

Organizational Needs Assessment and External Evaluation

Improving the capacity of The Palestinian Centre for the Independence of Judiciary and Legal Profession (MUSAWA) in designing, governing and managing core program activities

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Part One: Methodology

1. Introduction

MUSAWA is an independent Civil Society organization established in March 2002 by lawyers, former judges, and human rights advocates. MUSAWA is devoted to guaranteeing the independence of the Judiciary and Legal Profession through: monitoring and documenting violations; and by treating the social, cultural, economic, and political obstacles that hinder the proper implementation of the independence of the judiciary and the legal profession.

MUSAWA, works towards ***“a state of justice and rule of law in Palestine”*** in an unpredictable and chaotic political situation that prompts MUSAWA to look seriously into its role and explore alternatives through which it can achieve maximum results towards its stated goals and objectives.

MUSAWA developed a strategic plan at the early of 2013 that is guided by the following strategic directions:

1. To guarantee the sovereignty of law.
2. To enhance Access to Justice.
3. To enable MUSAWA achieving its mission and strategic objectives.

The first objective has to be achieved through developing a set of judicial legislations, policies and administrative orders in harmony with international laws that guarantee human rights. Additionally, the human resources capacities of the pillars of justice are developed and the efforts of anti-corruption acts in the justice pillars are reinforce and public access is guaranteed. To realize this strategic objective, MUSAWA is implementing a lot of activities and interventions such as proposing new legislation, cancelation and modification of other legislation related to the judicial system and sovereignty of law. Furthermore, MUSAWA continues to publish “Legal Monitor”, “Eye on Justice”, “Justice and Law”, legal memorandums, complaints, comments on the final judicial decisions and studies. Part of the monitoring process is also to exchange knowledge with legal professionals and influential stakeholders. This exchange could take place through discussions and conferences. MUSAWA also established a complaints unit to follow up, deal with, and publish legal complaints including complaints about corruption in public, nongovernmental and private sectors. Lawyers who are engaged in the program “Lawyers for the Rule of Law” whose legal and monitoring capacities are developed by MUSAWA support this. Additionally, an annual mood-court completion is held to increase the capacity of law students.

The second strategic objective is achieved through providing legal resources and information for supporting services in the justice sector. Additionally, the capacity of lawyers and civil society organizations in the areas of justice and good governance are developed. This is realized through different activities such as producing publications, social and media campaigns, public meetings, training courses, foreign exchange visits, lobbying campaigns, networking and the library. Furthermore, MUSAWA follows public interest cases and provide legal aid to formal bodies and the public.

The third strategic objective is achieved through tackling issues such as developing an endorse a board manual for the BOD, communication mechanism between the governance body and the executive body as well as a reporting and documentation system to have a clear line of authority and a clear organizational structure. Furthermore, job descriptions are being reviewed and working mechanisms are discussed, especially regarding financial issues. The third strategic objective is achieved through tackling issues. A capacity building program for the staff is being established, focusing on the middle management and training is being provided. Furthermore, a long-term financial plan is being developed, which will be aided by the PR department’s effort to increase MUSAWA’s visibility.

MUSAWA implements a program, which consists of several projects, funded by various donors. However, current trends in donor funding couples with difficulties presented by the political and economic situation have made it increasingly difficult to fund core activities and operate the organization’s running expenses, placing hence the sustainability of the organization at great risk. MUSAWA has made a decision on 2012 to shift from a project-based approach to a long-term

program-based structure. This decision to shift to core funding was positively supported by donors with a specific concern, however related to ensuring that MUSAWA is capable of managing core funding.

Within this framework, a group of independent consultants was commissioned by MUSAWA to improve its capacity in designing, governing and managing core program activities in accordance with good practices and sustainable manners. To achieve this objective, five interrelated services for this consultancy were planned: an assessment of MUSAWA's organizational capacity needs, the development of the organizational structure, the development of administrative and financial policies and procedures and the improvement of the capacity of the human resources.

As a non-profit organization with a mission of contributing in state building through empowering the separation of powers, rule of law, defending the independence of the Judiciary and the legal profession, the evaluation team views this consultancy as a cornerstone for a long-term partnership between MUSAWA, the Dutch Representative and potential donors.

This report presents the organizational needs assessment and an external evaluation for the program-based fund mechanism. The report consists of seven key parts:

“Part One: Methodology” introduces the methodology of the organizational needs assessment and external evaluation, there objectives and the tools employed.

“Part Two: Governance and Aspiration” presents the vision, mission, objectives and the governance structure of MUSAWA. The main results and recommendations related to MUSAWA's governance structure and aspiration are then put forth at the end of this section.

“Part Three: Programs and Operations” details the main program that MUSAWA is implementing and evaluates the general performance of this program in terms of planning, monitoring and evaluation. This part also tackles the performance, impact and sustainability of this program. The main results and recommendations related to MUSAWA's program and operations are then put forth at the end of this section.

“Part Four: Human Resource Management” presents the main organizational structure, human resource management, administrative systems, as well as the current capacities of employees, their skills, enthusiasm and motivation to work towards the rule of law and the independency of the Judiciary system. The main results and recommendations related to MUSAWA's human resource management are then put forth at the end of this section.

“Part Five: Financial Resources Management” analyzes the financial operations managed by MUSAWA as well as the employed budgetary and expenditure procedures. The main results and recommendations related to MUSAWA's financial resource management are then put forth at the end of this section.

“Part Six: Networking and Coordination” investigates the relation of MUSAWA with other donors, local institutions and networks within MUSAWA's function of advocacy and lobbying.

“Part Seven: Learned Lessons” presents the main learned lessons during the implementation phases of MUSAWA's program and projects.

2. Organizational needs assessment and external evaluation objectives

The main thrust of this needs assessment and external evaluation is to address the overall performance of the organization, determine any internal organizational impediments in terms of the various functions and their reasons as well as to propose any practical solutions to overcome these obstacles. More specifically, this assessment will assist in determining MUSAWA's organizational needs in terms of the following:

- Revision of MUSAWA's strategic plan (2013-2015) and updating the main program that it will be working on in the next three years.
- Enhancing the internal communication channels as well as with and key-stakeholders.

- Develop the identity of MUSAWA as well as its administrative and financial systems when needed.
- Set up a program to enhance the capacity of MUSAWA's human resources.
- Assess the internal and external coherence, adequacy, efficiency, effectiveness, and sustainability of MUSAWA's programming. All these assessment should be made in terms of planning, intervention logic, and human/material/financial resource management.
- Assess the relation between expected and obtained results of MUSAWA's programs.
- Assess the quality of the work implemented.
- Identify gaps, challenges and obstacles in institutional/program planning and implementation.
- Evaluate the institutional/program strengths and weaknesses.
- Assess any changes and/or improvements made during the lifecycle of the current Strategic plan.
- Assess the effects and impact of the project on the beneficiaries and targeted groups.
- Conclude with lessons learnt.
- Draw recommendations for institutional/program improvements and needed interventions according to MUSAWA's objectives and needs, as well as to the surrounding environment and local constraints.
- The relation with the PA/governmental bodies: does MUSAWA succeed in achieving the adopted strategies?
- The effectiveness of coordination and networking, at national, regional and international level. (How effective is MUSAWA's international networking, including coordination/recognition?)
- The ability of MUSAWA to analyze and adapt to changing situations, risks and external factors.
- The synergy of the core funded program with funded projects.
- Do MUSAWA's governance, organizational, financial and personnel management systems enable effective program implementation and reporting? If not what changes and improvements will have to be made? Aspects to be looked into:
 - a. Governance working of the Board: was the activation of the full board members successful? How do the activities of the board and its relation with MUSAWA's staff impact on the organization's activities and effectiveness?
 - b. Donor relations: how effective has the consortium been in providing support and improving MUSAWA's performance? What recommendations can be made as to MUSAWA's longer-term financial sustainability? Pro's and con's of different funding models (notably core funding versus projects funding model).
 - c. MUSAWA's management structure;
 - d. Financial management and internal audit function;
 - e. Staff capacities and human resources management, including effectiveness of capacity building and staff training programs.

3. The overall framework for the organizational needs assessment and external evaluation

The organizational needs assessment and external evaluation conducted for the Palestinian Center for the Independence of Judiciary and Legal Profession (MUSAWA) have been accomplished throughout the month of July 2015 basing the overall general approach on a set of six crucial functions that affect the organization's general performance:

- **Governance and Aspiration:** This includes the role of leadership and legal directions within the organization. The founders of any organization have a strong commitment towards the issue they advocate for and motivate all concerned parties, whether beneficiaries, employees, or local and international organization. The leaders of an organization formulate and communicate their message to the public ensuring that everyone knows and believes its mission. They also formulate policies that help in achieving their mission and ensure the existence of efficient strategies, operation plans and qualified human resources that can implement the programs of the organization.

The leadership structure works continuously to attract the needed funding to perform program and projects, build relations and networks with all parties within the framework of its mission and operation plans. Effective governance also includes the commitment of the organization to local legislations, bylaws, regulations and international human rights standards, especially those related to the role of the civil society in development and state building.

- **Programs and strategy:** This part includes the most relevant function influencing the performance of an organization, its success and importance in society. It is the most influential in terms of the organization's social legitimacy, i.e. ensuring the respect of beneficiaries and the society as a whole. Programs are considered as the most crucial link with the local community. And the availability of all other functions is primarily important to activate and develop programs that achieve the mission of the organization and respects the commitment and promises of its leadership and governance structure. This also entails the provision of quality, sustainable and feasible programs that are coherent with the mission of the organization and the needs of beneficiaries. Within this framework, an organization can continuously ensure its positive impact on the local community.
- **Human resource management:** Human resources management includes all employees and volunteers that are the backbone of any organization ensuring the capacity of programs to achieve its mission and objectives. This function also entails motivating employees and volunteers as well as creating an inspirational and high commitment in the organization's values, its mission and issues affecting the served beneficiaries. In addition, human resources management comprises skills, knowledge and directions of staff and volunteers as well as the clarity of communication channels and their validity within the organization and externally.
- **Financial resources management:** Financial resources management involves the availability of financial systems and procedures that guarantee the provision of needed funding to deliver services. This also requires financial efficiency and effectiveness in expenditure over the various services provided in coherence with local and international laws, regulations and standards.
- **Networking and coordination:** The reputation of an organization and its performance is determined by its ability to weave efficient relations with the relevant parties. The availability of strong relations, beginning with the beneficiaries and then with public, non-governmental and donor organizations, help in enhancing programs and their sustainability. Moreover, this assists in establishing the necessary networks and coalitions to achieve objectives. The membership of an organization in local and national networks should be in coherence with its internal objectives and values. Often, this is actually a necessary requirement to achieve some objectives.

4. Organizational needs assessment and External Evaluation tools

The team that conducted the organizational needs assessment and the external evaluation consisted of three experts proficient in various skills to include organizational assessments, financial and administrative management, research and policy, as well as development and gender. The team employed a set of related tools to respond to a series of questions that used during the implementation of the consultancy. These tools include the following:

- **Literature review:** The literature review involved two aspects. The first aspect included an internal literature review of MUSAWA's available documents. These consisted of the 2013-2014 annual reports, program documents, the strategic plan (2013-2015), meeting minutes of the Board of Directors (2013-2015), audited financial statements, evaluations of employees, administrative and financial internal systems covering the past three years as well as the organization's bylaw. The second aspect of the literature review included all relevant MUSAWA's publications and articles about the independency of the Judiciary and legal profession.
- **Organizational Capacity Assessment Tool (OCAT):** As per the agreement between the Palestinian Centre for the Independence of the Judiciary and Legal Profession (MUSAWA) and the evaluation team, an organizational capacity assessment for MUSAWA was conducted based OCAT. OCAT is a self-assessment instrument that helps non-profit organizations identify strengths and challenges, and establish capacity building goals to create a more sustainable organization. It is primarily a diagnostic and learning tool that should provide a framework for measuring growth for any non-profit organizational capacity over time. The completion of OCAT is required to be done by the organization staff with a special focus on decision makers and seniors. It is worth mentioning that OCAT was developed by Tamkeen Project (Civil Society and Democracy Strengthening project). The project that was funded by USAID and implemented 10 years ago in West Bank and Gaza Strip. Tamkeen developed a detailed outline that included background information on design considerations, detailed descriptions of the organizational components and elements to be measured and the assessment methodology. Subsequently,

Tamkeen commissioned a team of consultants to build the tool and develop it in the form of a user's manual. The tool was designed in a way that allows a person with no background in organizational development (OD) and no experience with the tool to feel reasonably comfortable and confident to administer an assessment. To develop this multifaceted tool, the consultants conducted a thorough literature review of available organizational needs assessment tools currently in use, including:

- a. Organizational Capacity Assessment Tool (OCAT).
- b. Participatory Organizational Evaluation Tool (POET).
- c. World Learning's Institutional Assessment Instrument (IAI).
- d. World's Education's Organizational Analysis Tool (OAT).
- e. American Development Foundation (ADE) Tool.

OCAT covers the following main categories:

I. Aspiration: (Mission, Program relevance and integration, Program growth and replication and New program development)

II Strategy: (Overall strategy, Goals/performance targets, Program relevance and integration, Program growth and replication, New program development and Funding model).

III Organizational Skills: (Performance management, Planning, Fundraising and Revenue generation, External relationship building and management and other organizational skills).

IV Human Resources: (Staffing levels, Board composition and commitment, Program relevance and integration, New program development, Funding model, People and organizational leadership/effectiveness, Personal and interpersonal effectiveness, Analytical and strategic thinking, Financial judgment, Experience and standing, Management team and staff dependence on CEO/Executive director, Senior management team, Staff and Volunteers).

V System: (Systems and Infrastructure).

VI Organizational Structure: (Board governance, organizational design and Program relevance and integration).

VII Culture: (Performance and integration, Other shared beliefs and values and Program relevance and integration).

- **Semi-structured interviews with MUSAWA's management team:** A set of interviews was conducted with the management team including the Executive Director, the programs manager, administrative and financial director, and field coordinators. In addition, a focus group with all employees, from the West Bank and Gaza, was organized to discuss their apprehension of the vision, mission and MUSAWA's work. The semi-structured interviews also included a review of all program files kept centrally in Ramallah.
- **Face to face interviews with the members of the Board of Directors:** Individual interviews with all members of the Board of Directors were conducted.¹ During these interviews, the assessment gathered opinions of board members regarding the mission and vision of MUSAWA's, its history and key milestones stages of its development since its establishment. Furthermore, the Board members' concerns regarding the future role of MUSAWA and the structure of the general assembly were identified.
- **Beneficiary interviews and focus groups:** Based on the preliminary findings of the literature review and semi-structured interviews, some selected interviews and focus groups were conducted with MUSAWA's beneficiaries to verify the opinions of beneficiaries and the impact of the organization's activities.
- **Interviews with main partners and Donors:** The evaluation team conducted 10 individual interviews with main partner organizations to verify MUSAWA's external relationship with other relevant organizations and the available networking mechanisms. Moreover, these interviews present an essential "knowledge bank" where all services and activities of these organizations were mapped constituting hence a crucial component for MUSAWA's next strategic planning process.

¹ A list of Board members is found in Appendix 1.

Part Two: Governance and Aspiration

1. Registration and establishment by-laws

In 2002, MUSAWA was officially registered in the Palestinian Ministry of Interior abiding to the “Non-Governmental and Charitable Palestinian Law” number (1) issued in 2000. MUSAWA operated under an establishment by-law constituting of 11 chapters. The by-law determines the type of membership, MUSAWA’s mission, objectives and means of achievement. It also identifies the nature of the general assembly meetings, its responsibility, the nature of the board of directors’ meetings, its membership as well as committees emerging from the general assembly. In addition, the by-law tackles financial management issues.

The establishment by-law determines the main functions of the organization as “eliminating all forms of Palestinian’s law violation in order to build a democratic civil society governed by equality, social justice and the struggle for national liberation.

MUSAWA official registration is completed under the “Non-Governmental and Charitable Palestinian Law. This registration signifies that MUSAWA is a ***non-governmental organization***.

Table 15: Evaluation of some indicators regarding the nature of registration and the by-law

Is there a registration certificate from the Ministry of Interior?	MUSAWA has an official registration license. The Palestinian Ministry of Interior according to the “Non-Governmental and Charitable Palestinian Law” issues this license.
Is the organization committed to the NGO law and the internal bylaws?	Since 2002, MUSAWA has been operating under the NGO law and its internal bylaws.
Are required reports submitted to the assigned ministries on a regular basis? Is the Ministry of Interior informed of any changes on the internal regulations of the organization or regarding the Board of Directors membership and the general assembly?	All reports and documents are submitted to the Ministry of Interior in Arabic language. The ministry representatives attended some of MUSAWA’s General Assembly’s meetings. This is a very positive indicator for MUSAWA’s transparency
Are checks signed by the Board of Directors?	The board of directors signs all cheques. The signature of the Executive director was added to the BOD signatures. According to BOD’s members, this is an indicator for MUSAWA’s transparency and good governance. The evaluation team doesn’t believe that the Executive Director’s signature has to be added as signing of cheques is one of the main tools that could show the BOD authority on the executive body.
Is there a commitment towards the bylaws signed by the Board of Directors and officially certified by the Ministry of Interior?	There is an internal bylaw signed by the Board of Directors and officially certified from the Ministry of Interior.

2. General Assembly

The general assembly consists of a group of lawyers, former judges, and human rights advocates. The general assembly is also qualified to set up and monitor MUSAWA’s policies efficiently and effectively. It is worth mentioning that the majority of General Assembly’s members are from West Bank. There is no members from Gaza Strip. Expanding of membership to include members’ from Gaza is highly recommended as MUSAWA operates there and conducts a lot of activities.

In terms of the participation of members in its meetings, it was low (refer to the section below). In fact, some of the meetings were conducted with half of its members attending. The evaluation

team believes that participation in meetings is the minimum level of requirement needed from members. The role of members in the general assembly, in terms of participation, could in fact evolve so that they can actually participate in some of the activities that are implemented by MUSAWA and which are relevant to the judiciary system and legal profession.

Table 16: The evolution of MUSAWA's governance structure

2013	MUSAWA was governed by a General Assembly consisting of 21 individuals who are influential in the social, political and academic arenas. The meeting minutes of the board indicates its effective role in terms of determining MUSAWA's policies and monitoring its technical, administrative and financial performance.
2014	MUSAWA was governed by a General Assembly consisting of 27 individuals who are influential in the social, political and academic arenas. The meeting minutes of the board indicates its effective role in terms of determining MUSAWA's policies and monitoring its technical, administrative and financial performance.
2015	MUSAWA was governed by a General Assembly consisting of 27 individuals who are influential in the social, political and academic arenas. The meeting minutes of the board indicates its effective role in terms of determining MUSAWA's policies and monitoring its technical, administrative and financial performance.

The establishment by-law determined 6 crucial functions that are important for the role of the General Assembly. The meeting minutes indicate clearly that the General Assembly has been performing these functions accurately as indicated in Table 3

Table 17: The performance of MUSAWA's General Assembly

Function	Level of accomplishment
Accepting membership and resignations of the Board of Directors as well as electing a new board through secret ballots	Fully accomplished
Setting up general strategic and policy directions as well as approving future plans	Partially accomplished
Discussing and approving financial and narrative reports submitted by the Board of Directors	Fully accomplished but it need further development to ensure that GA has it own say on every thing related to the financial and narrative reports
Discussing and approving financial auditing and selecting auditors	Fully accomplished
Approving financial budgets	Fully accomplished
Amending the basic law	Fully accomplished

Table 18: Evaluation of some indicators regarding the nature of the general assembly

Does the general assembly meet regularly according to its internal bylaws?	Yes, the bylaw of the general assembly compels it to meet once annually. All meeting minutes indicate that.
Does the general assembly organize elections according to its internal bylaws?	Yes.
Does the general assembly discuss and take discussions as stated in the internal bylaws?	Yes, totally.
Is the general assembly committed to accept or refuse membership according to its internal bylaws?	Yes, totally.

3. Board of Directors

Up until 01/06/2015, MUSAWA was governed by a Board of Directors consisting of 9 members (8 males and 1 female) (Yasser Jaber, Fahed Showayki, Faysel Jaber, Yousef Bakhtan, Sameer Barghouthi, Ghasan Masar, Rana Basheer, Nidal Abu Farha and Fayza Zahran). Board members are lawyers, ex-judges, and human rights activists. In terms of geographical representation, most of the members are from Ramallah and other West Bank cities. Gaza Strip is not represented in MUSAWA's Board of Directors. In terms of their specialization, the Board members represent a homogenous group of experts since almost all of them have been involved in the development of the Judiciary System in Palestine.

Board meeting minutes indicate that it has conducted four meetings during the year 2013, seven in 2014 and three in 2015. Opposite to the participation level in the meetings of the General Assembly, this level is high in the meetings of the Board of Directors.

Table 19: Issues discussed in the meetings of the Board of Directors (2015)

Date	Number of participants	Some issues discussed
14/02/2015	8 out of 9	<ul style="list-style-type: none"> - The last conflict that MUSAWA had with the Palestinian High Judiciary Council. - MUSAWA's total budget for 2015 (Revision and Approval). - MUSAWA's General Assembly meeting.
09/05/2015	8 out of 9	<ul style="list-style-type: none"> - The approval of MUSAWA's narrative and financial report for 2014. - The financial situation of MUSAWA in 2015 and the extending of employees contracts.
01/06/2015	Full attendance	<ul style="list-style-type: none"> - The formations of a technical committee from the BOD to approve memos that should be sent to the Palestinian High Judiciary Council. - Delegating the Executive manager regarding the staff incentives and promotion. - Fixing the dollars exchange rate to be from 3.85 to 4.25 NIS

The establishment by-law determines fourteen essential functions for the performance of the Board of Directors. The meeting minutes clearly indicates that the Board has been performing well some of these functions, while others have been effectuated at a medium level. On the other hand, the board has failed to perform some crucial functions related to the formulation of committees specialized in the work of MUSAWA, to be led by board members as detailed in Table 6.

Table 20: Performance of the Board of Directors

Function of the Board of Directors according to the basic law	Relevant board activities
1. Implementing and translating policies and strategies approved by the General Assembly as well as monitoring its progress.	Acceptable Participation in policy design, program revision, external environment assessment and legislative amendments.
2. Monitoring staff activities and its achievements.	Partially follow up of administrative issues and monitoring of progress.
3. Employment of new staff, their promotion and management of contracts.	This is accomplished fully through the decisions of the Executive director. The Evaluation team doesn't believe that the BOD members are involved in a proper way in this regard.
4. Assessing suggestions of employees and submission of their recommendations to the General Assembly.	This is not done at all. There is a need to conduct some meetings with the General Assembly in the presence of employees.
5. Implementing a yearly action plan for MUSAWA's activities based on its most recent strategy.	This is done by MUSAWA executive committee (MUSAWA's employees). There is a need for more involvement for the BOD

	members in this regard.
6. Preparation of yearly reports for MUSAWA's activities based on its most recent strategy.	MUSAWA's director and employees prepares a yearly report. This report is not based or directly linked to the strategy. It is a descriptive report not an analytical one that responds to the strategy expected outcomes.
7. Responsible for organizing board meetings.	This is regularly done.
8. Preparing financial reports and official audits.	This is accomplished through the auditor's follow up by attending the Board meetings.
9. Preparing financial and administrative manuals.	The activities are limited as preparing systems entail a greater effort than that of the Board.
10. Formulating specialized committees for the activities of the Board of Directors and supervising its performance. Each committee should be headed by a Board.	The Board did formulate only one specialized committee to follow up with the legality of memos.
11. Representing MUSAWA in local and international official parties and electing a representative.	This is accomplished, especially through selecting MUSAWA's director or any other employee to perform this task. Recently, the meeting with the High Judiciary Council had to be attended by some of BOD members.
12. Performing all tasks that the Board of Directors believes are suitable for achieving MUSAWA's objectives.	Organizing meetings, discussions and coalitions, especially within the framework of the latest political and programing development.
13. Approving expenditure procedures and processes.	Approval of all expenditure processes is done through the Board.
14. Book keeping	The staff performs this task on behalf of the Board of Directors.

Table 21: Evaluation of some indicators regarding the nature of the Board of Directors

Is there a variety in the specialization of the Board of Directors?	Yes, the evaluation team believes that most board members represent leaders with experience, reputation as well as national, legal and popular representation. There is a vital need to wide the scope of membership at MUSAWA. It is highly recommended to have specialists in different fields. This could generate an added value to the current used governance system.
Does the Board of Directors conduct its meetings according to its basic law?	To a great extent. The attendance level is good and some meetings are conducted with full membership representation.
Does the Board of Directors have a well-informed picture regarding the progress of activities in the organization?	The evaluation team believes that MUSAWA BOD has to develop their own way to get a clear picture regarding the progress of activities. BOD members keep depending on the Executive Director in getting the needed information. This is not health at all and should be changed.
What is the main role of the Board of Directors outside the scope of the organization?	Some of the board members have unique activities in terms of their participation in lobbying campaigns, or in public relations with local and international organizations. The last meetings with the Palestinian High Justice council were attended and managed by 3 BOD members.
Is there a trust relation between the Board members, the employees, other NGOs and governmental organizations?	Not to a great extent. The majority of employees declare that the board rarely meets with the staff.
Is there any renewal in the Board membership?	Yes, in 2014 the Board of Directors has been extended and half of its membership renewed. Number of members was

	increased to 9.
Does the Board of Directors lead the strategic planning process or policy formulation?	Partially. The Board of Directors has discussed and participated in the formulation of the most recent strategy. The Board of Directors does not revise the submitted proposals to donors.
Is the Board of Directors informed yearly on the evaluations and activities conducted?	Yes, through the revision of program evaluations as most programs and activities are assessed.
Does the Board of Directors agree on program proposals before their submission to donors?	This is done in a traditional way. MUSAWA should develop a new mechanism in order to get a full understanding of the organization's proposals before submitting them to donors.

4. Vision and mission

4.1. Historical background

Compared to other countries in the world, the legal status in Palestine is at once complicated and unique because a number of authorities have rules over Palestine throughout history. Various legal systems have prevailed in Palestine. Accordingly, multiple legal systems have affected the political and legal structures in Palestine. The partition of Palestine has also led to emergence of complex and varying legal systems in the West Bank, Gaza Strip and Jerusalem as well as within part of Palestinian territories occupied in 1948². Following the 1967 war, the Israeli occupation seized control of the Palestinian legal system by imposing the military law (Military orders) in the West Bank and Gaza Strip territories. After annexing it in 1980, the Israeli occupation submitted East Jerusalem to the Israeli Domestic Law. According to the Declaration of Principles on Interim Self Government Arrangement of 1993 (Oslo Agreement I), The Palestinian Authority was established. Foundations were set for the Israeli Palestinian agreement that regulates PA powers and authorities. Consolidation and approximation of various legal systems operative in the Palestinian territories are the most important legal issues. Since 1994, consolidated legislation has been promulgated for both the West Bank and the Gaza Strip governorates. The political divide between the West Bank and the Gaza Strip, which took place in the years 2007, has negatively influenced the development and independence of the legal system. It is noted that there is a direct link between democracy and independent justice system. The more countries invest in democratic practices the more you find separation of powers and independence of legal system. Many democracy advocates agree that Palestine is moving in the direction of becoming a democracy, but that it still has ways to go. The political conflict over power since July of 2007, hailed to a political divide between the West Bank and Gaza Strip, thus resulting in disrupting the work of the Palestine Legislative Council PLC and paralyzing its ability to exercise its legislative role and its oversight over the Executive Authority. The legal system was tremendously influenced as well. In the West Bank. The ruling party "Fatah" feels that the only remaining power it has is the legal system especially if we take into consideration that the Palestinian Prime Minister Dr. Rami Al Hamdalah doesn't represent Fatah. In Gaza, the situation is no different as the ruling party their "Hamas" is trying to firm its capture over Gaza using the legal system for its benefit. There is a huge challenge for the Palestine Authority PA to implement democratic rules including Justice System within a weak state or a fragile system. The PA has previously at its inception employed the professional skills and knowledge of civil society to develop PA ministries including the legal and justice system. Promotion of community participation through holding periodic municipal and legislative elections was greatly neglected. The previously elected councils are still on duty despite the fact that their statutory period has come to an end. However, the Palestinian Council of Ministers adopted a decision to hold new elections for all the local authorities in the West Bank and Gaza Strip on but cancelled their decision later. Obstacles to improve the compliance of the Palestinian justice system with domestic law and international standards are rooted in both external and internal factors. In terms of external factors, the Israeli occupation and protracted Israeli-Palestinian conflict have posed obvious challenges to the development of democracy and independent justice system in Palestine. Indeed, according to Justice Advocates, the occupation remains the most prominent obstacle to Palestinian democracy. The role of Palestinian NGOs in the Justice process is subject

² Birzeit University, Law Centre

to different interpretations. Some believe that the Palestinian NGOs are unable to effectively mobilize large constituencies and are undemocratic. Hence their ability to influence the justice system will be limited. MUSAWA has been established to show professionals and local community another model. A model that could influence justice system and create the designated change.

4.2. Board of Directors perception of MUSAWA's mission

The Board of Directors considers its membership in MUSAWA as based on the strong believe and conviction of independence of Judiciary and Legal professions. They work towards a state of justice and rule of law in Palestine in an unpredictable and chaotic political situation that prompts MUSAWA to look seriously into it role, and explore alternative through which it can achieve maximum results towards its stated objectives and goals. In general, the majority of the Board Members is in agreement regarding the reasons for the establishment of MUSAWA as legal not-for profit organization. Overall, the BOD members who interviewed agree that MUSAWA's strategy should be more tactical in order to assist the organization in achieving more concrete results in terms of guaranteeing the sovereignty of law and enhancing access to justice system.

4.3. The perception of MUSAWA's staff of the mission

During a focus group meeting, MUSAWA's staff expressed the organization's mission through the following three pillars; state building through empowering the separation of powers, rule of law and defending the independence of the Judiciary and legal profession.

Table 22: The mission, strategies and activities of MUSAWA as perceived by the employees

Why does MUSAWA exist? What is it seeking to change?	MUSAWA's Main Interventions	What does MUSAWA do to raise awareness, empower and achieve Justice?
Developing a set of Judicial legislations, policies and administrative orders in harmony with internal laws that guarantee human rights.	<p>Capacity Building of human resources in such a way that could be reflected positively on the pillars of justice and the efforts of anti-corruption acts.</p> <p>Proposing new legislation, cancelation and modification of other legislation related to the judicial system and sovereignty of law.</p> <p>Publishing of legal documents such as; "Legal Monitor", "Eye on Justice", "Justice and Law", Legal memorandums, complaints, comments on the final judicial decisions and studies.</p> <p>Knowledge exchange with legal professionals and influential stakeholders. This could take place through discussions and conferences.</p> <p>The complaints Unit: Through this unit, MUSAWA follows up, deals with, and publishes legal complaints about corruption in public, nongovernmental and private sectors.</p>	<p>Lobbying and advocacy</p> <p>Training of lawyers and judiciary experts</p> <p>Developing and building the capacities of MUSAWA's staff</p> <p>Public meetings</p> <p>Organization of campaigns</p>
Providing legal resources and information for supporting services in the justice sector.	Capacity Building of lawyers and civil society organizations in the areas of justice and good governance. This is realized through an array of activities such as; publications, social and media	

	campaigns, public meetings, training courses, foreign exchange visits, lobbying campaigns, networking and the library.	
Organizational development.	<p>An efficient communication system: Developing an efficient communication system between the governance body and the executive body.</p> <p>Human Resources Development: Developing the capacities of MUSAWA's staff according to its organizational needs.</p> <p>Sustainability: Mobilizing of resources.</p>	

4.4. The mission and vision in the latest strategic document (2013-2015)

The most recent “external” vision of the organization states that *“Towards a state of Justice and rule of law in Palestine.”*³

The mission states *“MUSAWA contributes effectively to the state building through empowering the separation of powers, rule of law, defending the independence of the Judiciary and promoting the legal profession”*⁴. The mission focuses on four main concepts: the *“Capacity Building”*, the *“Knowledge exchange”*, *“Public Awareness”* and their *“empowerment”*.

Table 23: Evaluation of some indicators about the mission and vision of MUSAWA

Is there a clear stated mission of the organization?	The mission is clearly stated in the strategic document (2013-2015). However the annual reports and other orientation documents do not state the mission clearly. The evaluation team believes that executive body should put extra effort for aligning MUSAWA's reports with its mission statement. This alignment should be based on the qualitative methodology.
Did the mission change throughout the life cycle of the organization? Why?	The evaluation team believes that MUSAWA top management; employees and stakeholders have to carry out regular meetings in order to revise the organization mission. The mission statement should highlight the difference between MUSAWA and other organizations that operating within the same fields.
Is there a clear agreement among board members and employees about the meaning of the mission, documented or not?	The evaluation team believes that there is a general agreement about the mission of the organization <i>“contributes effectively to the state building through empowering the separation of powers, rule of law, defending the independence of the Judiciary and promoting the legal profession”</i> . However, there is no general consensus regarding the details of the mission. This is a very common in terms of Palestinian civil society organizations. Academic and professional backgrounds play a major role in resulting this context.
Why was the organization established? What is the main crucial reason and motive behind its creation?	There is clarity in terms of the reasons and motives for establishing MUSAWA. These are strong reasons and are related to the independence of the Judiciary system the promotion of legal profession.
Is there a general agreement regarding the target group of beneficiaries and ways of involving	The evaluation team did not perceive any disagreement in terms of participatory methodologies employed with the beneficiaries. MUSAWA should adopt a new conceptual

³ As stated in MUSAWA's strategic document (2013-2015).

⁴ As stated in MUSAWA's strategic document (2013-2015).

them?	framework that could help in ensuring target groups and beneficiaries involvement. This framework could be the Human Rights Based approach as it is connected with the core theme of MUSAWA's program. It is highly recommended to increase the outreach activities that target marginalized and underserved citizens as they are not aware about the formal justice system and they still prefer to use the informal one (tribal system).
Is there clarity about what leaders and employees strive to achieve on a long-term basis? Is it specific and commonly agreed upon? Is it documented?	Although what leaders seek to achieve is documented, the aspiration is not clearly defined within a limited time frame. It is not clear also to what degree MUSAWA will participate in its achievement. The current vision constitutes a practical approach without any connection with a theoretical framework.
Does the leadership of the organization and its employees believe and see that the vision will be achieved?	Leaders and Employees at MUSAWA strongly believe in MUSAWA's vision. They stated that it is very difficult to be achieved but each Palestinian Citizen should consider it seriously.
Is the vision coherent with the needs and aspirations of the targeted beneficiaries?	The evaluation team believes that the mission and vision are both related to Judiciary system in Palestine.
Is progress reviewed towards achieving the vision?	MUSAWA should organize a number of periodic meetings and workshops to review, revise and redevelop its vision statement. This vision statement should be developed in such a way that reflects the answers of the following questions: a. Who are we? b. What do we do? c. Where do we aim to be? In addition, MUSAWA's vision statement is connected with the Palestinian national project; "State Building". This project is a nation-wise project that needs a lot of efforts from all formal and informal bodies.

4.5. Strategic objectives

The objectives stated by MUSAWA are directly linked to the programs and projects. The 2013-2015 strategic plan was built on the following pillars:

- 1. Monitoring and Documenting Violations:** Legal monitoring has been at the forefront of MUSAWA's work. Through the different programs and projects implemented, MUSAWA has made it a major objective to defend the separation of powers, document human rights violations, and build coalitions to lobby decision-makers. In pursuit of this objective, MUSAWA conducts numerous studies and publishes periodicals that reveal the conditions of the judicial system and the status of Justice of Palestine. Among there are; "The legal Monitor-the State of Justice in Palestine", "Justice and Law" and "Eye on Justice".
- 2. Strengthening the Legal Profession:** Building the capacity of lawyers and the general public has constantly been on priorities of MUSAWA. In order to reach out the greatest number of people and to have the multiplicative effect in its training programs, MUSAWA has opted for the "Training of Trainers" approach, whereby participants receive high-level training courses that enable them to transmit the knowledge, skills and attitude to others of the general public. "Lawyers as Educators" has been a key program that aimed at building the capacity of lawyers to effectively apply laws.
- 3. Public Awareness of Rule of Law:** Public awareness is an essential component of MUSAWA's activities and are multi-faceted including public meetings held throughout the West Bank and Gaza that aim to raise awareness of the public on some relevant issues such as the need for political participation through a true understanding of good citizenship, transparency, freedom of expression, the formation of political parties, and the need for monitoring on the members of Parliament. Towards maximum outreach to the public, MUSAWA uses television and radio broadcast to encourage sound discourse and debate that

allows for the freedom of expression and respect for the views of others. These program contributed to elevating the public knowledge base; encouraging them to think critically; and increasing their awareness on certain topics and issues.

4. **Promoting Principles of Regulatory Independence:** Since it was established, MUSAWA has focused on conducting a holistic review of basic Palestinian laws and legislations, making sure that they are constitutional and responding to Palestinian needs. In light of this review, some provisions in certain laws had to be amended. In others, the review deemed a whole law to be inappropriate, in which case that law had to be replaced. On another level pertaining to the strategy of promoting principles of regulatory independence, MUSAWA worked on various laws.
5. **Institutional Building of MUSAWA:** MUSAWA strongly believes in various capacity building efforts for the organization to perform more effectively, efficiently and in a sustainable manner, including the adoption of evaluation, whether internal or external, for all of its activities and programs. Among others, it embarked on other organizational development interventions including Board Development, and the development of administrative and financial systems and procedures. The strategic document (2013-2015) has detailed three essential objectives as follows
 1. To guarantee the sovereignty of law.
 2. To enhance the access to justice.
 3. To enable MUSAWA achieving its mission and strategic objectives institutional building.

The folder that is distributed to the public in workshops, training and meetings detailing MUSAWA's mission and its activities presents the following specific strategic objectives and indicators:

1. A set of juridical legislations, policies and administrative orders are developed in harmony with the international laws that guarantee human rights.
2. The human resource capacities at the pillars of justice are developed.
3. The efforts of anti-corruption acts in the justice pillars are reinforced and public access is guaranteed.
4. The legal resources and information for supporting services in the justice sector are provided.
5. The capacity of lawyers and civil society organizations in the areas of justice and good governance are developed.
6. Knowledge and access of marginalized groups to legal rights and mechanisms is improved.
7. The community's access to legal information is improved.
8. MUSAWA's good governance is enhanced.
9. Administrative and operational performance is improved.

It is very clear that all the above-mentioned objectives emerged from MUSAWA's mission and vision statements. These objectives entail the high aspiration that MUSAWA seeks to achieve regardless of its capacities and the political, social and economic reality the Palestinian people are experiencing.

Table 24: Evaluating some indicators related to the objectives of MUSAWA

Are the objectives clear?	The evaluation team believes that the objectives of MUSAWA are clear in terms of content and formulation. Reports do not indicate any progress achieved towards the objective stated.
Are the objectives in coherence with the mission of the organization? Is the Board of Director sure of that? Do employees see that?	The evaluation team believes that the set of program and project objectives throughout the life cycle of MUSAWA is strongly linked to its mission and vision. MUSAWA has to question the anti-corruption part as it doesn't possess the needed experts to follow up with this issue.
Does the set of objectives achieve the vision of the organization? Is the board of Director sure of that? Do employees see that?	The evaluation team concludes that there is interference between the objectives, mission and vision; i.e some objectives are merely considered a re-formulation of the mission and vision and hence cannot be judged in terms of its ability to achieve goals, mission and vision.

5. Conclusions and recommendations

5.1. Key findings

- **Vision, mission and objectives:**

- There is a clear expression of the organization's reason for existence, which describes an enduring reality that reflects its values and purpose; broadly held within the organization and at different levels including governance, management, staff and other key stakeholders, a thing that is frequently referred to. In fact, almost all those who were interviewed or participated in any manner in the process recognized the unique role MUSAWA plays in advocating the independence of the Judiciary and the legal profession in Palestine. Members of the Board of Directors, the Executive Director and staff have a clear and specific understanding of what MUSAWA aspires to become or achieve. MUSAWA's implemented most of its projects and activities with the inspiration of its mission statement.
- MUSAWA aspiration, represented by the mission, vision and strategic objectives as stated in the documents and expressed by board members as well as employees, determines broadly with the organization desires to achieve. This, however, has not been clearly described since MUSAWA's mission has not been clearly determined and there is no stated agreement about the theoretical framework defining MUSAWA's work. After reviewing MUSAWA's strategy, it was very difficult to determine the theoretical framework on which it was based. There are no signs related to the theoretical framework in the strategy. In addition, the interviews held with MUSAWA's staff and some of the partners indicate that the strategy doesn't adopt any theory.

- **Identity and registration:** In reality, MUSAWA functions as a Watchdog organization while it identifies itself as a Civil Society Organization. In fact, MUSAWA registration in the "Palestinian non-governmental and charitable organizations law" enhances its functions as an active Palestine NGO, which works to contribute effectively to the state-building process through different programs and projects based on rule of law, the independence of the judiciary system and the separation of power. MUSAWA's Executive Manager stated that MUSAWA doesn't not consider itself as a Watchdog organization. According to him, MUSAWA is much more a community initiative that works hard to respond to local community needs.

- **General Assembly:**

In terms of the number of participants and meetings as well as the skills, experience and social presence of its members, the General Assembly is considered unique for an organization specialized in the field of judiciary system and legal professions. However, in terms of geographical representation, the evaluation team does not believe that this serves MUSAWA. All the GA's members are from West Bank. There are no members from Gaza Strip.

- **Board of Directors:**

In terms of the diversity of members' experience and skills, their performance, the number of meetings conducted, their belief in the rule of law, the Board of Directors is unique. However, the board's performance is considered limited in terms of their relation with employees and the board members' knowledge of staff challenges as well as the regular communication with them.

5.2. Recommendations

1. It is recommended that MUSAWA top management; employees and stakeholders have to carry out regular meetings to revise the organization's mission and vision statements. These regular meetings should be integrated with MUSAWA's monitoring and evaluation system. It is worth mentioning that MUSAWA's program and project is a translation for its Mission statement.
2. The mission statement should highlight the difference between MUSAWA and other organizations in Palestine that have similar programs and projects.

3. In the process of developing its mission, MUSAWA should take the following points into consideration:
 - a. The involvement of the largest number of possible MUSAWA's employees, partner organizations, beneficiaries and key-stakeholders.
 - b. Using Benchmarking methodology as a tool to review a number of visions, missions, theories, conceptual frameworks and operational procedures of similar organizations both globally and regionally. These reviews could help MUSAWA in developing an applicable mission statement that reflects the needs and interests of Palestinian people. In addition, these reviews could help in reaching a high level of representation on the regional and international levels in terms of formulation and values.
4. There is a need to support the Board of Directors' role in shaping MUSAWA's policies, strategic plan, and plans in general. The caliber of the Board and General Assembly members has earned MUSAWA a high level of respect and trust among the legal community. There is a need to maintain the board's enthusiasm, involvement, and proactive contributions. MUSAWA can think creatively about tools to maintain and even improve the leadership role of the board.
5. MUSAWA's vision should be connected with the Palestinian national vision; "Full liberation and state-building". This national vision needs a lot of efforts to be realized. These efforts should be put by all of the categories of Palestinian society with a special focus on public, private and civil society organizations to be realized
6. The general assembly should be better informed about the vision and mission of MUSAWA. In addition, the General Assembly should be involved in sessions to review and discuss the organization's identity, mission and vision. This could be conducted on yearly basis, especially in the narrative and financial reports gatherings. In addition, GA members could be more involved in the implementation phases of MUSAWA's activities. This involvement could be reflected positively on the development of better communication channels that guarantee their access to information about MUSAWA's activities and acts (develop a mechanism for better communications-weekly e-mails or an SMS system).
7. There is a vital need to develop a well-structured reporting system. This system should guarantee receiving regular reports; administrative, financial and programmatic, from the executive staff of MUSAWA.
8. Identifying of MUSAWA's policies is one of the most important tasks of its BOD. BOD members should be involved more in this regard.
9. BOD should participate effectively in the recruitment process of MUSAWA's employees. This involvement could help the executive committee to make the right decision in such a way that could be reflected positively on the performance of the organization.
10. MUSAWA should adopt a theoretical framework such as the Theory of Change or any other theories, which correlated with its main mandate.
11. It is recommended that MUSAWA develop a program map. The map should explain MUSAWA's program and projects, the general and specific objectives, the success indicators, and the program. This map could be based on logical framework approach that is already used by MUSAWA.
12. The following approaches could be taken into consideration when preparing the new strategy:
 - a. Human Rights Based approach: The Human Rights Based Approach depends on organizing the relationships between right-holders and duty bearers, promoting human rights, and raising awareness regarding the main addressed problems by MUSAWA.
 - b. Gender Mainstreaming: Gender mainstreaming should be given a great attention when developing the future strategy in a way, which insures and equal representation of both genders. This could significantly help in defending independence of the judiciary and promoting the legal profession.

Part Three: Strategies and program

1. Introduction to MUSAWA's program

Since its establishment, MUSAWA has been implementing a series of variable programs and projects in terms of size and type emerging from the legal, political, economical and social reality of Palestinians. The revision of reports prepared by MUSAWA since its creation and throughout its various key milestones reveals that the organization has worked in 7 crucial programs and projects as follows:

- **Empowering Palestinian Human Rights Defenders (HRDs):** The project is based on three main phases. The first phase consists of a preparatory analysis and collection of the data and in the implementation of a HRDs Course Program. Through the HRDs trained and the information gathered, the conditions are set for the second phase. The second phase is dedicated to the establishment of a HRDs network. These two phases are divided into two stages launched in parallel, and combined in such a way to achieve result 1 “Strengthened capacity of HRDs”. This is done through improving their knowledge and resources in the matter of legal defences, monitoring of abuses, advocacy and lobbying, access to international support and human rights mechanisms, as well as improving technical management and capacities., which in turn will lead to the fulfilment of specific objective 1 “To create a new and more qualified class of HRDs by building their capacities and raising their knowledge and technical skills” and 3 “To improve HRDs connection and constant amongst each other, with local communities as well as the international community”. It is worth mentioning that each stage is linked to one of these specific objectives. Then the third and final phase is divided into two stages that allows expanding the circle of those involved in supporting HRDs, and place specific resources at their disposal to better defend their rights. This final phase will lead to the achievement of result 2 “An improved access to equitable justice for all, in particular HRDs, and a reduced level of violations, improved access to the enjoyment of Human Rights and Fundamental Freedoms in Palestine and enhanced public awareness on human rights”, which in turn will allow reaching specific objectives 2 “To improve the monitoring system in compliance with international standards and to enhance the legal protection of HRDs” and 4 “To improve public opinion and knowledge about the role and the importance of the HRDs in Palestine”.
- **Improve the work of the Palestinian Anti-Corruption Committee and the Anti-Corruption Law:** MUSAWA is conducting these workshops in a variety of geographical locations to maximize participation in, and ownership of, the recommendations and outcomes from the discussed topics. The training course, conducted by international experts, is focused on the best practices of different countries to enable the participants to use this knowledge and apply it to the re-drafting of the Palestinian Anti-Corruption Law.
The overall 14 workshops in Gaza and the West Bank address, inter alia, the following issues:
 - a. Best practice by other countries Participants will share their knowledge (also gained from the training courses) to disseminate the knowledge gained in the training course and through their personal experience to increase the knowledge of this topic and the applicability to the Palestinian case.
 - b. The right to send information to the Anti-Corruption Committee Anonymously As of now, there is no secure and anonymous way to report corruption and/or corrupt officials. A system has to be in place to facilitate this to encourage reporting of corruption.
 - c. The protection of so-called 'whistle-blowers' Within the Anti-Corruption Law provisions have to be made to protect so called 'whistleblowers' to ensure their protection.
 - d. The duty of the Anti-Corruption Committee to review every case reported that will ensure the Anti-Corruption Committee's efficient and unbiased work which will also increase the public's trust in their work.
 - e. Public Opinion and knowledge regarding the authority and work of the Anti-Corruption Committee Linking in with the topic above, there is a need to inform and educate the public about the work, authority and success stories of the Anti-Corruption Committee to increase the public's trust in it. This positive relationship is needed as the Anti-Corruption Committee relies, not just, but also, on the public to report cases and issues.

- f. Freedom of information Palestine is missing a Freedom of Information Act, which would increase the accountability of the public sector as the Media, and Civil Society as well as Non Governmental Organizations could improve their monitoring work.
- **CORE FUNDING FOR MONITORING & IMPROVING THE JUSTICE SECTOR 2013-2015:** Based on the analysis of MUSAWA's Strengths, Weaknesses, Opportunities and Threats in the current environment of the organization, the Board of Directors, Management and staff at MUSAWA continue to examine the environment, assess and deepen their approaches to the work and enhance the various interventions. Simultaneously, MUSAWA continues its leadership role in advocating for the Rule of Law and the Prevalence of justice in Palestine while exploring the ways to actively engaging all relevant bodies and stakeholders in its programs. MUSAWA identified three main objectives to achieve in 2013-2015 which are interlinked with specific strategic objectives under each objective:
Objective 1. The reduction of the violations of the rule of law.
Objective 2. Reinforcement of the culture of the rule of law.
Objective3. Strengthen the institution of MUSAWA.
- **A Holistic Approach towards Access to Justice for Women Project duration:** The project aims to provide access to justice for women in villages and refugee camps by providing 40 Legal Clinics in their surrounding to increase their knowledge about their rights and give them practical advice on how to access the justice sector. Furthermore, MUSAWA is going to adopt 4 legal cases from the Legal Clinics. To provide a realistic chance of women being able to access the justice sector and claim their right, MUSAWA will also engage the male heads of household in this project. 30 village meetings are going to be held to inform and discuss with the male heads of household the legal rights of women such as access to justice. To disperse this knowledge throughout the whole of the West Bank and Gaza, 2 TV and 6 radio episodes are produced to discuss women's legal rights in Palestine. The last activity of the project is to establish a soft copy document on the legal rights of women as well as practical information on how to access the justice sector which is going to be distributed to all relevant NGOs and actors and is going to be available on MUSAWA's website for future help and reference for women all over the West Bank and Gaza.
- **The Palestinian Constitution:** The project adopts a holistic approach in working towards a Palestinian constitution based on the Human Rights/International Humanitarian Law and societal consensus. Hence the bases are a wide societal dialogue, 7 of the 15 signed UN conventions which are in the realms of MUSAWA's focus area and sections of the suggested draft constitution which are in MUSAWA's fields of expertise. For the conventions to have a real impact on the ground, legislation has been developed which is aligned with them to guarantee citizens their basic rights. A comparative study at the beginning of the project highlights the weaknesses and discrepancies of Palestinian law in light of and with the conventions. Workshops and round table discussions are held before in Gaza and the West Bank before and after the first draft of sections of the suggested draft constitution. A wide public dialogue is held through traditional and social media to garner as much societal support for the final document as possible. Lobbying will occur at the end of the project and thereafter, not only by MUSAWA but in conjunction with other stakeholders.
- **Raising awareness of anti-corruption measures in legal professionals, students and women working in Ministry's:**
Strategy:
- Network building Through the training courses the network between the various participants such as women (participants) working in Ministries and legal professionals (trainers) working on corruption issues, will be strengthened, hence, future co-operation is going to be enhanced.
 - Awareness generating Public awareness in general is going to be increased through radio programs, but also targeted awareness raising regarding the anti-corruption law and measures to be taken in cases of corruption.
 - Expert training Two international experts are going to train 25 people on best practices in other countries and are going to provide the participants with the necessary tools to detect and fight corruption.

- d. Training courses Held by local experts to engage the direct target group and increase their knowledge and capacity regarding the anti-corruption law in Palestine. Project/program.

Objectives:

- a. To increase awareness and knowledge of the anti-corruption law and international best practices for law professionals working on corruption cases.
 - b. To increase the awareness of students regarding the anti-corruption law and their role in the future anti-corruption effort.
 - c. To increase the awareness of women working in Ministries regarding the anti-corruption law and procedures of reporting corruption cases and suspicions.
 - d. To increase awareness in the wider population regarding anti-corruption laws and the efforts of the PACC.
- **Enhancing the Sovereignty of Law:** MUSAWA's work is based on its strategic plan for the years 2014 - 2016, which includes the strategic objectives along with the sub objectives, and an action plan. This project will cover one part of the strategic plan, which is influenced by the work MUSAWA does as part of the team working on the National development plan for the justice sector. MUSAWA has received core funding from the Ministry of Foreign Affairs of the Netherlands of around 60% of its strategic plan for the period of 2013-2015 (no funding for 2016 yet) and aspires to receive an additional contribution from the UNDP to cover MUSAWA's needs to achieve its objective of monitoring the justice sector. MUSAWA is working on widening the geographic circle of monitoring the performance of the justice system to include all districts in the West Bank and Gaza in order to enable MUSAWA to report and address the violations of the Rule of Law committed in courts, prosecution offices, branches of The Bar Association, Anti-Corruption Commission and all departments and authorities related to the Justice System and the Rule of Law and with that, deepen the monitoring. Eye on Justice and Justice & Law are MUSAWA's monitoring tools which have been published for several years by now and have a positive effect on the performance of the Justice System which requires issuing them continuously and increase the number of editions published. Many official and civil bodies have sought MUSAWA's independent and professional opinion regarding issues in the justice sector and the ideal legal performance of justice pillars on judicial and administrative aspects. There is a need for continuous monitoring on legislations and the performance of the Justice System in the West Bank and Gaza. There is also a need for activating monitoring on the performance of the Anti-Corruption Commission, Corruption Court and Corruption Prosecution as well as following up on the complaints regarding corruption cases that are related to constitutional, administrative and penal challenges including women and juveniles cases in front of regular and Sharia courts. This project will cover one part of MUSAWA 's Strategic Plan; hence, this project will be influenced, supported and continued by MUSAWA as part of its overall work. MUSAWA 's Strategic Plan, and hence this project, was developed by MUSAWA 's Board of Directors, General Assembly and core staff. Their professional opinion, past experiences and knowledge as well as MUSAWA 's continuous close work with its target group shaped this process. Furthermore, MUSAWA 's Board of Directors and General Assembly contains lawyers, ex judges and teachers at university who are all part of MUSAWA's target group. The project does not require direct communication with government officials. MUSAWA has an MOU with the anti-corruption commission, which it can enact if the need arises.

2. Program planning, monitoring and evaluation

MUSAWA has developed its program plan for the period 2013-2015 defining 8 pillars and for each pillar an objective has been defined.

Table 25: Main pillars and program objectives

Pillar	Program objective
1. Networking	<ul style="list-style-type: none"> - Establish networks and participate in coalitions. - Organize and participate in advocacy and lobbying campaigns.
2. Media	<ul style="list-style-type: none"> - Produce and publish brochures. - Conducts media campaign and public meetings. - Provide legal aids and follow public interest cases. - Transfer of knowledge is ensured through social media.

Pillar	Program objective
3. Lobbying and advocacy	Coordination and cooperation with governmental, non-governmental, regional and international organizations to tackle the justice system through an array of different activities and interventions.
4. Publications	<ul style="list-style-type: none"> - Develop a complaints' unit to, follow up, deal with and publish the received legal complaints. - Continue the publication of "Eye on Justice".
5. The Library	<ul style="list-style-type: none"> - Develop the library and make it to open to public. - Develop the archiving system. - Provide legal advice to formal bodies. - Participate in the formal and civil society forums.
6. Institutional building	<ul style="list-style-type: none"> - Develop and endorse board manual for the BOD. - Develop and endorse a communication mechanism between the governance body and the executive one. - Building MUSAWA's BOD in good governance and transparency. - Develop reporting and documentation system. - Develop a capacity building program and policy for the staff with focus on the middle management. - Develop a clear line of authority between, a clear organizational structure and review the job description and discuss working mechanisms especially the financial issues. - Develop a long-term financial planning to avoid risking the financial sustainability of the organization.
7. Partner organizations	<ul style="list-style-type: none"> - MUSAWA should maintain its cooperative relationships with various governmental institutions, in particular the Ministry of Justice and the Ministry of Interior. - Establish networks and participate in coalitions. - Organize and participate in advocacy and lobbying campaign.
8. Capacity building of professionals	<ul style="list-style-type: none"> - Exchange and update of knowledge and experience of legal professionals. - Conduct legal conferences and round table discussions. - Conduct regular conferences and media conferences and roundtable discussions. - Conduct meetings with influential stakeholders.

MUSAWA developed its program plan for the period 2013-2015 defining three main programs, each seeking to achieve an objective. For each objective a series of relevant activities was planned. For further information, please refer to the summary of the third strategic plan document,

Table 26: Program document 2013-2015

Program and Projects	Objective	Main activities
<p>Enhancing the Sovereignty of Law</p>	<p>1. A set of juridical legislations, policies and administrative orders are developed in harmony with the international laws that guarantee human rights.</p> <p>2. The human resource capacities at the pillars of justice are developed.</p> <p>3. The efforts of anti- corruption acts in the Justice pillars are reinforced and public access is guaranteed</p>	<p>1.1 Propose new laws, cancelation and modification of laws related to juridical system and sovereignty of law</p> <p>1.2 Continue the publication of legal monitor to measure the justice status</p> <p>1.2.1 Provide comments on the final judicial arbitrator</p> <p>1.2.2 Prepare studies and research regarding the justice sector</p> <p>1.3 Prepare legal memorandums and complaints</p> <p>1.4 Continue the implementation of justice and law</p> <p>2.1 develop a complaints' unit to, follow up deal with and publish the received legal complaints</p> <p>2.2 Exchange and update of knowledge and experience of legal professionals</p> <p>2.2.1 Conduct legal conferences and round table discussions</p> <p>2.2.2 Conduct regular legal conferences and media conference and round tables discussion</p> <p>2.2.3 Continue the publication of "Eye on Justice"</p> <p>2.3 Conduct meetings with influential stakeholders</p> <p>2.4 Conduct an annual legal moot-court competition.</p> <p>2.5 Organize an annual training course for lawyers, judges, prosecutors, administrators and law students at universities</p> <p>2.6 Continue the program "Lawyers for the Rule of Law" and develop their legal and monitoring capacities</p> <p>2.7 Develop the capacities of legal advisors in the governmental organizations and ministries</p> <p>2.8 Building the skills of Palestinian judges regarding the family court (abroad)</p> <p>3.1 Organize anti corruption training and awareness raising programs within the PACC that target professionals within the legal system</p> <p>3.2 Follow up the implementation of the proposed framework related to the anti-corruption environment</p> <p>3.3 Follow up on serious corruption complaints</p> <p>3.4 Monitor and highlight nepotism and the professional conflict of interests of the political elite</p> <p>3.5 Training and coaching of workers in the anti-corruption field (ministry of justice, legal advisors, anti-corruption commission, judges,...etc)</p>

<p>Enhancing the accessibility to justice</p>	<p>1. Legal resources and information for supporting services in the justice sector are provided. 2. The capacity of lawyers and civil society organizations' in the areas of justice and good governance are developed. 3. Knowledge and access of marginalized groups to legal rights and mechanisms is improved. 4. The community's access to legal information is improved.</p>	<p>1.1 Produce and publish brochures 1.2 Conducts media campaign and public meetings 1.3 Provide legal aids and follow public interest cases 1.4 Transfer of knowledge is ensured through social media 2.1 Conduct training courses 2.2 Produce and publicize supporting documents, manuals, brochures and guidance in legal aspects 2.3 Conduct exchange visits for knowledge transfer at local and international levels 3.1 Establish networks and participate in coalitions 3.2 Organize and participate in advocacy and lobbying campaign. 4.1 Develop the library and make it to open to public 4.1 Develop the archiving system 4.2 Provide legal advice to formal bodies 4.4 Participate in the formal and civil society forums.</p>
<p>MUSAWA's Institutional Building and Development</p>	<p>1. MUSAWA's good governance is enhanced. 2. Administrative and operational performance is improved. 3. Funding opportunities are diversified and enhanced</p>	<p>1.1 Develop and endorse board manual for the BoD 1.2 Develop and endorse a communication mechanism between the governance body and the executive body 1.4 Training to the governance body about Musawa. 2.1 Develop reporting and documentation system 2.2 Develop a capacity building program and policy for the staff with focus on the middle management 2.3 Develop a clear line of authority between, a clear organizational structure and review the job description and discuss working mechanisms especially the financial issues. 3.1 Develop long term financial planning to avoid risking the financial sustainability of the organization</p>

Table 27: Evaluation of some selected indicators related to program planning, monitoring and evaluation

Is there a strategic plan document that includes coherent and interrelated elements, especially those related to the performance indicators?	There is a strategy document that includes performance indicators that are clearly defined.
Is the strategic plan revised regularly based on lessons learned?	Limited, monitoring and evaluation is conducted at the project level. MUSAWA should develop untraditional tools to track progress and come up with learned lessons.
Are the programs and activities linked to the strategic plan?	Projects are associated with the work of MUSAWA and are related to the strategy
Do employees and beneficiaries participate in the strategic planning process?	Employees participated in the preparation of the last strategic document.
Is there an annual plan that includes objectives, values to be achieved, activities, responsibilities and timeframe?	There is no annual planning for the overall work of MUSAWA. Planning is effectuated on a project basis and within the framework of projects that have been approved.
Are there any regular reports that reflect the level of achievements and the degree of reaching strategic objectives within the framework of performance indicators?	MUSAWA just have an annual report which is more descriptive than analytical one.
Are projects and programs evaluated regularly?	Evaluation is conducted when requested by the donors.
Is there a monitoring and evaluation system?	There is no monitoring and evaluation system.
Is information exchanged internally and with other organizations?	Done but limited.
Is there a distinction in the nature of the services implemented by the institution in comparison to other similar institutions?	MUSAWA's activities are not similar to those conducted by other organizations. The evaluation team finds that MUSAWA's activities are unique in comparison to other institutions.
What is the level of satisfaction among beneficiaries in terms of delivered services?	Lawyers are very satisfied. Other categories are partially satisfied, especially the judges and the local community.
What is the level of achieved outputs in comparison to what has been planned?	MUSAWA achieved a reasonable outputs planned and the volume of work and achievement at the level of activities is unique.

3. Relevance of programs

For the purpose of this report, relevance is defined as the link or relationship between MUSAWA's strategy and programs and the needs of the target group on the one hand, and between institutional policies and strategies (vision and mission) and the national goals set for the target group on the other hand (national strategies to improve the situation of Judiciary System and Rule of Law). Based on this definition, examining the relevance of programs will be determined by comparing them with the needs of the target group.

It is not possible fully portray the situation of Judiciary system and rule of law. Topics related to these two concepts can be summarized briefly in the following:

The legal and Judiciary context

An independent judiciary is crucial in the West Bank and Gaza, as the Palestinian people still have a short history of independent national Palestinian institutions due to the occupation, or any experience in governing a state, which expresses their self-determination. Notably, however, during this stage of institution and nation building, **the independence of the judiciary and the adherence to the rule of law also face unique challenges**. First, the Palestinians are in

transition from a national liberation movement towards an independent nation, while at the same time, the occupation continues. While one can speak of the exercise of the rule of law and the implementation of court judgments, it should be emphasized that there are also severe restrictions on the Palestinians' ability to construct, implement, and enforce their own laws. Thus, in many cases the existence of the occupation creates confusion in the use of the terminology of human rights, on the one hand, and the independence of the judiciary, rule of law and good governance, on the other.

Secondly, in comparison to the neighboring Arab countries, sources of comparative law and legal systems, Palestinians do not have accumulated experience in the independence of the judiciary and the rule of law. We are now witnessing the Arab revolutions in which the people are demanding that their governments afford them their very basic democratic rights. Thirdly, the Palestinian internal division between Fatah and Hamas, which is expressed geographically between the West Bank and Gaza and which created two governments, seriously paralyzed and politicized the institution-building process. This affected many aspects of the separation of powers. For example, since 2007, the Palestinian Legislative Council is not functioning due to these divisions, and the Palestinian President became a legislator by decree, as well as the executive power.

Under these circumstances, building a public culture and raising awareness of the importance of independence of the judiciary system, rule of law, and separation of powers becomes very difficult, as well as very important. The Palestinian judiciary and the rule of law are facing crucial problems. These include the lack of a functioning parliament which is mandated to issue laws, which in return restricted the use of basic law to the benefit of other mechanisms (presidential resolutions, procedures, ministerial regulations); internal confusion in the authorities between the High Judicial Council which deals with the nomination of judges and the administration of courts and budgets and the Justice Ministry, including the Prosecutor; the nomination of judges based on clear professional standards; the lack of systematic documentation of court decisions; the lack of publicity of the courts' work by the media; the authorities' compliance with court decisions; the physical obstacles of court buildings and courtrooms; among many others.

In general the following summaries the external issues facing the legal and Judiciary context:

- The Israeli occupation and the Palestinian internal conflict are the main two problems facing the legal and judicial system.
- The judicial system is not mature enough
- Lack of coordination and cooperation in the relations inside the judicial system
- Absence of political will de-function the mechanisms and criteria of employment
- Interference of security devices in the appointment of judges and their work
- The procedures and justifications are complicated and inefficient which results in delays of cases
- Absence of a development plan for the judicial system and its human resources
- Appointments in the judicial system are done based on political affiliation
- Weak independency of the judges and different interference in their work
- Spread of conflict of interest among judges; fathers are judges and sons are lawyers
- Decrease in citizens' trust in the judicial system
- Spread of nepotism and favoritism in appointment
- Absence of sovereignty results in inability to apply laws in certain areas, Area C for example, as well as access to justice

- Absence of clear political vision
- Weak access to information with limited and partial communication of information
- Absence of legal knowledge at the community level

Political context

In the last five years or so, the Palestinian internal dispute has been intensifying, looming to a de facto political and geographic division between the two parts of the homeland; the West Bank and Gaza Strip. It is becoming apparent that a distinct administrative rule is congealing in both entities, each with its own contrasting culture, ideology and tools of governance. Decision makers from each side are applying their own legal and judicial interpretations to reinforce their legitimacy, overlooking the imminent consequences that may result in such interpretations. These interpretations, if continued in this direction, may devastate the Palestinian people's aspirations of a unified and independent state.

In light of this unfortunate development, increased human rights violations are occurring within these two *geo-political* entities endangering citizens' basic rights and infringing on their freedoms that are in line with the Palestinian Basic Law and are called for by international conventions. On the ground, these violations have translated into growing trends of political detention, torture, lack of individual and social security, and an increased state of lawlessness.

Another development is that an increasing number of citizens have reverted to the judiciary as their last resort to attain their basic rights, as they prefer to use all social networks and other means to solve their problems rather than addressing the judicial system. Only when they fail to solve the problems using their network, they address the court. Although this behavior is increasing significantly, the growing political split may cause judicial fractures among the pillars of justice in a way that may create a state of mutual undermining as resolutions are adopted by each party. Furthermore, a conditional readiness exists to execute resolutions based on contradicting criteria that govern the mandate, structures and internal procedures of each faction. Given the importance and potential impact of the above issues, these emerging phenomena of undermining the structure of the judiciary system would severely threaten and diminish the rule of law, and gradually transform the prevailing regime to a totalitarian one.

All this happens in the shade of a weak performance among the three authorities. The legislative council remains in a paralyzed state leaving the ultimate power of legislation to the caretaker governments in both entities. This difficult political and judicial environment has impeded the role of civil society organizations, including MUSAWA, in making a breakthrough towards providing impetus to achieve reform and further strengthen the state of justice and law.

In addition to this internal Palestinian political context, there remain the all-time political restrictions imposed by the Israeli military occupation. Freedom of movement within the West Bank, to the other occupied Palestinian territories, between West Bank and Gaza, and checkpoints, closed areas, a complex system of permits, the Wall, and so forth seriously restrict abroad. According to the UN Human Rights Council report 8/18 of 2008, "*40% % of the West Bank territory has been subsumed in Israeli settlements, outposts, 'closed areas' west of the Wall, closed military areas, Israeli declared nature reserves or other Israeli infrastructure.*" Although Israel claims that these restrictions of movement are justified as security measures, according to the UN Rapporteur, "*they serve to humiliate Palestinians and to create deep hostility towards Israel*". The UN Human Rights Council report 16/72 of 2011 pointed that the Israeli 10-month self delimited "moratorium" on settlement expansion in the West Bank expired on 26 September 2010, leading to the breakdown of the briefly resumed peace process and giving rise to lengthy negotiations aimed at re-establishing the moratorium that has now been abandoned. The 10-month moratorium did not stop settlement construction but only slowed the pace of expansion in

some parts of the West Bank; settler construction of public facilities such as schools and community centers as well as thousands of housing units already under construction continued unabated during the moratorium. In fact, the rate of settlement construction quadrupled compared to what it had been during the two years before the moratorium". The same UN report of 2011 stated that the Office for the Coordination of Humanitarian Affairs has reported that Israeli authorities continue to implement measures to restrict Palestinian movement and access and, at the same time, to facilitate the movement of Israeli settlers. These measures include, namely, the expansion of the alternative ("fabric of life") road network; checkpoints (including partial checkpoints); and the unstaffed obstacles, including roadblocks, earth mounds, earth walls, road gates, road barriers and trenches. These measures exact a price from Palestinians. For example, the "fabric of life" roads, which often require the seizure of private Palestinian lands, reconnect a few of the Palestinian communities that were disconnected due to the restricted access of Palestinians to a main road or due to the obstruction of a road by the separation wall. They, however, continue to reinforce the exclusion of Palestinians from the primary road network and undermine the territorial contiguity between different areas.

The construction of the "Apartheid Wall" began on June 16, 2002 consisting of a series of 25-foot-high concrete slabs, trenches, barbed wire "buffer zones", electrified fencing, numerous watchtowers, thermal imaging video cameras, sniper towers and roads for patrol vehicles. It will eventually extend over 721 km, of which more than 80% has already been completed, resulting in closed zones, where Palestinians are cut off from their land, access to schools, specialized medical care and so-forth.

The Israeli Army for several reasons demolishes houses of Palestinians: according to Israel, military necessity, punishment, and failure to obtain a building permit. The restriction of freedom of movement of both people and goods has impeded Palestinians' access to religious sites, cultural exchanges and events, which is a violation of the religious and cultural rights of the Palestinian people, including Palestinian Christians.

There is a general impunity of Israeli violations of Palestinian human rights, despite UN resolutions and international laws. Things even reached unprecedented levels of human rights violations by the war on Gaza during late December 2008 and January 2009, killing more than 1400 people and maiming several thousands. Prospects for the future do not seem promising as reflected by the Israeli parliamentary election of February 2009 where the rightists and extremists won in the election. Obviously, these practices by the Israelis impede any progress towards a rule of law within the Palestinian Territory. The ICHR's 17th annual report of 2011 'Status of Human Rights' published in 2012, states that the occupying power has continued its violations of Palestinian human rights during 2011. Israeli policies and measures continued, thus undermining the chances of development at various levels within Palestine. It imposed a suffocating blockade and continued its invasions of Palestinian cities, towns and villages, intensified land confiscation, settlement expansion and construction of the "Apartheid/Separation Wall" and proceeded with its arrest and detention policies. The report states that during the year 2011, Israeli occupation authorities approved the construction of 26,837 settlement units, confiscated 15,525 dunums of land, demolished 495 houses and facilities, uprooted 18,764 trees, arrested about 3,300 citizens, and killed 180 citizens, of whom 21 were children.

Social / Economic Context

The construction of the Wall, the restriction of movement and other Israeli human rights violations have had a disastrous impact on the economy, education and family life in the Palestinian Territory and in return it threatens the establishment of State of Palestine. According to the Special Rapporteur, since 2006 this situation has deteriorated further. Israel controls taxes that it collects on all goods imported into the occupied Territories on behalf of the Palestinian Authority (about half of the budget of the Palestinian Authority). Moreover, Palestinian laborers who worked

in Israel lost their jobs, as they are no longer permitted to leave the occupied Territories. Farmers in the closed areas cannot at all or only hardly reach their lands. According to the Palestinian Central Bureau of Statistics (PCBS) unemployment was 23.7% in 2011 with an estimated level of 50% in some parts of the West bank and Gaza. For their livelihood, many families are dependent on their extended family. The 2010 statistics of poverty in Palestine indicate that the rate of total diffusion of poverty has risen from 20.3% in the year 1998 to about 30% in the year 2010. The Palestinian Central Bureau of Statistics (PCBS) reported in 2011 that one out of four Palestinians in the West Bank and Gaza Strip lived below the poverty line in 2010. This was divided into 18.3% in the West Bank and 38.0% in Gaza Strip. Other indicators reflect the same result. Looking into the details of the statistics reveals that poverty increases with the increase of the household size, more children often means higher poverty. In addition, poverty is higher in refugee camps than in rural and urban areas; in addition, households headed by females suffer from higher poverty.

In Summary, the political, social and economical context can be summarized in the following main issues:

- At the time Israel is still in control of the Palestinian economy which is generally a consumption economy rather than a development economy
- The Palestinian Authority's resources are very weak
- The Palestinian Authority is subjected to the donor community's conditions which in return hinders the development of the economic sector and the juridical system
- The low rate of per capita income and high rate of poverty restricts the easy access to the juridical system
- There is spread of corruption, favoritism and nepotism in the Palestinian society in addition to a high deficit in the national budget

Relevance of MUSAWA's approach

The development of a functioning justice system in the State of Palestine is still a work in progress that will not be finalized any time soon. The relevance of MUSAWA's work has to be measured on this background, as an actor in a dynamic situation that sees the emergence of the Palestinian justice system, and in times in which the structure of the State of Palestine is incomplete, and lacks major checks and balances. In the given context, MUSAWA's interventions are relevant if they, provided their effectiveness, can serve as catalyst for the development of a functioning and fair justice system that adheres to the rule of law.

In order to achieve its goals, MUSAWA basically uses a two-pronged approach: advocacy and capacity building. In its advocacy component, MUSAWA critically monitors the emerging justice system, publishes dissenting opinions on decisions of its stakeholders, and comments on drafts of decrees, laws and bylaws. With regard to capacity building, MUSAWA mainly focuses on training lawyers, thereby strengthening the inbuilt part of the justice system with the duty to counterbalance state power, and to monitor the observance of human rights and the rule of law.

Even in fully developed justice systems, an independent critical monitoring function as well as postgraduate capacity building for lawyers would be highly relevant. In a system as in Palestine, where important counterweights are still underdeveloped or missing, the existence of an independent and competent watchdog that monitors the justice system is of paramount importance. Especially in a development context of an emerging justice system, where the significance of lawyers as integral part of a rule of law system is often not sufficiently valued, improving the quality of legal services as well as strengthening the status and professional attitude of lawyers, is certainly one of the most efficient ways to put the rule of law into effect.

Relevance of the Design:

MUSAWA program is consistent with the main policy documents and strategic plans developed for the national justice sector and Rule of law. These set out the government's vision as tool to strengthen the rule of law and respect for human rights and freedom. It also seeks to raise the

level of its institutions performances, in order to enable them to play their part effectively in a manner befitting the State of Palestine. What prompted institutions of the Justice Sector to adopt these two objectives is their faith in the importance of access to a Justice Sector marked with transparency, efficiency, specialization and the ability to respond to the requirements of national independence and the establishment of a Palestinian state, besides monitoring, reviewing and updating the quality of legislations in force, hence contributing to the provision of legislations that establish achievement of justice and the rule of law and promoting sustainable development, to ensure the rights of citizens and to protect public and personal freedoms and stability of transactions and maintenance of public and private ownership, as well as facilitate access of litigants to justice, especially the marginalized and vulnerable, and attaining individual rights and public right as soon as possible with the least effort and highest efficiency.

MUSAWA occupies a relatively small niche given the wide breadth of justice sector needs and the overall vision of the Palestinian authority. Its programmatic strategy remains within bounds of the formal justice sector, which is in line with the philosophy of the Palestinian government and MUSAWA's own history and experience. However, as described above the weaknesses of Palestinian's formal justice system and the grave problems it faces related to occupation practices, the lack of a rule of law, corruption and impunity, means the MUSAWA is on the right track as it responds to local community needs in such a way that ensures the independency of the judiciary system and rule of law.

Assessment Needs:

One of the capacity building program, principles states, "For a training program to achieve maximum impact, it is important to begin with an in-depth assessment of the needs of the trainees, their performances incentives, the contemplated computability with the trainers' capabilities, and the sustainability potential of the training project". MUSAWA program is already included a complete plan for activities and was based on its experience in the last 10 years. It is worth mentioning that there is no comprehensive or systematic needs assessment was undertaken by MUSAWA for its current program. Some assessment efforts were undertaken during the implementation phases of the training. These efforts had a low or negligible return. MUSAWA should design assessment questioners to deliver to Faculty of Law. These questioners could help MUSAWA in targeting university students and contribute effectively in their future career. In addition, MUSAWA should consult with its partners to identify their needs regarding the technical training options. This consultation process should be based on the intent of dividing responsibilities that could cover legal professional capacity needs. In addition, it will help in agreeing to standards and may allow a more effective approach.

Project Planning, Design and Linkages:

Weak planning processes reduce the relevance of program and projects' activities. MUSAWA's program lacked the basis of a comprehensive and joint needs assessment. In addition it lacked a connected Results Bases Framework with an effective Monitoring and Evaluation Plan. These weaknesses negatively impacted the other criteria of effectiveness, efficiency, impact and sustainability.

Since MUSAWA did not use structured planning tools for its current program, the relationship of activities and objectives and among activities was not fully clarified and impact was not developed and monitored. The main monitoring tools were reports written for donors. These reports set out planned activities and contained narrative of training events and other inputs. These reports don't include any qualitative analysis that could shed the light on MUSAWA's program outcomes and impact.

4. The performance of programs and activities

This section presents the evaluation of three basic elements that are linked to the organizational performance and are interrelated to one another. These are the efficiency, impact and sustainability. For the purpose of this evaluation, efficiency will be addressed through the analysis of MUSAWA's commitment towards achieving its planned activities and the evolution of the number of activities. The impact is defined as the social, economical and environmental results obtained in consequence to achieving the goals. Impact assessment will be effectuated through the analysis of the overall benefits resulting from implementing activities throughout the period covered by this evaluation. Sustainability, on the other hand, is defined as a measure to whether the positive outcomes of the organization's activities at purpose level are likely to continue after external funding ends and without the interference of any external party. Sustainability will be assessed through identifying the ability of the institution to continue the provision of its programs and key services delivered to the representatives of the legal and judicial system.

4.1. Efficiency

MUSAWA has developed a three years strategic plan from 2013-2015 the strategic plan was approved by the BOD, the strategic plan have a list of the objectives and the activities that will be performed in order to reach the objective, this plan was then translated to budget and action plan for each year from 2013-2015, the annual budgets are approved by the BOD along with the action plan in place.

However MUSAWA's has a program plans but it did not specify the detailed plans that show the volume of work to be implemented by MUSAWA, and, accordingly, to be compared with the results. Annual reports were not prepared in a manner that enables comparison between what has been planned and what has been achieved. Reporting is based on activity levels not clarifying outcomes and impact that have been achieved. Table 14 below presents a summary of the program document for the years 2013 - 2015, and the most important achievements at the level of outputs for the same period.

Table 14: Program document 2013-2015

Project	Planned activities	Achieved activities		
		2013	2014	2015 (Jan- June)
	1.1 Propose new laws, cancelation and modification of laws related to juridical system and sovereignty of law	6 new laws proposed	1 new law proposed	1 proposal
	1.2 Continue the publication of legal monitor to measure the justice status	-----	1 issue	1 issue (start in may)
	1.2.1 Provide comments on the final judicial arbitrator	on going	on going	on going
	1.2.2 Prepare studies and research regarding the justice sector	5 studies	4 studies	3 studies

	1.3 Prepare legal memorandums and complaints	7 legal memo	24 legal memo	6 legal memo
	1.4 Continue the implementation of justice and law	2 issues	3 issues	1 (in process)
	2.1 develop a complaints' unit to, follow up deal with and publish the received legal complaints	working on the unit started	the unit is developed and ready to function	the unit is functioning
	2.2 Exchange and update of knowledge and experience of legal professionals	on going	on going	on going
	2.2.1 Conduct legal conferences and round table discussions	3 conferences and 33 round table discussion held	2 conferences and 20 round table discussions held	2 conferences and 19 round table discussion held
	2.2.2 Conduct regular legal conferences and media conference and round tables discussion	one international conference	one international conference	one international conference
	2.2.4 Continue the publication of "Eye on Justice"	2 issues	1 issue	1 issue
	2.3 Conduct meetings with influential stakeholders	on going	on going	on going
	2.4 Conduct an annual legal moot-court competition.	3 competition	3 competition	in Aug. 3 Competition
	2.5 Organize an annual training course for lawyers, judges, prosecutors, administrators and law students at universities	52 session (day)	110 training session (day)	50 training course (day)
	2.6Continue the program "Lawyers for the Rule of Law" and develop their legal and monitoring capacities	Activated	Functioning	Functioning
	2.7 Develop the capacities of legal advisors in the governmental organizations and ministries	1 session for 3 days	1 session for 3 days	----
	2.8 Building the skills of Palestinian judges regarding the family court (abroad)	----	1 session	-----

	3.1 Organize anti corruption training and awareness raising programs within the PACC that target professionals within the legal system	6 workshops	1 training course	4 workshops
	3.2 Follow up the implementation of the proposed framework related to the ant-corruption environment	3 cases with anti corruption committee	-----	2 cases with anti corruption committee
	3.3 Follow up on serious corruption complaints	3 case		2 cases
	3.4 Monitor and highlight nepotism and the professional conflict of interests of the political elite	3 cases	3 cases	2 cases
	3.5 Training and coaching of workers in the anti-corruption field (ministry of justice, legal advisors, anti-corruption commission, judges,...etc.)	Mentioned above (part of UNDP project)	one training	2 training course
	1.1 Produce and publish brochures	3 brochures	2 brochures	-----
	1.2 Conducts media campaign and public meetings	4campaign (media campaign regarding Human Rights Defenders Network started, and campaign about the constitutional court, Campaign about the general persecutor, Campaign about the judicial authority law)	4 campaign: media campaign regarding Human Rights Defenders Network continued, police code of ethics, service civil law and a campaign to stop governors law	3 media campaign regarding Human Rights Defenders Network continued, law to amend the constitutional law
	1.3 Provide legal aids and follow public interest cases	3 lawsuits	2 lawsuits	10 lawsuits

	1.4 Transfer of knowledge is ensured through social media	MUSAWA's pages on social media are always up to date and knowledge is shared	MUSAWA's pages on social media are always up to date and knowledge is shared	MUSAWA's pages on social media are always up to date and knowledge is shared
	2.1 Conduct training courses	Mentioned above	Mentioned above	Mentioned above
	2.2 Produce and publicize supporting documents, manuals, brochures and guidance in legal aspects	Produced and publicized	Produced and publicized	Produced and publicized
	2.3 Conduct exchange visits for knowledge transfer at local and international levels	5 visits	2 visits	1 visit
	3.1 Establish networks and participate in coalitions	Palestinian Human Rights Defenders Network and Lawyers of the Rule of Law - started	Palestinian Human Rights Defenders Network and Lawyers of the Rule of Law – Functioning	Palestinian Human Rights Defenders Network and Lawyers of the Rule of Law – Functioning
	3.2 Organize and participate in advocacy and lobbying campaign.	The death penalty bases women of honor killing	Right to go in strikes	The unification of judiciary
	4.1 Develop the library and make it to open to public	Started planning for the development of the library	Library is developed and open for the public	Library is developed and open for the public
	4.1 Develop the archiving system	-----	Archiving system is developed	Archiving system is developed
	4.2 Provide legal advice to formal bodies	Police code of conducts	Civil Service law	Par association election
	4.4 Participate in the formal and civil society forums.	Participating in PNGO's meetings	Participating in PNGO's meetings	Participating of PNGO's meeting. Signing MOUs with three universities
	1.1Develop and endorse board manual for the BoD	-----	Developed	-----

	1.2Develop and endorse a communication mechanism between the governance body and the executive body	-----	Developed	-----
	1.4 Training to the governance body about MUSAWA.	-----	Done - meeting	-----
	2.1Develop reporting and documentation system	Developed	Applied	Applied
	2.2Develop a capacity building program and policy for the staff with focus on the middle management	5 training	13 training	8 training
	2.3Develop a clear line of authority between, a clear organizational structure and review the job description and discuss working mechanisms especially the financial issues.	Developed	Applied	Applied
	3.1 Develop long term financial planning to avoid risking the financial sustainability of the organization	Developed for 3 years	Applied	Applied

Most annual reports and Table 14 above indicate that MUSAWA carried out a large number of activities that serve the goals and aspirations of the organization in areas that influence laws and policies as well as building the capacity of lawyers and general community awareness. Some project reports describe the achievements and compare them to planned activities. These reports indicate that MUSAWA carried out fully the planned activities or have increased the number of activities due to the increasing demand of the target groups, especially for activities related to training and advocacy campaigns. These reports also indicate that achievements related to awareness campaigns and community education in legal issues has been regular throughout the last three years. This demonstrates the significant accumulation of achievements and the increasing number of lawyers, judges, activists and public outreach.

Based on the reviewed reports, the evaluation team estimates that the number of training and awareness workshops exceeds 250. In addition, hundreds estimate the number of community and political leaders.

4.2. Effectiveness and impact

Effectiveness:

MUSAWA works in three main directions: lobbying and advocacy, awareness raising, publications, networking and capacity building for professionals. These three trends, as well as program objectives overlap. All activities and programs in general aim at enhancing the sovereignty of law and the accessibility to the justice system.

Capacity building

With regard to legal capacity building for lawyers, feedback from participants in training courses was very positive. MUSAWA offers long term training modules that respond to the needs of professionals, covers practical relevant topics and uses competent consultants as trainers. Although the impact of these trainings was not measured by the evaluation, a significant positive effect on capacities of participants, and thereby indirectly a medium term strengthening of the quality of legal services, access to justice and the rule of law can be assumed.

A slightly different impression left the group of participants in the Human Rights Defender trainings. Whereas all participants found the training technically sound, some missed the connection to the real world. The underlying problem might have been that participants had no clear understanding what they would later actually do in their role as human rights defenders. Nevertheless, the measure might have very positive effects in the future, participants might find their place as defenders of human rights, however, compared to the legal training for lawyers, the future impact of the measure was less obvious for participants and evaluator.

MUSAWA trainings rely on use of two forms of evaluation of training impact, objective pre-tests and post-tests and a final subjective measurement of individual impressions of the training. This method is somewhat flawed as it does not track individual learning. In addition the tool doesn't represent the objective of the training. The subjective measurement is not indicative at all as Palestinians refrain from criticism. Improvement in these tools would help to better gauge the impact of training and offer more evidence for areas that require strengthening.

Advocacy

Work

A very complex and highly interesting topic is the effectiveness of MUSAWA's advocacy. Its advocacy work related to the monitoring of the justice system distinguishes the organisation from other NGOs and has shaped the brand MUSAWA and its high name recognition among Palestinians. MUSAWA uses a variety of tools for its advocacy. It collects complaints from the public and raises these against authorities, and publishes these complaints, its other activities and findings in its periodical 'Eye on Justice', which is also the name of a radio program produced by MUSAWA. The organisation provides legal opinions in the drafting process of legislation and publishes legal articles in its periodical 'Law and Justice'. Finally it publishes the 'Legal Monitor', a survey that measures the perception of legal stakeholders and the general population with regard to the state of the justice system.

Power

Regardless whether interviewees shared the opinions that MUSAWA expresses in its advocacy, it was evident for all interviewees that MUSAWA is a powerful organisation, very well connected, able to attack on all levels of the state hierarchy, and a force that cannot be ignored in the field of justice in Palestine. MUSAWA has been opinion former on a number of draft legislations, for instance prevented amendments of the Law on the Constitutional Court, and successfully opposed the enactment of the Legal Aid Law. It appears, resistance by MUSAWA creates headwind that is difficult to overcome for any legal initiative.

Legitimacy

Worldwide, such a powerful position for an NGO is rare, especially for a rather confrontational organisation that receives its main impetus from one person. Great influence for an organization or a person, which is not legitimized by a democratic process and mandate, is not necessarily a positive phenomenon. However, in the case of Palestine, this has to be seen on the background of a system that is dominated by the executive and lacks the counterbalance of parliament, which is currently not functional, and a judiciary that is still in development. As long as the political and judicial system lacks sufficient inherent checks and balances, an unorthodox non-state counterbalance appears to be legitimate and beneficial.

Attitude

It was lawyers who founded and still shape MUSAWA, as a result, its style of advocacy is similar to the style of a lawyer. It acts upon complaints by its clients, criticizes malpractice by members of the justice system, stands firmly against questionable initiatives by the state, and warns the public of the dangers of a justice system that is too powerful. This defence lawyer approach is effective against individual justice actors and the justice system as such that might overstep their legal boundaries. MUSAWA fills this role of a watchdog over the justice system in a dedicated and uncompromising way. Often with great public visibility, such as in the recent conflict with the Chief Justice.

Style

The style of MUSAWA's advocacy polarises, the reactions of interviewees covered the entire range of the opinion spectrum, from great admiration to blunt rejection, with different shades of grey in between. In general, criticism should not come as a surprise for an organisation that is widely conceived as the watchdog over the justice system and which frequently finds itself in public spotlight and in conflict with authorities. Some stakeholders expressed unhappiness with the style that MUSAWA uses, however, others were explicitly positive about the organisation's demeanour. Without any doubt, MUSAWA creates emotions, positive as well as negative ones; this is part of the business of a successful advocacy organisation. However, a number of interviewees found that MUSAWA's attack become unnecessarily personal.

Focus

In a similar direction pointed criticism by explicit friends of MUSAWA, who want to see the organisation grow and strengthen its position and structure. They were concerned that MUSAWA sometimes is too distracted by individual cases and to emerge in personal conflicts, sometimes about issues, which were seen as rather marginal, considering the huge challenges that confront the build-up of a functioning Palestinian justice system, which is still in the phase of its early infancy. Interviewees suggested to strengthen the advocacy component with more permanent staff and to focus on this approach as core program business, and not to bet on too many project tenders in various fields of law and justice.

Quality

Interviewees generally appreciated the quality of MUSAWA's publications, which many of them use in their work. While MUSAWA's legal opinions were usually regarded as legitimate for discussion, not all shared their legal conclusions. MUSAWA's contribution to discussions about draft legislation is appreciated, however, it was pointed out that the organisation cannot claim deep expertise on all potential topics and should rather stick to its core competency: judicial system and rule of law.

Growth

In the area of its core capacity, it is seem that MUSAWA could play an even stronger role, and could grow in output, geographical outreach and importance. Maintaining its quality standards despite higher output would require hiring additional highly qualified legal staff on permanent contracts. This would enable them to grow together with the organisation and to contribute to the long-term consolidation of MUSAWA as a major force in the development of a rule of law system. Beneficiaries and external observers feel that MUSAWA's services are a valuable contribution to justice sector goals. Former trainers stated that MUSAWA's training programs had significantly increased their knowledge and improved their performance in the workplace. In addition, external observers stated that MUSAWA's publications are a good platform to promote knowledge but they need further development at the technical level. It is worth mentioning that developing MUSAWA's services could contribute to enhance its effectiveness.

Legal Monitor

Various opinions were voiced about the quality of the 'Legal Monitor'. It is undisputed that a poll about perceptions of the judicial system is a valuable tool. Some stakeholders considered the judgement about the state of the judicial system that is expressed in the report as too negative. They see the allegation that the Palestinian justice system is widely corrupt and dysfunctional as untrue and polemic, and see the danger that this could undermine public acceptance and trust in the justice system what would be highly destructive for efforts to develop the system. In fact, it might be recommendable to review the concept and methodology of the 'Legal Monitor', keeping in mind that the study does not measure the performance and quality of the judicial system, but solely how this system is perceived by professionals and the general public. Some findings that look spectacular at first glance, such as the claim that the majority of judges do not trust their colleagues, would have needed some further explanations about the way they were generated. In this case, that only those judges who defied an order by the Chief Justice not to participate in the survey could be interviewed, a sample which is not necessarily representative of the entirety of judges. While it is certainly interesting to occasionally ask stakeholders and the general public what they think about the judicial system, it is not obvious that the current degree in frequency and detail is needed to reflect this general picture, and moreover how the survey can help to improve the system. It should be

considered if a survey that not only depicts opinions but also monitors the actual performance of the justice system could improve the impact of the report.

MUSAWA's Library

MUSAWA's library is impressive but is not highly accessible. It is worth mentioning that the evaluation team didn't have enough time to go through the list of titles that MUSAWA has in its library. It is very important for MUSAWA to monitor the usage of the library including the services provided by the librarian and the acceptability of the publication that have been provided and to adjust support to users accordingly.

Women's Participation

There is evidence that concerted efforts were made to include women in training events. MUSAWA should revisit the LFA and identify places where gender-related indicators can be added and where organizations supporting women, such as the Ministry of Women's Affairs, can be included. Male and female participants in focus groups set forth the following priorities, which were confirmed in other interviews: More training and support for family court and More support for women legal professionals.

It is highly recommended that MUSAWA should take the following recommendations into consideration to enhance its program's effectiveness:

- Facilitate the development of a comprehensive capacity development training strategy for which includes standards and monitoring mechanisms for all aspects of services provided including training evaluation, materials development and dissemination, and services support such as for library, archives and information systems.
- Increase impact on rights of women through greater outreach to women's and legal aid organizations, consulting them in content and follow-up of training courses and including objectives and indicators for improving gender disparities.
- Address the need for more female legal professionals through its work with universities and facilitating their training.

Impact:

Through the revision of the annual reports, the organization of a focus group with beneficiaries and the revision of the assessment reports of some activities, the evaluation team has managed to conclude the following regarding the impact of MUSAWA's activities:

- The overall contribution of MUSAWA's to the justice sector and rule of law has certainly been positive. Some sections of this report have documented the changes that have occurred as a result of MUSAWA's interventions. These are summarized in:
 - a. Increases in knowledge and skills and use of these in the workplace by recipients of training and other capacity development inputs.
 - b. Enhanced professionalism through use and application of the law.
 - c. Enhanced motivation to effect changes in the justice system by targeting its staff.
 - d. Palestinian people start to trust the formal system rather than the tribal one.
- MUSAWA has a good impact in terms of gathering the representatives of different actors (the executive authority, including the presidential office, the ministries, the legislative authority, and the arbitrate authority, the civil society law practitioners and deferent social groups), and make them work together. This can be considered as new partnership. Although there are many indicators revealing good impact of the program. However, the correlated activities like public awareness, conferences, roundtable and the process of conducting such a project had a good effects and impact on the participants.
- It is clear that many years of incremental progress will be required to affect changes. The lasting positive impacts of the program are likely to manifest themselves in the medium and long-term and will be related to factors such as the security situation, peace process and the Government of Palestinian's political will to tackle the issues of impunity and corruption which are almost completely beyond MUSAWA's influence.

It is highly recommended that MUSAWA should take the following recommendations into consideration to make sure that its program is impactful:

- MUSAWA should become more involved in the debates about the functioning of the Palestinian legal system and integrate this information into its monitoring and follow-up activities.
- MUSAWA should enhance collaboration for monitoring with lawyers who spend time in courts as well as others human rights organizations' representatives. This is could be done through the Human Rights Defenders Newtork's project.
- MUSAWA should strengthen outcome and impact areas in the Log Frame Analysis by adding more objectives and indicators that measure impact on the justice system, such as: improvements in management of courts: increase in numbers women judges and increase in numbers of legal professionals trained in all fields related to the indecency of judiciary system and rule of law.

4.3. Sustainability

Findings:

Sustainable impact

MUSAWA's work can be called sustainable if its impact on the development of the judicial system remains even after the organisation might have ended its operations. For both components of MUSAWA's work, capacity building and advocacy, the sustainability assessment is predominantly positive.

Lawyers who competently represent the interests of their clients, and who defend them against undue infringements of their rights are key agents for the development of a human rights conform justice system. The investment that MUSAWA effects into them through trainings will be effective in their daily legal work, for many years, sometimes for decades of professional life to come.

The impact of MUSAWA's advocacy is especially sustainable when it is directed at systemic change, such as amendments of legislation, the establishment of good practices in judicial proceedings, when it shapes core opinions and values of justice stakeholders or influences curricula of legal education. Since the persons who hold an office frequently change, but the rules of the office remain, sustainability considerations should also direct MUSAWA's actions towards systemic change.

Sustainable organisation

The existence of MUSAWA as an organisation in 5, 10 or 25 years will require

- that there is still a need and role for an organisation with MUSAWA's profile.
- that MUSAWA has still the capacity to fill this role.
- that MUSAWA is able to generate funding to finance its operation

Sustainable Program

The sustainability of MUSAWA's program should be based on its capacity for transferring knowledge and skills to the main stakeholders. This sustainability should be connected with the investment in the following three main pillars: local leadership, long-term sustainability and continuous institutional capacity building. The following points have to take into consideration in order to ensure MUSAWA's sustainability:

- Integrating of MUSAWA's trainings into local processes and balancing the needs could help in improving the justice system. This improvement is reflected positively on MUSAWA's sustainability.
- Reaching more areas and beneficiaries raises the sustainability concerns. This could create multiplier of effects who will disseminate their knowledge and skills with other lawyers, activists and judges.
- MUSAWA could ensure its sustainability through the distribution of its publications and reach out more readers.

Financial Sustainability

In terms of funding, the position of the Centre appears unstable, as currently MUSAWA is dependent on a little number of donors for its operations, NRO consist almost 60% of its annual budget, this is limiting MUSAWA's long term planning and the ability to ensure the financial sustainability of its employees. Due to the lack of long term funding and the dependency on few donors MUSAWA's employees currently are hired on a temporary contracts that are up to 2 years, this may lead to the loss of knowledge and experience gained by employees through their work at MUSAWA. In conclusion, MUSAWA's financial sustainability is determined by several key factors, which are the number of funding institutions, the size of the funding, the length of the funding cycle, the type of the funding core or non-core and the ability of MUSAWA to build relationships with these institutions in order to attract funding.

The rich experience accumulated over the last 10 years within MUSAWA's programs and projects, the MUSAWA's mission and objectives and the member's desire to use this program in order to enhance the independence of the judiciary system and rule of law, recognizable and sustainable organization provide all guarantees that this program can be sustained beyond 2018. Given the dire situation of the NGO sector in Palestine, dependency on external funding is foreseen for the short and medium term beyond the three-year proposed program duration. Nevertheless, a number of important measures will be taken by MUSAWA to increase as best as possible the chances for sustaining this unique organization beyond the 3 upcoming years. These measures include:

1. Expanding membership base;
2. Demonstrating to the private sector, government institutions, international donors that the MUSAWA plays an important role in justice system, as well as in contributing to a more open and democratic society;
3. Diversifying donor base;
4. Development of efficient resource development plan (3 years)
5. The main sustainability factor of the program is MUSAWA itself. The quality of MUSAWA activities is the main driving forces for sustainability.

5. Conclusions and recommendations

5.1. Key Findings

- Since its establishment, MUSAWA has been implementing a series of projects and activities classified in the following main pillars:
 1. **Monitoring and Documenting Violations.** Legal Monitoring has been at the forefront of MUSAWA's work. Through the different programs and projects implemented, MUSAWA has made it a major objective to defend the separation of powers, document human rights violations, and build coalitions to lobby decision-makers. In pursuit of this objective, MUSAWA conducts numerous studies and publishes a number of periodicals that reveal the conditions of the judicial system and the status of Justice of Palestine. Among these are "*The Legal Monitor – The State of justice in Palestine*"; "*Justice and Law*"; and "*Eye on Justice*"
 2. **Strengthening the Legal Profession.** Building the capacity of lawyers and the general public has constantly been on the priorities of MUSAWA. In order to reach out to the greatest number of people and to have the multiplicative effect in its training programs, MUSAWA has opted for the "Training of Trainers" (ToT) approach, whereby participants receive high-level training courses that enable them to transmit the knowledge, skills and attitude to others of the general public. "*Lawyers as Educators*" has been a key program that aimed at building the capacity of lawyers to effectively apply laws.
 3. **Public Awareness of Rule of Law.** Public awareness is an essential component of MUSAWA's activities and are multi-faceted including public meetings held throughout the West bank and Gaza that aim to raise awareness of the public on some relevant issues such as the need for political participation through a true understanding of good citizenship, transparency, freedom of expression, the formation of political parties, and the need for

monitoring on the members of Parliament. Towards maximum outreach to the public, MUSAWA uses television and radio broadcast to encourage sound discourse and debate that allows for the freedom of expression and respect for the views of others. These programs contributed to elevating the public knowledge base; encouraging them to think critically; and increasing their awareness on certain topics and issues.

- 4. Promoting Principles of Regulatory Independence.** Since it was established, MUSAWA has focused on conducting a holistic review of basic Palestinian laws and legislations, making sure that they are constitutional and responding to Palestinian needs. In light of this review, some provisions in certain laws had to be amended. In others, the review deemed a whole law to be inappropriate, in which case that law had to be replaced. On another level pertaining to the strategy of promoting principles of regulatory independence, MUSAWA worked on various laws.
 - 5. Institutional Building of MUSAWA.** MUSAWA strongly believes in various capacity building efforts for the organization to perform more effectively, efficiently and in a sustainable manner, including the adoption of evaluation, whether internal or external, for all of its activities and programs. Among others, it embarked on other organizational development interventions including Board Development, and the development of administrative and financial systems and procedures
- MUSAWA tried to operate under a program-based approach. However, the organization failed to achieve this under its many program documents and continued to work on projects. Although these projects are linked to MUSAWA's scope of work and mission, they limit the ability of MUSAWA's governing structures to monitor achievement and verify the degree of impact on the lives of women.
 - In general, all interventions fall within MUSAWA's scope of work and mission. However, this does not deny or confirm that some of the activities implemented are not consistent with MUSAWA's justifications due to the lack of clarity of a strategy and objectives since its foundation. Some of the interviewees mentioned that MUSAWA has to rethink about its anti-corruption intervention. These persons clarified that MUSAWA is a specialized organization and it has to concentrate on the core theme of its programs and projects.
 - The institution's efficiency in terms of the size of achievement and the commitment towards the implementation of projects funded by donor institutions has been attained in most cases. MUSAWA issues all planned publications and is committed to achieving lobbying and advocacy activities. The organization uses external trainers for the completion of the large number of trainings carried out annually. Beneficiaries stated that the delivered training programs by MUSAWA have an added value that affects positively their professional career.
 - MUSAWA sustainability is currently depended on little number of donors, this is a risk for the future of MUSAWA and continuity and the ability to long-term plan.
 - The evaluation team believes that Monitoring and Improving the Justice program had many positive effects in comparison to other programs. Although the lobbying and advocacy program is extremely important to MUSAWA, its impact on the target groups is remarkable. The impact of other activities such as the Palestinian Constitution, Anti-corruption and Human Rights Defenders Network are also limited despite their significance.
 - MUSAWA does not have an effective system of monitoring and evaluation that is connected in a professional manner with the reporting system effectively. However, having an efficient monitoring and evaluation system will ensure the provision of a range of tools that may help the management

body to manage its program and achieve the desired results. MUSAWA staff is fully aware of the importance of the existence of such a system especially in checking the performance of the staff.

- MUSAWA doesn't have a developed reporting system that commensurate with their plans and success indicators. The absence of such a system deprives them of having a broad database that may be used in many areas of planning, implementation and promotional activities and helps in engaging partners in all issues related to MUSAWA's work and mandate.
- MUSAWA conducted several external evaluations for its projects and program. It is worth mentioning that evaluation is a successful management tool to assess the appropriateness of the ongoing and completed services, projects and program and determine the extent of its success in the implementation of these projects. It is also very important for decision-making based on a professional basis.
- MUSAWA doesn't have an internal reporting system with a well designed formats and templates.

5.2. Recommendations

1. To develop a program document that includes working on achieving the objectives and the identification of clear and agreed upon performance indicators.
2. To identify MUSAWA's action priorities in the areas of lobbying and advocacy, and avoiding working on all the issues in one activity. It is important hence to formulate the areas that MUSAWA will be tackling in the program document as well as what will be achieved through mutual agreement and consensus among all institutions and individuals members of MUSAWA.
3. To proceed with and develop the outreach and publication program as well as establishing coordination mechanisms with other partner organizations that issue publications targeting all the justice pillars
4. To identify follow-up mechanisms as well as means to benefit from the trained lawyers and to take advantage from the leaders of retired lawyers who have a lot of experience to share.
5. To develop a monitoring and evaluation framework as well as an information database that produces periodical reports to the Board of Directors regarding the overall work of MUSAWA. This framework should be connected in a professional manner with an effective reporting system. The system should include a range of tools that might help the organization to manage its program and achieve its desired expected results. This system could include the following reports:
 - a. Activity reports.
 - b. Monthly reports.
 - c. Monitoring report.
 - d. Annual report.
 - e. Statistical report.These reports should be analytical rather than descriptive one.
6. To diversify the number of donors, and try to get long term funding that ensures that MUSAWA is able to long term plan 3-5 years. In addition, Funding does not necessarily have to come from donors only. Looking into options how funds can be generated without relying on, often international, third party funding could be interesting for the visible independence of an organisation with the characteristics of MUSAWA.

7. To try and generate income using by utilising its core competence as a reference for studies and legal publications, this can be by membership fees from lawyers or tuition fees for its programs.
8. Long-term sustainability of MUSAWA is only thinkable if it changes its current structure, from being basically the extended phenotype of its director to an institution that is able to live on even if current staff is not able to continue their work. This will require a change from a staffing system that is mainly based on limited contracts for experts to a broadened base of experts who are permanently employed, who can grow personally with the organisation and help growing the organisation and who incrementally will be able to participate in decision making. Ideally, this should be affected in a serene slow process in which the unique strength of MUSAWA, the capacity, charisma and energy of its founder is preserved.
9. If it is possible to continue the development process of the political and judicial system of Palestine towards an independent, democratic state that fully adheres to the rule of law, a more mature judicial system will emerge as well. A functioning parliament, a strong bar association, a fully independent judiciary will perform a large part of the checks and balances that are required in a mature legal system. Nevertheless, even if all this will be achieved in decades from today, critical external monitoring will not be redundant. There will always be a role in a democratic society for an organisation like MUSAWA.

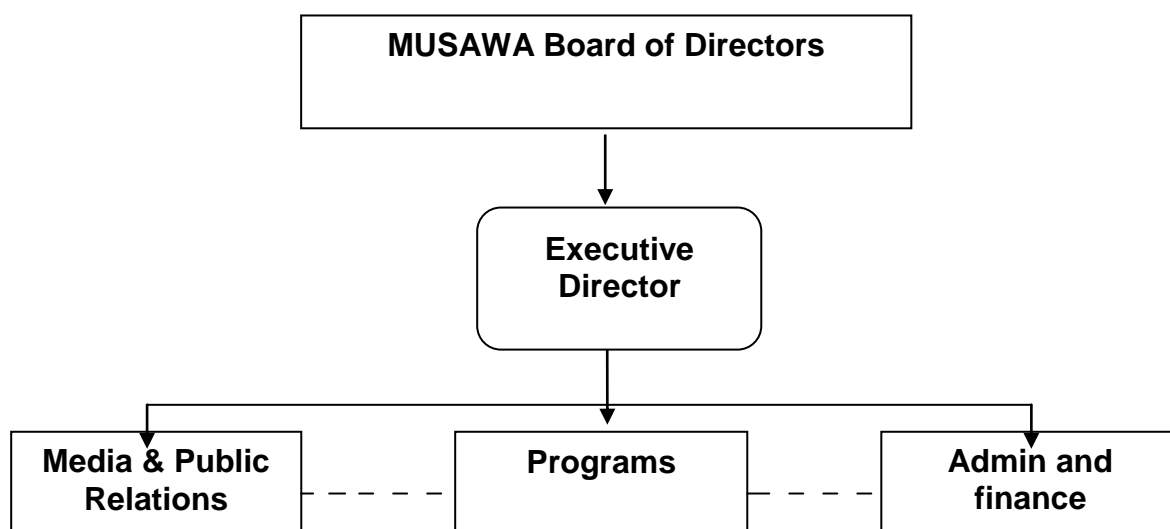
Part Four: Human resource management

MUSAWA operates within the framework of a unified by-laws and financial system. The current by-laws include a description of the main functions of the Board of Trustees and the Board of Directors. However, the membership of General Assembly and the Board of Directors as set forth in the administrative system does not correspond to how MUSAWA has been operating, especially during the last two years.

1. Organizational structure

MUSAWA's organizational structure consisting of four key posts (Executive Director, Admin and Finance Manager, Director of Programs, and Head of Media and PR department). In addition, there are more than 6 supporting positions at the programming level.

MUSAWA Organization structure



The position of the Executive Manager is the backbone of MUSAWA's organizational structure as all functions related to the development of programs are the sole responsibility of the Executive director. The other seniors are participating partially in proposal writing; follow up, monitoring and evaluation of projects as well as the preparation of reports and the identification of beneficiaries' needs. Currently, MUSAWA's director is performing the functions of the program director as all project coordinators report directly to the Executive Director and follows his instructions. This also applies to the media and PR department.

Hence, within this context, the "real and current" organizational structure includes the position of the Executive Director, the Admin and Finance Director, Media and PR head of department, the Programs manager and other employees working under contracts for specific projects, where their work ends as the project ends and in case there is another similar project, a new contract is signed after the completion of the employee's previous tasks and project.

MUSAWA has job descriptions of core employees. These job descriptions detail the key functions of the positions mentioned above but it needs further clarification. MUSAWA doesn't have a documented administrative system that clarifies the main managerial and technical processes that take place in the organization.

The leadership models available at MUSAWA are a mix of the two following models:

Model 1: In this model, there is average trust between the employer and the employees. The employer makes most decisions and employees have a little room to make decisions themselves. The employee expects either a reward or a punishment. The level of supervision is high and there is a small margin for delegation. This model can be described as absolutely centralized.

Model 2: In this model, there is a high level of trust between the employer and the employees. It focuses on a number of general policies and procedures, which clarify the decision-making mechanism. The communication process is in two ways: from top to bottom and from bottom to top. There is average interaction between the employers and the employees and a reasonable sense of responsibility at the highest and lowest levels of management. In this model, there are invisible and informal interests in the organization. They are keen on keeping the status quo and hindering any attempts of change and participation.

Most decision in MUSAWA are made by the Executive Manager, leaving a little room for the employees to participate in the decision making process. This could be a result of the personality of the Executive Manager. He is known for his integrity and well to create a real change in the Palestinian Judiciary system.

2. Staff incentives

The current administrative policies distinguishes between two categories of employees: core staff and temporary staff, where most MUSAWA's employees work under temporary contracts that expire with limited time period up to 2 years, if funding is available are renewed after the termination of the employee's services and after obtaining all end-of-service benefits. A salary scale was developed recently by MUSAWA; it is not yet approved by the board nor in place.

MUSAWA's employees may obtain health insurance from the centre according to the insurance package, the availability of financial coverage should be considered, and it is annually decided.

The official working hours for the centre employees is 40 hours per week, in consistent with the nature of the employee work and his/her job type, and the centre policy and the statutes. Working hours are different in Ramadan.

Each employee have the right to 21 days' vacation, employee may transfer maximum 7 days of vacation between the years, MUSAWA also gives employees the right to a 14-day sick leave supported by a medical report.

Each employee works in the center should fill the number of hours worked per day on a monthly basis as well as the type and the location of the work.

All the direct supervisors must sign the monthly time sheets that were filled up by the employees and submit it to the financial and administrative department, which keeps them in a special file, after taking a copy in order to pay their salaries.

MUSAWA doesn't have an incentive system that is effective and connected with performance appraisal system.

3. Staff experience

Since its creation, a group of managers and employees with various expertise, managerial skills as well as technical and scientific qualifications have worked in MUSAWA. They had an extremely distinguished presence at the national level in various areas of MUSAWA's work. As MUSAWA doesn't have a well-documented administrative system, there is no maintaining for these competencies and expertise.

MUSAWA's current financial management structure has the qualifications and experience that enable it to manage funds, prepare financial reports at a large degree of professionalism; they both have B.A in accounting and experience in the field. In addition, the financial Manager and the accountant & administrative assistant follow up human resource affairs according to the instructions of the Director

and the Board of Directors. Although these functions are not listed in their job descriptions, they both perform them due to the lack of a human resource management department. These activities have not materialized in a comprehensive experience for all the tasks entrusted to the function of human resource management, especially in terms of staff training, guidance and motivation.

The project coordinators work in the Ramallah headquarters and their functions are primarily limited to the follow up of the implementation of activities. These tasks cannot build a unique experience in terms of program management as it requires long term experience in areas related to beneficiaries identification of needs, the preparation of program documents and special skills in developing and implementing monitoring and evaluation frameworks. The evaluation team believes that project coordinators have some skills in the area of project management but these are inadequate by modern standards and specifications. The expertise of project coordinators varies: some of them possess unique legal expertise (lawyer), while others have experience in training, or possess knowledge in business administration. Furthermore, many coordinators have the knowledge and experience in the field of media targeting MUSAWA's scope of work.

All of project coordinators are lawyers. This is reflected positively on MUSAWA's communication process with its main beneficiaries. The evaluation team believes that these coordinators further need to develop their communication skills with other target groups categories who are not familiar with legal issues and concepts.

In implementing its activities and publications, MUSAWA relies on external experts, trainers and consultants, especially in the area of training, legal research and analysis, as well as for follow up of lobbying and advocacy activities. This approach has limited to a certain extent the experience of MUSAWA's staff in some key areas, especially those related to lobbying and advocacy, legal analysis and special training on legal topics. These areas were considered as the most important skills affecting the performance of MUSAWA's programs.

The absence of an information system and systematic mechanisms for regular exchange of experiences between the project coordinators as well as the weak monitoring and evaluation framework limit the capacity of communication and information exchange between coordinators both at the central level and between the headquarter and the project coordinator in the field. Many of the assessments and reports are issued by MUSAWA for donors, at their request, mostly in English, where many employees cannot benefit from these assessments. In addition, meetings held with employees are not regular and focus on general issues rarely tackling the exchange of experience and lessons learned among project coordinators.

Table 28: Evaluation of some indicators on human resource management

Is there an effective organizational structure that includes all current and future functions and suitable for the organization's objectives and programs?	The organizational structure is not fully operational
Are there clear job descriptions that are functional and includes the position, the performance objectives, the responsibilities, required experiences and direct responsible person?	Job description are established but the performance of the employees is not well tracked and documented in an annual review
Is the coordination among the functional units positive and non-competitive?	Coordination between units can be improved to work in a more coordinated way , currently there is a silo approach
Is there a performance evaluation system that is effective and clear for all employees?	The evaluation system that is in place is weak and not documented, there is a need to revise and develop a more effective policy.
Are there any capacity building plans that are based on training needs assessment?	There is training for employees but it is not based on training needs assessment.
Is there a functional incentive system?	Not in place yet

Are employees satisfied regarding the leadership and the management of the organization?	It was not very clear for the evaluation team, if MUSAWA's employees are satisfied regarding the leadership and the management of the organization. The employees have to be in direct contact with the Executive Director without any professional connection with BOD members and general assembly.
Is there any employee motivation regarding the mission and the treated issues of beneficiaries?	The lack of human sources management that led to the absence of many basic tasks or dispersed many functions without being able to establish qualified staff that has a high motivational capacities to work and develop the mission of the organization
Do employees have the required experience to perform their tasks at all levels?	Technical expertise is satisfactory, whereas staff experience in project management and planning are limited.
Is there a knowledge and experience exchange system?	None in place

4. Conclusions and recommendations

4.1. Key findings

- MUSAWA's Executive Director plays a dynamic and leadership role. He possesses the vision, courage, energy and drive to move the organization forward. At the same time, it also became clear that there is a need to change MUSAWA's image as a "one man show" organization". More board involvement and granting MUSAWA's employees more space and encouragement to participate in promoting MUSAWA and assuming more responsibilities can achieve this.
- Roles of the Board of Directors, Executive Director and staff at MUSAWA seem to be clear but require further documentation and communication with all concerned. The Board of Directors functions according to its documented mandate; reviews budgets and sets organizational policy directions but does not document its reviews for future reference and organizational learning. MUSAWA has recently created a special committee in order to revise the legal aspects of its memos.
- Organizational entities do not seem to be appropriately designed, and roles and responsibilities of entities / departments are neither formalized nor clear for the organization to be effective. The different programs and organizational units have little or dysfunctional coordination between them; unclear roles and responsibilities with some that are overlapping even at the level of the job titles, one may be confused.
- The lack of human sources management led to the absence of many basic tasks or dispersed many functions without being able to establish qualified staff that has a high motivational capacities to work and develop the mission of the organization. MUSAWA, currently, is starting to give an attention to establishing systematic process for staff development. Several training programs were implemented according to the staff needs.

4.2. Recommendations

1. Develop MUSAWA's organizational structure based on the principle of the administrative unit, where every administrative unit operates within the framework of the objectives linked to MUSAWA's strategy. And for each administrative unit a set of performance indicators and the necessary functional requirements are established.
2. Develop an administrative system that includes all staff within it and reduce the number of positions which are based on special contracts or consultancies, especially those functions associated with the strategy such as advocacy, lobbying, publications and training.

3. Activate the human and financial resource management so that it becomes a separate position or transmitting these functions to Admin and Finance manager's assistant and develop the capacities of the human resource manager in order to accomplish greater employee satisfaction and performance towards achieving MUSAWA's mission and goals.
4. Develop succession plan and build a mid management level staff that can be as deputy to the Executive director.
5. Develop and activate a salary scale inside of MUSAWA.
6. Incentive and performance evaluation process should be developed and activated with semi-annually documented reviews with clear goals and OKR (objectives , key results) that are quantifiable.
7. Develop a capacity building program for the staff with focus on the middle management.
8. Conduct regular meeting (twice a year) between the staff and BOD.
9. Conduct bi-weekly meeting with the Executive Manager and document the minutes of meetings.
10. Develop a clear line of authority between the BOD and the Executive Director. In addition the authority lines between the Executive Director and Employees should be clarified in such a way that prevent conflicts and improve MUSAWA's performance.
11. There is a need for hiring new competent and experienced staff with legal background. This is could be considered for the Programs Manager position.
12. MUSAWA should adopt an effective leadership model, which is based on the delegation of authority and participation in decision-making process. It possible to support this model through a number of activities, which help in building the capacities of staff. Such activities will ensure the existence of a decision-making mechanism. They will also enhance group leadership within the organization's rules and regulations.
13. MUSAWA has to design a user-friendly comprehensive system to capture, document and disseminate knowledge internally to relevant areas.
14. MUSAWA's management has to consider updating and maintaining written standard HR and operating procedures and thinking of building a comprehensive Information System to include updated manuals, procedures and program documents with authority rights approved by the board and senior management so as to cover and disclose the required procedures that shall be performed in different financial and operational cycles. Afterwards, clear communication plan of the new procedures need to be taken as such the staff should be trained to the extent necessary to understand the new system and apply them. Alternatively, updating manuals, creating soft copies and communicating them would be the minimum un case developing a MIS system would beyond the organization ability.

5. Financial resource management

5.1. Key findings

MUSAWA financial department consists of the financial Manager, and the accountant. The financial Manager has been working in MUSAWA since 2009 years, and performs some HR functions, as there is no official post for HR in MUSAWA current organizational structure.

MUSAWA relies mainly and primarily on external funding for its programs and projects. MUSAWA reliance on external funding is very close to 100% that naturally places it in a risky situation in terms of sustainability in case funding stopped for one reason or another. In fact, this has been the reality in the last recent years because of the lack of adequate funding to cover its running costs at least. This situation renders the organization's sustainability and the responsibility to provide funding in order to cover the running costs.

The financial department prepares a comprehensive annual budget that includes and covers all programs activities for the same fiscal year in addition to all the activities that will be implemented by MUSAWA for that year based on the available funding, the annual budget is approved by the BOD and minted.

In terms of project budgets, project proposals are usually prepared by the Financial Manager and/or by the project manager and it is based on MUSAWA three years strategic plan and funding available for the projects. The Financial Manager consequently prepares a budget for the project in cooperation with the CEO and/or the program manager that is consulted for technical issues related to estimating trainings costs or matters related to community action and intervention.

The process of determining the budget is based on the procedures and financial expertise of the Financial Manager and the approved three years strategic plan as there are no written policies or procedures regarding the process of preparing budgets, whether in terms of the overall annual budgets or project budgets. This process is performed in accordance with the available conditions and depending on the judgments and experience of the financial Manager along with programmatic team.

MUSAWA follows the policies and procedures relating to financial management and expenditures based on the financial manual.

Petty cash: Admin assistant in-charge of the petty cash (top up amount 2,000 NIS), prepares a report of expenditure and submits it to the Accountant the accountant review for accuracy and completeness, then it is approved by the financial manager, a top up request is prepared by the accountant approved by the Financial Manager and three signatories 2 from BOD and the CEO.

Bank reconciliation: Bank reconciliation is done on a monthly basis by the accountant and reviewed and signed by the financial Manager, it is worth mentioning that in our review the bank reconciliation was done for Jan-march as one reconciliation.

Procurement:

According to MUSAWA's procurement policy the policy the limits of procurement as following:

Less than \$1,500	Purchase by direct order
\$1,501 – \$2,500	Limited bid (3 proposals)
\$2,501 – \$10,000	Limited bid (3 proposals) + Procurement Committee
More than \$10,000	Public bid through local newspaper advertisement

As part of our review with MUSAWA, we realised that MUSAWA's follows a stricter policy in the procurement process.

Segregation of duties is maintained in the procurement process, between the order creation, the approval and the receipt of the goods or services and the payment approval.

Salaries

Salaries are prepared on a monthly basis by the accountant then reviewed by the financial manager, after the review and approval of the financial manager a wire transfer request is prepared by the accountant and reviewed by the financial

Payment and Receiving functions:

Three designated authorised signatories as following sign checks & wire transfers:

- Chairman of the board
- The executive director
- A board member

For each payment request all needed documents are attached and reviewed and signed by the financial Manager before submitting for payment and the three signatories.

Each document related to the payment is then stamped by PAID stamp.

The Financial Department prepares all financial reports for each project on a monthly basis in addition to required reports for the different projects according to contract agreement articles. The employed computerized accounting program (Bissan) provides information and financial data for projects in an

appropriate time frame, these reports are reviewed on a monthly basis with the executive director and the project manager, however these reviews and the budget vs actual analysis is not documented, it is worth mentioning that we couldn't find documentation that there is a periodic review of MUSAWA's financials by the board of Budget Vs actuals.

As for the major financial statements (MUSAWA's financial statement, consolidated statement of activities, a list of cash flows), the Financial Department does not prepare any of these lists on an annual or periodic basis. This process is handled fully by an external auditor (Deloitte) that prepares all these financial statements to be included in the annual audited report.

5.2. Recommendations

Based on our limited review, walkthroughs performed and interviews we concluded that MUSAWA follows a good structure in the financial department and have adequate internal controls and procedures to prevent fraud, In order to improve performance in the Financial department we recommend the following:

1. To revise the policies and financial procedures to reflect the reality and what's the actual process.
2. To prepare and maintain bank reconciliation on a monthly basis with the review of the financial manager documented.
3. To make sure that the Budget Vs actual monthly review with the executive director with commentary is documented and maintained.
4. To develop a quarterly report that is submitted to the board of directors with MUSAWA's financials and budget Vs actual, Cash flow projection income & expenses for the coming 6 month.
5. To have an internal audit function either internally or to hire a professional office as an internal auditor with periodic audits.
6. To maintain financial reserves for 3 months of operations that will serve as a security cushion in case some donors decide not continue with the funding.
7. To diversify and increase the number of Donors.

Part Six: External Relations and Networking

MUSAWA has successfully established a wide range of relationships with institutions, committees and networks as well as with local, regional and international activists. MUSAWA focuses in its strategic document (2013-2015) on the importance of developing coordination and networking relations with grassroots, private and public institutions at local and international levels aiming at increasing the independence for the judiciary system. These maintained relationships are classified in four main directions: First, funding relationships with donors; secondly, MUSAWA's participation in lobbying and advocacy campaigns to influence along with local and international institutions and committees; thirdly, random coordination and networking relations with other formal and informal organizations; and finally relationships with the target groups as described below.

1. Relations with donors

MUSAWA was able to establish a multitude of relationships with various donors. Over the last three years, 5 donor institutions that include the Dutch Representative Office, the European Union, UNDP, The Italian Cooperation, and SIDA Canada in indirect way funded it. The majority of these relations are limited to funding of projects and some of MUSAWA's publications, except for Dutch Representative, which provides MUSAWA with core fund.

Throughout the past three years, MUSAWA's funding was affected by the international and Palestinian political changes. In addition, the big number of competing organizations affected the

fund. On the other hand, many donor countries have shifted their funds to different sectors and segments.

It is recommended that MUSAWA have to enhance its relationship with donors through the establishment of a consortium. The consortium will be very useful in terms of program management, monitoring and evaluation. MUSAWA should try to be a strategic partner for those donors who want to engage long term in topics like good governance, rule of law and support of the judicial system in Palestine.

Donors should be convinced of the great value of MUSAWA's daily advocacy work, which needs a solid financial basis to be sustained and expanded. MUSAWA is already an independent but nevertheless necessary factor in the clockwork of Palestine's political and judicial system of checks and balances.

2. Relations with local and international committees: cooperation in lobbying and advocacy activities

MUSAWA managed to openly discuss hot issues and problems related to the judiciary and legal profession, but some stakeholders believed that the level of professionalism in lobbying and advocacy is not up to the needed standards. MUSAWA has to hire specialists in communications for development. These specialists could design communications strategy that includes effective tools for lobbying and advocacy.

Some interviewees were surprised that MUSAWA appears to be rather reluctant to cooperate or form coalitions with other NGOs. Underlying reasons for this phenomenon remain unclear.

Internationally, MUSAWA is already connected in some countries, such as Egypt and Jordan, however, these connections appear to be more interpersonal than inter-organizational. Interviewees with experience in MENA countries considered MUSAWA as one of the most advanced organizations

3. Relations with PA Institutions and Partner Organizations

MUSAWA has no documented and clear networking policy with other organizations whether towards establishing coalitions or galvanizing cooperative relations. MUSAWA has good relations with complementary, local and international organizations. It is very important that MUSAWA develops a very clear networking strategy that could help in establishing coalitions and coordinate and focus their advocacy efforts towards an independent judiciary system and rule of law.

Currently, the nature of MUSAWA's relations will often be of personal nature. MUSAWA is strongly connected with individuals in the PA, on the other hand, also endangered by personal animosities that can create significant disturbances in the organization's operations.

4. Relations with the beneficiaries

MUSAWA enjoys good relations with its beneficiaries from legal professions, especially lawyers, as evident from the discussions with the three focus groups of lawyers. The organization has gained equal respect and appreciation from judges and legislators. According to lawyers, MUSAWA's "Eye on Justice" publication has widely attracted the interest of the participant lawyers in the implemented focus groups. In addition, lawyers and judges regard the "Justice and Law" magazine as an educational tool for judicial precedents that must be maintained, expanded, developed and utilized.

Participants' lawyers in the focus groups expressed that they are totally satisfied with MUSAWA provided trainings. They believe that these trainings have helped them develop knowledge and skills in different areas connected to the judiciary system and rule of law. In addition, some participants point to the role of MUSAWA in impacting positively the lawyers' awareness of and interest in community issues.

The participants in the focus groups agree that MUSAWA is taking into its consideration the principle of equal participation. According to them, MUSAWA is targeting all the categories without any discrimination.

Various stakeholders ensured that MUSAWA plays a vital monitoring role, especially with regard to the judiciary and its connection to other state powers.

Many beneficiaries indicated that they are not satisfied with the level of follow up at MUSAWA. However, they mentioned that the newsletter is one of the main tools that help them to be informed about MUSAWA's activities.

Participants in the focus groups indicated that they are aware of the problems facing the Palestinian judiciary (that plays a major role in the Palestinian society), but conversely, they indicated that their role in revamping the Palestinian legal system is almost nonexistent, especially in issues affecting the public good. But through MUSAWA, the lawyers have become more effective and able to deal with issues in the judicial sector, at least in their respective areas. Some of them even became bolder and acquired the determination to raise issues related to the public good.

Part Seven: Learned Lessons

The following lessons represent the internal reflection of MUSAWA regarding their performance in the last 10 years:

MUSAWA's work in the last years indicates that MUSAWA's monitoring role should remain a priority. MUSAWA continues to build and develop its professional expertise in this area and there remain few organizations with a similar mandate – to continuously and systematically monitor the three authorities that make up the justice system in Palestine. MUSAWA must therefore strive to maintain and improve its professional relationships with the three authorities and maintain a healthy balance between monitoring, and proposing better ways of working for the elements of justice in Palestine. MUSAWA must continue to maintain strict neutrality in all its monitoring work and given recent internal instability within Palestine, monitor political and policy developments extremely rigorously, especially in Gaza.

MUSAWA has identified the need to develop its strategy for building internal and external networks and coalitions, and has commenced this process. Networks are groups of individuals and organizations working in the legal field that are able to contribute to MUSAWA's work to strengthen the principle of the rule of law in Palestine. Networks may be regional or international. MUSAWA should continue to involve the largest number of civil society organizations possible in monitoring the different elements of justice system. In addition, it has to activate the role of these institutions in working in partnership to influence decision makers to respect human rights and general freedoms.

The publication 'Eye on Justice' is considered to be an important publication in the Palestinian territories as it specializes in publishing law violations perpetrated by all the different elements of the judicial system. 'Eye on Justice' challenges flaws in the three authorities by highlighting and publishing them, which stimulates legal and political debate. MUSAWA must commit to developing its work on both these publications and documenting violations neutrally and in a balanced manner.

Employees are hired to carry on certain tasks and not to make an impact. There exists a common set of basic beliefs held by many people within MUSAWA that is helping the Board of Directors, the Executive Director and some staff members to maintain a sense of identity; these beliefs and values are clearly aligned with organizational purpose and occasionally harnessed to achieve results.

MUSAWA needs to better coordinate with the parties who might have potential conflict with MUSAWA over its monitoring role. MUSAWA got this point through keeping in touch with the High Judicial Council in both the West Bank and Gaza. MUSAWA should involve the Judicial Council in the implementation phases of its researches and publications.

MUSAWA needs to lead the process of creating coalitions with legal organizations to facilitate its mission in producing the legal monitor.

Appendix 1: Members of the Board of Directors

Name of Board member	Position	Political Affiliation	Year of membership	Place of residency
Yasser Jaber	Chairman	Not declared		Ramallah
Fahed Showaykie	Vice President	Not declared		Ramallah
Faysel Jaber	Treasurer	Not declared		
Yousef Bakhtan	Secretary	Not declared		
Samer Barghouthi	Member	Not declared		
Ghasan Masar	Member	Not declared		
Rana Basheer	Member	Not declared		
Nidal Abu Farah	Member	Not declared		
Fayza Zahran	Member	Not declared		

Appendix 2: List of Interviewees

Name	Position	Organization	Date of the interview	Location
Ibrahim Al Barghouthi	Executive Director	MUSAWA- Ramallah Office	04/06/2015	MUSAWA's office at Ramallah
Naser Khmour	Admin and Finance Manager	MUSAWA- Ramallah Office	07/06/2015	MUSAWA's office at Ramallah
Moe'men Hatab	Project Coordinator	MUSAWA-Gaza Office	07/06/2015	Skype
Yara Abo Sedo	Project Coordinator	MUSAWA-Gaza Office	07/06/2015	Skype
Naser Khmour	Admin and Finance Manager	MUSAWA- Ramallah Office	08/06/2015	MUSAWA's office at Ramallah
Nour Asfour	Programs Manager	MUSAWA- Ramallah Office	08/06/2015	MUSAWA's office at Ramallah
Reem Zubiedi	Programs Manager	MUSAWA- Ramallah Office	08/06/2015	MUSAWA's office at Ramallah
Dr.Mustafa Mari	General Manager	HR and IHL Secretariat	11/06/2015	MUSAWA's office at Ramallah
Sandra Ludec Rol	Responsible for Rule of Law Program	Canadian Representative	12/06/2015	Canadian Representative office at Ramallah
Ibrahim Al Barghouthi	Executive Director	MUSAWA- Ramallah Office	13/06/2015	MUSAWA's office at Ramallah
First Focus groups	MUSAWA beneficiaries	Justice Sector	13/06/2015	MUSAWA's office at Ramallah
Ma'moun Atili	Civil Society Coordinator	UNDP	19/06/2015	UNDP office at Ramallah
Ibrahim Abu Shamalah	Program Coordinator	UNDP-Gaza	19/06/2015	Call
Ms. Silke Clausing/ Ms. Basima Adawin	Project Manager Judiciary/Rule of Law/ Task Manager- Human Rights Programme Focal Point of Civil Society Profile	Office of the European Union Representative	21/06/2015	EU office at Jerusalem
Mr Gert Kampman	Head of Development Cooperation	Netherlands Representative Office	21/06/2015	Representative office at Ramallah
Dr. Firas Milham	Legal Advisor	Quartet Palestinian Commission for Anti-corruption	23/06/2015 23/06/2015	Commission office at Ramallah
Ahmad Al Shorfa	Program Manager	UNDP	28/06/2015	Skype
Bassam Al Salhi	PLC member	Palestinian Legislative Council	28/06/2015	Call
Second Focus Groups	MUSAWA's	Justice Sector	30/06/2015	conversation MUSAWA's

with MUSAWA Staff	employees				office at Ramallah
Dr.Hasan Al Ouri	Palestinian's Legal Consultant	President Office - Ramallah	30/06/2015		Ramallah
Dr. Ahmad Barak	General Prosecutor	Public Prosecutor	02/07/2015		Ramallah
Yahia Jaber	Chairman	MUSAWA	02/07/2015		Ramallah
Fahed Shouiki	Treasurer	MUSAWA	02/07/2015		Ramallah
Focus Group	MUSAWA's beneficiaries	MUSAWA	05/07/2015		Ramallah
MUSAWA's staff	All of MUSAWA's employees	MUSAWA	05/07/2015		Ramallah
Auke Wibaut	Fundraiser	MUSAWA	10/07/2015		Skype
Focus Group	MUSAWA's beneficiaries	MUSAWA-Gaza Office	07/07/2015		Skype
Miral Al Far	Program Manager	Danish Representative	20/07/2015		Call conversation
Issa Abu Sharar	Chairman	Estiqlal	22/07/2015		Call conversation
Frederek Westerholm	Development Consulate	Swedish Representative	23/07/2015		Skype

Appendix 2: List of Revised Documents

- Administration and Financial report submitted to the Palestinian Ministry of Interior.
- Bod Meetings' minutes.
- List of decisions made by the Executive Director.
- Clearances.
- Financial reports submitted to donors.
- Financial Internal Reports.
- MUSAWA's proposals.
- Narrative Reports.
- Action Plans.
- Fact sheets.
- MUSAWA's monthly newsletters.
- Evaluation forms.
- Training forms.
- Eyes on Justice.
- Legal Monitor.
- Financial statements.
- Annual Employees Evaluation.
- Registration Certificate.
- Bylaws.
- MUSAWA's Strategic Plan 2013-2015
- MUSAWA's Strategic Plan 2011-2013
- MUSAWA Strategic Plan 2008-2010
- List of BoD.
- Employment Contracts.
- BoD manual.
- Donors Contracts and Agreements.
- Payment Vouchers.
- Tenders (TORs).
- Financial Manual and policies.

- Technical reports (Procurement)
- Strategic plan's review.
- Complaints System.
- Training manuals.
- Human Resources Policies.
- Action Plans.
- Organizational Budgets.
- General Assembly meetings.
- Annual Reports.
- Audits
- Previous Evaluation Reports.
- Various financial documents(bank reconciliations , payment vouchers, checks , bank transfers, trial balance, budgets....)
- Employee files

