



# **Mid-term Review of the European Joint Strategy in support of Palestine 2017-2020**

**Final Report**

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Palestine 2017-2020  
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## Abbreviations

AfD	Agence Française de Développement
AHLC	Ad-hoc Liaison Committee
CEDAW	Convention on the Elimination of All Forms of Discrimination Against Women
CoG	Centre of Government
COGAT	Coordinator of Government Activities in the Territories
CRDP	Community Resilience Development Programme
CSOs	Civil Society Organisations
DAG-HoC	Donor Advisory Group-Heads of Cooperation
DFID	UK's Department for International Development
DoL	Division of Labour
EDPs	European Development Partners
EDSP	Education Development Strategic Plan
EIB	European Investment Bank
EJS	European Joint Strategy
EQ	Evaluation Question
ERI	Economic Resilience Initiative
ERI	Economic Resilience Initiative
EU-MS	European Union Member States
EUPOL COPPs	EU Coordinating Office for Palestinian Police Support
EUREP	Office of the European Union Representative
GAP	Gender Action Plan
HoC	Head of Cooperation
HoM	Head of Mission
HoP	Head of Political Section
HQ	Headquarters
HR/IHL	Human Rights and International Humanitarian Law Secretariat
JC	Judgement Criterion
JFA	Joint Financing Agreement
JP	Joint Programming
LACS	Local Aid Coordination Secretariat
LGSIP	Local Governance and Service Improvement Project
LGUs	Local Government Units
MDP	Municipal Development Programme
MDTF	Multi Donor Trust Fund
MoE	Ministry of Education
MoFP	Ministry of Finance and Planning
MoH	Ministry of Health
MoHESR	Ministry of Higher Education and Scientific Research
MoL	Ministry of Labour
MoLG	Ministry of Local Government
MoNE	Ministry of National Economy
MoSD	Ministry of Social Development
MoWA	Ministry of Women's Affairs
MSME	Micro and Small to Medium Enterprise
MTR	Mid-Term Review

NPA	National Policy Agenda
ODA	Overseas Development Assistance
OECD-DAC	Organisation for Economic Co-operation and Development – Development Assistance Committee
oPt	Occupied Palestinian Territory
PA	Palestinian Authority
PCBS	Palestinian Central Bureau of Statistics
PENRA	Palestinian Energy and Natural Resources Authority
PEFA	Public Expenditure Financial Accountability
PEGASE	Palestino - Européen de Gestion et d'Aide Socio-Economique
PID-MDTF	Partnership for Infrastructure Development - Multi-Donor Trust Fund
PMO	Prime Minister's Office
PMU	Programme Management Unit
PPF	Project Preparation Facility
PRDP-MDTF	Palestinian Recovery and Development Trust Fund - Multi-Donor Trust Fund
RAND	Research and Development Corporation
RBA	Rights Based Approach
ROF	Results Oriented Framework
SDC	Swiss Development Cooperation
SDGs	Sustainable Development Goals
SRF	Strategic Results Framework
SWGs	Sector Working Groups
TA	Technical Assistance
ToC	Theory of Change
ToR	Terms of Reference
TVET	Technical and Vocational Education and Training
UDHR	Universal Declaration of Human Rights
UNCTAD	United Nations Conference on Trade and Development
UNDAF	United Nations Development Assistance Framework
UNDP	United Nations Development Programme
UNRWA	United Nations Relief and Works Agency for Palestine Refugees in the Near East
UNSCO	United Nations Special Coordinator Office for the Middle East Peace Process
USAID	United States Agency for International Development
WASH	Water Sanitation Hygiene

# 1. INTRODUCTION

The European Joint Strategy 2017-2020 (EJS) is a strategic framework that enables European Development Partners (EDPs)<sup>1</sup> to work collectively to:

- i) Increase aid effectiveness by improving the efficiency and effectiveness of European Union/Member State (EU/MS) financial effort in Palestine; and
- ii) Affirm and defend the shared vision of European actors in Palestine and ensure convergence between the development work that they do and the wider political objectives of the EU<sup>2</sup>.

The EJS is centred on five strategic pillars, grouping 13 sectors. Its structure and content broadly aligns with the Palestinian National Policy Agenda (NPA) 2017-2022. Pillars I and II of the EJS support Palestinian statehood/state building, governance, accountability, rule of law and justice. Pillar III focuses on delivery of services to the most vulnerable with an emphasis on social protection, access to education and health services. Pillar IV aims to ensure the sustainable provision of affordable energy, safe water and reliable sanitation services. Pillar V supports private sector led economic development, agriculture and labour market development. Both the NPA and the EJS focus on the geographic areas of the West Bank, including East Jerusalem, and the Gaza Strip. The Results Oriented Framework (ROF) monitors EJS project outputs and impact and informs policy dialogue between EDPs and the Palestinian Authority (PA) and other stakeholders, including UN agencies and civil society.

The political and economic environment for EJS implementation is complex and has been deteriorating since 2016. The PA is facing a fiscal crisis, deepening political divisions between Gaza and the West Bank, disaffection among Palestinians and changes in US policy towards Palestine. These challenges are combined with continued Israeli occupation, the blockade of Gaza, contributing to deteriorating humanitarian conditions, progressive fragmentation of Palestinian territory, increased settlement expansion, house demolitions and land confiscations (particularly in East Jerusalem and Area C).<sup>3</sup>

The relentless pace of settlement expansion and incursions is a particular threat to the territorial viability of the two-state solution. As stated in the United Nations Development Assistance Framework (UNDAF) for the State of Palestine 2017-2022, the situation is exacerbated by the inability of Palestinian institutions to access most of Area C and the entire population of East Jerusalem. For the UN, the ultimate accountability for Palestine's ability to reach the global goals under the 2030 Agenda for Sustainable Development remains with the Government of Israel (GoI) as occupying power.<sup>4</sup>

The weakened economic and fiscal situation has negative ramifications for the achievement of results under the NPA and the EJS. The Palestinian economy performed poorly in 2018, with a marked slowdown in the West Bank and a rapid decline in Gaza, which experienced a 7% contraction. Growth forecasts by the World Bank predict a possible 1% growth in 2020, which translates into a de facto decline in real per capita income and increased poverty rates. Unemployment is staggeringly high in Gaza at 27% with youth unemployment at 64%<sup>5</sup>. This weak economic performance must be set

<sup>1</sup> EJS p. 9-10. (EDPs - European Development Partners - EU, EU Member States (EU MS), Norway and Switzerland).

<sup>2</sup> EJS p.10.

<sup>3</sup> OCHA (2019) Palestine - Humanitarian Needs Overview.

<sup>4</sup> United Nations Development Assistance Framework State of Palestine 2017-2022.

<sup>5</sup> World Bank (2019) Economic Monitoring Report to the Ad Hoc Liaison Office Committee.

against a background of significant investment made by the international community in Palestine since the Oslo agreements of the early 1990s:

*“...the Palestinian territory is the largest recipient per capita of international aid in the world, with development assistance per person exceeding that of the other top ten aid recipients combined. As the largest aid donor to Palestinians, the EU alone has contributed EUR 6 billion in bilateral cooperation assistance to Palestine since 1993, including the Palestinian Authority and various UN agencies, among them, in particular, the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA)”<sup>6</sup>.*

As emphasised in the EJS, a productive private sector offers the key to improving the economic situation. However, the sustainability of private sector development depends on the lifting of restrictions imposed by the GoI on the West Bank, and the decade long blockade on Gaza, which have undermined productivity in the Palestinian economy. Moreover, the declining socio-economic situation and continued instability have contributed to a deterioration in good governance and the rule of law. This has resulted in a further weakening of the independence of the judiciary, the separation of powers and civil society/media freedoms. The situation is further compounded by the political uncertainty created by the US diplomatic position towards Palestine which has, in effect, reversed a half-century of US Middle East policy.<sup>7</sup>

## 2. JOINT PROGRAMMING

### Joint Programming: An Overview

The EU has continuously explored new approaches, means and instruments to strengthen development effectiveness and impact in partner countries. Effective coordination of development interventions between the EU Member States (EU MS) and other development actors has been repeatedly identified in policy reports and evaluations as a point for action. This remains a challenge, particularly in supporting fragile states.<sup>8</sup>

In line with its commitment to improving development cooperation effectiveness, the EU has increased the use of joint programming (JP) to improve partner coordination and reduce aid fragmentation. The Lisbon Treaty (2009) committed the EU to greater coordination and implementation of development planning and the adoption of a ‘*whole of Europe*’ approach. At the Busan Aid Effectiveness conference in 2011, the EU presented JP instrument as a means to promote greater coordination between EU Member States (EU-MS) in their work with partner countries. The EU’s commitment to JP and greater policy coherence was once again reinforced in the 2017 European Development Consensus. In practice, this often involves the creation of a single partner country strategy by European donors, so as to better direct development cooperation and facilitate local ownership.

JP is a flexible process, designed to respond to the specific needs of the respective partner country. It is based on a donor-mapping exercise in the partner country, a needs analysis and agreement about priority sectors for intervention with the partner country. Priority support sectors are allocated to participating EU-MS with national government approval and budgets and timelines prepared. The

<sup>6</sup> Re-thinking Oslo: how Europe can promote peace in Israel-Palestine (2017) European council on Foreign Relations.

<sup>7</sup> Palestinian Centre for Policy and Survey Research (2019) The PA in 2019: Challenges and Sources of Threat Critical Policy Brief Number 1/2019

<sup>8</sup> European Parliament, Directorate-General for External Policies of the Union Directorate B Policy Department Study (2013) EU Development Cooperation in Fragile States: Challenges and Opportunities.



outcomes of the JP process are an agreed Roadmap, Joint Analysis, Joint Response leading to an agreed JP Strategy and Division of Labour (DoL) among EU-MS. The overall draft JP strategy is approved by the EU and EU-MS locally. Once approved, the JP strategy is launched.

As already noted, the 2017 New European Consensus on Development foresees that JP can help increase the impact of EU and EU-MS funded actions on the ground. For partner countries, JP is expected to result in lower transaction costs as they engage with a single European partner donor country strategy. Through collective action directed to particular development problems, JP also offers opportunities for the formation of innovative policy ideas to inform future joint strategies through the “*programming together*” experience<sup>9</sup>.

### 3. METHODOLOGY

The objective of the Mid-Term Review (MTR) is to assess whether the EJS has been able to “collectively address Palestinian development priorities and needs” and enable EDPs to work collectively “in support of Palestine's own planning”. The period of reference is 2016 to 2018 inclusive. As per the ToR, the evaluation process was executed through three main phases (Desk Phase, Field Phase and Synthesis Phase).

#### Desk Phase

The aim of the desk phase was to refine the evaluation methodology, agree the evaluation questions (EQs) and clarify any conceptual issues that would be important for the successful implementation of the assignment. The Desk Phase also allowed the expert team to begin the process of collecting relevant EJS-related documentation. Initial interviews carried out with Commission Services in Brussels enhanced the team’s understanding of the evaluation outputs that the assignment was expected to deliver.

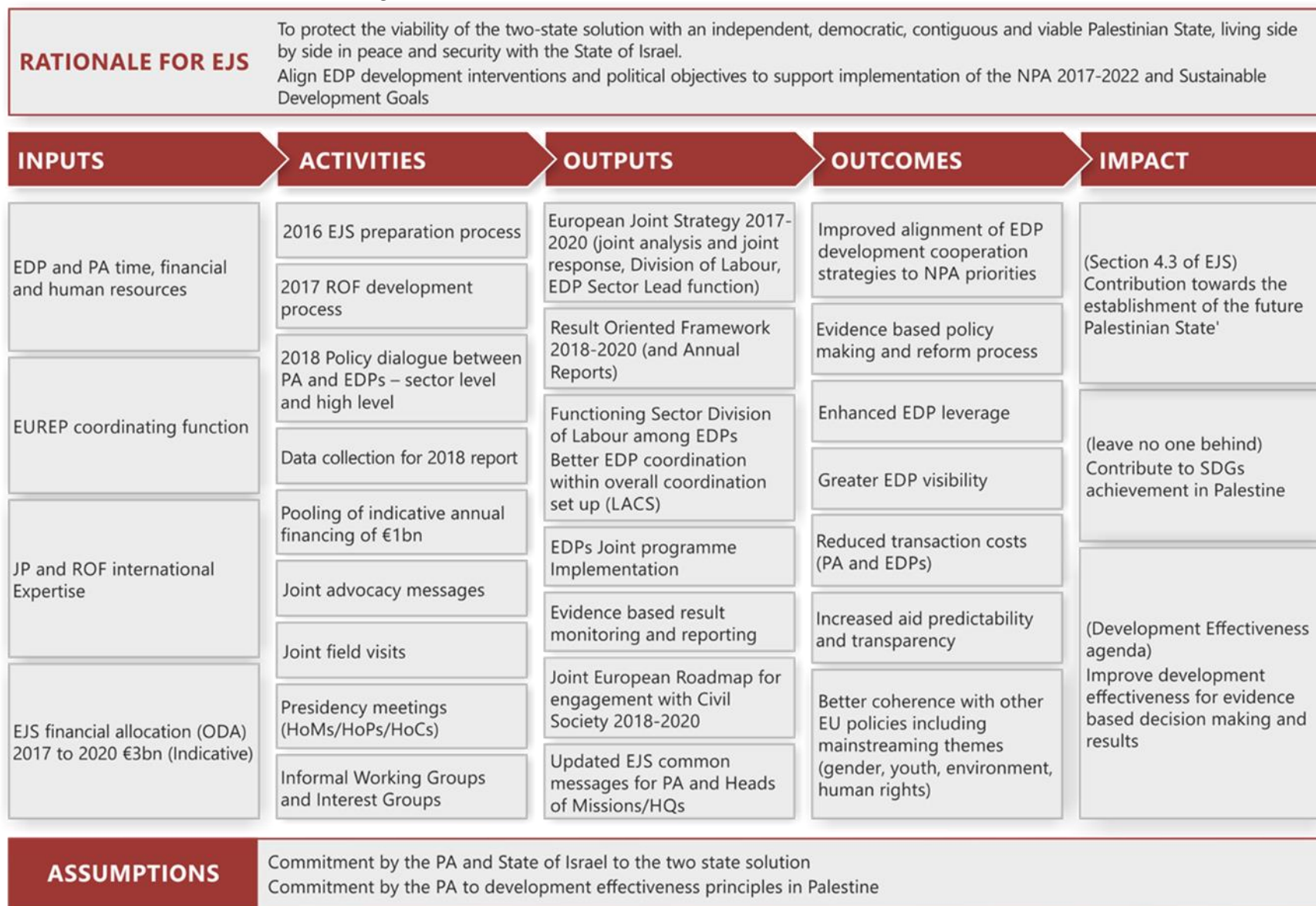
In consultation with EUREP evaluation management, the team reconstructed the Intervention Logic of the EJS action. This Intervention Logic provided a broad conceptual framework for considering the key issues that were to be addressed by the evaluation (Figure 1). On this basis, an evaluation matrix, containing agreed evaluation questions, judgement criteria and indicators, was prepared in close dialogue with EUREP (Annex 1).

#### Field Phase

The field mission was carried out between October 28 and November 9, 2019. The total number of stakeholder interviews carried out exceeded ninety persons, including EUREP, EU-MS, PA officials, civil society actors, business representatives and UN/other donor organisations. A complete list of interviewees is presented in Annex 3.

<sup>9</sup> See Annex 2 for overview of Joint Programming in Palestine and Design of EJS 2016. Joint Programming Guidance (2018) European External Action Service DG International Cooperation and Development, European Commission DG European Neighbourhood Policy and Enlargement Negotiations, European Commission Brussels.

Figure 1: EJS Reconstructed intervention logic– Mid Term Review



## Synthesis Phase

The Synthesis Phase was carried out between November 2019 and February 2020. This phase involved filling information gaps that became evident during the desk and field phases, answering the EQs and drafting the final report. Exchanges with EUREP continued during the Synthesis Phase.

## 4. EVALUATION FINDINGS

The evaluation questions (EQs) are answered with reference to the judgement criteria (JC), which are presented in the Evaluation Matrix (Annex 1). Our response to each evaluation question begins with a summary of key findings and conclusions. The findings and conclusions inform the overarching recommendations presented in Section 5.

### **EQ 1 Relevance: How well is the EJS aligned with the NPA 2017-2022 and how well has it demonstrated responsiveness in adapting to contextual changes?**

**Summary findings:** The EJS aligns well with the priorities of the NPA Pillar II (Government Reform) and Pillar III (Sustainable Development). In support of NPA sector priorities, the EJS provides technical support to governance reform, fiscal consolidation, rule of law and security, social services delivery, water/energy services delivery, and economic development.

The ROF mechanism contributes to closer alignment between EJS sectors and national sector strategies by monitoring EJS sector support outcomes and informing policy dialogue between Palestinian partners and EDPs. However, humanitarian and development actors continue to work in silos, resulting in disparate approaches to responding to the needs in Gaza.

The EJS could increase its alignment with the NPA by expanding support to economic independence under NPA Pillar I Path to Independence.

**Conclusions:** There is alignment between the EJS and the NPA – primarily at sector level. To better align with the NPA and protect the viability of the two-state solution, convergence between the development interventions supported by EJS and the political dimension of protecting the viability of the two-state solution could be strengthened.

### **Overarching Recommendations 1 – 2 – 3 – 7.**

### **JC1.1: Intervention logic aligned with the National Policy Agenda**

The alignment of EJS with the priorities of the NPA was a deliberate strategy that reflects EDP commitment to the EU Common Position policy statement to the Fourth High Level Forum on Aid Effectiveness, Busan 2011. The NPA is based on a “National Vision” to establish a sovereign and democratic state, co-existing peacefully with its neighbours. It focuses on three “pillars” (with 21 corresponding sector strategies):

- Pillar 1. Path to Independence
- Pillar 2. Government Reform
- Pillar 3. Sustainable Development.

The EJS focuses on the following five priority pillars consistent both with the NPA and the EJS political objective of supporting the viability of the Palestinian state:

- Pillar I. Governance Reform, Fiscal Consolidation and Policy
- Pillar II. Rule of Law, Justice, Citizen Safety and Human Rights
- Pillar III. Sustainable Service Delivery
- Pillar IV. Access to Self-Sufficient Water and Energy Services
- Pillar V. Sustainable Economic Development.

Joint programming by EDPs was carried out contemporaneously with the preparation of the NPA. Throughout 2016, sector working groups and policy dialogue meetings between PA partner institutions and EDPs contributed to the formulation of the EJS and the development of the strategic pillars contained within it.<sup>10</sup> The EJS alignment with the NPA was referenced at the launch of the EJS:

*“The European Joint Strategy presents a counterpart to the Palestinian National Policy Agenda 2017-2022. Within this framework we are committed to support to building the future Palestinian state”.<sup>11</sup>*

The following examples illustrate the EJS-NPA alignment when setting the priorities for aid interventions:

**EJS Pillar I** (*Governance Reform, Fiscal Consolidation and Policy Reform*) focuses on macro-economic support, public financial management and public administration reforms. Corresponding to the NPA’s Pillar 2 (Government Reform), EJS Pillar I aims to build accountable and responsive institutions capable of delivering basic services and fulfilling obligations in line with international human rights conventions.<sup>12</sup>

**EJS Pillar II** (*Rule of law, justice, citizen safety and human rights*) underscores the need for capable and accountable Palestinian security and justice sectors as key elements of a future Palestinian State. This is built on the premise that safety, security, and justice are fundamental to ensuring economic development and the legitimacy of a future Palestinian state. The NPA’s National Priority 7 - Social Justice and the Rule of Law - supports interventions to ensure a fair, transparent, and independent judicial system, effective implementation of court decisions, and integrated delivery of fair access to judicial services, particularly for women, youth, and children.

**EJS Pillar III** (*Sustainable Service Delivery*) supports NPA aims to provide Palestinians with quality services in health, education and social protection with a focus on socio-economic inclusion of the poorest and most vulnerable.

**EJS Pillar IV** (*Access to Self-Sufficient Water and Energy Services*) supports the NPA aim of providing communities with sustainable access to clean and affordable water, sanitation, and energy services. EJS Pillar IV also supports increased energy efficiency and development of renewable energy corresponding to NPA priorities in Pillar 3 (Sustainable Development).

**EJS Pillar V** (*Sustainable Economic Development*) aligns with NPA Priority 6 (Economic independence on wider macro-economic strategic interventions). Pillar V initially supported the

<sup>10</sup> See Evaluation of EU Joint Programming Process of Development Cooperation (2011-2015) Final Report Volume II – Annexes March 2017 Annex Q. Country Note Palestine March (p.309).

<sup>11</sup> EU Representative Ralph Tarraf, at the launch of the European Joint Strategy in support of Palestine ‘2017-2022 – Towards a democratic and accountable Palestinian State’.

<sup>12</sup> National Policy Agenda 2017- 2022: National Policy 7: Responsive Local Government (p.27).

private sector development and agriculture sectors, but this was extended in 2017 to include various active labour market interventions.

The EJS also suggests alignment with the NPA at political level through support for national policies and objectives under NPA - Pillar 1 (Path to Independence) as follows:

- Ensuring that the Government of Israel complies with international human rights law and international humanitarian law
- Creating closer alignment between the political and development dimensions of the work of European partners
- Maintaining the integrity of Palestinian territory, strengthening Palestine's international status/participation and expanding bilateral relations.<sup>13</sup>

There is limited evidence that these political objectives have been achieved to date, particularly in relation to the integrity of Palestinian territory which is a key objective of NPA Pillar 1 (Path to Independence).

### **JC1.2: EJS development and adaptation to evolving political and economic circumstances**

The EDP Joint Analysis and Joint Response describe the political, socio-economic, and fiscal context within which EJS support interventions are to be implemented. The EJS highlights the challenges posed by restrictions on economic activity in Area C (containing the majority of the West Bank's natural resources), high unemployment – especially among youth and women – increasing poverty and “Gaza's de-development spiral”.<sup>14</sup>

There is evidence that the EJS is adapting to evolving economic circumstances. For example, under Pillar I, (Sector 3 Local Government Reform) EDPs have supported local government reform through the Municipal Development Programme (MDP), the Local Government Services Improvement Programme (LGSIP), and the Palestinian Recovery and Development Multi-Donor Trust Fund (PRDP-MDTF). Through EDP engagement with the MoLG, it was agreed that municipal revenue reform is necessary to address fiscal limitations and sustain reforms made to date. With future EJS programming, EDP priorities will therefore concentrate on domestic revenue mobilisation and programme-based budgeting.

Similarly, under Pillar IV, in the water and energy sectors, EDP policy dialogue with Palestinian partners has identified the need to address tariff collection and enforcement of regulatory frameworks to better facilitate EDP infrastructure investment. As a result of these discussions, future EJS support in the water sector will address the need for improved management standards and good governance in water regulatory institutions.

Under Pillar V, the Ministry of Agriculture (MoA) was supported by the EU, Spain and the FAO to prepare a National Investment Plan for Food and Nutrition Security and Sustainable Agriculture 2020-2022. Spain, as the EDP sector lead in agriculture, anticipates that this Plan will introduce new priorities for future EDP actions within the overall context of Palestine's agricultural strategy, which supports both resilience and business competitiveness in this critical economic sector.

<sup>13</sup> European Joint Strategy, pp 36-39.

<sup>14</sup> European Joint Strategy, pp 25-28.



**JC1.3: EJS appropriate for strengthening the development-humanitarian nexus (supporting resilience in Gaza, East Jerusalem and Area C)**

As highlighted by the Council of the European Union, a Development-Humanitarian Nexus can be created via coherent multi-annual programming for development and humanitarian actors. Having an overall aim to strengthen Palestinian community resilience, this nexus would address the underlying root causes of vulnerability, fragility and conflict while simultaneously meeting humanitarian needs and strengthening resilience.<sup>15</sup>

The EU-funded East Jerusalem Support Programme (EUR 8-15m annually) adopts the principles implicit in the Development-Humanitarian nexus favoured by the Council. The programme is designed to address a lack of investment in community services, create new economic and employment opportunities, and protect rights of women and other vulnerable groups in East Jerusalem. In carrying out this work, the EU works closely with civil society organisations—particularly on legal issues including human rights.

Strategically, the EJS provides an enabling framework for identifying opportunities to strengthen the development-humanitarian nexus. However, humanitarian interlocutors stressed that the provision of aid in Palestine—and especially for Gaza—was more focused on development rather than humanitarian needs. A joint development and humanitarian needs assessment leading to a joint complementary response did not occur. To date, policy responses to the situation in Gaza appear to be driven by bi-lateral EDP political agendas rather than collectively through the EJS.

*“People from Gaza are held ransom to the lack of a political solution, with worsening humanitarian conditions and protection concerns, requiring development and humanitarian actors to come together in their response”.<sup>16</sup>*

Health systems in Gaza are acutely in need of support and were regularly described as “collapsed” during EDP field interviews. Following Israeli bombings, or during demonstrations, emergency medical responses are left to humanitarian actors. Development actors could play a more active and important role through, for example, maintaining and strengthening medical facilities such as the European Gaza Hospital, which does not properly function due to a lack of equipment and supplies.

In the Justice sector, support by EDPs - such as UK and Norway - for strategic litigation in Area C and East Jerusalem is, inherently, a humanitarian response to violations of human rights and humanitarian law, such as land confiscation, demolitions, and destruction of humanitarian installations supported by EDPs and other donors. Litigation is also broadly considered as contributing to maintaining the viability of the two-state solution by slowing (though not halting) progressive annexation by Israel of these areas.

Political differences among member states can also impact on joint European and national responses to Gaza. It was also observed that many Member States have a strong aversion to risk, contributing to a reluctance to change individual EU-MS strategies towards Gaza.<sup>17</sup> Humanitarian and development actors continue to work in silos, with the discussion often focused on “what is humanitarian and what is development?” This has resulted in disparate approaches to responding to short- and long-term needs in Gaza.

<sup>15</sup> Council of the EU (2017) Operationalising the Humanitarian-Development Nexus - General Secretariat of the Council - Council Conclusions.

<sup>16</sup> Interview with UN organization, November 2019.

<sup>17</sup> Differences on Gaza were discussed during the HoC workshop in November 2018.

## **EQ 2 Relevance: To what extent has the EJS - as a joint framework – improved aid effectiveness?**

**Summary findings:** The EJS is a joint framework that has contributed to improved aid effectiveness. Coordination between EDPs has increased. The EJS has reduced aid fragmentation through the JP process. There are many examples of EDPs working collectively on jointly funded projects under the EJS. EDPs in Palestine remain committed to aid effectiveness and engage in ROF monitoring.

However, a lack of capacity in field missions was cited by EDPs as a significant challenge to maintaining the coordination and collective engagement that is needed for further improving aid effectiveness. Furthermore, weak HQ support was identified as an impediment to joint EDP work.

The EJS has not yet contributed to better aid predictability except for those EDPs that budget on a multi-annual basis.

The national ownership of development priorities is demonstrated by NPA/EJS alignment which is strengthened through the joint policy dialogue process. However, national ownership is undermined by the limited financial and institutional capacities of Palestinian partners as well as political divisions that have been deepening in recent years. Sector policy budgeting, aligned with the overall medium-term budgetary framework reforms, should improve national ownership.

**Conclusions:** The capacities and resources of both EDP missions and Palestinian partner institutions require strengthening if the benefits of the EJS are to be fully realised. The EJS has encouraged national ownership of EDP supports through close alignment with NPA priorities. Aid predictability could be strengthened by publishing three to five-year indicative forward estimates as per commitments in the Accra Agenda for Action. Reduced aid fragmentation is noticeable as a result of joint project funding by EDPs and improved coordination under the EJS.

**Overarching Recommendations 1 – 2 – 3 – 6 – 7.**

### **JC2.1: National Ownership of EJS**

While it is true that intensive consultation with Palestinian stakeholders through the joint planning process has led to an alignment between NPA and EJS priorities, national ownership of the EJS remains weak. This is mainly because of the weak fiscal situation of the PA as well as deepening political divisions. A national multi-annual programmatic budgeting system that could integrate national planning objectives under the NPA and sector strategies objectives with EJS funding support is not yet in place. Such a system would certainly improve the likelihood of a tangible national ownership of the EJS.

During field interviews, several PA partner Ministries raised concerns about the lack of an overall understanding of donor activities within their respective sectors. The Ministry of Agriculture (MoA), for example, referred to a data deficit in tracking the impact of donor activities. The lack of data on donor activities also undermines the PA's capacity to complete the NPA sector results framework. Lack of information also means that the mainstreaming of donor activities is less likely (since the policy implications of particular EJS interventions are not understood in some cases). Nevertheless, ROF process and the Pillar V has served to address some data deficits regarding EDP activity in agriculture sector.

Similarly, the MoF has suggested that it does not have complete data with regard to on-going donor funded interventions. This reflects the findings of the 2019 West Bank/Gaza Aid Management System Review: *“data and information on aid flows continue to be collected through dispersed and inconsistent (...) systems-when collected at all”*. The review also revealed that the PA does not have

access to reliable data on donor aid to support its development priorities, and that there were inconsistencies between total numbers due to the use of different financial systems.<sup>18</sup>

*“As high-level documents, there is harmonisation between the NPA and EJS. The EJS offers predictability in terms of what all EU member states are doing but the timeframe and results tracking are not aligned between both strategies. What happens at the implementation level is still to be determined. The key issue is the implementation mechanisms on our side and the EU side.”<sup>19</sup>*

Reforms of the Local Aid Coordination Secretariat (LACS) should help to address this situation. In addition, EJS ROF annual reporting and reporting on implementation progress by Pillars directly to PA partners would also help in this regard.

## **JC2.2: EDPs engaged in development effectiveness agenda (locally and HQ levels)**

There is strong evidence that EDPs are diligent in applying global development effectiveness principles. These principles include country ownership, a focus on results, inclusive development partnerships, transparency, and mutual accountability. A major incentive to commit to joint programming by EDPs was the expectation that collective EDP sectoral action would improve implementation and increase impact of their bilateral support programmes.<sup>20</sup>

There were no instances identified where EDPs were not supporting NPA priorities or undermining ownership of the development priorities established by Palestinian partner institutions.

Local EDP missions have a strong focus on delivering results. The EDPs work on a partnership basis with Palestinian institutions and stakeholders, but political factors, as well as capacity constraints, undermine follow through on the implementation of reforms supported by EDP interventions. This is particularly the case in sectors that require major policy and institutional changes such as Public Administration Reform. EDP missions strongly welcome the concept of mutual accountability because it supports programme implementation. However, the degree of mutual accountability is specific to particular sectors, as illustrated by the following EDP interview feedback.

*“In the education sector there is mutual accountability, but this is not the case in the water sector, especially when it comes to going forward with agreed reforms. With rule of law we work with CSOs as they are more committed to mutual accountability than the Ministry of Justice”.<sup>21</sup>*

Although aid effectiveness is referenced in EDP country strategies which are approved by HQs, EDP mission interviews did not reveal specific examples of HQ engagement with the development effectiveness agenda. EDPs did state that absorption of allocated bilateral funds, results achievement and EDP visibility were HQ priorities. During the EDP Head of Cooperation (HoC) annual retreat in 2018, EDP coordination was seen as bringing many benefits but required resources and HQ support. Weak HQ support was identified as an impediment to joint EDP work.<sup>22</sup>

<sup>18</sup> West Bank and Gaza (2019) Aid Management System (AIM) Review Final Draft Report, World Bank/Norwegian Representative Office to the Palestinian Authority.

<sup>19</sup> Interview with the Prime Minister's Office, November 2019.

<sup>20</sup> Sweden is committed to an effective EU development cooperation policy through active participation in EU development coordination and joint programming. (Strategy for international development cooperation with Palestine. The collective commitment 2015 – 2019). The joint financing of the MAP agricultural value chain programme by Denmark and other EDPs to improve result delivery. (Denmark – Palestine Country Paper 2016-2020).

<sup>21</sup> Interview EDP, November 2019.

<sup>22</sup> Meeting Minutes (2018) EU HoCs Annual Retreat Jericho.



### JC2.3: Improved EDP leverage for policy dialogue and reforms

One of the major potential benefits of joint programming is the leverage that collective policy dialogue can generate in committing Palestinian partner institutions to policy reform. Indeed, there is an expectation amongst EDPs that the EJS will leverage increased policy reform commitment and follow through by Palestinian partners. Policy leverage was a consistent theme of the HoC and EJS programming workshops. The EU HoC retreat (2018) noted the benefits of joint cooperation in terms of:

- a stronger voice towards the PA
- a strong voice towards own capitals (HQs)
- the ability to scale up with more comprehensive projects and information sharing.

The European Centre for Development Policy Management (ECDPM) cites the Education Sector Joint Financing Agreement (JFA) in Palestine as an example of joint EDP reform leverage with the Ministry of Education (MoE).<sup>23</sup>

In the energy and water sectors, the AfD highlighted the importance of working with the Netherlands in jointly holding Palestinian institutions to account for commitments made to procedural and regulatory reforms in both sectors.<sup>24</sup>

The ROF was designed to “*inform policy dialogue with the Palestinian Authority (PA) institutions by monitoring progress towards planned joint development results, sector changes, and reform processes. It was to support evidence-based decision-making for future programming exercises and it was to increase the effectiveness of European financial support to Palestine by monitoring results and promoting mutual accountability, transparency and predictability*”<sup>25</sup>.

According to the ROF 2018 report, EDPs had regular, structured discussions on sector analyses and priorities with the PA. EDPs were better prepared and united, resulting in more productive discussions with the PA partners. Notwithstanding this, the ROF report noted the need for additional resource commitment by Palestinian partners and EDPs to guide investment planning in each sector.

To support policy leverage, it was suggested at the EU HoC retreat (2018) that EDP Sector Leads formulate common messages, coordinated with other active donors and consistent with the ROF, that can be presented to PA partners, GoI, and own HQs/Parliaments at HoC and HoM levels.

### JC2.4: Increased financing predictability against ROF priorities

Improving the predictability of EDP financing is critical to increasing Palestine’s national ownership of the development support. The PA does not control the inflow of Palestinian tax and customs revenues, causing a heavy dependence on external aid. This, in turn, leads to payment delays of public sector salaries and social allowances to the most vulnerable sections of the Palestinian population.<sup>26</sup>

<sup>23</sup> Stepping up? Best Practice in Joint Programming and Prospects for EU Joint Cooperation Strategies (2015) ecdpm.org.

<sup>24</sup> Danish Country Policy Paper 2016-2020.

<sup>25</sup> ROF Guidance Note.

<sup>26</sup> ‘Israel’s practice of withholding revenues when it wants to place political pressure on the PA was, apparently, unforeseen by the Palestinians when the Paris Protocol was negotiated.’ Realigning EU Policy in Palestine Towards a Viable State Economy and Restored Dignity (2015) Sami Abdel-Shafi/Chatham House.

Despite donor coordination efforts to date, the MoF still has data gaps on the scope and scale of donor funding in Palestine.<sup>27</sup> This makes multi-annual programming and associated budgeting difficult. Both of these are key ingredients of aid predictability.

The Prime Minister's Office (PMO) considers the EU to be a very reliable donor in terms of aid predictability. The EU operates on a multi-annual basis with greater funding predictability than other EDPs, who are subject to HQ policy modifications. Such modifications are often due to changes in national governments or when new ministers take up ODA portfolios. The varying funding cycles of EDPs impacts on reliability, with one EDP interviewed working on a restrictive six-month programming timescale with a "use or lose" funding instruction from HQ.

The PEGASE instrument was frequently referred to during EDP interviews as a good example of funding predictability and, indeed, this was noted as a key strength in its 2018 evaluation.<sup>28</sup> The predictability of direct financial support from PEGASE is vital for the PA's funding of government operations and critical public services. While interview feedback from the PA ministries acknowledged the value of PEGASE, it was also recognised that such funding instruments were not sustainable in the long term and that Palestinian budgetary sources must be strengthened in order to protect the viability of the two state solution.

In this context, the MoF welcomes a multi-sector programmatic budgeting approach through the EJS with EDPs, which supports the reform of Palestinian public budgeting systems.

*"We have been working with DFID for the last five years to change from line to programme-based budgeting. One of the main problems is our weak inter-ministerial relations. To introduce programme budgeting we have to change our approach to government. We want to move away from problem driven budgeting".<sup>29</sup>*

The need to introduce programmed-based budgeting is highlighted in the ROF 2018 report. This report argues that programme-based budgeting can improve funding predictability and the efficient use of limited budget resources. Accordingly, EDPs, under the lead of EUREP, support the PMO and MoF with the introduction of Medium-Term Budget Frameworks (MTBF).

### **EQ 3 Effectiveness: What are the benefits of the EJS to improving development cooperation (with emphasis on state-building, Pillar II and V)**

**Summary findings:** The EJS has proven beneficial in building closer partnerships between EDPs and Palestinian institutions, which, in turn, has contributed to greater aid effectiveness. Through the ROF policy dialogue process and regular information exchange, EDPs can focus their support on target sectors more effectively and avoid spreading limited resources too thinly. The EJS has particularly enhanced EDP coordination under Pillars II and V, (e.g. Agriculture sector). The EJS and ROF provide a framework for a transition from joint programming to joint implementation, including pooling and delegated funding opportunities amongst EDPs and with other development actors, such as the World Bank. Through the LACS sector working groups and Donor Advisory Group/HoC meetings, Palestinian partner institutions have access

<sup>27</sup> Interview with Ministry of Finance, November 2018. The Ministry elaborated that despite the LACS system and consultations with EDPs/other donors, it still does not have full account of on-going and planned donor support to various sectors specifically support to Economy and to Palestinian CSOs. The situation is the same as identified in the 2017 evaluation of Joint Programming in Palestine – "Joint Programming has not (yet) led to an improvement in the traditional quantitative measurement of aid predictability but more to an improvement in the planning horizon enabling a clearer view of programming priorities. The absence of multiannual programming and the instability of the country make Country Programmable Aid very unpredictable" (Annex Q Palestine Note pp 311.).

<sup>28</sup> Evaluation of 2016/2017 PEGASE Direct Financial Support to the Palestinian Authority (PEGASE DFS), Final Report October 2018. The PEGASE instrument is also seen as the most tangible evidence of EDP coordination.

<sup>29</sup> Interview Ministry of Finance, November 2018.

to a useful forum to engage in policy dialogue on development priorities with EDPs. Development cooperation has improved functional aspects of state building, but these achievements are not sustainable without progress on the political front.

However, transaction costs have not accrued as expected as Palestinian partner institutions still have to negotiate with individual EDPs during their bilateral country programme preparations.

**Conclusion:** The EJS has generated effectiveness gains through improved development cooperation but these gains can only be sustained through political progress with the two-state solution.

**Overarching recommendations: 1 – 2 – 3 – 7.**

### JC3.1: Benefits of EJS to EDPs for improved development cooperation

The DoL established under EJS has improved EDP development cooperation through closer coordination, a greater propensity for joint action and a reduction in aid duplication. A number of EDPs have replaced their own bilateral support strategies to Palestine with the EJS (e.g. EU, Italy). EDPs are more informed about the details of each other's work in Palestine as a result of the JP process and EJS implementation.

Closer coordination can bring powerful benefits to the effectiveness of aid programming and delivery. For example, the TVET and Employment Promotion Programme supports the introduction of an integrated TVET and labour market system that adapts curricula (and certification processes) to changing business requirements. The Programme is implemented by Germany (GIZ) but with pooled funding from the EU and Switzerland the programme was able to expand support to key vocational sectors, improve teaching capacities and build the managerial competencies of training institutions.

Smaller EDPs, such as Ireland, can co-finance interventions with other EDPs that have a stronger project track record or technical expertise in the priority sector. The joint programming process provided an opportunity for Ireland to co-finance a clean water agriculture support project in the Northern Gaza Strip by delegating funding to AfD (France).

Joint programming and joint funding mechanisms between EDPs also help to mitigate project risk and allows for an increase in the scale and scope of project design. The 2018 EU HoC retreat concluded that EJS priorities for future funding should emerge from the ROF, as this will further strengthen EDP development cooperation and aid effectiveness gains.

### JC3.2: Benefits of EJS to PA for improved development cooperation

The EJS offers a series of benefits to the PA for improved development cooperation. These benefits include the following:

- A joint programming process aligning the EJS with NPA priorities.
- Indicative financial allocations per sector and donor.
- Clear DoL across EJS pillars and sectors with main EDP counterpart identified.
- Transparency in EDP support to the PA and reduced aid duplication.
- Potential to lower PA transaction costs because of reduced EDP aid fragmentation.

During 2017 and 2018, regular policy dialogue meetings took place involving the EDP sector leads and the Cabinet Secretariat/PMO. These meetings discussed progress against the ROF outcome

indicators and the role of EJS in Palestine's broader reform agenda. The PMO sees further potential benefit of the EJS, not just as an EDP coordinating framework, but an instrument where the interventions of European bilateral actors can be better directed in a strategic and coherent manner to meet Palestinian needs.

*It would be useful if the EJS could support a single European Initiative for Area C, Gaza and East Jerusalem, with implementation mechanisms coordinated with the PA. At the moment, there are bilateral actions in Area C by each European country within the EJS.<sup>30</sup>*

The PMO is very aware of the need to increase PA ministerial capacities and inter-ministerial relations in order to effectively monitor the NPA strategic results framework in line with the EJS/ROF. In addition, the PMO believes that the EJS can provide efficiencies in terms of policy dialogue and sector data exchange. However, there is a sense that reduced transaction costs may not accrue as expected because the PMO and Palestinian partner institutions will still have to negotiate with individual EDPs during their bilateral country programme preparations.

### JC3.3: EDPs Commitment to Joint Response as per Section 4 of the EJS

EDPs are committed to using the tools and mechanisms indicated in Section 4 of the EJS. These include the ROF, common messaging, enhanced field presence by HoCs and the Roadmap for Civil Society. There is evidence that the EDPs are following through on these commitments in the following ways.

- ***A stronger framework for monitoring and evaluation through annual assessments conducted by the Sector and Cross-Cutting Leads, as regards the implementation of the five pillars and the cross-cutting themes.***

Under Pillar V, the 2018 ROF report, as well as field interview feedback, indicate that sector leads are active in monitoring outcomes, coordinating strategic discussions with other EDPs, contributing to ROF annual reporting and participating in the LACS sector working groups. For example, under Pillar V, the ROF annual report suggested updates regarding monitoring indicators such as private sector support milestones that supported resilience rather than business competitiveness.

Under Pillar II, the ROF has provided a formal structure around which sector concerns can be addressed between EDPs and in dialogue with the PA. EDPs, under the lead of the Netherlands, closely monitored progress of reforms in the justice sector in 2017 and 2018 through the ROF. Based on this ROF monitoring, new initiatives have been proposed to support organisational change in the structure of the Ministry of Justice, Attorney General's Office and the High Judicial Council.

- ***A more systematic and regular development of common messages which can be used to advocate with various interlocutors***

While not systematic, there is evidence of a more regular development of common messages by EDPs particularly towards the PA. As noted from the HoC workshop in 2018, more time and resources are also being committed to the development of common messages for HoMs and HQs. There was particular evidence of increased common messaging in the education, water, energy, social sectors and on cross cutting themes (especially gender). This common messaging mainly addressed the lack of progress with regulatory and policy reforms.

<sup>30</sup> Interview with the Prime Minister's Office, November 2019.

EU-MS systematically produce common messaging towards UNRWA as part of the Advisory Committee process, which is delivered by EUREP HoM on behalf of EU Member States<sup>31</sup>.

Common messaging towards Israel is more challenging. In November 2019, the EU criticised Israel's approval of plans to build 2,000 new homes in West Bank Settlements. The EU stated that settlement activity on occupied land is illegal and erodes the viability of the two-state solution.

EDPs attempted to form an Informal Working Group on Strategic Communications in 2017, but ultimately, it was considered too politically sensitive to continue. EDPs acknowledged that engagement in common messaging on the binding constraints through the EJS framework can help to mitigate risks of critical reaction by GoI and the Israeli press.

- ***Enhanced presence of Heads of Cooperation in the field with more joint visits to priority areas and adequate follow up to maximise visibility (press releases, newsletters, social media)***

EDPs recognise the value of the EJS in facilitating collective visits to EDP supported projects, particularly in Area C and East Jerusalem. HoCs carry out field visits twice a year. In 2017, all EDP HoCs (including Norway and Switzerland) visited the Shu'fat refugee camp in East Jerusalem to inspect EDP-funded development and humanitarian projects and to be briefed on the obstacles to sustainable socio-economic development in the camp. In 2019, HoCs visited Kardala and Ein El Beida villages located in Area C in the Jordan Valley to be briefed on agricultural support and humanitarian EDP projects. These joint visits help to demonstrate EDP solidarity in the field.

- ***A more systematic use of the Rights-Based Approach (RBA) to development.***

The Rights-Based Approach (RBA) is a methodological framework for designing programmes and projects that incorporate rights, norms and standards derived from international law. This requires a systematic application of rights principles/international law into all stages of the programming cycle. There should be an intent by development cooperation providers to strengthen the capacities of rights holders to claim their rights and to duty bearers in order to fulfil their obligations and responsibilities.<sup>32</sup>

There is commitment by EDPs to apply the Rights Based Approach to their development cooperation. For example, Sweden, Switzerland, Netherlands and Denmark supported Human Rights organisations (including women organisations) by pooling their funds through the former Human Rights and International Humanitarian Law Secretariat (HR/IHL). Human Rights organisations were provided with core funding to tackle issues related to the Palestinian duty bearers and to safeguard the rights of Palestinian rights holders.

Capacity limitations with Palestinian partner institutions is a major obstacle to a more systematic roll-out of the RBA. For example, the Ministry of Social Development is the duty bearer regarding family protection legislation to address problems of domestic violence, but has insufficient resources to effectively perform these duties.<sup>33</sup> This issue was also raised under Pillar III during dialogue with local and international Civil Society Organisations (CSOs) with women at risk of not benefiting from basic protections. The CSOs noted that EDPs should take more active steps to support the PA in 'leaving no-one behind' (referring mainly to Gaza) and to better reflect this in the ROF indicators.<sup>34</sup>

<sup>31</sup> EU is not a UN Member State, so not a member of the Advisory Committee.

<sup>32</sup> Rights Based Approach to Programming (2015) IOM. A Rights-Based Approach, encompassing all human rights for EU development cooperation - Tool-Box, Commission Staff Working Document International Cooperation and Development.

<sup>33</sup> Interview Ministry of Social Development, November 2019.

<sup>34</sup> ROF Report 2018.



**JC3.4: EJS/ROF translated into Joint Implementation**

The EJS/ROF provides an enabling framework to translate joint programming into joint implementation. The following illustrative examples provide evidence to support this finding:

In 2019, the EU, France and the Palestinian government launched an innovative project linking renewable energies and water infrastructures in the North of Palestine. The project includes the construction of windmills in Tubas and Jenin Governorates. The windmills are designed to provide clean energy to power cost-efficient water pumps that will, in turn, ensure a reliable supply of water to the local population. New water and wastewater networks will be constructed to expand and improve water and sanitation access in both governorates. The Tubas Water and Wastewater Joint Service Council and the Jenin North West Villages Water and Sanitation Joint Service Council are implementing the project. The EU co-funds the project through a delegated agreement with France.

The World Bank Public Finance Management Trust Fund is co-funded by the EU/Denmark and supports the implementation of the Palestinian Public Finance Management Strategy. The Strategy aims at making better use of national budget resources and ensuring more transparent budgetary policy decisions. The Trust Fund complements the DfID funded PFM Technical Assistance programme that aims to underpin fiscal stability and reduce fiduciary risk, in addition to a renewed focus on strengthened tax enforcement.<sup>35</sup>

**EQ 4 Efficiency: To what extent has the EJS contributed to efficiencies in EDPs' aid delivery through division of labour and adaptation of joint results-based management tools?**

**Summary findings:** The DoL and the ROF have contributed to efficiencies in EDP aid delivery. These efficiencies are captured both through financial joint actions (delegated cooperation, pooling of funding) and non-financial joint actions (project identification, messaging, policy dialogue and evaluation of projects). It is noted that the DoL and ROF responsibilities amongst EDPs require significant time and resource commitment by EDP missions. Transaction cost reductions from joint actions are limited and not uniform amongst participating EDPs.

**Conclusion:** The maintenance of efficiency gains associated with the DoL and the adaptation of results-based management tools is linked to the resource capacities of EDP missions and Palestinian partner institutions as well as political progress with the two-state solution.

**Overarching recommendations:** 1– 2 – 3 – 7.

**JC4.1: Transaction costs for PA and EDPs reduced/increased**

EDP transaction cost reductions were expected to derive from EDP coordination at the joint programming stage, at project funding stages (pooling of funds/delegation of funds) and during project implementation and monitoring. For Palestinian institutions, alignment between the EJS and NPA was expected to lower transaction costs, compared to negotiating with individual EDP country support strategies.

The costs of joint programming largely fall on the EDP country missions which have limited resources. In 2016 and 2017, up-front joint programming costs increased as additional staff and resources were committed to the joint analysis and joint response processes. There are on-going costs associated with EJS policy dialogue and ROF commitments in addition to missions' bilateral

<sup>35</sup> European Joint Strategy in support of Palestine 2017-2020 "Towards a democratic and accountable Palestinian State" Pillar 1: Governance Reform, Fiscal Consolidation and Policy Reform", Annual report 2017.

programme responsibilities. Nevertheless, there is an expectation from some EDPs that in the long term the EJS will offer transaction cost efficiencies from increased pooling of EDP funding and delegated agreements.

Delegation of funding opportunities offer the largest potential transaction cost efficiencies. Lead EDPs have technical knowledge and close relationships with Palestinian institutions that benefit other EDPs. For Palestinian institutions, benefits of joint programming include closer EDP coordination and alignment with the NPA.

Overall, however, significant transaction cost reductions have not been realised to date, primarily because Palestinian partners still engage with individual EDPs on the programming and implementation of bilateral programmes. This may change in the future as more EDPs use the EJS to replace their bilateral programmes.<sup>36</sup>

#### JC4.2: Joint actions to improve EJS pillar results

Joint actions are both financial (delegated cooperation, joint co-funding and blending) and non-financial (joint project identification, joint messaging and joint evaluation of projects). As evident during the EJS design phase in 2016, EDPs in Palestine have long track record of aid coordination. This experience with joint implementation of projects served to inform the EJS, and in particular the demarcation of pillars/sectors and DoL. The EJS has contributed to enhancing these relationships and extending joint actions to include new EDPs and wider project activities to deliver pillar results.<sup>37</sup>

The Joint Financing Agreement (JFA) in the education sector was repeatedly referenced during field interviews as a pioneering example of joint programming and joint implementation in Palestine. Within the framework of the EJS, the JFA continues to evolve in terms of relations between partners (Germany, Ireland, Finland and Norway) and with the Ministry of Education (MoE). To support these results, the EDP financing partners and the Ministry produced a budget framework paper to develop a more strategic and results-driven dialogue on planning and budgeting education reform.

Under the Pillar I Sector *Public Finance Management and Macro-economic Support*, the partners (Denmark, EU and World Bank) agreed to jointly support the MoF to carry out a Public Expenditure and Financial Accountability (PEFA) assessment in order to capture lessons learned and inform future programming of support. The partners have also co-funded a multi-donor trust fund (managed by the World Bank) to support implementation of the PA's Public Financial Management Strategy 2017-2022.

Reform in the water sector is extremely complex not just because of the chronic infrastructure underinvestment in the sector but also because of its political sensitivities. For the Netherlands (Sector Lead), joint action is important in pulling EDPs together to deliver reform priorities.

*The EJS is still a work in progress and we are not there yet with the PA or with other donors. By working in the EJS framework we look for coordination and joint funding opportunities. We carry out joint messaging with other EDPs on the water sector. The fact that we are EJS lead and deputy lead with the LACS Structure helps with overall coordination<sup>38</sup>*

<sup>36</sup> Interview PMO, November 2019.

<sup>37</sup> European Commission (2018) Joint Programming Guidance June 2018 Guidelines N°8 Tools and Methods Series.

<sup>38</sup> Interview Netherlands Mission, November 2019.

As referenced earlier, there are examples of effective joint communication and messaging in the framework of the EJS. For example, a joint demarche by EDPs to the Prime Minister's office concerned judicial reform results under Pillar II. This involved the UK, Netherlands and EUREP and was designed to stimulate increased political support for reform. As a result of this joint demarche, a priority list of reforms was developed to realise five specific objectives, which will inform future EDP programming support.

#### JC4.3: Efficiency benefits of Division of Labour/ROF reporting

The first systematic ROF monitoring was carried out in 2018. This, combined with the Division of Labour between the EDPs, provided major efficiency benefits. The Division of Labour allocates Pillar/Sector Lead responsibilities based on EDP sector specialisms and other comparative advantages. This produces efficiency benefits arising from having specialist focus on respective sectors, resource concentration, economies of scale (funding resources) and joint implementation with EDPs committed to specific sectors.

*As Sector Lead we want to be the connection between EDPs and between the PA and EDPs in our sector. The PMO wanted to be better informed of what donors are doing in our sector and we take on this role on behalf of the other EDPs.<sup>39</sup>*

The DoL is very appropriate to the sectoral track records and specialisms of the respective EDPs. EDP Leads' responsibilities and workloads are extensive, including coordination of strategic discussions between EDPs, Palestinian partner institutions and other donors. The Lead should identify the main issues emerging from EJS project activities, relay agreed advocacy messages to relevant PA partners and present sector priorities to EDP HoCs for future programming. In addition, the Lead prepares and participates in ROF policy dialogue meetings at LACS sector working groups, and coordinates sector inputs for the ROF annual report.<sup>40</sup> All of this indicates a need for enhanced resource allocations, especially for EDP Leads.

#### EQ 5 Coherence: To what extent is the EJS in line with other EU and global policies?

**Summary findings:** At the global level, the EJS aligns with the priorities of the European Development Consensus (2017). It also aligns with the 2030 Agenda by focusing on policy coherence and supporting the achievement of the Sustainable Development Goals (SDGs). At the local level, the EJS is in line with the Interim Association Agreement on Trade and Cooperation and the Extended 2013 EU-PA Action Plan in supporting a future Palestinian state based on the rule of law, human rights, democracy, and accountable institutions (EJS Pillars I, II, III). The EJS prioritises gender issues throughout the five pillars although results have been weak in achieving Gender Action Plan objectives in Palestine.

The EJS explicitly refers to the Roadmap for Engagement with Civil Society and emphasises the importance that EDPs should attach to the role of civil society in policy development and in monitoring the implementation of laws and policies.

Broadly, the EJS aligns with EDP policies towards Israel but there is limited evidence that EDPs have a meaningful impact on the policies and practices of Israel towards Palestinian institutions and the Palestinian population.

**Conclusion:** The EJS and ROF should be better exploited during political dialogue sub-committee meetings of the Interim Association Agreement on Trade and Cooperation. Gender mainstreaming should go beyond a "tick the box" exercise and target certain sectors or interventions where gender issues – based on evidence –

<sup>39</sup> Interview EU Member State, November 2019

<sup>40</sup> Guidance Note (2018) European Joint Strategy in Support of Palestine 2017-2020 Results-Oriented Framework 2018-2020



can be integrated and assessed for results. This observation is also relevant to the other two cross-cutting issues of youth and the environment. It continues to be important that EDPs support CSOs to hold all duty bearers to account.

## Overarching Recommendations 2 - 4 - 5 – 6.

### JC5.1: EJS is aligned with Agenda 2030

The EJS was created on the basis of wide stakeholder consultation and aligns with EU and global development policies. As a product of joint programming, the EJS reflects the priorities of the 2017 European Development Consensus supporting greater coherence between European partners to support implementation of the NPA. It reflects a “whole of Europe” approach as a means to promote greater coordination and combines development support with improved policy coherence. The Consensus forms part of the EU’s response to the 2030 Agenda by supporting policy coherence as a means of achieving the SDGs. The EJS is consistent with this approach: the EJS commits EDPs to ensure closer linkages with strategies developed by other international partners on the ground. Furthermore, EDPs agreed that the EJS should be results oriented and focused.<sup>41</sup>

The EJS has also adopted the Rights Based Approach (RBA) to development programming. RBA redefines the role of “stakeholders” into rights holders and duty bearers and the implementation of the EJS will support a “more systematic use of the RBA by the PA with the implementation of human rights and support the more “citizen centric” development orientation of the PA”. This focuses on the most vulnerable groups in line with the “leave no one behind” commitment of Agenda 2030.

### JC5.2: Interim Association Agreement on Trade and Cooperation

The Interim Association Agreement on Trade and Cooperation is the legal basis for relations between EU and Palestine and is the highest-level strategic document governing bilateral relations. It includes the terms of the EU’s political dialogue with Palestine (under the Joint Committee and six sub-committees). The rationale of these committees is to improve mutual understanding and coordination of the conditions required to ensure peace, security, regional development, democracy, and respect for human rights.<sup>42</sup>

While the Interim agreement provides the framework for political dialogue, the EJS/ROF facilitates policy and aid development dialogue. The complementarity of these political and aid frameworks can help to ensure mutually beneficial information exchanges. For example, under Pillar V (private sector, labour, and agriculture), sector leads and ROF-based policy dialogue/new programming could inform the EU-Palestine Sub-committee on Trade and Internal market, Industry, Agriculture, Fisheries, and Customs on development support to the private sector and Agriculture.<sup>43</sup> However, the EJS makes no reference to the Interim Association Agreement and there is no evidence of any strong relationship between the two.

<sup>41</sup> “Substantial efforts have been made to ensure that fewer and more closely linked sectors are covered and that more synergies between the various sectors and priorities are achieved”. European Joint Strategy (2018) Section 4.3. Rationale of the first European Joint Strategy, pp32- 34.

<sup>42</sup> Euro-Mediterranean Interim Association Agreement on Trade and Cooperation between the European Community and the Palestine Liberation Organization (PLO) - Brussels, 24 February 1997.

<sup>43</sup> Report 6<sup>th</sup> EU Palestine Sub-Committee on Trade and Internal market, Industry, Agriculture and Fisheries, Customs, Brussels September 2018. In 2017, EU exports to Palestine amounted to EUR262m compared to Palestine exports to EU of EUR.16m.

**JC5.3: Extended 2013 EU-PA Action Plan**

The priority objective of the Extended 2013 EU-PA Action Plan is to support a viable future Palestinian state based on the rule of law, human rights, democracy and accountable institutions (aligned to EJS Pillars I, II, III). The Action Plan supports fiscal and economic development throughout Palestinian territories by supporting public financial management reform, increased development efforts in Area C (to maintain Palestinian presence), and enhanced socio-economic cohesion (aligned to EJS Pillars I, III, IV, V). The Extended 2013 EU-PA Action Plan is not referenced in the EJS.

**JC5.4: Gender Action Plan II**

The Palestinian Basic Law, adopted in April 2004, explicitly addresses women's human rights and the equality of women and men. This law endorses several human right treaties, including the Universal Declaration of Human Rights (UDHR), the International Covenant on Civil and Political Rights (CCPR), the International Covenant on Economic Social and Cultural Rights (CESCR), and the International Convention on the Elimination of All Forms of Racial Discrimination (ICERD). However, the Palestinian Basic Law fails to endorse the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) despite a reference being included in the earlier four drafts of the Basic Law.

The challenges for gender equality in Palestine include high female unemployment rate, high levels of violence against women and persistent gender discrimination.<sup>44</sup> The implementation of Gender Action Plan (GAP) II 2016-2020 "*Gender Equality and Women's Empowerment: Transforming the Lives of Girls and Women through EU External Relations 2016-2020*" contributes to the implementation of the EU policy framework on gender equality and girls' and women's empowerment. The Plan also contributes to accelerating the achievement of the Sustainable Development Goals (SDGs). The GAP II target is to ensure 85% of all new programmes will be marked 'G1' or 'G2' by 2020 using the OECD gender policy marker.

Progress has been made with GAP II implementation, but the pace of change has been slower than expected. Under the ROF, gender coverage reflects the priorities of the Cross-Sectoral National Gender Strategy 2017-2020, in line with the NPA.

The NPA prioritises gender among the policy interventions in two pillars:

- Pillar II: Governance Reform, National Policy 9 - "Institutionalize gender mainstreaming in policy making planning and budgeting".
- Pillar III is Sustainable Development - "gender equality and women's empowerment".

The PA has made progress in supporting gender equality and women's empowerment, albeit mostly in the framework of women's protection from domestic violence. In-country consultations revealed that the PA has not yet passed the family protection law and concerns around violence against women in society remain a priority.

The UN, donor agencies, and civil society have all given significant priority to women's empowerment and gender equality in policy dialogue and development interventions. Several interlocutors—including the Ministry of Women Affairs (MoWA)—stressed that the absence of data

<sup>44</sup> ROF Annual Report 2018, p.57.

made it difficult to understand what progress has been made or to inform evidence-based decision-making. Data that are available are limited to gender audits performed by the PA and CSOs.

EDPs indicated that project design documents have a strong focus on gender equality and rights, but that reports present a limited view of the results that have actually been achieved. Integrating gender equality and women's empowerment in design documents has resulted in fewer gender blind EDP interventions, but this is mainly the case for interventions specifically aiming to support women's empowerment or women's rights.

EDPs raised concerns that the integration of gender issues remains a "box-ticking" exercise, designed to make proposals look good on paper, but with limited actual operationalisation of actions that support gender equality.

Under the EJS, gender equality is supported through a separate Results Framework, which is aided by four overarching outcomes. The outcomes and indicators are well-chosen, but development actors are faced with challenges on how to direct what is happening under the different pillars to achieve the outcome statements. In the 2018 ROF Annual Report, the following challenges were identified as hindering the effective achievement of gender equality:

- Weak overall analysis on how, under each sector, cross-cutting dimensions will be considered.
- Absence of cross-cutting indicators in the sector matrices, as well as the absence of disaggregated data.
- Need for Sector leads to reach out to cross-cutting leads more to gain support in effectively integrating crosscutting issues under each sector.

The gender analysis contained in both the EJS and the ROF is relatively weak. To address this, the EUREP Office has commissioned a study aimed at supporting the formulation of an EU Action Plan to assist gender mainstreaming in policies developed by Palestinian institutional bodies - at local and governmental level - as well as within the five pillars of the EJS. The study will also explore interventions aimed at tackling gender-based violence, by improving existing policies and proposing new actions. The study aims to support both the EU and the member states in their gender mainstreaming efforts.

### JC5.5: Joint European Roadmap for engagement with Civil Society

The Joint European Roadmap for Engagement with Civil Society in Palestine 2018-2020 is embedded in the EJS and is the result of a structured dialogue between civil society organizations and EDPs. The objective of the Roadmap is to help create an environment where CSOs can fully perform their roles in Palestinian society, not only as service providers, but also as advocates and watchdogs. The Roadmap identifies priorities for European engagement with CSOs and encompasses dialogue as well as operational support.<sup>45</sup> The Roadmap was launched in late 2019. During the launch, Acting EU Representative Tomas Niklasson stated:

*With the launch of the Joint European Roadmap, we are sending a clear signal that Europeans speak with one voice and are united in their support for Palestinian civil society. This is particularly important in a context whereby the space for civil society organisations to operate is being challenged by financial, political, social and cultural factors.<sup>46</sup>*

<sup>45</sup> [https://eeas.europa.eu/sites/eeas/files/roadmap\\_en.pdf](https://eeas.europa.eu/sites/eeas/files/roadmap_en.pdf)

<sup>46</sup> <https://www.euneighbours.eu/en/south/stay-informed/news/launch-joint-european-road-map-engagement-palestinian-civil-society>

The Roadmap follows up on the 2014 external evaluation of development cooperation between the PA and the EU (2008-2013), which stated that EU development cooperation with Palestine had served to strengthen the role of civil society as a partner in EU funded cooperation initiatives. The evaluation concluded that support to civil society is still primarily structured through funding mechanisms under thematic programmes and that resources for CSO engagement in local and national governance and policy dialogue activities were limited.

The Roadmap outlines the priorities for EDPs in their engagement with Palestinian civil society but is not mandatory and lacks a reporting mechanism. The absence of the reporting mechanism makes it difficult for CSOs to hold EDPs accountable for their engagement with civil society. The Roadmap focuses on actions to mitigate the damage caused to the operating environment for civil society by three duty bearers—the Government of Israel, the PA, and the de facto authority in the Gaza Strip.

*The increasingly restrictive policies employed by the three duty bearers have affected the fundamental freedoms necessary for civil society and the media to operate and have had an undeniable impact, creating a “chilling effect”, silencing debate and leading to self-censorship in Palestinian society.<sup>47</sup>*

Since 2010, civil society organisations have been invited to participate in EU programming and monitoring exercises. The role of civil society within EU Member State programming exercises has increased over time and the development of the Roadmap reflects this. The Roadmap supports increased participation of civil society in policy making, highlights the role of civil society in state building, and makes clear references to gender equality, the role of youth and the inclusion of persons with disabilities.

Because the launch of the Roadmap occurred very recently, it is too early to assess whether it has made a difference to the European engagement with Palestinian civil society. During the launch it was noticeable that interlocutors from both the civil society and the PA were not entirely in agreement regarding its contents. The main differences in opinion centered on how to balance the different priorities of the Roadmap—supporting civil society in relation to restrictive and punitive Israeli actions, and in relation to the shrinking democratic space under PA and Hamas rule.

For the Roadmap to be a successful framework and make a difference to the operating environment for civil society, there must be clear steps that can be monitored, reported upon and discussed during policy dialogue meetings.

#### JC5.6: EDPs’ policies on engagement with Israel

The EJS broadly aligns with EDP policies on engagement with Israel regarding the binding constraints to the two-state solution. However, during EDP mission interviews, (apart from references to COGAT, master planning in Area C, and the deteriorating humanitarian situation in Gaza due to the Israeli blockade), examples of EDP joint action to respond to the humanitarian and development challenges resulting from the Israeli occupation were not identified.<sup>48</sup>

There was a broad consensus from EDP missions in Ramallah and Jerusalem that their counterparts in Tel Aviv were not yet utilising the EJS in their dialogue with Israel. Some EDP missions are prepared to use the EJS in pushing forward the development aid and political dimension via their

<sup>47</sup> Joint European Roadmap, p.13.

<sup>48</sup> The EJS was the subject of an opinion piece in the Jerusalem Post (11 January 2020) titled ‘The EU-PA/PLO strategy to destroy Israel’ - “The European Union and the Palestinian Authority have developed a plan to destroy Israel; it’s called, “European Joint Strategy in support of Palestine (EJS),” and the “Palestinian Authority National Policy Agenda (PANPA).”

HQs.<sup>49</sup> Closer relations between EDP missions in Palestine and Tel Aviv on sensitive issues - such as the demolition of EDP funded projects in Area C/Jerusalem - may strengthen European leverage with the GoI in protecting the viability of the two state solution.

In 2018, the Office of the EU Representative (West Bank and Gaza Strip, UNRWA) identified that between 2009 and 2018, 480 structures, worth almost EUR 1.5m in funding by either the EU or its Member States, were demolished or confiscated. Joint Statements and/or visits to projects that have been demolished are undertaken by EU-MS Palestinian missions.<sup>50</sup>

#### **EQ 6 Added Value: To what extent has the EJS provided a comparative advantage to other donor (World Bank, UN) coordination compared to previous practice?**

**Summary findings:** The EJS has provided increased opportunities for coordinated efforts with other donors (UN agencies and the World Bank).

EJS programming provides opportunities for “blended” funding of projects, where EDP grant funds can facilitate loan financing arrangements by International Financing Institutions (IFIs), including the European Investment Bank or World Bank.

The EJS improves donor coordination and policy dialogue within the enabling environment of recent Local Aid Coordination Secretariat (LACS) reforms and the formation of the Donor Advisory Group (DAG).

**Conclusion:** EJS Policy Dialogue and Programming can provide opportunities for increased project co-funding and joint implementation between EDPs and UN bodies, other donors and IFIs in order to better protect the viability of the two-state solution.

**Overarching Recommendations 2 – 3 – 6 – 7.**

#### **JC6.1: Added value of EJS coordination with IFIs/UN/other donors**

EDPs have a strong track record of achievement in working with IFIs and the UN agencies in Palestine. There is an expectation by EDPs and IFI/UN that coordination efforts under the EJS will facilitate new and more expansive joint engagements with IFIs and UN organisations.

For example, the Sawasya II programme - co-funded by Spain, the Netherlands, and Sweden -aims to advance the rule of law, gender justice, and human rights in Palestine for the period 2018-2023 (USD 30 million). This is a good example of joint collaboration between EDPs and UN agencies. It builds on the first Sawasya Programme (2014-2017), bringing together the main UN entities working in these areas (UNDP, UN Women, and UNICEF) to support the Palestinian government to build a functioning and inclusive rule of law and justice system.

During field interviews, the example of the Community Resilience and Development Programme (CRDP) - co-funded by Austria, Sweden and Norway and implemented by the UNDP - was identified as a programme format that can be replicated and expanded under the EJS as a wider resilience initiative supported by multiple EDPs. The CRDP was designed as a transition instrument from

<sup>49</sup> Field Interviews, November 2018.

<sup>50</sup> For example, in the case of the Bedouin community of Khan al Ahmar, the Palestinian EU missions issued a statement against demolitions and visited the community during May 2018.



humanitarian to development interventions to support Palestinian communities in Area C and East Jerusalem.

The World Bank is the main IFI counterpart of EDPs. The World Bank, Denmark, EUREP and UK support public financial reform in Palestine through a Multi-donor Trust Fund, administered by the World Bank. A new programme will be launched in 2020 by the World Bank, co-funded by the EU, to support the business environment with company registrations and licensing, inspections, and e-payments.

## JC6.2: Improved leverage opportunities with other donors (World Bank/IFIs, UN)

As referenced above, France, the Netherlands, Denmark, and the UK work closely with the World Bank in leveraging support for reforms with Palestinian partner institutions in financial reform but also in other sectors such as water and energy. The World Bank recognises both the coordination and leverage potential of the EJS in the private sector, especially if it can effectively coordinate all EDP private sector activities.

*There are a lot of donors working in the private sector, some with very small projects; this makes donor coordination very difficult. We work closely with the EU but the EJS would be useful to better coordinate all these smaller private sector projects.<sup>51</sup>*

EJS policy dialogue exercises are already identifying new programming needs through the ROF that can be supported by the World Bank Partnership for Infrastructure Development Multi-Donor Trust Fund (PID MDTF). This Fund is designed to improve the coverage, quality, and sustainability of infrastructure in Palestine through financial and technical assistance to Palestinian institutions responsible for the water, urban development, and energy sectors. The PID MDTF has multiple donors including the UK, Norway and Sweden, and has supported a number of infrastructure projects including the Northern Gaza Emergency Sewage Treatment Project and the Gaza Sustainable Water Supply Project. The Fund is also mandated to support private sector projects.

The World Bank is keen to identify funding opportunities, particularly through blending mechanisms, and would support projects identified and prepared through joint EDP collective actions and advocacy with Palestinian institutional beneficiaries. The grant funds can be used to undertake project feasibility analyses, project preparation, project implementation as well as project co-funding.<sup>52</sup>

The European Commission sees cooperation with other donors (including emerging donors, international NGOs, and private foundations) as essential. It sees that programming should coordinate with the *EIB and other IFIs active in partner countries, including regional development banks*.<sup>53</sup>

The EIB's Economic Resilience Initiative (ERI) offers such an opportunity for EJS projects. The ERI is a package of loan arrangements and blended funding from donors with EIB financing available to Palestine. The European Commission, Croatia, Italy, Lithuania, Luxembourg, Poland, Slovakia, Slovenia and the UK contribute to the ERI.<sup>54</sup>

<sup>51</sup> Interview International Financial Institution, November 2019.

<sup>52</sup> Partnership models in Blended Finance: An Overview (2018) OECD/Swiss Sustainable Finance.

<sup>53</sup> European Commission (2012) Instructions for programming 11th European Development Fund (EDF) and Development Cooperation Instrument (DCI) 2014-2020. Report from the Commission to the Council and European Parliament on the activities of the EU Platform for Blending in External Cooperation (EUBEC) from August 2014 until end of 2015.

<sup>54</sup> There are other funds that can be accessed to address funding gaps. For example - energy efficiency is a EJS/NPA priority - funds like the Global Energy Efficiency and Renewable Energy Fund (GEEREF) that are structured to catalyse private sector investments into funds and underlying projects by leveraging the public sector seed contributions can be targeted. GEEREF was initiated by the European Commission in 2006 with support from Germany and Norway. GEEREF invests in private equity funds that invest in private

### JC6.3: EJS providing an adequate framework for EDPs for improved coordination with LACS structure

Established by the Ad-hoc Liaison Committee (AHLIC), the purpose of the LACS is to ensure national ownership of development aid in Palestine in line with the OECD-DAC Paris Declaration on Aid Effectiveness (2005) and the National Policy Agenda 2017-2022. The LACS is designed to respond to all aspects of aid coordination and the development effectiveness agenda.

The EJS can provide an effective and efficient framework for EDPs to improve coordination with the LACS structure, particularly if the Pillar/Sector Leads represent EDPs at LACS meetings and provide information on EDP sector activities and future programming plans.

Following a 2016 review, reform of the LACS structure was approved by the Cabinet in 2017 and a new structure was launched in 2018. The PMO now oversees all planning and aid coordination (except for budget support). The PMO works with Palestinian institutions to coordinate planning and policy target-setting within the overall LACS structure with the Donor Advisory Group–Heads of Corporation (DAG-HoC) that emerged from this reform<sup>55</sup>. DAG-HoC meetings should follow up on sectors which are not coordinated optimally, either in the identification of needs or in the course of future programming processes.<sup>56</sup>

The DAG-HoC provides a platform for EDPs via the EJS to raise and address strategic linkages, policy change, and development support with the PMO and other key actors (e.g. World Bank/UN).<sup>57</sup> This new structure addressed EDP concerns about the LACS that emerged from the joint analysis of the EJS - the absence of a strong driving force from the PMO and the need for greater central coordination control by the PA. During the field interviews, the general view was that the reforms to the LACS structure should focus on “outputs” and not the process of coordination.<sup>58</sup> A number of EDPs stated that the LACS works most effectively with the EJS when the LACS Sector Lead or Deputy Lead is also the Lead on the relevant EJS pillar or sector (e.g. Netherlands/Water Sector).

### EQ 7 Prospect of Sustainability: Are EDPs and the PA involved and able (capacity) to apply development effectiveness principles?

**Summary findings:** EDPs and Palestinian institutions are committed to applying the Busan development effectiveness principles. The EJS is aligned with the NPA and this, in turn, supports the ownership of development priorities by Palestinian institutions. Through the EJS/ROF and the NPA’s Strategic Results Framework, there is a results-based focus to all development efforts. Mutual accountability has not improved as anticipated, but changes in the DAG-HoC Advisory Group and LACS reforms are expected to improve this situation. EDPs do not use the Palestinian budget system for donor interventions. EDPs provide technical support for programmatic budgeting under Pillar I. There is no parliamentary oversight of EDP aid interventions. While the PMO is committed to development aid effectiveness and chairs the DAG/HoC Advisory Group, the lack of Palestinian institutional and EDP capacity limits the extent to which key development effectiveness principles and follow-up can really be applied.

sector projects enhancing the leveraging effect of GEEREF’s investments. It is estimated that, with EUR 222 million of funds under management, over EUR 10 billion could be mobilized through the funds in which GEEREF participates and the final projects in which these funds invest.

<sup>55</sup> <http://www.lacs.ps/article.aspx?id=24>

<sup>56</sup> Donor Advisory Group – Heads of Cooperation August 2019 LACS Office.

<sup>57</sup> HoC meeting minutes January 2019. Through EJS policy dialogue, smaller EDPs such as Ireland, can be informed on DAG-HoC conclusions/decisions.

<sup>58</sup> This is also reflected in HoC meeting minutes during 2018 and 2019.

**Conclusion:** There is strong commitment to the principles of development effectiveness by the Palestinian institutions and EDPs. However, there is a resource cost to the application of these principles, which can be reduced, at least to some extent, through joint programming and closer partner country coordination.

**Overarching recommendations: 4 – 5 – 6 – 7.**

### JC7.1: Degree of involvement in Global Partnership for Development Cooperation

EDPs and Palestinian institutions are involved in applying the Global Partnership for Development Cooperation Principles (including country ownership, a focus on results, inclusive development partnerships, transparency, and mutual accountability). The alignment between the NPA and EJS supports country ownership which has been further enhanced through ROF policy dialogue on EJS project implementation and future EJS programming. The PA has a national results framework that is designed to track the achievements of the NPA, although its monitoring capacities are under-resourced. EJS policy dialogue supports coordination between the ROF and monitoring of NPA implementation. EDPs are committed to introducing multi-annual programming support which should further enhance country ownership. EDPs are committed to results and engage in joint messaging with PA partners to address delays and obstacles realising project objectives. EDPs are strongly in favour of increased mutual accountability with Palestinian partners to better realise project results. EDPs have a record of close and inclusive development partnerships with Palestinian counterparts. The EJS has further enhanced and expanded these partnerships through the Pillar and Sector Leads structure. The system of rule by Presidential decree in Palestine means that there is no parliamentary oversight of development cooperation in Palestine. This is a major break with the Global Partnership principle of transparency and mutual accountability. Development cooperation is not subjected to public scrutiny except indirectly via CSOs.

### JC7.2: Degree to which EJS pillar approach is conducive for reaching SDGs by 2030

The NPA has adopted 75 of the SDG targets. The EJS is aligned with SDGs under each pillar. All in-country interviews acknowledged that the joint programming process and the EJS have the potential to provide an enabling framework to realise the 2030 Agenda, particularly in terms of development coherence. Substantial progress has already been made under the EJS Pillar approach. For example, under Pillar II, the 2018 ROF report notes strengthened cooperation with all of the relevant Justice Sector institutions with regard to SDG 16 (*Promote peaceful and inclusive societies for sustainable development, provide access to justice for all and build effective, accountable and inclusive institutions at all levels*) on which the Ministry of Justice is leading. Under Pillar V, the EJS supports progress towards SDG 8 (*Access to employment and decent work for all*) and SDG 2 (*Zero hunger, food security*). Under Pillar III, future EJS programming prioritises support to the Ministry of Social Development to prepare a cross-sectoral National Poverty Reduction Strategy and associated National Investment Plan to reach SDG 1 (*End poverty in all its forms everywhere*). Capacity constraints within Palestinian partner institutions and lack of data are major impediments to effectively tracking SDG implementation. To address this situation, EDPs, such as Italy, are supporting the Palestinian Central Bureau of Statistics (PCBS) to improve their SDGs monitoring system.

### JC7.3: Involvement and capacity by PA to lead development effectiveness agenda

PA Centre of Government is resource poor. The PMO and the Cabinet Secretariat are committed to the Development Effectiveness Agenda but do not have sufficient capacities to rigorously adhere to



the principles of aid effectiveness in implementing the NPA. PA line ministries also have capacity challenges, data gaps and lack knowledge about the full range of donor activities in their particular sectors. Moreover, PA inter-ministerial relations are weak.

### **EQ 8 Prospect of Impact: Is the EJS protecting the viability of the two-state solution?**

**Key findings:** Joint EDP activities are more efficient and effective in supporting Palestinian state building under the EJS. However, stakeholders across the board – the PA, UN agencies and EDPs – noted that the EJS to date has not been able to make any significant difference in contributing to protecting the viability of the two-state solution. While joint statements have supported policy reform progress amongst PA partners, there was little evidence that the work of HoCs in passing political joint statements internally “up the ladder” to HoPs, HoMs, and then to HQs has had any clear outcome. Such outcomes would require more careful measurement against indicators. The ROF does not account for, or measure, progress against the political dimension of the EJS - protecting the viability of the two-state solution.

**Conclusion:** EDPs - under the umbrella of the EJS - need to be clearer on what ‘viability’ means in relation to protecting the two-state solution. Clarity is also required around the priority obstacles or challenges EDPs seek to address in achieving the EJS political dimension and how progress is measured. The ROF does not contain performance indicators to assess positive or negative levels of progress made with the EJS political dimension.

**Overarching recommendations: 1 – 2 –3 –7.**

### **JC8.1: Evidence of EDPs addressing obstacles to a future viable Palestinian state via the EJS**

The protection of the viability of the two-state solution is addressed within the EJS at two levels:

- The political objective of protecting the viability of the two-state solution as a means to ending the Israeli occupation and Israeli conflict with Palestine
- Functional viability of the Palestine state linked to state building - governance, rule of law and human rights, public services, and economic development.

Since the introduction of the EJS, there has been limited evidence of any direct contribution to protecting the viability of the two-state solution. There is evidence of EDP support for development interventions that address the viability of a future Palestinian state itself and its institutions (in particular focusing on the functions of a future state e.g. delivery of municipal services). However, stakeholders across the board - the PA, UN agencies and EDPs - voiced concerns that the EJS has not yet made a significant contribution to the political objective of protecting the viability of the two-state solution. The majority of EDP interviews highlighted the primacy of the political dimension in protecting the two-state solution. It was considered that the EJS, is not yet sufficiently directed towards - or contributing to, the protection of the viability of the two state solution and did not sufficiently address key challenges, such as the territorial integrity of a future Palestinian state.

*We wanted the EJS to be more of a political document; this was a very important point for everybody. We are not there just from a development perspective; we are there because of the political objective*

*of seeking the Two-State Solution. So, the state-building agenda is very important – that is why the money is there<sup>59</sup>.*

This finding is supported by interviews and documentary evidence and reflects commentary within the EJS itself.<sup>60</sup>

Joint EDP interventions under the EJS supported the functional viability of a Palestinian state, such as judicial or public administration reform as well as interventions that support continued Palestinian presence on occupied Palestinian land. For example, EDP investment in Area C social infrastructure is implemented and funded through the Municipal Development Program/Municipal Development Lending Fund (MDLF), headed by the MoLG. The MDLF is funded by Germany, France, Denmark, Belgium, Switzerland, the EU, The Netherlands, Sweden, the UK, and the World Bank. These interventions have a direct impact on continued Palestinian presence in Area C and are improving access to important services in particularly vulnerable parts of Area C.

It was evident from our investigations that there is growing frustration among Palestinian interlocutors with the overall lack of progress towards a resolution of the Israeli-Palestinian conflict and with the rapid worsening of the situation through further Israeli annexation of land, house demolitions, and the geographic divide of Palestinian land. The ongoing excesses of the Israeli occupation and the continued absence of intra-Palestinian reconciliation means that protecting the viability of the two-state resolution is very challenging for EDPs.

This is confirmed by HoC meetings during 2018 and 2019 that discussed the ineffectiveness of development interventions without parallel political progress. During the HoC meeting in 2018, one EDP expressed frustration with continuing European funding to support:

*... a conclusion on 1967 borders, refugees and East Jerusalem that no longer reflects the reality on the ground and suggested that European funding could be exacerbating the situation. [Compared to US policy, Europe's]... approach appears to be slow, conservative and status quo oriented.*

This frustration was also evident during the HoC meeting in January 2019 that discussed new ways for EDPs to work together more effectively in an extremely difficult political context of increased Israeli pressure in Area C including East Jerusalem and the entrenched West Bank-Gaza split.<sup>61</sup>

The joint programming process and the development of the EJS had created high expectations among the PA interlocutors, UN agencies, and the majority of EDPs interviewed. It was hoped that the operationalisation of the EJS would lead to changes in the way Europe engages in Palestine with a stronger emphasis on addressing the main obstacles to protecting the two state solution, namely those linked to the Israeli occupation. There is an expectation that collective European action through the EJS should be able to make a contribution to the following:

- Halting the decline of development and humanitarian conditions of Palestinians
- Halting the progression of Israel's land confiscations in Area C and supporting Palestinian communities to "hold ground"

<sup>59</sup> Interview European Commission Official, September 2019.

<sup>60</sup> "European-funded interventions have had mixed success with some results, including sustaining the welfare for Palestinians, building the capacities of several Palestinian institutions, ensuring stability and security, as well as preventing fiscal and economic collapse. In Spring 2011, the meeting of the AHLC concluded that Palestinian institutions were ready for statehood. Improvement since this meeting has however been extremely limited and led to considerable disappointments and fatigue (starting with the Palestinians themselves). The protracted occupation not only undermines the considerable state-building achievements of the last twenty years, but also puts into question EU principles and credibility". (European Joint Strategy pp 30-31).

<sup>61</sup> HoC Meeting minutes 2018 and 2019.

- Easing restrictive occupation policies—such as movement restrictions for Palestinians to access medical services.

*‘Is the EU seriously contributing to the two-state solution? [...] They are helping us with development, but unless they help deal with the occupation then all that investment is for nothing.’<sup>62</sup>*

EDP evaluation reports have repeatedly concluded that donor development aid interventions in Palestine are unable to address the absence of progress towards the two-state solution. For example, one EDP identified that the absence of progress towards Palestinian statehood had not only reduced the volume of aid, but had compromised its effectiveness, particularly in sectors such as good governance. Two decades of aid to the PA has not improved human development indicators.<sup>63</sup>

Similarly, the 2014 evaluation of the EU’s cooperation with the occupied Palestinian territory (2008-2013) stated that, despite massive financial support and policy dialogue, there had been little impact on the main obstacles to realising the two-state solution. The evaluation identified the lack of progress in addressing the binding constraints and the absence of sound Palestinian democratic processes.<sup>64</sup>

*Evaluation findings indicate that the EU has not been willing or able to address these constraints upfront with an effective political response. While Member States have reached consensus on the [EU] Council conclusions [on] declaratory policies, they refrained from taking practical steps further, avoiding confrontational or adversarial measures with Israel and to a lesser extent with the PA.’<sup>65</sup>*

A number of EDPs expressed disappointment with the lack of support from their HQs for a more proactive approach in dealing with political obstacles to achieving development results. An underlying reason for this is often sensitivity in home countries around aid to Palestine and political and economic relationships with Israel.

*Everything here is political. If we are going to make our development support work, we have to focus on the political objectives under the EJS. For example, for Area C we do not have a unified approach and do not work with one voice. We hope that the EJS can help to form this joint approach, but this will not be done through better coordination alone.’<sup>66</sup>*

The ROF Guidance Note states that the EJS objective is “to protect the viability of the two-state solution with an independent, democratic, contiguous and viable Palestinian State”. The ROF informs policy dialogue with PA institutions by monitoring progress towards jointly planned development results, sectoral changes, and reform processes as well as through support of evidence-based decision-making, including for future programming. The ROF supports better coordination and complementarity of EDP bilateral programmatic interventions and policy dialogue with the PA under the pillars and sectors.

However, the ROF does not account for, or measure progress against the EJS objective of protecting the viability of the two-state solution. As an overall EJS objective, “supporting viability” is not defined in the EJS or the ROF reporting structure. A clear TOC on how the five pillars contribute to realising the overall EJS objective is also notable in its omission. This monitoring gap was raised by

<sup>62</sup> Interview Prime Minister’s Office, November 2019.

<sup>63</sup> Palestine Country Evaluation Brief (2017), NORAD, May 2017.

<sup>64</sup> Evaluation of the European Union’s cooperation with the occupied Palestinian territory and support to the Palestinian People (2014), carried out by DRN, ECDPM, ECORYS, PARTICIP on behalf of the Directorate General for Development and Cooperation.

<sup>65</sup> Ibid.

<sup>66</sup> Interview with EU Member State, November 2019.

several EDPs during interviews and within the 2017 ROF Scoping Report, namely—how is progress on the EJS objective to support the viability of a Palestinian state measured and reported?<sup>67</sup>

ROF reporting has identified Palestinian limitations in realising EJS pillar and sector objectives. Many of these observations are fair such as lack of progress in following through on agreed sectoral reforms. However, in many cases, these limitations can be largely explained with reference to the binding constraints identified in the EJS. ROF reporting accentuates the desperate need for commensurate political and development intervention by Europe, if the two-state solution is to be protected and a future Palestinian state remains a viable option.<sup>68</sup>

### JC8.2: Joint political messages between HoCs/HoPs/HQs regarding obstacles to a viable Palestinian state

While there has been successful joint messaging towards the PA regarding the absence of progress in carrying out certain reforms—for example in the justice and energy/water sectors—the EJS has not increased joint political messaging regarding the binding constraints and obstacles to a viable Palestinian state.<sup>69</sup> The EJS can be a powerful platform to combine development with political change but this requires support from HQs. Enhanced horizontal dialogue in the field between HoMs, HoCs and HoPs about ways to propose new policy options or approaches to respective HQs is required.

*HoMs, HoPs and HoCs in missions speak different languages and have different agendas. You will see that the HoCs are the most enthusiastic about the EJS but are politically weak. You need everyone working together if the EJS is to succeed with the main issues like Area C and with messages delivered to HQs. The EJS cannot work in Area C without joint implementation mechanisms, joint budgeting and technical support. Without this scale of effort, the EJS will just be another coordination activity and make no real impact.<sup>70</sup>*

The importance of EDP solidarity in limiting the exposure of individual EDPs to Israeli political criticism was highlighted during the HoM 2018 meeting. However, differences arose between HoMs about the degree to which joint programming can support political progress on the two-state solution. Some HoMs favoured a more politically ambitious approach while others believed that the situation was not politically conducive because of the absence of elections in Palestine and wider geo-political factors.

<sup>67</sup> The ROF bilateral consultations identified a preliminary group of more than 80 outcomes capable of producing some tangible change in overcoming the obstacles to a democratic, viable and contiguous state of Palestine in the sector strategies. These obstacles, usually known as the “binding constraints”<sup>3</sup>, are: (i) the multiple and complex occupation and settlement-related restrictions (fragmentation) imposed by Israel on movement and access to resources and (ii) the continued absence of Palestinian reconciliation and national elections. (ROF Scoping Report 2017).

<sup>68</sup> As Brown argues during the Salem Fayed period – ‘Donors rushed to support the West Bank’s PA leadership. Headed for a period by then prime minister Salam Fayyad, a respected economist with a career in international financial institutions, the PA watched Western donor support pour in. ... While technocratic (and built on an authoritarian basis), this effort allowed international donors to see their support as furthering the construction of a Palestinian state... This approach of constructing a Palestinian state on the back of a prominent technocrat’s ability to streamline governance and attract donors proved chimerical, as no Palestinian state was built and some of the improvements he made began to erode after he resigned ( ‘Time to Re-think but not abandon International aid to the Palestinians’ (2018) Nathan J Brown, Carnegie Endowment for International Peace.

<sup>69</sup> This was also raised during the January 2019 HoC retreat with one EDP noting that common messages towards the PA were easier to establish than common messages towards Israel, with whom each EDP has a different bilateral relationship.

<sup>70</sup> Interview with EU member state, November 2019.

## 5. OVERARCHING RECOMMENDATIONS

**Recommendation 1: Future joint interventions by EDPs under the EJS should be increased so as to support Palestinian territorial integrity and geographic connectivity - existential preconditions for maintaining the viability of the two-state solution.**

The Oslo agreements recognize that the West Bank including East Jerusalem and Gaza are a single, integral territorial unit that will eventually be physically connected.<sup>71</sup> Occupation, settlement expansion, and geographic divisions in Palestinian territory undermine the viability the two state solution. EDPs are challenging this situation through on-going interventions, particularly in Area C. The EDPs—under the strategic umbrella of the EJS—should scale up the planning and design of similar interventions to support geographic connectivity of a future Palestinian state.

Israel views any such connection or secure passage through Israeli territory as a security threat. The EJS provides the platform that would help to minimise the political risk associated with the development of larger project interventions in support of physical connectivity between Gaza and the West Bank. In addressing the territorial viability for a future Palestinian state the profile and visibility of the EJS would be raised. These actions should be combined with interventions that address the development gap in Gaza, West Bank, including East Jerusalem to create a sustainable Palestinian economy for the future.

To action this recommendation, the EDPs should consider supporting the Palestinian private sector initiative “Global Palestine, Connected Gaza”. This is a “spatial vision” or masterplan for the Gaza governorates based on an integrated approach to urban development, energy and water, transportation, the environment, and open space. The plan is based on an understanding that the present economic situation in Gaza is unsustainable, but that barriers and travel restrictions will not be permanent, and that change is necessary now to prepare for a better future. The related “Imagine Gaza” concept provides the basis for projects that have the potential to transform key areas in Gaza. One such project is “Gateway Gaza” which envisages the northern part of Gaza serving as a gateway connecting Gaza to the West Bank and global market opportunities. This project includes an offshore port (Gaza Port Precinct), a regional airport, and a new intermodal transport interchange (Gaza Gateway) to the northeast.<sup>72</sup>

**Recommendation 2: The EJS and ROF should include indicators for the measurement of convergence between the two dimensions of JP in Palestine – aid effectiveness and protection of the two-state solution.**

At present, the ROF is a tool for evidence-based policy dialogue, measuring progress towards jointly agreed outcomes and impacts. However, there is a monitoring system gap in tracking the aggregate strategic change progress made in realising the EJS’ overall political objective of protecting the two-state solution.

<sup>71</sup>[https://peacemaker.un.org/sites/peacemaker.un.org/files/IL%20PS\\_950928\\_InterimAgreementWestBankGazaStrip%28OsloII%29.pdf](https://peacemaker.un.org/sites/peacemaker.un.org/files/IL%20PS_950928_InterimAgreementWestBankGazaStrip%28OsloII%29.pdf)

<sup>72</sup> Global Palestine Connected Gaza: A Spatial Vision for the Gaza Governorates (2016) A Palestinian Private Sector Initiative Supported by: Consolidated Contractors Company, Palestine Investment Fund, Bank of Palestine, Paltel Group Foundation Palestine Real Estate Investment Company and in cooperation with The Portland Trust [www.connectedgaza.com/imaginegaza](http://www.connectedgaza.com/imaginegaza) The RAND’s concept for developing the physical infrastructure of a Palestinian state—the Arc—could also be re-visited by EJS. The Arc is envisaged as an infrastructure corridor linking the West Bank and Gaza, creating conditions for economic development and sustainable population growth.



It is recommended that an inter-pillar indicator index is developed, within the existing ROF structure, to measure progress towards a defined EDP understanding and definition of how the EJS is protecting the viability of the two-state solution. These indicators could focus on a limited number of priority inter-pillar activities that offer the strongest contribution in tackling the “binding constraints” to maintain the viability of the two-state solution. The monitoring data captured and processed in this way can help to inform political messaging to EDP HQs.

### **Recommendation 3: Create an EJS Project Preparation Facility (PPF) and a “Two-State Solution Protection Fund”**

There are no distinctive “driver projects” that reflect the EJS as a collective endeavour of EDPs. There are important projects across the five pillars being implemented, but many of these are a continuation of on-going bilateral activities or historical EDP joint programming collaborations. The EJS would greatly benefit from its own “flagship” projects to cement the legitimacy of the strategy and raise the EJS’s political and development effectiveness profile.

Such projects should have a longer-term, strategic perspective in protecting the viability of the Palestinian state. They should combine hard infrastructure with soft elements (training/advocacy/education, technology/research/capacity-building) and aim to protect the territorial integrity of a viable future Palestinian state.

Within the enabling framework of the EJS, these projects could be cross-sector/cross-pillar based - including water, agriculture/food, and energy - with long-term timeframes that include a series of cumulative phases (rolling projects) based on public/private partnerships and funded from multiple sources.

There are many international models of such Project Preparation Facilities (PPF). The PPF provides a framework to facilitate long-term assistance, along with rapid short-term technical expertise if specialist project preparation inputs are required. Importantly, projects that have been structured by a PPF can prove to be more attractive to other potential donors and IFIs and the private sector due to their scale and potential for impact. Indeed, the European Consensus on Development identifies the importance of “blending” grants and loans to leverage private finance and increase aid effectiveness.<sup>73</sup> “Blending” is a major component of the European External Investment Plan and attracts increased funding from EIB and World Bank as well as EU member state financial institutions. The EJS PPF can facilitate this process.

Such flagship EJS projects developed through the PPF can be supported through a “Two-State Solution Protection Fund” with delegated contributions from EDPs<sup>74</sup>. Feedback from EDPs revealed a willingness to co-fund larger scale development projects under the EJS, if such projects were mature and supported by the PA.

### **Recommendation 4: Improve and better coordinate EDP support to the national system of social protection, linking humanitarian and development interventions, to make it more inclusive and shock responsive.**

The ongoing conflict, poverty and severe humanitarian challenges—particularly in Gaza—undermine the impact of social protection programmes provided by the PA, donors, and international agencies.

<sup>73</sup> The European Consensus for Development 2017.

<sup>74</sup> To mitigate costs and the set-up of a bespoke EJS PPF, an EJS window could be opened within the World Bank Partnership for Infrastructure Development Multi-Donor Trust Fund (PID MDTF), a multi-donor funded instrument including EDPs (UK/Sweden/Norway).

This does not mean that social assistance has no relevance or has had no impact. Rather, the large number of Palestinians who are solely dependent on cash and food assistance is indicative of the need for an expansion of services delivery, social safety nets and humanitarian assistance, in the face of a continuing lack of political resolution.

European joint efforts should further support the development of a universal and comprehensive social protection system, contributing to the 2030 vision (SDGs). Particular attention should be given to assisting with the implementation Social Development Sector Strategy 2017-2022 to achieve social protection for all—with a particular focus on women, youth, and persons with disabilities across the West Bank including East Jerusalem and Gaza.

This approach would also involve continued support for a universal, mandatory health insurance system that would ensure access to health services for all Palestinians especially in Gaza where medical facilities and access to services are at breaking point.<sup>75</sup>

The promotion of an inclusive, rights-based approach to education should continue, with emphasis on inclusion of children with special needs and on ensuring safer access to educational facilities throughout Palestine.

To address poverty and make social protection systems more sustainable, support is required for development-oriented approaches that complement cash-based transfer programmes. The intervention logic of EJS Pillar III (Sustainable Service Delivery) could be updated to better adapt to the deteriorating poverty and health services conditions in Gaza. This could be achieved through improved linkages with other EJ Pillars) and sectors to promote resilience of vulnerable households. While the focus on the needs of women remains valid, a more explicit package of outreach measures for youth could also be introduced.

Cash transfers programmes should be linked where possible to building longer-term resilience through employment generation, vocational education or business support programmes. This can be achieved through closer programming linkages between EJS Pillars III and V. Similarly, private sector support under the EJS should prioritise projects supporting youth access to the job market and providing economic opportunities to vulnerable groups affected by poverty.

**Recommendation 5: *There should be a greater focus on building the capacity of civil society and special measures to support particular target groups like youth, women, disabled and other vulnerable cohorts.***

Progress with gender equality and youth participation in economic and governance structures remains below expectations. More targeted, evidence-based actions specifically addressing gender and youth needs should be considered. There is a need to support learning opportunities amongst EDPs and Palestinian partners in order to demonstrate what works and why across different modalities for addressing disadvantage amongst women and youth. Closer engagement between EDPs and Palestinian civil society actors on programming and implementing actions should be encouraged. Similarly, greater attention should be given to disability issues (including mobility infrastructure support and education projects) across EJS pillars.

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<sup>75</sup> <https://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=23236&LangID=E>

***Recommendation 6: Develop EJS guidelines to respond to deteriorating conditions in the area of governance, justice, security, rule of law and human rights.***

It is recommended that EDPs formulate a clear response framework to outline the protocols, strategies, and responses by EDPs that would apply when any deterioration of conditions is observed in the areas of governance, justice, security, rule of law, and human rights.

Where conditions deteriorate in this way, their nature and impact can often be measured against internationally accepted standards and indicators. Technical assessment of laws or institutions has been successfully used by donors to help guide responses to political and institutional challenges - for example, by the Council of Europe.

***Recommendation 7: Increase EDP support to Centre of Government (Prime Minister's Office and Cabinet Secretariat) to improve the coherence of policy making, the monitoring of NPA implementation and the capacity for joint programming with EDPs.***

Centre of Government (CoG) is responsible for coordinating the work of government and ensuring coherent approaches to the achievement of national strategic objectives. The PA Centre of Government core is the Prime Minister's Office and Cabinet Secretariat.

It is recommended that under Pillar I (Sector 2: Public Administration Reform - Central Government) there is increased emphasis on CoG. This support should be directed at improving inter-ministerial relations and building mutual accountability for EJS activities. The secondment of a civil servant from an EDP Cabinet Secretariat could be considered as an effective means to provide technical expertise and experience to Palestinian CoG.

Support should also target the capturing and processing of NPA monitoring data to better inform future national policy and EDP joint programming. As referenced in the ROF 2018 annual report, there were no official reports measuring progress against the NPA. Without such updates and reports it is difficult for the PMO/Cabinet Secretariat to track NPA progress.



# ANNEXES

## Annex 1: Evaluation Matrix

Evaluation Questions	Judgement Criteria	Indicators	Sources of Information/ Means of Verification
<b>Relevance</b>			
<b>EQ 1: How well is the EJS aligned with the NPA 2017-2022 and has demonstrated responsiveness in adapting to changes?</b>	<ol style="list-style-type: none"> <li>1. Intervention logic aligned with NPA 2017 2022.</li> <li>2. EJS development and adaptation to evolving political and economic circumstances.</li> <li>3. EJS appropriate for strengthening the development - humanitarian nexus (supporting resilience in Gaza, East Jerusalem and Area C).</li> </ol>	<ol style="list-style-type: none"> <li>1. Outputs of joint analysis process.</li> <li>2. Outputs of joint response process.</li> <li>3. ROF alignment with Palestinian priorities.</li> <li>4. Adaptations introduced through EJS monitoring/policy dialogue.</li> </ol>	<ul style="list-style-type: none"> <li>• EJS Strategy and NPA</li> <li>• Field Interviews with EDPs and Palestinian Institutions</li> <li>• ROF Report 2018</li> <li>• Result-oriented framework for the 2017-2020 European Joint Strategy in support to Palestine Scoping Report (2017)</li> <li>• EU-PA Action Plan 2013</li> <li>• Evaluation of EU Joint Programming Process of Development Cooperation (2011-2015) Final Report Volume II – Annexes March 2017 Annex Q. Country Note Palestine March (p.309).</li> <li>• Speech EU Representative Ralph Tarraf, 12 July 2018, at the launch of the European Joint Strategy in support of Palestine ‘2017-2022 – Towards a democratic and accountable Palestinian State’.</li> <li>• Meeting Minutes (EU/HoCs) Jericho 2015, 2016 2018, EJS Workshop (EDPs) 2018</li> </ul>
<b>Relevance</b>			
<b>EQ 2: To what extent has the EJS - as a jointly agreed framework – improved aid effectiveness? (predictability; national ownership; improved coordination, reduced fragmentation)</b>	<ol style="list-style-type: none"> <li>1. National ownership of EJS.</li> <li>2. EDPs engaged in development effectiveness agenda (locally and HQ levels).</li> <li>3. Improved EDP leverage for policy dialogue and reforms.</li> <li>4. Increased financing predictability against ROF priorities.</li> </ol>	<ol style="list-style-type: none"> <li>1. Changes in PA ownership/leadership of aid coordination process through EJS.</li> <li>2. Synchronisation of cycles with PA timing (planning and financial).</li> <li>3. Examples of increased engagement by EDPs in development effectiveness agenda.</li> <li>4. Changes in EDP and LACS approaches to aid management.</li> <li>5. Increase in synergies between EDP bilateral programming documents and EJS or replacement of EDP documents with EJS.</li> </ol>	<ul style="list-style-type: none"> <li>• Field Interviews PA Institutions and EDPs</li> <li>• ROP Annual Report 2018</li> <li>• Meeting Minutes (EU/HoCs) Jericho 2015, 2016 2018, EJS Workshop (EDPs) 2018</li> <li>• Country Partnership Framework Palestine - Spain (2015 – 2017)</li> <li>• Palestine Country Policy paper by Ministry of Foreign Affairs of Denmark.</li> <li>• Palestine (2016-2020) Palestinian territories country intervention framework 2016-2020. AfD/France</li> <li>• Country Strategy for Development Cooperation with Occupied Palestinian territory 2016-2019. Finland</li> <li>• Strategy-for-swedens-international-development-cooperation-with-palestine-2015—2019.</li> </ul>

Evaluation Questions	Judgement Criteria	Indicators	Sources of Information/ Means of Verification
			<ul style="list-style-type: none"> <li>EJS Pillar 1 2017 Report</li> <li>Governance reform, Fiscal Consolidation and Policy Reform EJS Pillar 2 2017 Report Rule of Law, Justice, Citizen Safety and Human Rights</li> <li>EJS Pillar 3 2017 Report Sustainable Service Delivery</li> <li>EJS Pillar 4 2017 Report Self-Sufficient Water and Energy services</li> <li>EJS Pillar 5 2017 Report Sustainable Economic Development</li> </ul>
<b>Effectiveness</b>			
<b>EQ 3: What are the benefits of the EJS to improving development cooperation? (with emphasis on state-building, Pillar II and V)</b>	<ol style="list-style-type: none"> <li>Benefits of EJS to EDPs for improved development cooperation.</li> <li>Benefits of EJS to PA for improved development cooperation.</li> <li>EDPs commitment to joint response as per section 4 of the EJS).</li> <li>EJS/ROF translated into joint implementation.</li> </ol>	<ol style="list-style-type: none"> <li>Number of joint programmes/ delegated cooperation of SWAPs since 2016.</li> <li>Number of joint advocacy messages.</li> <li>Number of joint decisions/rectifying actions using the ROF.</li> <li>Evidence of joint interventions in Area C and Gaza promoting EJS objectives? (addressing contested sovereignty/state building).</li> <li>Evidence of synchronisation with PA programming, planning and budgeting.</li> </ol>	<ul style="list-style-type: none"> <li>Field Interviews PA Institutions and EDPs</li> <li>ROP Annual Report 2018</li> <li>Country Partnership Framework Palestine - Spain (2015 – 2017)</li> <li>Palestine Country Policy paper by Ministry of Foreign Affairs of Denmark.</li> <li>Palestine (2016-2020) Palestinian territories country intervention framework 2016-2020. AfD/France</li> <li>Country Strategy for Development Cooperation with Occupied Palestinian territory 2016-2019. Finland</li> <li>Strategy-for-swedens-international-development-cooperation-with-palestine-2015—2019.</li> <li>Re-thinking Oslo: how Europe can promote peace in Israel-Palestine (2017) European council on Foreign Relations</li> </ul>
<b>Efficiency</b>			
<b>EQ 4: To what extent has the EJS contributed to efficiencies in EDPs' aid delivery through division of labour and adaptation of joint results-based management tools?</b>	<ol style="list-style-type: none"> <li>Transaction costs for PA and EDPs reduced/increased.</li> <li>Joint actions to improve EJS pillar results.</li> <li>Efficiency benefits of Division of Labour/ROF reporting.</li> </ol>	<ol style="list-style-type: none"> <li>Evidence of transaction cost changes.</li> <li>Evidence of EDP joint actions/ solutions to support EJS implementation.</li> <li>Evidence of EDP meetings/joint actions/sharing of expertise.</li> <li>EDP resource efficiencies (costs/time) due to EJS/ROF (estimated).</li> </ol>	<ul style="list-style-type: none"> <li>Field Interviews PA Institutions and EDPs.</li> <li>ROP Annual Report 2018.</li> <li>Meeting Minutes (EU/HoCs) Jericho 2015, 2016 2018, EJS Workshop (EDPs) 2018.</li> </ul>
<b>Coherence</b>			
<b>EQ 5: To what extent is the EJS in line with other EU and global policies?</b>	<ol style="list-style-type: none"> <li>EJS is aligned with Agenda 2030.</li> <li>Agreement on Trade and Cooperation.</li> </ol>	<ol style="list-style-type: none"> <li>Evidence of EJS alignment with EU policies.</li> <li>Evidence of EJS linkages and support to deliver other EU policies.</li> </ol>	<ul style="list-style-type: none"> <li>Palestine under Occupation: Is the 2030 Agenda for Development possible? (2017) Social and Economic Policies Monitor – Al Marsad.</li> </ul>

Evaluation Questions	Judgement Criteria	Indicators	Sources of Information/ Means of Verification
	<ol style="list-style-type: none"> <li>Extended 2013 EU-PA Action Plan.</li> <li>Gender Action Plan II.</li> <li>EDPs policies with Israel.</li> </ol>		<ul style="list-style-type: none"> <li>Final Report Gender Country Profile Palestine 2018. Prepared with the financial assistance of the European Commission.</li> <li>Field Interviews PA Institutions and EDPs.</li> <li>ROP Annual Report 2018.</li> <li>Interim Association Agreement on Trade and Cooperation 1997/2012.</li> <li>Extended 2013 EUU-Pa Action Plan.</li> <li>Joint European Roadmap for engagement with Civil Society.</li> </ul>
<b>Added Value</b>			
<b>EQ 6: To what extent has the EJS provided a comparative advantage to other donor (World Bank, UN) coordination compared to previous practice?</b>	<ol style="list-style-type: none"> <li>Added value of EJS coordination with IFIs/UN/other donors.</li> <li>Improved leverage opportunities with other donors (World Bank/IFIs, UN).</li> <li>EJS providing an adequate framework for EDPs for improved coordination with LACS structure.</li> </ol>	<ol style="list-style-type: none"> <li>Examples of improved coordination between EJS and other donors.</li> <li>Examples of EJS leveraging e.g. funding (blending) and/or policy statements with other donors.</li> <li>Examples of enhanced working/reporting relations between LACS structure and EDPs.</li> </ol>	<ul style="list-style-type: none"> <li>Field interviews Palestinian institutions and EDPs.</li> <li>Field Interview World Bank.</li> <li>Review of EIB Palestinian projects.</li> <li>ROP Report 2018.</li> </ul>
<b>Prospect of Sustainability</b>			
<b>EQ 7: Are EDPs and PA involved and able (capacity) to apply development effectiveness principles?</b>	<ol style="list-style-type: none"> <li>Degree of involvement in Global Partnership for Development Cooperation.</li> <li>Degree to which EJS pillar approach is conducive for reaching SDGs by 2030.</li> <li>Involvement and capacity by PA to lead development effectiveness agenda.</li> <li>EJS leverage of additional funding (Pillar 5).</li> </ol>	<ol style="list-style-type: none"> <li>Evidence of enhanced policy dialogue for future JP activities between EDPs.</li> <li>Progress made in delivering SDGS through EJS pillar approach.</li> <li>Evidence of increased dialogue between PA and EDPs on future joint programming.</li> </ol>	<ul style="list-style-type: none"> <li>PA and EDP interviews.</li> <li>EDP progress reports.</li> <li>Outputs of PA/EDP coordination and monitoring meetings.</li> </ul>
<b>Prospect of Impact</b>			
<b>EQ 8: Is joint European work under the EJS protecting the viability of the two-state solution?</b>	<ol style="list-style-type: none"> <li>Evidence of EDPs addressing obstacles to a future viable Palestinian state via the EJS.</li> <li>Joint political messaging between HoCs/HoPs/HQs</li> </ol>	<ol style="list-style-type: none"> <li>Evidence of EDP supported interventions addressing obstacles e.g. economy, good governance, social inclusion, territorial integrity (Area C, Gaza and East Jerusalem).</li> </ol>	<ul style="list-style-type: none"> <li>Field Interviews Palestinian Institutions and EDPs</li> <li>ROP Report 2018</li> <li>Global Palestine Connected Gaza: A Spatial Vision for the Gaza Governorates (2016) A Palestinian Private Sector Initiative</li> </ul>

Evaluation Questions	Judgement Criteria	Indicators	Sources of Information/ Means of Verification
	regarding obstacles to viable Palestinian state.	2. Evidence of joint political messaging/responses regarding obstacles to viable Palestinian state.	<ul style="list-style-type: none"> <li>• ‘Time to Re-think but not abandon International aid to the Palestinians’ (2018) Nathan J Brown, Carnegie Endowment for International Peace.</li> <li>• The Limits of European Influence in Palestine and Israel (2019) Khalil Shikaki - Carnegie Europe.</li> </ul>

## Annex 2: Joint Programming in Palestine: EJS Design 2016

During 2016, the EJS was forged through working group meetings, and workshops between EDPs, Palestinian institutions, civil society organisations (CSOs) as well as other international development bodies (UN family, World Bank, IMF). The Design phase in 2016 was facilitated by the EUREP with external consultancy support.

The design phase built on the history of joint EDP cooperation in Palestine. As early as 2011, the EUREP and Member States (EU MS) began working on an EU JP process. This resulted in the development of an EU/MS DoL (2011) and an EU JP Roadmap (2012). Norway and Switzerland (EDPs) commenced involvement in the process during 2013.

*The EUREP drove the joint programming process particularly the Head of Cooperation. Without this support from the EUREP we would not have finalized the EJS.<sup>76</sup>*

The 16 Sector Strategy Fiches (agriculture, East Jerusalem, education, energy, gender, health, justice, local governance, macroeconomic support, public financial management, private sector, public administration reform, refugees, security, social protection, and water) that had already been prepared in 2014, formed the basis for EDP joint analysis and joint policy dialogue, within the framework of the EU Local Development Strategy in Palestine. These sector strategies were prepared by a sector leads (e.g. Spain - Agriculture) in consultation with other EDPs and were aligned with the Palestinian National Development Programme (2011-2013 and 2014-2016). During the Joint Analysis and Joint Response processes, the 16 sector fiches were condensed around 5 strategic pillars and 12 sectors.

*The policy dialogue in preparing the EJS was intensive but there were natural sector leads with those member states that had been working in sectors like education, water and public administration reform for many years.<sup>77</sup>*

Based on the pilot Results Oriented Framework (ROF) 2015-2016 which was focused on PEGASE and six sectors, a set of indicators were agreed to prepare a full ROF for to monitor 13 sectors under the five pillars of the EJS. The ROF 2015-2016 that covered six sectors involved four EDPs (BE, EU, IT and UK). The EJS covers the five pillars of the EJS, with 13 sectors and three cross-cutting themes and involves ten EDPs.

The five EJS pillars are aligned to the NPA 2017-2022 policy pillars and 10 priorities. An EDP takes lead and responsibility for each pillar. The EJS and NPA were developed in parallel which supported alignment even though the 21 PA sector strategies were not ready by 2017. This contributed to the delay in the final formulation of the ROF. The agreed DoL between the EDPs:

- Pillar 1 – Governance Reform, Fiscal Consolidation and Policy: (i) Macroeconomic Support and Public Financial Management (led by EUREP); (ii) Public Administration Reform (led by the UK); and (iii) Local Government Reform (led by DK).
- Pillar II – Rule of Law, Justice, Citizen Safety and Human Rights: this Pillar is divided into two sectors: (i) support to the Justice Sector (led by the NL); and (ii) support to the Security Sector (led by the UK).

<sup>76</sup> EDP Interview, November 2019.

<sup>77</sup> EDP interview, November 2019.

- Pillar III – Sustainable Service Delivery: this Pillar is divided into three -sectors: (i) support to the Education Sector (led by FI); (ii) support to the Health Sector (led by IT); (iii) support to Social Protection (led by EUREP).
- Pillar IV – Access to Self-Sufficient Water and Energy Services: this Pillar is divided into two sectors: (i) support to the Water Sector (led by DE); and (ii) support to the Energy Sector (led by FR).
- Pillar V – Sustainable Economic Development: this Pillar is divided into two sectors: (i) Private Sector Development (led by EUREP); and (ii) Agriculture (led by ES).<sup>78</sup>

The alignment between the NPA and the EJS sectors are as follows:

Table 1: NPA Pillars and National Priorities

<b>Pillar 1: Path to Independence</b>	1. Ending the occupation, achieving our independence
	2. National unity
	3. Strengthening Palestine's international status
<b>Pillar 2: Government reform</b>	4. Citizen-centred government
	5. Effective Government
	6. Economic independence
<b>Pillar 3: Sustainable development</b>	7. Social justice and Rule of Law
	8. Quality education for all
	9. Quality healthcare for all
	10. Resilient communities

Table 2: European Joint Strategy 2017-2020 Pillars and sectors

<b>Pillar 1: Governance Reform, Fiscal Consolidation and Policy Reform</b>	1.1 Public Financial Management and Macroeconomic Support
	1.2 Public Administration Reform - Central Government
	1.3 Public Administration Reform - Local Government
<b>Pillar 2: Rule of law, Justice, Citizen safety and Human rights</b>	2.1 Security
	2.2 Rule of Law and Justice
<b>Pillar 3: Sustainable service delivery</b>	3.1 Education
	3.2 Health
	3.3 Social Protection
<b>Pillar 4: Self-sufficient water and energy services</b>	4.1 Water
	4.2 Energy
<b>Pillar 5: Sustainable Economic Development</b>	5.1 Private Sector
	5.2 Labour
	5.3 Agriculture
<b>Crosscutting Themes</b>	6.1 Gender
	6.2 Environment
	6.3 Youth

<sup>78</sup> Division of Labour in Palestine Roles and responsibilities of European lead and active donors December 2016.



## Annex 3: List of Interviews

### List of Desk Phase Interviewees

- Alessandra Viezzer (DG NEAR)
- Laura Mascagna (DG NEAR)
- Isabel Coombes (DG NEAR)
- Michael Voegelé (DG NEAR)
- Thomas Seiler (EEAS)
- Maria Amoroso (EEAS)
- Gaspard de Bousies (DG ECHO)
- Fiona Ramsey (DEVCO)
- Christos MARAZOPOULOS (DEVCO)
- Eric de Muynck (Ex HoC Belgian Diplomatic Service)
- Edward McMillan, EUREP (telephone)
- Stephanie Rousseau, EUREP (telephone)

### List of Field Interviewees

PA Central Government		
Prime Minister's Office	Head of Policy, Planning and Reforms Directorate	Estephan Salameh
Ministry of Finance	Director General, International Relations and Projects	Laila Sbeih
Cabinet Secretariat	Secretary General of the Council of Ministers	Amjad Ghanem
Cabinet Secretariat	Deputy	Bader abu Zahra
LACS	Aid Coordination Officer	Montaser Hamdan
LACS	Aid Coordination Officer	Marte Tee Hellum
Ministry of Interior	Director of the Planning Department	Ma'amoun Ziadah
Ministry of Justice	Deputy Minister	Mohammad Abu Alsondos
Ministry of Justice	Head of Planning Unit	Samah Nasser
High Judicial Council	Former Secretary General	Judge Asa'ad Al Shunnar
Ministry of Economy	Minister	Khalid Osaily
Ministry of Agriculture	Director General for Planning and Policy	Hasan Al Shqar
Ministry of Labour	Deputy Minister	Samer Salameh
Ministry of Women's Affairs	Advisor to the Minister	Dr. Hanna Nakhleh
Ministry of Local Government	Minister	Majdi Al Saleh
Ministry of Local Government	Deputy Minister	Ahmed Ghnaim
Ministry of Local Government	International Relations Advisor	Walled Abu Halawa
Ministry of Social Development	Deputy Minister	Daoud Al-Deek
Ministry of Health	Former Deputy Minister of Health	Dr Ramlawi Asad
Palestinian Water Authority (PWA)	Director General - PMU Gaza & West Bank	Sadi Ali
Jerusalem	Minister of Jerusalem	Fadi Hidmeh

European Development Partners (EDPs)		
AT (Ramallah)	Representative of Austria	Astrid Wein
BE (Jerusalem)	Head of Cooperation	Kathelijn de Nijs
CH (Jerusalem)	Deputy Head of Cooperation	Poretta Mattia
DE (Ramallah)	Head of Development Cooperation	Peter Wolfrum
DE (Ramallah)	Deputy Head of Development Cooperation	Hanna .Rama
DK (Ramallah)	Head of Cooperation	Cecilie Fenger
ES (Jerusalem)	Senior Programme Manager	Jesús Tomé i Domènech
FI (Ramallah)	Head of Development Cooperation	Paula Malan
AfD (Jerusalem)	Head of Cooperation	Catherine Bonnaud
French Consulate (Jerusalem)	Economic and Commercial Counsellor - Economic Mission	Francois-Xavier Flamand
IE (Ramallah)	Deputy Representative of Ireland in Palestine.	Joe Kennedy
IT (Jerusalem)	Head of the Jerusalem Office of the Italian Agency for Development	Cristina Natoli
IT (Jerusalem)	Programme Officer, Justice & Human Rights	Davide Torsani
IT (Jerusalem)	Gender Programme Manager	Guia Faglia
IT (Jerusalem)	Health Programmes Manager	Francesco Ribolzi
NL (Ramallah)	Deputy Head of Mission / Head of Cooperation	Floor A.R. Nuiten-Elzinga
NL (Ramallah)	Policy Officer- Rule of Law & Climate	Auke Wibaut
NL (Ramallah)	First Secretary Justice, Security and Rule of Law	-
PL (Ramallah)	Head of Cooperation	Basia Urban-Nino
SE (Jerusalem)	Head of Development Cooperation, Consulate General of Sweden	Christina Etzell
Enabel	Programme Manager, Belgian Development Agency Enabel	Joelle PIRAUX
Enabel	Resident Representative	UYTTENDAELE, Bart
Consultant	Supporting ROF under private sector development	Hanan Taha-Rayyan
UK (Jerusalem)	Deputy Head, DFID	Gareth Padfield
Switzerland	Deputy Director SDC	Mattia Poretta
EUPOL COPPS	Head of Planning and Reporting Unit	Marie Tornell
EUPOL COPPS	Ministerial Strategic and Policy Expert (Justice)	Gianluca Cazzaniga
EUPOL COPPS	Security policies	Martin Kulisek
EUPOL COPPS	Prosecution expert	Jari-Pekka Paajala
EUPOL COPPS	Ministerial Strategic & Policy Advisor	Benoit Romijn
ECHO	Head of Office	Michelle Cicic
ECHO	Gaza Office	Filippo Ortolani
EUREP	Political Affairs	Pierre Le Goff
EUREP	HoC	Gerhard Krause
EUREP	Head of Governance Section	Joris Heeren
EUREP	Head of Operations Section "Macroeconomic Support and Social Development"	Odoardo Como
EUREP	Aid Coordinator	Edward McMillan
EUREP	Justice	Simona Gallotta
EUREP	Agriculture	Joao Anselmo
EUREP	PFM	Oleg Hirbu
EUREP	Communications	Shadi Othman
CSOs, Other Donors, Private Sector Representatives		
al Haq / JLAC coalition (justice)	Attorney/ Legal Adviser	Ashraf Abu Hayyeh

MUSAWA (justice)	Director	Ibrahim Barghouti
MUSAWA (justice)	Attorney/ Legal Adviser	Ahlam Tarayra
UNSCO	Deputy Special Coordinator & United Nations Resident / Humanitarian Coordinator	Jamie McGoldrick
UNRWA	Chief Donor relations Division	Marc Lassouaoui
UNRWA	Senior External Relations and Projects Officer United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA)	Paz Fernandez Herrero
UN Sawassey	Joint Programme Manager	D. Christopher Decker
World Bank	Programme Leader for Governance and Jobs	Mark Ahern
PASSIA	General Director	Dr Hadi Abed Al Mahdi
Palvision	Director	Rami Naser Al Din
World Bank	Senior Governance Specialist	Riham Hussein
UN OHCHR	Head of Capacity Building	Jochen de Vylder
UNODC	Project Officer	Daria Yaksen
Businesswomen Forum	Chairwoman	Samira Hulaileh
Businesswomen Forum	Executive Director	Doa' Wadi
Chambers of Commerce (Jerusalem)	Director	Mr Luai al Hussine
PalTrade	CEO	Mohammad Nuseibeh
PADICO	CEO	Samir Hulileh

## Annex 4: Reading List

### EDP (European Development Partners) bilateral country strategies

- 1) 2016-2020 Multiannual Development Strategy PL. Development cooperation implemented on the basis of the Multinational Development Cooperation Programme.
- 2) 148839 Palestine country policy paper UK final. Policy paper by Ministry of Foreign Affairs of Denmark.
- 3) Re-thinking Oslo: how Europe can promote peace in Israel-Palestine (2017) European council on Foreign Relations.
- 4) CIP Palestine (2016-2020) Palestinian territories country intervention framework 2016-2020. EDF.
- 5) Country Strategy for Development Cooperation with Occupied Palestinian territory 2016-2019. Finland Development Cooperation: Country Strategy for development cooperation occupied Palestinian territory 2016-2019.
- 6) EDP feedback.
- 7) Länderstrategie 17-03-16. German-Palestinian development cooperation to help establish a future Palestinian state BMZ paper 08/2016 Strategy paper.
- 8) National development plan 2015-17. Spanish cooperation supporting public administration reforms, democratic governance, citizen involvement.
- 9) Strategy-for-swedens-international-development-cooperation-with-palestine-2015—2019.

### EU Strategies and programming documents

- 1) 2013 EU-PA Action Plan. Framework of two-year government plan from 2009 *Palestine-Ending the occupation, establishing the State and the Palestinian Reform and Development Programme (PRDP) 2008-2010*, supported by the EU.
- 2) EU Local Strategy on Development Cooperation January 2015
- 3) Result-Oriented Framework for the 2010-2017 European Joint Strategy in support to Palestine (2018) Draft.
- 4) Joint European Roadmap for Engagement with Civil Society in Palestine 18-20.

### Evaluation and research reports

- 1) EJS Pillar 1\_2017 report\_261017\_FINAL. *Governance reform, Fiscal Consolidation and Policy Reform*.
- 2) EJS Pillar 2 2017 report final. *Rule of Law, Justice, Citizen Safety and Human Rights*.
- 3) EJS Pillar 3\_2017 report final. *Sustainable Service Delivery*.
- 4) EJS Pillar 4\_2017 report final. *Self-Sufficient Water and Energy services*.
- 5) EJS Pillar 5\_2017 report final. *Sustainable Economic Development*.
- 6) European Court of Auditors' report on PEGASE. European Union direct financial support to the Palestinian Authority.
- 7) Evaluation of PEGASE - Direct Financial Support to the Palestinian. European Commission-European Neighbourhood Instrument FWC BENEf 2013.
- 8) Evaluation of the European Union's Cooperation with the occupied Palestinian territory and support to the Palestinian people (2008-2013). Commissioned by the evaluation unit of the directorate general for development and cooperation-EuropeAid (European Commission).
- 9) Evaluation of EU joint programming process of development cooperation (2011-2015) executive summary March 2017. Commissioned by the evaluation unit of the directorate general for international cooperation (European Commission).

- 10) Report on United Nations conference on trade development assistance to the Palestinian people: Developments in the economy of the Occupied Palestinian Territory (2018) UNCTAD Secretariat.
- 11) Agreed conclusions on 'Stepping up Joint Programming' (2016) Council of the EU.
- 12) Evaluation of the European Union's Cooperation with the occupied Palestinian territory and support to the Palestinian people, final evaluation report, July 2014. Commissioned by the evaluation unit of the directorate general for development and cooperation-EuropeAid (European Commission).
- 13) Stepping up? Best Practice in Joint Programming and Prospects for EU Joint Cooperation Strategies (2015) [ecdpm.org/dp183](http://ecdpm.org/dp183).
- 14) Ghent university Improving European coordination in fragile states main report. Commissioned by the Practitioners' network for European development cooperation.
- 15) EU Development Cooperation in Fragile States: Challenges and Opportunities (2016) Directorate-General for External Policies of the Union (Directorate B Policy Department).
- 16) Improving European coordination in fragile states (2017) Centre for EU Studies (CEUS), Ghent University/Practitioners' Network for European development cooperation.
- 17) Tools and Methods Series Guidelines n 8 Joint Programming Guidance (June 2018) DG DEVCO, DG NEAR, EEAS.
- 18) United Nations development assistance framework in cooperation with the government of Palestine. 2018-2022.
- 19) Office of the United Nations special coordinator for the Middle East peace process report to the Ad Hoc liaison committee. September 2019.

## Gender

- 1) Final report gender country profile Palestine 2018. Prepared with the financial assistance of the European Commission.
- 2) Gender analysis GPI FINAL. Representative office of Norway to the Palestinian authority 2011-2017.
- 3) Gender Country Profile for Palestine (2018) Update and extension in the framework of EU Joint Programming.

## Other reports and documents

- 1) FACTSHEET 4 The Rights Based Approach
- 2) Human development indices 2018. United Nations national development programme.
- 3) Humanitarian needs overview and response plan 2019. Produced on behalf of the Humanitarian Country Team and partners.
- 4) Interim Association Agreement on trade and cooperation between the European Community and the Palestine Liberation Organization for the benefit of the Palestinian Authority. 30-08-2019.
- 5) Mid Term Review for Joint Financing Arrangement II- Palestine final report. 20-02-2018
- 6) National Policy Agenda 2017-2022. Prime Minister's office, State of Palestine National Policy Agenda.
- 7) Political Economy Analysis of the Palestinian Private Sector. The Office of the European Union representative (West Bank and Gaza Strip, UNRWA).
- 8) Review of Norwegian Budget Support to the Palestinian Authority 2010-2017.
- 9) Roles and responsibilities of European lead and active donors .2017 12.2016.
- 10) Economic Monitoring Report to the Ad Hoc liaison committee. World Bank. 26-09-2019.


- 11) Guidelines on linking planning/programming, monitoring and evaluation (2016) DG NEAR
- 12) EU Is Battling Israel in Area C (2019) Begin Sadat Centre for Strategic Studies, Perspectives Paper No. 1,275.
- 13) Palestine Economic Update (2019) World Bank (April worldbank.org).
- 14) World Bank (2017) West Bank Gaza Country Strategy 2018 to 2022.
- 15) Palestine under Occupation: Is the 2030 Agenda for Development possible? (2017) Social and Economic Policies Monitor – Al Marsad.
- 16) Political Economy Analysis of the Palestinian Private Sector (2018) Palestine Economic Policy Research Institute (MAS).

## **PA Strategies**

- 1) Agriculture\_2017. Minister's Bureau, Ministry of Agriculture Palestine.
- 2) Area C Strategic Framework\_FINAL\_260318 Arabic. Strategic Framework & Programme of Executive Action for Area C 2018-2019.
- 3) Area C Strategy\_ version4\_ Translated - AR - official. Strategic Framework & Programme of Executive Action for Area C 2018-2019.
- 4) Education Sector strategy plan 2017-2022. Ministry of Education and Higher education, Palestine.
- 5) Final the Comprehensive National Strategy for Energy Sector. Palestine Energy and National Resources Authority (PENRA) December 2016.
- 6) Finance\_2017. Ministers' office, Ministry of finance and planning.
- 7) Health Sector Strategy June 2017. General directorate of health policies and planning, Palestine.
- 8) Ministry of Local Government Sector Strategy Action Plan.
- 9) National Agricultural Sector Strategy 2017-2022. Ministry of agriculture, state of Palestine.
- 10) National Youth Strategy- Brief Summary-EN- 31 May 2017.
- 11) Public Finance Management 2017-2022 English version. Public financial management sector strategy, Palestine.
- 12) Strategic Development Plan English. National water sector strategic plan and action plan. May 2016.
- 13) Security Sector Strategic Plan 2017-2022. Security sector strategic plan, state of Palestine.
- 14) Strategy culture and heritage 2017-2022 highlights. Ministry of culture strategic plan, Palestine.



## Annex 5: Specific Terms of Reference

 Ref. Ares(2019)4233006 - 03/07/2019

**EUROPEAN COMMISSION**  
**Directorate-General for International Cooperation and Development**

**FRAMEWORK CONTRACT COM 2015**

EuropeAid/137211/DH/SER/Multi

**Mid-Term Review of the  
European Joint Strategy in support of Palestine<sup>1</sup> 2017-2020  
– Towards a democratic and accountable Palestinian State**

<sup>1</sup> This designation shall not be construed as recognition of a State of Palestine and is without prejudice to the individuals positions of the Member States on this issue.

## **1 MANDATE AND GENERIC OBJECTIVES**

Systematic and timely evaluation of its programmes, activities, instruments, legislation and non-spending activities is a priority<sup>79</sup> of the European Commission<sup>80</sup> in order to demonstrate accountability and to promote lesson learning to improve policy and practice.<sup>81</sup>

The generic purpose of the Mid-Term Review is:

- to identify key lessons and to produce recommendations to improve current and inform future European work under a European Joint Strategy in support of Palestine.
- to provide an overall independent assessment of the first European Joint Strategy and the alignment of European Development Partners (EDPs) under this.

## **2 EVALUATION RATIONALE AND SPECIFIC OBJECTIVES**

**The specific rationale for undertaking this Mid-Term review is to assess whether the European Joint Strategy in support of Palestine has been able to 'collectively address Palestinian development priorities and needs' and enabled EDPs to work collectively 'in support of Palestine's own planning' as spelled out in section 4.3 of the Strategy.**

The Mid-Term Review will include:

- An assessment of the joint analysis, joint response and choice of areas of interventions and priorities proposed in the European Joint Strategy, including the extent to which the Strategy addresses the needs in areas where the partner government has limited control;
- An assessment of the extent to which European Development Partners are contributing to common objectives, as set out in the European Joint Strategy;
- A specific review of joint work under two pillars of the European Joint Strategy, including their relationship with the cross-cutting themes: (i) Pillar II: Rule of law, Justice, Citizen Safety and Human Rights; and (ii) Pillar V: Sustainable Economic Development;
- Recommendations for the remaining period under this Strategy, as well as guidance for the future joint strategy.

The main users of this evaluation will be European Development Partners in Jerusalem and Ramallah, European capitals, the Palestinian Authority (PA) and other Palestinian stakeholders.

## **3 BACKGROUND**

Palestine is a country under prolonged occupation whose legitimate authority has very limited control. Its territory remains highly fragmented with ever growing disparities and divisions between East Jerusalem, the rest of the West Bank and the Gaza strip. The 52-year Israeli occupation remains the primary constraint to growth in Palestine and undoubtedly complicates the delivery, sustainability and therefore impact of donor assistance.

European Development Partners work closely with all levels of Palestinian society and share a common goal of protecting the two state solution in order to create a democratic, independent and viable Palestinian state, living at peace with all its neighbours, including the State of Israel. In 2017, the EU, its Members States, and like-minded partners (Norway and Switzerland) provided around EUR 900 million of assistance to Palestinians. The EU alone is providing an annual contribution of over EUR 350 million.

<sup>79</sup> EU Financial Regulation (art 27); Regulation (EC) No 1905/2000; Regulation (EC) No 1889/2006; Regulation (EC) No 1638/2006; Regulation (EC) No 1717/2006; Regulation (EC) No 215/2008

<sup>80</sup> SEC(2007) 213 "Responding to Strategic Needs: Reinforcing the use of evaluation"; Better regulation package

<sup>81</sup> COM (2011) 637 "Increasing the impact of EU Development Policy: an Agenda for Change"

EU, its Member States plus Norway and Switzerland as like-minded partners in Palestine have engaged in joint programming since 2011. JP can be understood in Palestine in its two dimensions: development cooperation effectiveness (how to improve the efficiency and effectiveness of the considerable financial investment in Palestine) and the political dimension (how to affirm and defend the shared vision of European actors in Palestine and ensure the convergence between the development work and European political objectives). EDPs carried out a joint analysis to design a joint response to 'address collectively Palestinian development priorities and needs' [...] and 'support Palestine's own planning'.

The guiding objective of the European Joint Strategy in support of Palestine 2017-2020 (EJS) is 'to protect the viability of the two-state solution with an independent, democratic, contiguous and viable Palestinian State, living side by side in peace and security with the State of Israel.' The joint response is articulated under five interrelated strategic pillars and some cross-cutting themes, aligned to the Palestinian National Policy Agenda 2017-2022, with different European partners taking the lead in coordination among the various sectors (see table below). The European Joint Strategy serves as a strategic umbrella to participating Europeans' bilateral programming and implementation plans. The Strategy also suggests some new tools, one of which was a Results-Oriented Framework (ROF) to monitor the implementation of the EJS. The ROF will inform policy dialogue with the PA institutions by monitoring progress towards planned joint development results, sector changes, and reform processes. It will support evidence-based decision-making including for future programming. Please see the Annex for details of documents to consult.

<i>Pillar 1: Governance Reform, Fiscal Consolidation and Policy Reform</i>	1.1 Public Financial Management and Macroeconomic Support
	1.2 Public Administration Reform
	1.3 Local Government
<i>Pillar 2: Rule of law, Justice, Citizen safety and Human rights</i>	2.1 Security
	2.2 Justice
<i>Pillar 3: Sustainable service delivery</i>	3.1 Education
	3.2 Health
	3.3 Social Protection
<i>Pillar 4: Self-sufficient water and energy services</i>	4.1 Water
	4.2 Energy
<i>Pillar 5: Sustainable Economic Development</i>	5.1 Private Sector
	5.2 Labour
	5.3 Agriculture
<i>Crosscutting Themes</i>	6.1 Gender
	6.2 Environment
	6.3 Youth
	6.4 Human rights
	6.5 Civil society

## 4 SCOPE

### 4.1 Legal scope

The European Joint Strategy in support of Palestine 2017-2020 is available online: [https://eeas.europa.eu/sites/eeas/files/final\\_-\\_european\\_joint\\_strategy\\_english.pdf](https://eeas.europa.eu/sites/eeas/files/final_-_european_joint_strategy_english.pdf)

The EJS sees a Mid-Term Review as part of EDP efforts towards a stronger framework for monitoring and evaluation and explicitly calls for one: 'A mid-term review or monitoring exercise will be carried out in 2019.'

The 2017 new European Consensus on Development:

<https://www.consilium.europa.eu/en/press/press-releases/2017/05/19/european-consensus-on-development>

May 2016, the Council of the European Union agreed conclusions on 'Stepping up Joint Programming': <http://data.consilium.europa.eu/doc/document/ST-8831-2016-INIT/en/pdf>

#### 4.2 Temporal scope

The evaluation covers European Development Partner work as framed under the European Joint Strategy in support of Palestine during the period 2017 to 2018, as well as the period of Strategy design during 2016.

#### 4.3 Thematic scope

The entire scope of the EJS, including all five pillars and cross-cutting themes (see above) will be assessed as part of the mid-term review. A more thorough review of two specific pillars will be undertaken to allow deeper analysis of some aspects of the EJS. The two pillars chosen for this are Pillar II (Rule of law, Justice, Citizen Safety and Human Rights) and Pillar V (Sustainable Economic Development). These two pillars were chosen to reflect more complex sectors. Unlike Pillars I and III, the two pillars have not benefited from previously having a joint results framework (Results-Oriented Framework 2015-2016) to guide EDP joint work. Both pillars are also more challenging than the others in terms of EDP coordination. Further clarification of the delineation between the general assessment and the deeper analysis can be found in Section 5.

#### 4.4 Geographical scope

The European Joint Strategy in support of Palestine 2017-2020 treats Palestine as one so as to ensure that the geographical fragmentation (separation between East Jerusalem, the rest of the West Bank and the Gaza Strip, as well as division of the West Bank into three areas) is not further reinforced. At the same time, the Strategy acknowledges the specific needs of East Jerusalem, the Gaza Strip and Area C, which are also areas where the role of the Palestinian Authority is severely limited and challenged due to different political, administrative and security arrangements.

### 5 EVALUATION ISSUES AND CRITERIA

The Mid-Term Review will assess the Strategy using the five standard DAC evaluation criteria, namely: relevance, effectiveness, efficiency, sustainability and perspectives of impact. In addition, the evaluation will assess two EU specific evaluation criteria:

- the EU added value (the extent to which the Action brings additional benefits to what would have resulted from Member States' interventions only);
- the coherence of the Strategy itself, with the overall EU strategy in Palestine and with other EDP strategies and policies.

Of these seven criteria, the evaluation team should give emphasis in their analysis on relevance, effectiveness, efficiency, EU added value and coherence.

The evaluation team shall furthermore consider whether gender, environment and climate change, human rights, and youth were mainstreamed; the relevant Sustainable Development Goals (SDGs) and their interlinkages were identified; the principle of Leave No-One Behind and the rights-based

approach methodology was followed in the analysis, response and priority settings and the extent to which they have been reflected in the implementation of the Strategy, its governance and monitoring. The issues to be addressed as formulated below are indicative. Based on these and following initial consultations and document analysis, the evaluation team will discuss them with the Evaluation Manager and Steering Group and propose in their Inception Report a complete and finalised set of Evaluation Questions with indication of specific Judgement Criteria and Indicators, as well as the relevant data collection sources and tools, for approval by the Steering Group.

The Evaluation Questions are to be formulated by the evaluators and to be approved by the Steering Group. Nevertheless, the main issues to be addressed may include:

➤ For the entire EJS:

- The extent to which the analysis of the European Joint Strategy aligns to Palestinian priorities, including as laid out in the National Policy Agenda 2017-2022, as well as the priorities of other stakeholders.
- The extent to which the analysis of the European Joint Strategy aligns to European and global policy frameworks, such as Agenda 2030, the Interim Association Agreement on Trade and Cooperation, and the extended 2013 EU-PA Action Plan.
- The extent to which the rationale of the European Joint Strategy is still relevant, given the changes in context since it was written in 2016.
- The extent to which the EDPs are contributing to state-building.
- The extent to which the EJS sufficiently addresses the situation of contested sovereignty.
- The extent to which the Strategy adds European value in addition to the existing coordination processes.
- The extent to which there are synergies between the pillars of the EJS.
- The extent to which EDPs have adhered to the Strategy during its first two years (2018-2020), including by using the proposed new tools (including the Results-Oriented Framework and the Joint European Roadmap in support of Civil Society in Palestine).

➤ For Pillars II and V only:

- The extent to which there has been alignment in strategies, working methods and priorities of EDPs, including in terms of policy, and thus a reduction in aid fragmentation.
- The extent to which EDPs are working better together than prior to 2017, including an assessment on whether the division of labour is functioning optimally and on whether sector and cross-cutting leads are fulfilling their role.
- The extent to which joint programming has reduced Palestine's transactions costs and kept them reasonable for the European Development Partners.
- The extent to which there are synergies between the sectors of the Pillars.
- The extent to which rights-holders and duty-bearers have noticed an improvement in European engagement and partnership since 2017.
- The extent to which the Strategy resulted in better leverage, increased visibility and improved narrative of EDP engagement vis-à-vis stakeholders since 2017.

## **6 RESPONSIBILITY FOR THE MANAGEMENT OF THE EVALUATION**

The Evaluation Manager at the EU Delegation in East Jerusalem is responsible for the management and supervision of the evaluation. The progress of the evaluation will be followed closely by a Steering Group consisting of: staff from European Development Partner missions in Jerusalem and Ramallah and the Palestinian Authority, through the Office of the Prime Minister, the Cabinet Secretariat and the Ministry of Finance and Planning.

Its principal functions will be to:

- Discuss and comment on these Terms of Reference;
- Discuss draft reports produced by the evaluation team;
- Ensure the evaluation team has access to and consults all relevant information sources and documentation on activities undertaken;
- Discuss and comment on the quality of work done by the evaluation team;
- Provide feedback on the findings, conclusions and recommendations of the evaluation.

## 7 **PROCESS AND DELIVERABLES**

The overall guidance to be used is available on the web page of the DG NEAR Evaluation Unit, mainly found in DG NEAR Guidelines on linking planning/programming, Monitoring and Evaluation.

The basic approach to the assignment consists of three *main phases*. *Deliverables* in the form of reports should be submitted at the end of the corresponding stage.

The table below summarises these phases:

<i>Evaluation phases:</i>	<i>Stages:</i>	<i>Deliverables*:</i>
1. <u>Desk phase</u> (Home based)	<ul style="list-style-type: none"> <li>• Inception: Structuring of the evaluation</li> <li>• Defining Evaluation Questions</li> <li>• Data collection</li> <li>• Analysis</li> </ul>	<ul style="list-style-type: none"> <li>• <i>Inception report (10 pages)</i></li> </ul>
2. <u>Field phase</u> (Mission in the country)	<ul style="list-style-type: none"> <li>• Data collection</li> <li>• Verification of the hypotheses</li> <li>• Presentation to Reference Group</li> </ul>	<ul style="list-style-type: none"> <li>• <i>Slide presentation (Power Point)</i></li> </ul>
3. <u>Synthesis phase</u> (Home based)	<ul style="list-style-type: none"> <li>• Analysis</li> <li>• Judgments</li> </ul>	<i>Draft final report (50 pages excluding annexes)</i>
4. <u>Dissemination phase</u> (Mission in the country)	<ul style="list-style-type: none"> <li>• Stakeholder workshop (50 participants)<sup>5</sup></li> </ul>	<ul style="list-style-type: none"> <li>• <i>Stakeholders consultation report</i></li> <li>• <i>Final report (50 pages excluding annexes, incorporating comments)</i></li> <li>• <i>Executive summary (in English and Arabic)</i></li> </ul>

All reports will be written in English.

The budget should include all costs related to the organisation of the workshop for approximately 50 participants.



Evaluators will meet with a broad range of stakeholders, ensuring that women's and youth voices are adequately represented and including but not limited to:

- European Development Partners, which should include the larger donors and those which are sector lead on behalf of EDPs and/or deputy chairs of Sector Working Groups, such as EU, Germany, France, UK, Sweden, Norway, Finland, Denmark, Netherlands, Belgium, Italy, Spain and Switzerland. If time allows smaller states and those which do not traditionally financially contribute should also be consulted, such as Ireland, Austria, Czechia, Poland, Lithuania, Greece, Malta. The views of CSDP missions – EUPOL COPPS and EUBAM RAFAH – should also be taken into account.
- Palestinian Authority bodies, including the Office of the Prime Minister, the Ministry of Finance and Planning and line ministries in sectors where EDPs are active. Consultations should extend to other arms of Palestinian leadership, such as the Office of the President's East Jerusalem Unit, local government units, particularly in Area C, and the governor of Jerusalem.
- International partners, including the UN Country Team, other donors and agencies, such as the Office of the Quartet, World Bank and IMF.
- Civil society organisations, as represented the umbrella organisations (PNGO, PNIN, UCS, UCS- J and AIDA) and the list of CSOs consulted in the formulation of the Joint European Roadmap for engagement with civil society in Palestine 2018-2020.
- Private sector organisations, such as the chambers of commerce, large corporations and MSMEs.

## **8 THE EVALUATION TEAM**

The evaluation team is expected to possess expertise in:

- evaluation methods and techniques in general and of strategic evaluation in the field of external relations and development cooperation;
- policy dialogue, development partner coordination and development effectiveness;
- Rule of Law for at least one expert;
- Private Sector Development (including for rural areas) for at least one expert;
- Resilience, humanitarian-development nexus, fragile contexts;
- specific expertise in cross-cutting themes, in particular in mainstreaming gender and women equality;
- knowledge of the Palestinian context;
- working knowledge of the following language(s): English.

It is expected that the Team leader will be an expert of category Senior, who will lead a team of at least four experts.

The offer should clearly state the category of each team member and which tasks the proposed team members are supposed to take responsibility for and how their qualifications relate to the tasks (if this is not self-evident from their profile). A breakdown of working days per expert must also be provided. The team members must be independent from the programmes/projects/policies evaluated. Should a conflict of interest be identified in the course of the evaluation, it should be immediately reported to the Evaluation manager for further analysis and appropriate measures.

The team will have excellent writing and editing skills. The Contractor remains fully responsible for the quality of the report. Any report which does not meet the required quality will be rejected.

During the offers evaluation process the contracting authority reserves the right to interview by phone one or several members of the evaluation teams proposed.

## **9 TIMING**

The project implementation is due to start in June/July 2019. The expected duration is of 6 months.

## **10 OFFER FOR THE ASSIGNMENT**

The invited Framework Contractors will submit to their offer a specific Methodology including comments on the Specific Tor for the successful execution of activities, in particular regarding the objectives and expected results; a description of the qualitative and technical support facilities (back-stopping); an outline of the strategy/approach proposed for contract implementation, as well as a list of the proposed tasks considered necessary to achieve the contract objectives; the presentation of the composition of the proposed team of experts and their capacity to carry out the Specific ToR; a workplan indicating the major milestones in executing the contract and the envisaged resources to be mobilised.

The financial offer will be itemised to allow the verification of the fees compliance with the Framework contract terms. The contract will be global price.

The total length of the technical offer (excluding annexes) may not exceed 5 pages; a CV may not exceed 4 pages. References and data relevant to the assignment must be highlighted in bold (font minimum Times New Roman 12 or Arial, 11).

## **11 TECHNICAL OFFERS SELECTION CRITERIA**

The selection criteria and their respective weights are:

	Maximum
Organisation and methodology	40
Experts	60
Team Leader	20
Other Experts	40
Overall total score	100

## 12 **ANNEX**

### **INDICATIVE DOCUMENTATION TO BE CONSULTED FOR THE PURPOSE OF THE EVALUATION BY THE SELECTED CONTRACTOR**

- European Joint Strategy in support of Palestine 2017-2020
- EDP strategies for Palestine
- Results-Oriented Framework 2018-2020
- Joint European Roadmap in support of Civil Society in Palestine, 2018-2020
- National Policy Agenda 2017-2020 and its related Sector Strategies
- Interim Association Agreement on Trade and Cooperation
- 2013 EU-PA Action Plan
- Evaluation of the PEGASE Programmes of Direct Financial Support to the Palestinian Authority and Results Oriented Framework in the period 2014 – 2015