***OSF-Arab Regional Office***

***Portfolio Review- Palestinian Citizens of Israel***

***1 September 2015***

**Portfolio Parameters**

This portfolio review assesses the Arab Regional Office’s (ARO) efforts to promote the rights of Palestinian Citizens of Israel (PCI). Grant making under this portfolio dates back to 2001 and represents one of our earliest engagements in Palestine-Israel and more broadly in the Arab region. However, for the purposes of this portfolio review, ARO will focus on its engagement since 2008 to date in which our work becomes more coherent with the specific goal of promoting equality and non-discrimination for PCI’s.

**Context**

The focus of the Palestinian-Israeli conflict falls mostly on Palestinians of the Occupied Territories and only to a lesser degree on those Palestinians who live inside Israel. From 1948 until 1966 the Palestinians in Israel lived under military rule. Under military law, Palestinians faced the possibility of deportations, illegal detentions, curfews, and house arrests. The end of military rule in 1966 did not end the legal and institutional discrimination that PCIs experienced. To this day, the cultural and political identity of Palestinian citizens in Israel is put under major pressure by the Israeli state, and expressions of collective identity are regarded as subversive. This renders the status of Palestinians in Israel profoundly problematic. The inequality and discrimination against PCI’s under Israeli law and policies is felt in almost all aspects of social and economic rights and civil and political rights. This includes discriminatory education and health systems and discriminatory allocation of state resources for infrastructure in Palestinian towns in Israel. Palestinian citizens in Israel continue to face house demolitions, illegal detentions, police brutality and increased settler violence while political parties are more closely monitored and controlled.

In recent years the radicalization of public opinion and consecutive Israeli right wing governments have resulted in more restrictive measures against Palestinians within Israel. For example, the ‘Jewish Nation State’ bill currently at an advanced stage in parliament highlights that Israel is a nation state of Jewish people; further emphasizing the Jewish identity over the democratic identity of Israel as stated in the Israeli Declaration of Independence. The bill has been softened to include equal rights for non-Jewish individuals, but still affords collective rights to Jews, and marginalizes the PCI’s.

The uprisings in Arab countries in 2010, along with the continued violence against PCI’s, growing political polarization, their deepening frustration, and deteriorating economic situation have given impetus to the emergence of Palestinian grassroots movements resisting Israel’s systemic discrimination while asserting their Palestinian identity. These have been led by youth groups that have in many cases spontaneously organized to challenge Israeli policies and practices around issues including Prawer Plan, which seeks to forcefully displace up to 70,000 Palestinian Bedouin citizens of Israel from their villages in the Naqab, as well as challenging the compulsory Israeli military service of Palestinian Druze youth, and Israeli laws preventing the reunification of Palestinian families between Palestinian citizens of Israel and those residing in the West Bank. These movements are independent from political currents, which have limited backing from grassroots communities, and have been able to mobilize public support and attention including from political party members.

Israel’s continued discrimination against its own citizens of Palestinian origin is a key threat to open society. Palestinian and Israeli activists and human rights organizations who oppose discriminatory Israeli policies and the occupation have been subject to state scrutiny and attacks. Successive Israeli governments have introduced legislation designed to limit foreign funding to human rights non-governmental organizations. The draft bill seeks to impose a prohibitive tax rate of up to 45 percent on foreign donations and other restrictions on human rights organizations in order to deter foreign funding and crack down on human rights organizations criticizing Israel. Recently Israel’s high court upheld a law imposing stiff sanctions against those advocating for boycotts of Israel or its settlements in support of Palestinian rights. Also, rights organizations in Israel have been subject to campaigns led by right-wing Israeli groups accusing them of supporting the BDS movement and other anti-Israel activities to discredit them. The vitality of our support for the rights of PCI’s has become increasingly relevant in light of the marked deterioration in the political and legal environment and ongoing erosion of democratic values in Israel.

**Our Assumptions and Ambitions**

ARO’s overall strategy on Palestine is formed of two portfolios, one that deals with ending the occupation in the Occupied Palestinian Territories, and another that focuses on PCI’s equality and non-discrimination. These two portfolios have distinct ambitions, but share a number of the socio-political contextual elements and therefore are affected by developments on the both sides.

Since 2008, ARO’s work has been driven by the ambition that our support would strengthen PCI rights' defenders and communities to become more effective in asserting their rights vis-à-vis the Israeli government and institutions to challenge discriminatory policies, and influencing public opinion to advocate locally and abroad for justice and Israel’s accountability for human rights violations.

Our main assumptions at the time were:

* That Israel’s legal system was working and allowed litigation and forms of advocacy conducive to promoting PCI equality and reducing discrimination.
* PCI debates, internal dialogue and citizen involvement would lead to clearer aspirations and counter-narratives by PCI’s that would influence public debates on the identity of the state.

Since the beginning of our engagement on promoting the rights of PCI’s, ARO’s portfolio has been characterized by supporting the field through grant making mainly through providing general support to key grantees whose primary activities include monitoring and documentation of human rights violations, support to litigation before Israeli courts, and advocacy on the national and international levels. The portfolio has included grant making by ARO’s Rights & Governance, Media & Information and Women’s Rights Programs to challenge inequality and discrimination from different angles. It prioritizes supporting local efforts in building a more vibrant and empowered Palestinian human rights community in Israel, even while the political situation is becoming more polarized and discriminatory. In addition, ARO, in collaboration with OSF DC and the Regional Advocacy Manager, has worked on providing ad hoc support to grantees’ advocacy missions to the US. These different layers of support advance ARO’s ambition in supporting leading organizations that carry out a complementary set of activities to actively challenge Israeli discriminatory practices and policies against PCI's and undertake effective local and international advocacy on the impact of Israeli discriminatory practices and policies. On the national level, legal advocacy has been used by our grantees as the main tool in challenging the status quo. With the shrinking legal space at home, international advocacy has been gaining more importance in order to exert pressure on Israeli government to respect the human rights of PCI’s and draw attention to violations.

**Our Place:** *What is the broader state of play and environmental trends relevant to our aims, and what is our role? Who are the significant players, whether institutions or individuals? Include both those we support and those we do not.*

* *Palestinian civil society organizations in Israel:* Even though Palestinian civil society in Israel has evolved and became stronger, the environment they operate in has become more complex and closed, affecting the impact of their work. The 1990’s marked a rapid proliferation of Palestinian civil society organizations in Israel aimed at empowering the Palestinian minority to challenge Israel’s discriminatory policies and practices. This was influenced to a large extent by the Oslo Accords during which Palestinian intellectuals and political activists in Israel began to re-evaluate their priorities and discourse with a focus on improving the rights of the Palestinians in Israel and asserting their collective rights. Since then a number of key civil society organizations have emerged, such as Adalah and Mossawa, who have pioneered the utilization of strategic litigation and legal and public advocacy to advance the rights of PCI’s. Other organizations such as Mada Al Carmel have focused on fostering public awareness of political, social and economic issues and community mobilization to unify the voices of PCI’s and push for collective action. Women’s rights organizations have also played an important role in highlighting discrimination and struggles faced by women and keeping issues of women’s discrimination on the public agenda. There have been important cooperation efforts among leading PCI civil society actors - most notably the production of documents (such as the Haifa Deceleration and the Democratic Constitution in 2007) which present the most direct and substantive challenge posed by Palestinian citizens to their status in the Jewish Israeli state. However, the increasingly hostile political environment in Israel has essentially resulted in alienating and weakening Palestinian civil society’s impact and their demands for equal rights.
* *Palestinian political parties:* Palestinian political parties are disconnected and the Palestinian public in Israel remain apprehensive about political processes. This has resulted in low political participation by PCIs. Despite this, the 2015 Israeli parliamentary elections were marked by the four main Palestinian political parties forming a political alliance for the first time. The Joint List included the political parties of Al Balad, Hadash, Ta'al and the United Arab List (the southern branch of the Islamic Movement) political parties and are the third largest faction in the Knesset. The coalition brought together Palestinian political parties with different ideological underpinnings and was motivated by the continued Israeli rightwing efforts to undermine the legitimacy of the Palestinian population in Israel at the political level. More specifically the recent move to raise the electoral threshold for the Knesset elections was mainly to prevent small parties and lists, whose voters are mainly PCI’s, from making it to the Knesset.

There has been an interplay between Palestinian political parties and civil society organizations. Civil society actors have defended the space of political parties and promoted the participation of PCI’s. At the same time civil society leaders have sometimes crossed the line into politics, e.g. the founders of ARO’s grantees, Haneen Zouabi from I'lam and Aida Touma from Women against Violence, who both became Knesset members. AlthoughPalestinian parliamentarians are becoming increasingly vocal in protesting Israeli government’s policies and practices affecting PCIs, they have not succeeded in bringing about any major improvements for their constituencies. This can be attributed partially to the inability of political parties to unite thus increasing their collective influences in addition to being practically excluded from being a part of Israeli government coalitions. In effect the engagement of PCI’s in parliamentary politics have achieved meager results and highlighted the importance of pursuing other available means to advance their rights and interests. Palestinian political parties and parliamentarians are also affected by players who oppose Palestinians participation in parliament, these include Palestinian religious movements. A significant political actor is the hardline northern branch of the Islamic Movement and their mobilization against PCI’s political participation.

* *Israeli civil society organizations:* Progressive Israeli civil society organizations have complemented the efforts of PCI organizations especially in relation to opposing restrictive state legislation and constraints imposed on civil society organizations. Israeli organizations have formed collaborative relations with PCI organizations and have been engaged in organized responses and activities to challenge violations against the Palestinian minority. Israeli civil society have had greater ability to effectively reach Israeli and international audiences in support of the rights of PCI’s and Palestinians more broadly. Israeli NGO’s that support the rights of Palestinians have experienced increased pressure from the Israeli government and right wing groups which has to an extent dampened and narrowed the scope of their work. Some of the main Israeli civil society actors active in promoting the rights of PCI’s are the Association for Civil Rights in Israel, which deals a with wide spectrum of rights and civil liberties issues in Israel through litigation, public outreach and advocacy, and Ir Amim which has a special focus on Jerusalem and exposing Israel’s government policy of settlement building and lad expropriations. Other Israeli civil society organizations working on equality and non-discrimination focused on other minorities in Israel.
* *International actors and donors:* These play a central role in funding Palestinian and Israeli civil society organizations in Israel as well as exerting pressure on the Israeli government for the respect of human rights. Donors include the European Union, Dutch and German foundations, and governments-run funds and programs. International donors and bodies are increasingly becoming advocacy targets by PCI leaders and human rights defenders who are engaging with international politicians, foreign diplomats, United Nations officials, and international agencies to raise awareness and support for the rights of Palestinians in Israel. Political considerations as well as the ongoing international economic downturn have reduced pools of funding available for PCI organizations from institutional donors. Key donors, such as the Ford-Israel Fund and Oxfam Novib, have either discontinued funding to Israel/Palestine in recent years or undertook major cutbacks. This trend is expected to continue in the coming few years. ARO is faced with more need and demand in the field requiring careful prioritization and consolidation of our work on promoting the rights of PCI’s.

ARO has supported a cohort of human rights organizations, research centers, media and women’s rights focused organizations. Our list of grantees includes the following:

* *Adalah*: seeks to challenge institutional and systemic discrimination against Palestinian citizens of Israel through impact litigation and legal interventions to Israeli courts and authorities. Adalah have been strengthening their international advocacy work in light of the straining Israeli political and judicial environment and are keen on expanding their US advocacy with their newly hired US representative to increase the impact of their work.
* *Women against Violence:* seeks to address existing gender-based violence discrimination faced by Palestinian women living in Israel through awareness raising, campaigning to affect policy change, and running the first and only shelter exclusively for Palestinian women in Israel. Aida Touma, WAV’s founder, resigned from her position as the General Director, and Aida ran and won a seat in the Israeli elections held in March 2015.
* *I’lam-Media Center for Arab Palestinians in Israel:* focuses on media advocacy and training to enhance the presence of PCI’s in the public sphere through media. The centers works toward strengthening the professionalism of Arabic language journalists in Israel; by defending their right to freedom of expression; and by advocating for fair representation of PCIs in the Hebrew-language media. Knesset member, Haneen Zouabi, co-founded I'lam, and was its general director until she resigned before the 2009 election to focus on her political career.
* *New Israel Fund:* NIF’s works seeks to strengthen Israeli democracy by advancing human rights and social and economic justice. The organization provides support to civil society organizations, capacity building services, and facilitates coalitions, and national advocacy campaigns. ARO has been a long-term funder of a NIF project that aims to strengthen the capacities of young Palestinian legal professionals in legal advocacy in the pursuit of social justice by offering an LL.M. degree in human rights law in the U.S. along with internships opportunities in NGOs in Israel.
* *Mada al-Carmel - Arab Center for Applied Social Research:* contributes to a better understanding of the impact of Israeli discriminatory laws and practices on PCI's and informs advocacy towards policy change through research, policy analysis, and surveys. In addition the center hosts Palestinian scholars and academics to develop their research capacities and exchange knowledge and expertise.
* *Kayan-Feminist Organization:* provides legal aid to Palestinian women in Israel, as well as education on the legal system and legal advocacy and strategic litigation.
* *Mossawa Center-the Advocacy Center for Arab Citizens in Israel:* The center works on governmental advocacy with Israeli authorities, international advocacy with a particular focus on Europe, research and media campaigns. ARO’s grant supports their EU advocacy to build an international network supportive of the rights of PCI’s.
* *Molad-The Center for the Renewal of Israeli Democracy:* seeks to broaden Israeli political discourse, and shift the political axis towards a more democratic and progressive position, through multi-disciplinary research, advocacy and media work. Their mission calls to question the importance of more proactive engagement of Israeli public and progressive political actors to garner support against settlements and occupation by researching its economic implications, stimulating public debate, and presenting policy recommendations to end the Israeli occupation.

**Our work:**

ARO has focused on supporting a core group of grantees that complemented each other’s strategies. Another layer of our support was a complementary set of grants to organizations for the capacity building of PCI lawyers in strategic litigation in order to better utilize the Israeli legal system to promote their rights as well as community organizing and grants focusing on EU advocacy and engagement.

***Support for the Field:***

ARO has established itself as a leading donor to organizations working on the rights of PCI’s. Through our support we have promoted the emergence of strong and central human rights organizations in this field while contributing to the sustainability and, in some cases, the growth our grantees. ARO’s grant making is chiefly geared towards providing general support for organizations to help our grantees become more efficient, resilient and better able to survive. Although this portfolio is relatively small, it includes a complimentary list of grantees that have filled a gap in the civil society landscape in Israel by tackling the important issues of marginalization of PCI’s on the different levels of women’s rights, strategic litigation, media, and advocacy. I believe these organizations’ efforts contributed meaningfully to keeping PCI issues on the Israeli agenda while highlighting Israel’s systemic discrimination on the domestic and international levels.

With the refining of our strategy and priorities for this portfolio, we have made the decision to sustain our engagement and increase support over time to a core group of grantees that were playing a central role in their fields and where a certain level of trust had developed between ARO and the organization. These include Adalah, Mada Al Carmel, Women against Violence and I’lam. We are discontinuing support to I’lam, a longtime grantee which performance was adequate and exploring moving resources in other directions to support PCI’s in the media and information field. We have maintained the same level of support to Mossawa’s EU advocacy project. Following ARO’s large and long-term investment in New Israel Fund’s project aimed at building the capacity of PCI lawyers in legal advocacy, we have decided to reduce support to this project with a view of identifying and supporting capacity needs of PCI civil society including in the area of international advocacy. Through our grant making and advocacy support we have been able to achieve the following:

* The strengthening of Palestinian human rights organizations in Israel and their increased professionalism in using legal tools including strategic litigation to challenge various forms of discrimination against individual members of PCI’s, as well as secure group-based rights. One of our most effective grantees has been Adalah, which has grown to become an internationally recognized leader in utilizing legal instruments for social change by pushing Israeli jurisprudence to counter the systemic denial of Palestinians rights in Israel along with pursuing international advocacy to complement its work domestically. While they suffered a number of defeats at the Israeli Supreme Court, they had some victories (including blocking an attempt to exclude a Palestinian candidate from the elections in 2015), and maintained pressure on discriminatory practices.
* The development of a more organized and efficient PCI advocacy and presence in international forums (UN, EU, US) especially in light of the increasingly limited domestic avenues available for seeking justice. In shifting to international advocacy PCI’s are up against Israel and its image as a democratic state before the international community, therefore Palestinian civil society organizations in Israel feel the pressure of filling this gap by strengthening their relations with international actors and systems such as the European Union and United Nations to put their issue on the international agenda. There have been a number of successes in challenging Israel’s racist and anti-democratic policies in the international arena and influencing EU-Israel bilateral negotiations. ARO has practically developed and supported PCI advocacy initiatives giving our grantees a gateway to reach a wider international audience. Through the OSF advocacy team in the US and ARO’s support to EMHRN, a group that coordinates Palestinian and Israeli civil society’s advocacy engagement with the EU, as well as supporting to Mossawa’s EU advocacy activities, ARO has been able to empower the voices of PCI civil society groups in pushing their advocacy agendas and facilitating information transfer on violations to EU policy-makers. On the US level, Adalah is in the process of institutionalizing its presence in the US, to provide a Palestinian perspective and a more consistent engagement in the public and political spaces to shift US policy on Israel-Palestine, particularly regarding Palestinian citizens of Israel and their equality. ARO considers this as a significant development to Adalah’s work and strategy and ties into ARO supported US advocacy platforms, such as Telos and Heartland Initiative which both seek to re-position and promote human rights perspectives on the Israeli-Palestinian conflict into the mainstream American discourse through targeting different US grassroots constituencies and policy makers.

**What we stopped funding**

We have been engaged to a lesser level in promoting PCI’s community empowerment and civic engagement. ARO has experimented with a number of areas and approaches over the years in this field through ad-hoc grant-making and continuous revision of partnerships. This has resulted in us gradually discontinuing our support to a number of organizations as an overall effort to consolidate this portfolio and where we felt that the impact of grant making was modest. These include the Galilee Society, which focuses on health rights, Al-Tufula, which works on childhood education and development, and Bedouin-focused organizations such as Ma’an and Sidreh and Kayan. Although ARO no longer directly support organizations working on the rights of Palestinian Bedouins in Israel, our current grantees and their NGO partners work addresses and challenges Israeli discriminatory laws and practices faced by the Bedouin Palestinian community in Israel; an example is the Prawer Plan.

We are looking into alternative ways of stimulating PCI civic engagement and supporting social movements through our funding to Ahel, which focuses on mentoring and developing the campaigning strategies of local PCI grassroots and youth initiatives and strengthening their public mobilization capacities to counter the status quo. ARO is seeking to identify new Palestinian movements and groups using new and effective strategies in empowering and organizing the PCI community to advocate for their rights and counter Israel’s discriminatory policies.

ARO is also experimenting with supporting public debate among the Israeli public on the political power and civic rights of PCI’s. To this end, ARO funds the Israeli organization, Molad, which aims to present concrete policy recommendations for an inclusive and equal Israeli citizenship targeting progressive political parties, decision makers, and governmental institutions in Israel to encourage a deeper level of cooperation between Jewish and Palestinian progressives and facilitate an increase in the effective political representation of PCI’s. Molad has an ambitious and long-term vision for political change focused on rejuvenating the political left in Israel, which is very creative and targeted in its application. In the current, adverse political climate, support for an organization of this kind is an important investment.

***Disappointments and Lessons Learned***

Our greatest disappointment is clearly that rights have been reduced for PCIs during the period under review. While this could be seen as a failure of pro-PCI civil society efforts and their ability to adapt and turn to other strategies such as community organizing and engaging with the Jewish community , it is also the product of a broader political slide to the right, which reflects shifts in domestic and international politics. Consecutive right wing governments have exhibited a paranoid response to growing instability in the region and a sense of international isolation.

It is still possible for the field to grow stronger, even as the political situation worsens, and campaign aims seem unachievable. To some extent we do see a strengthening of the field, as measured by the growing sophistication of field leaders, and their expansion into international advocacy which was previously dominated by INGOs as well as the emergence of grassroots and youth led movements that might be promising in pushing the PCI debate and mobilizing for change.

Although ARO’s support has helped in keeping many of our grantees grounded and true to their mission, there are fundamental areas of development especially for Palestinian civil society organizations in Israel that need more attention. These include:

* Developing the skills needed to raise funds given the very limited sources of internal financial support for PCI’s work and shrinking donor landscape. Although some of our grantees have succeeded in diversifying their donor base, the majority of them remain dependent on ARO’s core support.
* Building missing policy, research and leadership capacities capable of informing policy makers and influencing public debate among PCI’s.
* Strengthening coalition-building for domestic and international advocacy to create a broader strategy and united collective vision for promoting the rights of PCI’s.
* The use of social media tools, effective messaging to audiences and ability to access and mobilize local and international mainstream media are gaining more importance given the strong interest of Palestinian human rights organizations in investing in international advocacy.

***Moving Forward:***

* Some of the challenges facing this portfolio are the narrowing legal space in Israel, government targeting CSO’s and donors reducing support to organizations working on PCI’s rights due to budget reductions. International advocacy is increasingly becoming a central activity and opening for PCI organizations. This will require OSF to explore new ways of support to this field in order to have an increased meaningful/long-term impact.
* Need for strengthening coalitions and coordination between organizations working on PCI rights since there is a gap in this area.
* Exploring technical assistance with regards to organizational development, financial health, media outreach and sustainability.
* The need to enhance PCI’s access to services through approaching/supporting service oriented organizations in Israel and address safety and security issues of PCI’s.
* Exploring new approaches, including efforts to influence public opinion in Israel and internationally, expand constituencies, and collaborations with non-traditional actors/allies.
* Utilizing cultural advocacy as tool for PCI’s to highlight and challenge Israeli discrimination and inequality.
* Cross-border collaboration between Palestinians in Israel and those in the Occupied Palestinian Territories
* There is a need to elevate and strengthen youth voices advocating for PCI rights and increase their awareness and their capacities for sustained engagement and community organizing.