

<http://www.cultureunplugged.com/documentary/watch-online/play/4962/Men-on-the-Edge--Fishermen-s-Diary>

**ORDINARY GAZA** by Kristin Sellefyan, 2003, 21'.

Synopsis: Renowned Palestinian psychiatrist Eyad El Sarraj pins down the physical and psychological violence suffered by the population of the Gaza Strip, where families break up, fathers no longer play their role, and children adopt kamikazes as their model.

<http://www.cultureunplugged.com/documentary/watch-online/play/5099/Ordinary-Gaza>

**STRAWBERRY FIELDS** by Ayelet Heller, 2006, 60'.

Synopsis: the film focuses on the economic aspect of the Israeli occupation, it portrays the challenges and crises faced by Palestinian strawberry farmers at Beit Lahiya in Gaza and demonstrates the loss suffered by Palestinian farmers due to the border closure resulting from the Israeli-Hamas conflict of May 2005-April 2006. "My attention is constantly divided between you and the Israeli bulldozers!" jokes a Palestinian strawberry-picker, grinning broadly to the camera – before flinging himself to the ground, frightened by a violent detonation. At the edge of the vast strawberry plantation, tanks line up. As if unaware of this, the workers place the young strawberry plants into the sandy ground. The delicate plants from Israel are planted in the Gaza strip, where their fruit is then picked to be sold abroad. Assaf, the Israeli manager of Strawberry Association, is worried about his harvest. The evacuation of Jewish settlements in the region is the cause of troubles: missiles rain down in a seemingly arbitrary manner, whilst the checkpoints remain closed.

Trailer: <http://www.trabelsiproductions.com/?categoryId=33314>

**THE GATEKEEPERS** by Dror Moreh, 2013, 95'

Synopsis: Charged with overseeing Israel's war on terror-both Palestinian and Jewish- the head of the Shin Bet (aka Shabak), Israel's internal security services is present at the crossroads of every decision made. For the first time ever six former heads of the agency, intimately interviewed, agreed to share their insights and reflect publicly on their actions and decisions. The documentary offers an exclusive account of the sum of their successes and failures. It validates the

reasons that each man individually and the six as a group came to reconsider their hard-line positions and advocate a conciliatory approach toward their enemies based on a two-state solution.

<https://www.youtube.com/watch?v=SkOq4RuJSmQ>

Interviews to the film director: <https://www.youtube.com/watch?v=edwQ8UhQt7k> / <http://live.huffingtonpost.com/r/segment/drdr-morehs-documentary-the-gatekeepers-on-israeli-heads-of-shin-bet/50f941c22b8c2a2169000416>

**THE GAZA TUNNELS** by M. Harb, Al Jazeera Program 'Witness', 2014, 25'.

Synopsis: An estimated 7,000 Gaza residents scratch an insecure living by working in the tunnels, stretching from southern Gaza into Egypt. The network of tunnels is an essential prop to Gaza businesses. Filmed by a young Gaza filmmaker, the documentary provides an extraordinary glimpse into the lives of the men who build and work in the underground lifeline of the Gaza economy, with astonishing footage of the movement of goods and people through the tunnels themselves.

<https://www.youtube.com/watch?v=v1uatEfM7Xw>

**TICKET TO AZRAEL** by Abdallah Al-Ghoul, 2009, 30'.

Synopsis: the film director went back to his native Gaza during the summer of 2009, on break from his film studies in Cairo. He met up with his childhood friends, who, rather than studying had been digging tunnels between Gaza and Egypt. Filmed on a single day and with a camera on his shoulder, Abdallah Al-Ghoul followed them during an ordinary day of work, putting their lives at risk yet joking all the while.



## **ANNEX 5.1**

### **THE DROSOS FOUNDATION'S TERMS OF REFERENCE**

Project title: "Promoting access for a sustainable future"

Project partner: "Gisha - Legal Center for Freedom of Movement"

Project duration: December 1, 2012 – November 30, 2015

#### **Background**

The Drosos Foundation is a private, charitable, non-profit organisation, based in Switzerland. It is politically, religiously and ideologically independent and committed to enabling disadvantaged people to live a life of dignity. Further information can be found on the Foundation's website: [www.drosos.org](http://www.drosos.org)

The Drosos Foundation develops and supports projects that have a direct bearing on improving the living conditions of particular groups of people.

Gisha – Legal Center for Freedom of Movement is an Israeli not-for-profit organization, founded in 2005, whose goal is to protect the freedom of movement of Palestinians, especially Gaza resident. Gisha promotes rights guaranteed by international and Israeli law. Gisha, whose name means both "access" and "approach," uses legal assistance and public advocacy to protect the rights of Palestinian residents. Because freedom of movement is a precondition for exercising other basic rights, Gisha's work has a multiplier effect in helping residents of the occupied territories access education, jobs, family members and medical care. Further information can be found on [www.gisha.org](http://www.gisha.org)

#### **1. Summary of the project**

This project aims to help Gaza's professionals, civil society leaders, and women seeking commercial and professional development access resources and economic opportunities through travel between Gaza and the West Bank and Israel.

#### **2. Questions to be studied by the Evaluator**

The midterm evaluation will focus primarily on assessing the issues related to relevance, effectiveness, impact, and sustainability in particular in regard to the overall project implementation:

- To what extent is the project approach relevant to the needs of the target communities in Gaza?
- How did the effects of the project contribute to improving economic activities in the Gaza Strip for professionals, traders and business women? (impact)
- Do the effects of the project have a sustainable benefit for community targeted, especially those that have been assisted positively and received a permit to travel? (sustainability)
- Did the effects of the project produce any unintended or unexpected impacts?
- To what extent is the partner able to monitor the work done by the Field Coordinator on the ground?
- How do you judge the Field Coordinators presence and communication in the community in Gaza?

- How is the partner perceived in Gaza?
- How do you judge the communication between the office in Tel Aviv and the field staff?

The Partner's evaluation tool:

- How do you judge the quality of the developed monitoring tool?
- How systematically are interventions (legal assistance) being evaluated?

### **3. Methodology used for the evaluation**

- Comprehensive review of the project documents and database
- In-depth individual interviews/meetings/focus groups with:
  - °Relevant Gisha staff
  - °Field Coordinator in Gaza
  - °Target community (civil society organisations/business women)

### **4. Reporting requirements**

Reporting requirements include:

- Draft evaluation report
- Final evaluation report
- Board summary: see Annex 1

Final version includes:

- Introduction: Description of the project and the evaluation, providing methodological explanations to gauge the credibility of the conclusions and to acknowledge limitations or weaknesses, where relevant.
- Answered questions / Findings: Presenting the evaluation questions and conclusive answers, together with evidence and reasoning.
- Overall assessment: Synthesising the answers to evaluation questions into an overall assessment of the project (findings, conclusions and lessons) in a way that reflects their importance.
- Conclusions, featuring not only the successes observed but also the issues requiring further thought on modifications or a different course of action; highlighting some major conclusions organised by order of importance; identifying transferable lessons.
- Recommendations, as realistic, operational and pragmatic as possible. They intended to improve or reform the project and future programming. They derive directly from one or more conclusions. They could concern strategy, organisational and operational aspects both for the partner and Drosos.
- Annexes
- The reports are submitted in English.

### **5. Required tasks from the project partner**

- Specify a reference person for the evaluator
- Provide all requested documents and respond to inquiries
- Organize the meetings with the stakeholders and beneficiaries
- Cooperate fully with the evaluator
- Meet with Drosos Foundation and the evaluator in order to do stocktaking in

relation with the project implementation, after completion of the evaluations

**6. Expected experience of the evaluator**

- Good knowledge of the context in Gaza/Israel
- Experience in evaluation of projects

**7. Work plan and offer**

- Midterm evaluation will be executed between October 2014 and January 2015.
- Please provide us with a comprehensive offer including work plan and costs for the mandate

Zurich, May 12, 2014

## **ANNEX 5.2**

### **EVALUATION GRID**

#### **Relevance**

- Are Gisha activities in tune with the Gaza residents socio-economic needs?
- Is the NGO work perceived as relevant by other local and international organizations working in the Strip?
- Do Gisha activities adapt to the changing conflict context?
- How relevant are Gisha activities for gender issues?

#### **Effectiveness and Impact**

- Are the NGO's goals translated into clear objectives, results and process designs?
- Are there differences in effectiveness with regard to different beneficiaries (individual/organisations)?
- In which 'phases of crises' are activities more effective?
- How is the gender dimension addressed by the programme?
- How effective are Gisha activities in incorporating issues of conflict sensitivity?
- Under which conditions are results being achieved?
- What are the main impacts on beneficiaries that are attributed to the Gisha program?

#### **Efficiency of Gisha procedures and structures**

- How are Gisha contacts initiated, planned and implemented?
- How efficient is the communication between the Field coordinator and the Gisha relevant Department in Tel Aviv?
- What are the main strengths and weaknesses of the Gisha administration, procedure and monitoring instruments? How interventions are evaluated? How could they be strengthened?
- Is Gisha staff professional?

#### **Sustainability**

- How are issues of sustainability (in relation to the beneficiaries and the work of Gisha itself) being integrated into the planning of the NGO's activities from the beginning of its program?
- What kind of change in structures and institutions for sustainable activities have been enhanced or created with through the Gisha program?

#### **Coherence and Complementarity**

- Are Gisha activities in Israel and Gaza coherent and complementary with other local and international civil society organizations working in the countries?
- What kind of complementarity mechanisms exist with other local actors and beyond?

## **ANNEX 5.3**

### **Interview Guide for the Gisha Program Beneficiaries**

The general interview guide presented below and used by the evaluator has been slightly adapted according to the interviewees. A number of partner interviews were conducted in English or Arabic, and in the absence of the local field coordinator.

#### **Introduction**

- Presentation of the evaluator
- Introduction to the evaluation mission background and objectives
- Interviewees' expectations from the evaluation
- Explanation of the objectives of the interview

#### **1) The socio-economic context**

Information on how interviewees perceive the socio-economic situation, both in Israel/Gaza and in their area of work:

- How do you assess the current context (main issues)
- How do you evaluate in general the importance of mobility (between Gaza and the West Bank, between Gaza and Israel) for the Strip residents?
- Do you see possibilities for change in the short, medium or long term?

#### **2) Personal situation**

- Could you describe your personal (or that of your organization) situation/activities?
- In which way movements' restriction affect your professional activities and/or your family or personal relationships?
- If you were able to travel, in which way your trip would impact your business activities?
- (alternatively:) If you have been able to travel, in which way your trip impacted your business activities?
- If you travelled through Erez, can you describe your experience at this crossing point (including the relationships with the Hamas, Palestinian Authority and Israeli administrations at the three successive 'borders')?
- Did you experience any particular problem when you crossed back into Gaza?

#### **3) The Gisha program**

- How did you know about Gisha?
- How did you get in contact with the NGO?
- Did you consult the organization's website?
- How your relationship with the Field coordinator developed?
- In which way Gisha facilitated the achievement of your objectives?
- If Gisha intervention was successful, what are the main reasons from your point of view?

- Since Gisha is an Israeli NGO, do you think that being in contact/being helped by them can compromise your personal/professional situation in your socio-economic environment and/or in relation to Hamas representatives? Did you have any 'bad' experience in that sense?
- Do you think that Gisha activities are gender pertinent/sensitive?
- How do you see the 'gender' impact of Gisha program?

#### **4) Perspectives**

- Do you think that the possibility to travel will continue?
- With or without Gisha support?
- Would you recommend the services of Gisha to people from your personal or professional networks?

## ANNEX 5.4

### PERSONS INTERVIEWED

#### **GISHA Staff**

In Tel Aviv:

DIAMOND Eitan, Director

HEGER Nomi, Legal Department Director

BATHISH Shadi and ZOUBI Omnia, Intake Coordinators

JABBOUR Iman, Research Director [iman@gisha.org](mailto:iman@gisha.org)

HARI Tania, Deputy Director - 00972 (0)54-8349227 / [tania@gisha.org](mailto:tania@gisha.org)

In Gaza:

AZAYZA Mohammad, Field Coordinator - [mohammedazaiza\\_ot@yahoo.com](mailto:mohammedazaiza_ot@yahoo.com) (00972) 0597910404

In Ramallah (by skype):

BASHA Sari, former Gisha director and co-founder

#### **Beneficiaries and other Gaza/Palestine Residents**

ABU NAHLA Nadia

Director of Women's Affairs Technical Committee (WATCPAL) – Gaza Branch  
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ABU RAHMA Mahmoud

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ABU SALIM Sa'id

Engineer, Public Works' employee, Deir El Balah (00972) 0598916799

ABU SHABAN Khamis

Administrative Assistant, The Edward Said National Conservatory of Music  
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AL GHAZALI Riham

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AL NAJJAR Ibrahim

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DE MAIO Jacques

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EL ASSOULI Abdelrahman

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FROEHLICH Fritz

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## **ANNEX 5.5**

### **FIELD MISSION SCHEDULE**

17.1.2015, Saturday:

Flight Geneva-Zürich-Tel Aviv.

18.1.2015, Sunday:

Visit to Gisha and discussion with its personnel.

19.1.2015, Monday:

- Tel Aviv-Gaza by taxi;
- Meeting and dinner in Gaza City with P. Garnier (DFAE Swiss Representative in Ramallah) and J. Geith (DFAE, Ramallah).

20.1.2015, Tuesday:

- Meeting with M. Azayza, Gisha's FC (Field Coordinator), discussion on its role and work in Gaza; visit to the Gaza port and its fishermen;
- Meeting with M. Sow, ICRC Delegation, Gaza;
- Meeting with F. Fröhlich, DFAE consultant, and O. Shaban, Director of PalThink for Strategic Studies.

21.1.2015, Wednesday:

- Visit to Shujaiyah and surrounding areas affected by the 2014 war with the FC;
- Meeting with I. Al Najjar and Kh. Abu Shaban, The Edward Said National Conservatory of Music;
- Meeting with M. Rozzi – researcher working on children and child labor in Gaza and PhD candidate at the University of Fribourg (Switzerland).

22.1.2015, Thursday:

- Meeting with S. Lozon, director of 'Unit One';
- Meeting with R. al Ghazali and R. Matar, Shashat film company.
- Meeting and dinner with F. Riccardi, SDC, Gaza

23.1.2015, Friday:

- Meeting all day with Basil Habeel, UNRWA; visit and discussions in refugee camps (Shati and Jabaliya);

24.1.2015, Saturday :

- Meeting with M. Al Sharif, Palestinian Community Assistance Program – CHF Int.;
- Meeting with A. El Assouli, OXFAM Gaza;
- Dinner with S. Abu Salim in Deir El Balah.

25.1.2015, Sunday:

- Visit to Khan Younes, Rafah and the area of underground tunnels; Kerem Shalom and Rafah Crossing Points with the FC.
- Visit to Deir al Balah and lunch at the FC parents' house.
- Visit to Khuza village and its kindergarten damaged during the Summer 2014 war.

26.1.2015, Monday:

- Visit to the Gaza Community Mental Health Program and discussion with H. El Nounou
- Meeting with A. Ayoub, independent journalist
- Dinner with S. al Namla, correspondent for several Arab and international televisions

27.1.2015, Tuesday:

- Visit at the Coastal Municipalities Water Utilities and meeting with M. Najjar (deputy director)
- Meeting with Sh. Pushkar at UNOPS (UN Access Unit) ;
- Dinner with H. Al Hussaini, Program Manager, Austrian Development Cooperation

28.1.2015, Wednesday:

- Meeting with M. Abu Rahma, Al Mezan Centre ;
- Visit to the Palestinian Federation of Industries, meeting with Kh. Shenewra ;
- Meeting with N. Abu Nahla, director of WATCPAL ;
- Dinner with Kh. Mozayen, film director.

29.1.2015, Thursday:

- Meetings at the Union of Agricultural Workers' Committees with Mohammad Al Bakri (general manager) and Mohammad Zwayyed (marketing officer)
- Meeting with B. Skaik ; visit of Jabaliyah and Beit Hanoun.

30.1.2015, Friday:

- Meeting all day with N. Hilou, his family, his businessmen colleagues and friends of the Chamber of Commerce (including M. Skaik, manager of PalTrade Office in Gaza) at his house by the sea.

31.1.2015, Saturday :

- Meeting with A. Hamad, representative of the American Consulate in Gaza;
- Meeting with S. Al Dreamly, journalist;
- Dinner with Abdelsalam Shehada, film director in Gaza.

1.2.2015, Sunday:

- Gaza-Tel Aviv by taxi;
- Meeting with J. De Maio at ICRC, Tel Aviv

2.2.2015, Monday:

- Skype meeting (2 hours) with S. Basha (former Gisha director) from Ramallah;
- Meeting with GISHA personnel

3.2.2015, Tuesday:

Flight Tel Aviv-Zürich-Geneva

## ANNEX 5.6

### GISHA'S LOGICAL FRAMEWORK

Objectives/Expected results	Activities	Indicators/verification for objectives and results	Risks and assumptions
<p><b>Objective 1:</b> <i>To improve economic opportunities in the Gaza Strip for professionals, traders, and manufacturers, especially businesswomen, through legal assistance to facilitate movement between Gaza and the West Bank of persons and goods</i></p>			
<p><b>Result 1.1</b> More individuals travel to achieve their professional and economic goals</p>	<ul style="list-style-type: none"> <li>• Individual legal assistance</li> <li>• Individual intervention via influential individuals and groups</li> </ul>	<ul style="list-style-type: none"> <li>• Legal assistance to facilitate travel for 240 individuals</li> <li>• 75 civil society organizations and professional associations provided with legal advice and tools to facilitate travel</li> <li>• Number of permit requests granted for travel following Gisha's intervention</li> </ul> <p><b>Verification:</b> Gisha's internal records; Data on passenger crossings collected by Gisha, Palestinian and international organizations; Court documents and correspondence with the military;</p> <ul style="list-style-type: none"> <li>• Beneficiaries report progress in furthering their goals in the context of project evaluation</li> </ul> <p><b>Verification:</b> responses give in internal evaluation</p>	<p>Beneficiaries are aware of and able to access Gisha's assistance; Palestinian authorities refrain from restricting Gaza-West Bank access. Risks include an escalation in violence which may lead to a tightening of restrictive access policies and reluctance of Israeli authorities and court to facilitate access.</p>
<p><b>Result 1.2</b> Merchants/farmers/manufacturers market goods to Israel and the West Bank</p>		<ul style="list-style-type: none"> <li>• Records from Gaza-based and international organizations, economic reports</li> <li>• Policy changes, both formal and informal</li> </ul>	<p>Gaza producers have sufficient quantity and quality of goods to market; Palestinian authorities</p>

		<p>allowing goods to be marketed</p> <p><b>Verification:</b> official government statements, policies published by authorities, Gisha's internal records noting new or changed policy practices.</p>	<p>allow commerce across the territory, commerce is profitable.</p>
<p><b>Objective 2:</b> <i>To strengthen women's civil society organizations and professional and commercial groups in Gaza by helping them access resources, training and programs, including those that will enhance their capacity to fundraise and improve their effectiveness</i></p>			
<p><b>Result 2.1</b> Businesswomen further their economic activity</p>	<ul style="list-style-type: none"> <li>• Outreach to women's civil society organizations and professional and commercial groups</li> <li>• Individual legal assistance</li> <li>• Individual intervention via influential individuals and groups</li> </ul>	<ul style="list-style-type: none"> <li>• Beneficiaries report expanded capacity and/or financial expansion</li> </ul> <p><b>Verification:</b> responses give in internal evaluation</p> <ul style="list-style-type: none"> <li>• Budgets of organizations grow or new donors are secured</li> </ul> <p><b>Verification:</b> Financial statements of organizations</p>	<p>Beneficiaries seek to travel and undertake training and capacity building, Evaluation risks include the difficulty of measuring improvement and increased capacity, recognition that increased economic activity and capacity may be realized following the end of the project</p>
<p><b>Result 2.2</b> Women's organizations expand their programmatic and financial capacity</p>			
<p><b>Objective 3:</b> <i>To expand criteria which restrict travel from Gaza and are a root cause of economic insecurity and de-development</i></p>			
<p><b>Result 3.1</b> Economic, professional and trade ties between Gaza and the West Bank are maintained or deepened</p>	<ul style="list-style-type: none"> <li>• Individual legal assistance, including preparation of letters and petitions, when necessary</li> <li>• Freedom of information procedures</li> </ul>	<ul style="list-style-type: none"> <li>• Records from Gaza-based and international organizations, economic reports</li> <li>• Beneficiaries report and give examples of new and strengthened professional and economic ties.</li> </ul> <p><b>Verification:</b> responses give in internal evaluation</p>	<p>Traders continue to seek commercial ties with Israel and the West Bank. Risks include an escalation in violence, which may lead to a tightening of restrictive access policies and reluctance of Israeli authorities and court to facilitate access;</p>

			Deepening of the internal split between Fatah and Hamas which serves to weaken ties.
<b>Result 3.2</b> Women's economic development is recognized as a priority in travel criteria		<ul style="list-style-type: none"> <li>Policy changes, both formal and informal include those which make access open to women in the same way as men</li> </ul> <b>Verification:</b> official government statements, policies published by authorities, Gisha's internal records noting new or changed policy practices.	Risks include reluctance of Israeli authorities and court to facilitate access or policy changes, which allow for increased access but do not benefit women.
<b>Objective 4</b> <i>To map the travel needs of key Palestinian economic and civil society institutions, revive their programs across Gaza and the West Bank and build their capacity to facilitate the necessary travel beyond the duration of the project</i>			
<b>Result 4.1</b> Organizations and CSOs hold programs based on travel and access between Gaza and the West Bank	<ul style="list-style-type: none"> <li>Mapping of businesses, organizations and key access needs</li> <li>Legal counseling</li> <li>Development and distribution of access kits</li> </ul>	<ul style="list-style-type: none"> <li>CSOs engage in independent initiatives to move people between Gaza and the West Bank</li> </ul> <b>Verification:</b> Feedback and follow up with organizations	CSOs plan programs which require travel and access across the Palestinian territory, CSOs are aware of Gisha's work and willing to approach us for our assistance. Risks include increased restrictions by Israeli authorities and Palestinian authorities preventing travel which in turn also dissuades organizations from organizing joint programs and from submitting travel requests.
<b>Result 4.2</b> CSOs and professional/trade organizations have greater capacity to move their people between Gaza and the West Bank to achieve their goals			

<b>Objective 5: To strengthen the impact and sustainability of Gisha's work</b>			
<p><b>Result 5.1</b> Gisha's capacity for private donor fundraising increases</p>	<ul style="list-style-type: none"> <li>• Development and implementation of fundraising plan</li> </ul>	<ul style="list-style-type: none"> <li>• Gisha's income from contributions from private donors increases from 9% to a projected 15%</li> <li>• Gisha's budget is more diversified than at the outset of the project</li> </ul>	<p>Gisha is able to effectively identify and target private donors and has systems in place to manage the increased number of donors – correspondence , meetings, reporting.</p>
<p><b>Result 5.2</b> Impact of legal assistance is evaluated in order improve effectiveness and target future assistance</p>	<ul style="list-style-type: none"> <li>• Development and implementation of evaluation tool</li> </ul>	<ul style="list-style-type: none"> <li>• Quantitative and qualitative evaluations are undertaken</li> <li>• An external evaluation is conducted</li> <li>• Results are analyzed</li> <li>• 'Lessons learned' are decided on</li> </ul>	<p>A sufficient number and scope of clients are willing to be interviewed and able to evaluate the impact of Gisha's legal assistance. Evaluation tool is flexible and can measure impact and effectiveness within a changing geo-political context.</p>