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**THIS ACTION IS FUNDED BY THE EUROPEAN UNION**

**ANNEX II**

of the Commission Implementing Decision on the individual measure in favour of Palestine<sup>1</sup> for 2021-2023

**Action Document for Support to East Jerusalem**

**MEASURE**

This document constitutes the multiannual work programme in the sense of Article 110(2) of the Financial Regulation, and individual measure in the sense of Article 23(3) of NDICI-Global Europe Regulation.

**1. SYNOPSIS**

**1.1. Action Summary Table**

<b>1. Title CRIS/OPSYS Basic Act</b>	EU Support to East Jerusalem Measure in favour of Palestine for 2021-2023 OPSYS reference : NDICI-GEO-NEAR/2022/ACT-60708 – JAD.967225 Financed under the Neighbourhood, Development and International Cooperation Instrument (NDICI-Global Europe).
<b>2. Team Europe Initiative</b>	No
<b>3. Zone benefiting from the action</b>	The action shall be carried out in East-Jerusalem, Palestine.
<b>4. Programming document</b>	European Joint Strategy in support of Palestine 2021-2024 –Under preparation – to be adopted as soon as possible
<b>5. Link with relevant MIP(s) objectives/expected results</b>	Under preparation
<b>PRIORITY AREAS AND SECTOR INFORMATION</b>	
<b>6. Priority Area(s), sectors</b>	151 – Government and Civil Society - general 111 – Education – Level unspecified 250 – Business and other services 430 – Other Multisector 122 – Basic health

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

	410 – General Environment Protection			
<b>7. Sustainable Development Goals (SDGs)</b>	<p>Main SDG: Sustainable Development Goal n°10 “Reduced inequalities”</p> <p>Other significant SDGs:</p> <p>Sustainable Development Goal n°1 "No poverty"</p> <p>Sustainable Development Goal n°4 "Quality education"</p> <p>Sustainable Development Goal n° 5 “Gender equality”</p> <p>Sustainable Development Goal n°8 "Decent work and economic growth"</p> <p>Sustainable Development Goal n°10 “Reduced inequalities”</p> <p>Sustainable Development Goal n°11 "Sustainable cities and communities"</p> <p>Sustainable Development Goal n°13 “Climate action”</p> <p>Sustainable Development Goal n°16 "Peace, justice and strong institutions"</p>			
<b>8 a) DAC code(s)</b>	<p>Main DAC code - 15150 Democratic Participation and Civil Society</p> <p>Sub-code 4 - 15160 - Human rights</p> <p>Sub-code 1 - 11120 - Education Facilities and training</p> <p>Sub-code 2 - 25010 - Business Support Services and Institutions</p> <p>Sub-code 3 - 15153 - Media and free flow of information</p> <p>Sub-code 5 - 43032 - urban development</p> <p>Sub-code 6 - 12264 - COVID19 control</p> <p>Sub-code 7 - 41010 - Environmental policy and administrative management</p>			
<b>8 b) Main Delivery Channel</b>	<p>Local and International Non-Governmental Organisations (NGOs) - 20000</p> <p>United Nations agency, fund or commission (UN) - 41000</p> <p>European Union Member States – central government – 11001</p>			
<b>9. Targets</b>	<p><input type="checkbox"/> Migration</p> <p><input type="checkbox"/> Climate</p> <p><input checked="" type="checkbox"/> Social inclusion and Human Development<sup>2</sup></p> <p><input checked="" type="checkbox"/> Gender</p> <p><input type="checkbox"/> Biodiversity</p> <p><input checked="" type="checkbox"/> Human Rights, Democracy and Governance</p>			
<b>10. Markers (from DAC form)</b>	<b>General policy objective</b>	<b>Not targeted</b>	<b>Significant objective</b>	<b>Principal objective</b>
	Participation development/good governance	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Aid to environment	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	Gender equality and women’s and girl’s empowerment	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

<sup>2</sup> For the Neighbourhood, activities related to education shall be marked as part of the “Social Inclusion and Human Development” target, in line with the NDICI-GE programming guidelines.

	Trade development	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	Reproductive, maternal, new-born and child health	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Disaster Risk Reduction	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Inclusion of persons with Disabilities	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	Nutrition	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	<b>RIO Convention markers</b>	<b>Not targeted</b>	<b>Significant objective</b>	<b>Principal objective</b>
	Biological diversity	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Combat desertification	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Climate change mitigation	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Climate change adaptation	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>11. Internal markers<sup>3</sup></b>	<b>Policy objectives</b>	<b>Not targeted</b>	<b>Significant objective</b>	<b>Principal objective</b>
	Digitalisation Tags: digital connectivity digital governance digital entrepreneurship job creation digital skills/literacy digital services	<input type="checkbox"/>	<input checked="" type="checkbox"/> <input checked="" type="checkbox"/> <input type="checkbox"/> <input checked="" type="checkbox"/> <input checked="" type="checkbox"/> <input checked="" type="checkbox"/> <input checked="" type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
	<u>Connectivity</u> Tags: transport people2people energy digital connectivity	<input checked="" type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
	Migration	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Reduction of Inequalities	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	COVID-19	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	<b>BUDGET INFORMATION</b>			
<b>12. Amounts concerned</b>	Budget line: 14.020110 – Southern Neighbourhood Total estimated cost: EUR 43 140 000 Total amount of EU budget contribution EUR 36 000 000			

	<p>The contribution is for an amount of EUR 12 000 000 from the general budget of the Union for financial year 2021; for an amount of EUR 12 000 000 from the general budget of the Union for the financial year 2022 and for an amount of EUR 12 000 000 from the general budget of the Union for the financial year 2023, subject to the availability of appropriations for the respective financial years following the adoption of the relevant annual budget, or as provided for in the system of provisional twelfths.</p> <p>This action is co-financed by potential grants beneficiaries and other donors for an indicative amount of EUR 7 140 000.</p>
<b>MANAGEMENT AND IMPLEMENTATION</b>	
<b>13. Implementation modalities (type of financing and management mode)</b>	<p>Project Modality</p> <p><b>Direct management</b> through:</p> <ul style="list-style-type: none"> <li>- Grants</li> <li>- Procurement</li> </ul> <p><b>Indirect management</b> with the entities to be selected in accordance with the criteria set out in section 4.3.3.</p>

## 1.2. Summary of the Action

The proposed Action aims at supporting the resilience of the Palestinian population of East Jerusalem and at safeguarding its Palestinian identity, in the absence of Palestinian institutions within the city. It seeks to prevent the Palestinian population in East Jerusalem from being further coerced into leaving the city, thus jeopardizing the possibility of Jerusalem serving as the future capital of both States.

EU support to East Jerusalem is multi-sectoral and challenges are addressed in a cyclical manner. The programme targets interventions primarily in the four following sectors (i) Human rights protection; (ii) Socio-economic support; (iii) Education and culture and (iv) Protection of environment, urbanism and housing rights.

The crosscutting themes under this action include good governance principles and gender equality. The Rights Based Approach is central to each project undertaken under this Action.

Activities will support the community capacity to enhance the living conditions in East Jerusalem. It aims to respond to the continued deterioration of socio-political and economic trends, caused by discriminatory policies, insufficient and unbalanced investment in community services, minimal municipal public services, extreme poverty rates, low labour force participation, limited opportunities and protection for women and vulnerable groups, low private investment and minimal economic development.

## 2. RATIONALE

### 2.1. Context

In line with the EU position as set out in multiple EU Foreign Affairs Council Conclusions,<sup>4</sup> a way must be found through negotiations for Jerusalem to serve as the future capital of both states. Like in Area C and Gaza, in East Jerusalem, the separation and confinement of Palestinians is visible and has accelerated rapidly during the past years. After Gaza and Hebron, East Jerusalem is the most isolated Palestinian enclave. Arguably, together with the right of return, the status of Jerusalem has remained the most existential issue for Palestinians as they have experienced in the last decades further marginalisation in the occupied Palestinian territory. In this regards, the outburst of violence of April-May 2021 can be explained, notably, by the perspective of imminent Israeli supreme court rulings that would have evicted Palestinian East Jerusalemites from the houses they have been living in since the early 50s, both in the Sheikh Jarrah and Silwan neighbourhoods, combined with other factors of tension. . This sequence of events underlined abruptly that the issue of the status of Jerusalem remains, as of today, unanswered, each party claiming its rights on the City.

East Jerusalem has traditionally served as the focus of political, commercial, religious and cultural life for the population of the occupied Palestinian territory. Since the 1967 occupation and its illegal annexation by the Israeli government in 1980, East Jerusalem (EJ) depends de facto on the Israeli municipality for its governance and the delivery of public services. The European Union, through Council Conclusions, has regularly recalled that it has never recognised the 1980 annexation of East Jerusalem and reaffirmed its commitment to Jerusalem as the future capital of two states pending a final status agreement. Hence, the programme serves to maintain the possibility of East Jerusalem becoming an integral part of a future Palestinian state and its role as the social, economic, political and cultural hub for Palestinians. The EJP is also in line with the five policy priorities of the Commission, namely the Green Alliances and partnerships, the alliances for Science, Technology and Innovation and digitalization, the Alliances for sustainable growth and the Governance, Peace and security, Human development.

According to the Israeli human rights organization Ir Amim, only about 10% of Jerusalem's municipal budget has been allocated for projects and spending in Palestinian neighbourhoods in East Jerusalem, though Palestinians make up 37% of the city's population. As a result, most Palestinian neighbourhoods have poor infrastructure and inadequate health, recreation and educational services. In 2019, 72% of East Jerusalem Palestinians lived below the poverty line.

In light of this situation, the East Jerusalem Programme was initiated in 2007 with the aim to "maintain the viability of the two-state solution, with Jerusalem as capital of two states" by i) strengthening the resilience of Palestinian East Jerusalemites; and ii) preserving the Palestinian identity of the City.

Since its inception in 2007, the EU has invested EUR 90 million in this multi-sectoral programme, with noteworthy achievements in the support for community empowerment, inclusive education, economic and Small Medium Enterprises development, historical restoration work, protection and promotion of cultural and religious heritage, defence of human rights and COVID-19 crisis emergency response. Notwithstanding these positive results, the expressed need for support outweigh by far the annual allocation of EUR 12 million per year.

### **Relevance and credibility of the action in light of policy(ies) or strategy(ies) of the EU and of the beneficiary**

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<sup>4</sup> [https://www.consilium.europa.eu/en/press/press-releases/2016/06/20/fac-conclusions-mepp/?utm\\_source=dsms-auto&utm\\_medium=email&utm\\_campaign=Council%20conclusions%20on%20the%20Middle%20East%20Peace%20process](https://www.consilium.europa.eu/en/press/press-releases/2016/06/20/fac-conclusions-mepp/?utm_source=dsms-auto&utm_medium=email&utm_campaign=Council%20conclusions%20on%20the%20Middle%20East%20Peace%20process)  
<https://www.consilium.europa.eu/en/press/press-releases/2016/01/18/fac-conclusions-mepp/>

The Rights-Based Approach is central to each project undertaken under this Action given that the challenges faced by Palestinian Jerusalemites are essentially due to the prevailing human rights violations and the absence of relevant protection mechanisms. The action is fully in line with the Human Rights Policy framework including the new EU Action Plan on Human Rights and Democracy (2020-2024)<sup>5</sup>, the EU Guidelines on the Promotion and Protection of the Rights of the Child (2017), the EU Human Rights Guidelines on Freedom of Expression Online and Offline (2014); EU Human Rights Guidelines on Children and armed conflict (2008) and EU Guidelines on the Promotion and Protection of the Rights of the Child - Leave no Child Behind (2017); EU Guidelines on promoting compliance with International Humanitarian Law (IHL), EU Guidelines on Human Rights Defenders (2008), Guidelines to EU policy towards non-EU countries on torture and other cruel, inhuman or degrading treatment or punishment (2016) and the EU Guidelines on Violence against women and girls and combating all forms of discrimination against them (2008).

In East Jerusalem, the level of respect for fundamental rights is severely impacted by the Israeli occupation, which restricts several human rights and rights under international humanitarian law for the Palestinian population, including personal security and freedom of movement. The lack of accountability measures is very palpable.

Against this situation, the European Union policy has been repeatedly reflected in EU Council Conclusions, which recognise the centrality of Jerusalem for the Two States solution and that "the aspirations of both parties must be fulfilled and a way must be found through negotiations to resolve the status of Jerusalem as the future capital of both states"<sup>6</sup>. Moreover, the EU Foreign Affairs Council Conclusions on the Middle East Peace Process of January 2016 highlight the importance of complying with international humanitarian law and international human rights, including child protection and the importance of civil society. The Council Conclusions also stress that "settlement activity in East Jerusalem seriously jeopardizes the possibility of Jerusalem serving as the future capital of both States". This has been reiterated in the yearly Reports on Jerusalem, in which Israel's long standing policy of political, economic and social marginalisation of Palestinians in the City (since its de facto annexation in 1980) is considered in violation of Israel's obligations under International Humanitarian Law.

The Palestinian National Policy Agenda (NPA) 2017-2022 "Putting Citizens First" considers the expansion of Palestinian sovereignty over East Jerusalem as a priority and part of the overall national vision. Under the National Policy Pillar 1 - Path to Independence, the first national policy "Mobilizing national and international support" plans 1) to reassert sovereignty over the whole Occupied Palestinian territory based on the 1967 borders including East Jerusalem and 2) to establish and develop East Jerusalem as the capital of the future Palestinian State. The NPA further asserts the importance of working in East Jerusalem under Pillar 2; the national policy 8 "Improving Services to Citizens" includes "developing and implementing a government-wide service improvement strategy, with particular focus on "Area C" and East Jerusalem, in cooperation with our delivery partners".

Support to East Jerusalem also comes in line with the Palestinian Strategic Sectorial Development Plan for Jerusalem (SSDPJ 2018-2022), which contains 17 sectors of intervention for East Jerusalem, the primary objective of the plan being "East Jerusalem is the eternal capital of the State of Palestine, with all its life and work attracting political, social and economic components". The East Jerusalem programme is also aligned with the main objectives of the SSDPJ 2018-2022, namely: 1) enhancing the resilience of the Palestinians in East Jerusalem; 2) Protecting the rights and identity of the Palestinians in East Jerusalem and 3) Improving

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<sup>5</sup> [eu action plan on human rights and democracy 2020-2024.pdf \(europa.eu\)](#)

<sup>6</sup> [Statement by HR/VP Federica Mogherini on the announcement by US President Trump on Jerusalem - European External Action Service \(europa.eu\)](#)

the living conditions and the Palestinian economy and enhancing bonds between Jerusalem and its Palestinian environs.

Despite its relevance, the development strategy cannot change the fact that East Jerusalem suffers from the continued Israeli closure of Palestinian official institutions, of which the latest case was the Jerusalem Directorate of Education in 2019. Israeli authorities continue to arrest Palestinian officials in Jerusalem, such as the Governor and the Minister of Jerusalem Affairs, who were both detained and interrogated on numerous occasions in 2018, 2019 and 2020.

### **Complementarity, synergy and donor co-ordination**

The absence of Palestinian institutions in East Jerusalem and the lack of a clear development strategy for East Jerusalem make donor co-ordination also very difficult at operational level. The Office of the EU Representative (EUREP) is engaged in regular bi-lateral information-sharing with other European Development Partners as well as the most significant non-EU actors, i.e. UN agencies, the Welfare Association and the Islamic Development Bank.

The EU-led informal Working Group on East Jerusalem offers a forum for coordination and exchange of information on support provided to East Jerusalem by the EU and its Member States as well as like-minded donors. Nevertheless, donor co-ordination in East Jerusalem remains a challenge despite the political will of major donors and the joint political framework provided by the previous EUREP Report on Jerusalem.

The East Jerusalem multi-sectoral programme is complementary to the work done by the European Union in Tel Aviv (DELTA) which also supports East Jerusalem, through the channel of dedicated Israeli NGOs, and its action complements the work of the EUREP: activities implemented are tackling discriminatory practices from Israeli authorities, advocating for the rights of Palestinian East Jerusalemites towards the duty bearers. The East Jerusalem programme also complements other EU funded programmes – such as the European Union Peace Initiative (EUPI) - and projects under the bilateral envelope in support of the occupied Palestinian territory. Since 2013, through the PEGASE Direct Financial Support mechanism, the EU supports the Palestinian Authority in the payment of health referral bills to the six East Jerusalem hospitals. Through this mechanism, the EU provides crucial funding to avoid the collapse of the six East Jerusalem hospitals, which are amongst the few remaining Palestinian institutions in East Jerusalem and are providing key medical services to the Palestinian population. Those structures have been put under an even harder pressure by the COVID-19 pandemic.

The complementarity of the East Jerusalem Programme with the EU humanitarian activities is already a reality, as technical recommendations and assessments produced by the EU Humanitarian Office are often taken by East Jerusalem partners as a basis for their proposals. Regarding this new phase of the programme, potential synergies are especially strong when addressing the issues of human rights violations/discriminatory policies, support to the development of inclusive and well-equipped educational facilities, and capacity building of teachers and school managers (namely outputs 1.1, 3.1 and 3.2). Moreover, EU funds the Office of the United Nations for the Coordination of Humanitarian Affairs (OCHA), which monitor the situation in the Occupied territories including East Jerusalem, and publishes a set of statistical data useful to the whole donor community.

In the occupied Palestinian territories, the global objective of the Country-Based Support Scheme (CBSS) within the European Instrument for Democracy and Human rights instrument is to specifically strengthen the role of Palestinian civil society (CS) in the promotion and monitoring of human rights to increase the ownership of the local NGOs and support their own initiatives as to build their project management capacities as well as their capacities in promoting human rights and democracy. In its implementation, coordination with

the team in charge of the East Jerusalem programme is constant to optimize the available funds, as the European Instruments for Democracy and Human Rights (EIDHR) mostly focuses on West Bank and Gaza strip while the EJP will focus on human rights challenges related to the occupation of the city, and its effects in view of international humanitarian law.

Furthermore, this Action has noteworthy complementarities, partnerships and synergies with a number of EU Member States, for example, there is a strong complementarity with the programme "Strengthening resilience through education, economic inclusion and social cohesion of youth and young adults in East Jerusalem", which was commissioned in December 2019 by the Transitional Aid Department of the German Federal Ministry for Economic Cooperation and Development (BMZ).

Moreover, Gesellschaft für Internationale Zusammenarbeit (GIZ) is active in East Jerusalem in supporting private sector development. A specific action regarding increasing the value chain in tourism is being implemented in partnership with the EU in the framework of the East Jerusalem programme. Another partnership has been created between the East Jerusalem programme and the Belgian Development Agency ENABEL through a joint project that is part of ENABEL's larger programme targeting the education sector in East Jerusalem. Complementarity also exists with Sweden's development cooperation agency SIDA, which tries to reach the most vulnerable parts of the Palestinian population especially in Area C, East Jerusalem, Gaza and Hebron. Their strategy includes contributing to strengthened resilience, social viability and strengthening civil society. Activities in East Jerusalem include support to human rights, legal aid, cultural heritage, economic entrepreneurship, etc. In the same direction, both the EU and Swiss Development Cooperation (SDC) have established a new partnership through co-funding UNICEF's programme on human rights and legal defence for children in East Jerusalem.

Other key EU players – such as France through the Agence Française de Développement (AFD), with the AJIR project (Action for East Jerusalem's Identity and Resilience), have developed their own support to East Jerusalem. This support is channelled through NGOs, for an amount of EUR 8 million. The fact that France has chosen the same pillars for its support (identity and resilience) underlines the convergence of views and analysis regarding the nature of the support to provide to East Jerusalemites.

Considering the wide scope of interventions taking place in East Jerusalem, and the complexity of the context, the challenge is now to push the already existing coordination that exists to a new dimension, going further than joint actions on a case by case basis. This entails addressing together with EU Member States and European like-minded partners the issue of donor coordination, not only to optimize funding, but mostly in order to speak with one voice, especially when human rights issues are at stake, or when the action of a development partner is publicly challenged by external actors for non-substantiated reason.

In line with the Paris Declaration and the Accra Agenda for Action, harmonisation – i.e. "donor countries and organisations co-ordinate their actions, simplify procedures and share information to avoid duplication" – shall be pursued regarding East Jerusalem, through information sharing, notably in terms of programming cycle. The issue of avoiding double funding of partners should also be addressed, together with the existence of blind spots that could leave potential beneficiaries behind. Due to the extremely dual nature of aid projects implemented in the City and their sensitivity, a constant linkage should be kept between political and cooperation sections of the partners involved. Indeed, it is even more important to engage with EU Member States to ensure that the status quo on the City should remain. This is exerted by a coalition of EU partners engaged towards the respect of international law. In this regard, developing partnerships and actions with EU Member States is especially needed in East Jerusalem and can help European Development Partners working towards a Team Europe approach and reach the needed critical mass in order to ensure the implementation of the EU Foreign Affairs Council Conclusions on the Middle East Peace process and the Two States solution with Jerusalem as capital of the two states.

## EU added value

The European Union's strong commitment to further advancing universal values for all remains at the heart of its added value and leadership globally, which is reinforced in the EU's Action Plan on Human Rights and Democracy 2020-2024. This commitment is also strongly reflected in the EU's Council Conclusions regarding the Middle East Peace process, and the Two States solution.

The Action underlines that human rights, democracy and the rule of law, as well as a gender transformative approach, will remain at the heart of each project funded given that the challenges Jerusalemites face are essentially due to the absence of relevant protection mechanisms in regards to human rights violations.

Respect for human dignity, freedom, democracy, equality, the rule of law and respect for human rights will continue to underpin all aspects of the internal and external policies of the European Union, which is strongly demonstrated in this proposed Action .

Furthermore, the EU added value is also clearly demonstrated in two recent joint communications: the 9 February 2021 Joint Communication on a “Renewed partnership with the Southern Neighbourhood - a new Agenda for the Mediterranean”<sup>7</sup> in relation to its renewed commitment to “Rule of law, human and fundamental rights, equality, democracy and good governance, and the Joint Communication of 17 February 2021<sup>8</sup> on strengthening the EU's contribution to rules-based multilateralism, where the EU is vested in promoting global peace and security and defending fundamental rights, universal values and international law that form the bedrock of cooperative relations between countries and peoples. The EU is also committed to the implementation of the external dimension of the principles of the European Green Deal<sup>9</sup> and the Green Recovery to decouple economic growth from resource consumption and green-house-gas emissions.

EU's added value is clearly aligned with the East Jerusalem Programme (EJP) Action's overall objective and specific objectives, as well as the action's results, specifically output number 1 - Victims of human rights violations/discriminatory policies/laws (property, housing rights) better assisted (e.g. legal services and other forms of assistance).

The Palestinian National Policy Agenda is in line with the EU's values on democracy and human rights, specifically in National policy number 4: Upholding democratic principles, as well as national policy number 17 - Improving Access to Justice, where strengthening and implementing human rights legislation is one of its main policy interventions.

## 2.2. Problem Analysis

### 1) Systematic violations of human rights and international humanitarian law

International Humanitarian Law (IHL) and international human rights law apply in the Occupied Palestinian Territory (OPT), namely in Gaza and the West Bank, including East Jerusalem. Under the Fourth Geneva Convention and International Humanitarian Law (HL), Palestinian Jerusalemites should be protected by Israel. After occupying East Jerusalem in 1967, Israel annexed and began applying its domestic law to the area. It applied the 1952 Law of Entry to Palestinians from East Jerusalem and offered them permanent residency, allowing them to live, work, and receive benefits in Israel. However, that status can be withdrawn at the Interior Ministry's discretion or if one settles outside Jerusalem and cannot automatically be passed to one's

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<sup>7</sup> [joint communication renewed partnership southern neighbourhood.pdf \(europa.eu\)](#)

<sup>8</sup> [en strategy on strengthening the eus contribution to rules-based multilateralism.pdf \(europa.eu\)](#)

<sup>9</sup> [Communication on The European Green Deal | European Commission \(europa.eu\)](#)

children or non-resident spouse. Between the start of Israel's occupation of East Jerusalem in 1967 and the end of 2020, Israel revoked the permanent resident status of at least 14,701 Palestinians from East Jerusalem.

Among the most challenging human rights violations is the arbitrary detention, prohibited by international human rights law and humanitarian law. Previous reports on the arrest and detention of Palestinian children reflected concerns relating to the lack of adherence to international laws. In 2020, child protection AOR partners provided legal assistance to 284 Palestinian children arrested in East Jerusalem, while the actual number of all children detained and/or arrested by the Israeli authorities remains almost impossible to verify. Recent events of April-May 2021 have shown that human rights violations by settlers and extreme-right groups against East Jerusalemites were under-estimated by the police and the army of the occupying power, in a context which has seen several incidents including on hate speech and the storming of Al Aqsa Mosque on 10th May 2021.

## 2) A constant degradation of socio-economic indicators, worsened by the COVID-19 crisis

The COVID-19 crisis has had a major impact on the already low employment levels in the Occupied Palestinian Territory including East Jerusalem, especially in sectors that have been affected by social distancing measures, such as tourism and construction. With urban living conditions deteriorating further and the unemployment rate rising to 40-50% due to the collapse of economic activity and public life during lockdown periods, East Jerusalem is witnessing a severe economic and social crisis. It is estimated that, as compared to 2018, more than one-third of the participants in the workforce from EJ lost their jobs, either temporarily or permanently. In East Jerusalem, women's rights are not always recognised and women are frequently forced to face an unequal situation in terms of participation in the labour force and of remuneration. In 2018, before the COVID-19 crisis, it was estimated that only 19% of women were employed, earning an average of 41% less than men.

Moreover, the inequity of distribution of social determinants of health between Palestinians and Israeli became blatant, as Palestinians have become ill-equipped to deal with any public health crisis, even more the outbreak of a pandemic such as COVID-19. Social welfare and the provision of services for Palestinian East Jerusalemites are currently not fully covered by the Israeli Jerusalem Municipality, despite the fact that they pay their taxes.

## 3) Palestinian educational and cultural heritage specificities challenged

Classroom shortages are a constant problem in East Jerusalem and a large number of sub-standard and/or overcrowded facilities with substandard sanitation facilities are in use. As of September 2020, the shortage of classrooms stands at 3,794. Newly constructed Municipality schools will teach the Israeli curriculum. In addition, the Municipality offers measures that incentivise teachers and students to move from Palestinian public schools to Israeli education. The Palestinian Ministry of Education makes efforts to counter the challenges, offering financial assistance to schools that prefer not to move to the Israeli education system. Schools are also wary of receiving support from the PA, as it can be used as a pretext for their closure. In addition, children studying in schools located within the Jerusalem Old City frequently face school raids, schoolbag searches and arrests. Despite efforts over many years by Al Quds University, the issue of the university's status has not been resolved: degrees granted by the Al Quds University are not recognised in Israel, and cannot serve students looking for work in Israel.

When it comes to culture, since 2000, the Israeli authorities have shut down more than 42 Palestinian institutions in EJ for various reasons, ranging from "illegal" political affiliation to unpaid bills. The storming of two Palestinian cultural centres and the arrest of their directors on 22 July 2020 is a new development in

the cultural fight against Palestinian institutions in East Jerusalem, at a moment where building bridges and understanding each other is deeply needed.

#### 4) Lack of urban development, housing rights and environmental protection

In the Palestinian communities of East Jerusalem, the urban growth rate is 3.3%, while population density is an average of 13,500 capita per km<sup>2</sup>. These conditions have contributed to the lack of sound environmental governance and impede the use of best practice solutions to address natural resource scarcity and urbanization challenges. It remains almost impossible for Palestinians to obtain Israeli issued construction permits in East Jerusalem.

The situation in East Jerusalem continued to deteriorate throughout 2020 with the settlement expansion accelerating further, leading to an intensified coercive environment. Demolitions of Palestinian property increased compared to 2019, and were more geographically targeted in East Jerusalem and in areas around settlements. According to the United Nations Office for the Coordination of Humanitarian Affairs (OCHA), 174 structures were demolished in 2020 leaving almost 400 people displaced and affecting around 750 people.

According to international observers, Israeli authorities employ discriminatory zoning policies – without any real consultation of the population living in East-Jerusalem regarding, notably, urban planning issues - making Palestinian residential construction possible in only a tiny fraction of East Jerusalem and demolishing structures built without permits. Today, only 13% of East Jerusalem is zoned for Palestinian construction, a pre-condition for a permit to be issued by Israeli authorities, and most of these areas are already built up. Meanwhile, some 35% of East Jerusalem has been zoned for Israeli settlements.

#### Key cross-cutting issues:

The action aims for both women and men to participate equally in the economy. This implies that a specific effort is made in that direction by seeking to increase the share of female representation of the overall beneficiaries, to encourage hiring qualified female staff at beneficiary's premises, and to promote gender equality and target gender balance in institutions and businesses. Gender equality and women's empowerment are multipliers of sustainability. Ensuring gender-equal representation in environmental assessments and resource management ensures that diverse experiences and knowledge systems about the environment are integrated and ecosystem conservation and sustainable use of natural resources are enhanced. In this way, increasing gender equality and women's empowerment contribute to achieving the environmental dimension of the Sustainable Development Goals.

Because of the situation resulting from the occupation of East Jerusalem, Palestinian Jerusalemites are suffering from a lack of leadership and representation: the Palestinian authority is not allowed to operate in East Jerusalem, and working with the Municipality would be seen as against efforts to maintain the viability of a Two State solution with Jerusalem as a capital of two states. Ultimately, Palestinian Jerusalemites are deprived from citizenships in their home town. The impossibility to hold elections in East Jerusalem has been put forward by the Palestinian Authority (PA) to stop the electoral process that was supposed to take place end of May 2021, stressing again the centrality of Jerusalem.

Pressure on environment is proportionate to the scarcity of land, and the over-exploitation of natural resources. Garbage collection remains basic in East-Jerusalem, and selective sorting remains inexistent. Use of green energy does exist, but is limited to solar heating of water. Renewable energy accounts for around 4% of Israel's energy mix, around 65% of produced energy coming from fuel sources.

In the current COVID-19 context, digitalisation has become a new reality, especially in the education sector. There is a great need to harness digitalisation in order to identify and implement sustainable education reforms - also in the context of pursuing 21st century skills, especially those in line with the UN Sustainable Development Goals (SDGs).

Identification of main stakeholders and corresponding institutional and/or organisational issues (mandates, potential roles, and capacities) to be covered by the action:

The final beneficiary of the present action is the Palestinian population living in East Jerusalem, especially children, youth, women, vulnerable communities (including Palestinian refugees) and, more comprehensively, people whose fundamental rights are being violated. In the absence of formal Palestinian institutions in East Jerusalem (closed down by Israeli authorities since 2001), the key stakeholders remain primarily EU member states presents in the City (BE, DE, ES, FR, IT, DK, IRL, NL, PT, SE) and like-minded donors (NW and CH), community-based organisations (CBOs), local and international non-governmental organisations (NGOs) supporting East Jerusalem communities.

Civil society organisations – local as well as international - have suffered from growing isolation in the past ten years, as well as from a number of restrictive measures taken by the Israeli authorities. These measures have resulted in the closure and/or transfer of numerous Palestinian and/or international organisations to the West Bank, further weakening the Palestinian institutional and social fabric. Therefore, the EJ programme tries to counter these measures by supporting the activities of the few remaining Palestinian institutions/organisations and increasing support to community-based organisations, especially since the PA has minimal reach in East Jerusalem. Discussions have been held with interested partners on possible interventions. Feedback given on specific ideas put forward has been taken into account in the development of viable interventions that correspond to the identified priorities.

There are different dynamics between the various types of organisations depending on their experience as well as the sectors they are involved in. For example, there are some strong and well experienced international organisations that work with and support local organisations, in particular those working on advocacy and/or legal aid since they face close scrutiny from the Israeli authorities. These international organisations also have an important role to play when it comes to awareness raising and advocacy.

It is worth noting that EU Member States and other European development partners have played an important role in East Jerusalem through building synergies, complementarities and/or partnerships. Examples of European Development Partners and their agencies that are working, or are planning to work, in East Jerusalem include Belgium (ENABEL), Germany (GiZ /BMZ), Ireland , France (AFD), Sweden (SIDA), Norway and Switzerland (SDC).

The EU engages directly with the Office of the President of the Palestine Liberation Organisation (PLO) on matters related to EU support to East Jerusalem. Moreover, the Action will continue to ensure participation of civil society organisations in development and monitoring of strategies in order to ensure accountability and transparency.

### **3. DESCRIPTION OF THE ACTION**

#### **3.1. Objectives and Expected Outputs**

The Overall Objective (Impact) of the East Jerusalem programme is to "maintain the viability of the two-state solution, with Jerusalem as capital of two states", in line with the European Union Council Conclusions on

the Middle East Peace Process, by preserving the Palestinian identity of East Jerusalem and of its inhabitants and by strengthening the resilience of the Palestinian population of East Jerusalem.

The Specific Objectives (Outcomes) of this action are:

1. Human rights and international human rights laws are upheld
2. Socio-economic development is promoted
3. Palestinian educational and cultural identity and heritage are promoted
4. Urban planning, housing and environmental rights are protected

The Outputs to be delivered by this action contributing to the corresponding Specific Objectives (Outcomes) are :

1.1 Contributing to Specific Objective 1 - Victims of human rights violations/discriminatory policies/laws better assisted

1.2 Contributing to Specific Objective 1 - Capacity, protection and security of HR defenders and civil society organisations enhanced

1.3 Contributing to Specific Objective 1 - Public awareness and debate on HR violations/discriminatory laws and policies increased

2.1 Contributing to Specific Objective 2 - Strengthened capacities of local producers and SMEs

2.2 Contributing to Specific Objective 2 - Modern, innovative and market driven Technical Vocational Education and Training (TVET) educational and training programmes implemented

2.3 Contributing to Specific Objective 2 - Provision of social welfare services increased

3.1 Contributing to Specific Objective 3 - Availability of inclusive, well-equipped educational facilities increased

3.2 Contributing to Specific Objective 3 - Capacities of teachers/school management enhanced

3.3 Contributing to Specific Objective 3 - Cultural and historical sites are preserved and/or revitalized

3.4 Contributing to Specific Objective 3 - Diversity of East Jerusalem cultural scene is reinforced

4.1 Contributing to Specific Objective 4 - Eco-friendly practices and services promoted

4.2 Contributing to Specific Objective 4 - Urban and housing rights are promoted

### **3.2. Indicative Activities**

This action is to intervene in a number of priority sectors identified in co-operation with civil society, EU Member States, and the Office of the President of the PLO, and in line with the recommendations of the previous EU Heads of Missions' Reports on Jerusalem.

All projects to be included in the next phase of the East Jerusalem Programme will be fully consistent with the underpinning Rights-Based Approach to development adopted by the programme, which is one of the distinctive trademarks since its inception and a strong focus on strengthening communities aimed at improving the sustainability of EU funded actions. This will be achieved through targeted actions in the following expected results in line with the previously mentioned frameworks, strategies and plans. In addition, the Action will also take into consideration supporting the needed efforts related to the COVID19 crisis within all targeted sectors.

The indicative activities are as follows:

## **1. In relation to Specific Objective 1 - Human rights and international human rights laws are upheld**

Activities related to Output 1.1: Victims of human rights violations/discriminatory policies/laws better assisted

(i) Local and international legal defence of basic human rights of the Palestinian population of East Jerusalem, including but not limited to residency, land ownership and property rights, child protection especially children in detention, family reunifications, forced transfer; (ii) Supporting detained/tortured/house-arrested/community-service-sentenced youth Palestinian Jerusalemites and their families; (iii) support vulnerable women victims of gender based violence.

Activities related to Output 1.2: Capacity, protection and security of HR defenders and civil society organization enhanced

(iv) Support to human rights defenders; (v) increase the knowledge and engagement of local and international communities as well as Human Rights Defenders through media, advocacy enabling them to hold related duty bearers accountable;

Activities related to Output 1.3: Public awareness and debate on HR violations/discriminatory laws and policies increased

(vi) Awareness raising through which men and women, especially youth, will be effectively engaged in international and local dialogues to improve fundamental freedoms and human rights in East Jerusalem; (vii) highlighting, challenging and advocating for the change of discriminatory laws and policies (viii) highlighting lack of representation and creating youth leadership.

## **2. In relation to Specific Objective 2 - Socio-economic development is promoted.**

Activities related to Output 2.1: Strengthened capacities of local entrepreneurs and SMEs

(i) Technical assistance, building the capacity and improving skills to increase employability and competitiveness of local entrepreneurs , with particular attention to female entrepreneurs; (ii) Promoting entrepreneurship and start-up businesses (including but not limited to innovative, modern and IT related businesses) looking forward to the digitalization and greening of local economy, with special focus on female and marginalized start-ups; (iii) Supporting Small and Medium Enterprises (SMEs) through targeted small scale investments; (iv) Supporting the promoting of East Jerusalem as major touristic destination;

Activities related to Output 2.2: Modern, innovative and market driven TVET educational and training programmes implemented

(v) Offering modern, innovative and market driven TVET educational & training programmes, including but not limited to the field of tourism and digitalisation; (vi) awareness raising on the importance of the TVET and digitalization approach for career development.

Activities related to Output 2.3: Provision of social welfare services increased

(vii) Promoting healthy and safe environments for the most vulnerable communities in the City, with special attention to women, children and people with special needs and disabilities; (viii) facilitating access to services for children and people with special needs and their families, especially community-based mental health and

psychosocial support; (ix) Supporting preventative measures to deter and treat drug abuse especially among youth in East Jerusalem

### **3. In relation to Specific Objective 3 - Palestinian educational and cultural identity and heritage are promoted**

Activities related to Output 3.1 Availability of inclusive, well-equipped educational facilities increased

(i) Creating and/or enhancing safe and inclusive educational environment, facilities and equipment; (ii) refurbishing premises and optimizing facilities, including digitalization;

Activities related to Output 3.2 Capacities of teachers/school management enhanced

(iii) Improving the skills of teachers/school management;

Activities related to Output 3.3 Cultural and historical sites are preserved and/or revitalized

(iv) preserving cultural and historical sites with a special focus on the Old City and the surrounding area and the institutions in charge of their preservation;

Activities related to Output 3.4 Diversity of East Jerusalem cultural scene is reinforced

(v) Supporting cultural, arts and music activities, and co-ordination amongst cultural related organizations in the City for a living and active Palestinian cultural scene; and (vi) Strengthening co-operation between cultural organizations and if possible, develop inclusive cultural activities.

### **4. In relation to Specific Objective 4 - Urban planning, housing and environmental rights are protected**

Activities related to Output 4.1 Eco-friendly practices and services promoted

(i) Awareness raising among the population of East Jerusalem with regard to environmental challenges and housing, their interconnectedness and consequences; (ii) support to circular economy pilot activities that lead to behavioural changes at the local level; (iii) encourage recycling activities, and transitional measures towards clean eco-friendly solutions, both at the level of households and businesses (use of nature based solutions); (iv) support activities aimed at increasing public green spaces within urban areas;

Activities related to Output 4.2 Urban and housing rights promoted

(v) local and international awareness raising, lobbying, advocacy regarding discriminatory urban planning challenges and house demolitions policies, their interconnectedness and consequences; (vi) coordination between key players on the urban planning/data collection/property rights/house demolition ; (vii) new options for housing solutions and funding (including but not limited to blending/guarantee mechanisms) are explored.

#### **3.3. Mainstreaming**

Good governance principles are entrenched in the implementation mechanism and projects' ownership from the Palestinian civil society is ensured. Furthermore, good governance and the use of local systems are embedded in the design of each initiative of this action.

It is also worth noting that the Action will take the necessary measures to support all efforts against the COVID-19 crisis.

## **Environmental Protection, Climate Change and Biodiversity**

Outcomes of the Environmental Impact Assessment (EIA) screening

The EIA screening classified the action as Category C (no need for further assessment) as the Action is primarily centred on support to human rights, advocacy and awareness raising activities, development of services in East Jerusalem.

Outcome of the Climate Risk Assessment (CRA) screening

The CRA screening concluded that this action is at no or low risk (no need for further assessment).

Nevertheless, the Action will be implemented in compliance with the external dimension of the principles of the European Green Deal and the Green Recovery to decouple economic growth from resource consumption and green-house-gas emissions, including through awareness raising activities and small-scale pilot activities focusing on environmental challenges.

## **Gender equality and empowerment of women and girls**

As per OECD Gender DAC codes identified in section 1.1, this action is labelled as G1. This implies that in line with the priorities of the EU Gender Action Plan III 2021-2025 (GAP),<sup>10</sup> the Action will have direct or indirect activities on: a) freedom from all forms of gender-based violence, b) promotion of sexual and reproductive health and rights, c) strengthening of economic and social rights and empowerment of women and girls, d) advancement of participation and leadership.

Gender equality will be promoted in every action of the Programme and gender-disaggregated data will be produced and used when possible. The interventions will enhance girls' access to educational/extra-curricular activities as well as women's participation in economic empowerment initiatives that will promote their professional skills and employment opportunities. They will also be supported by legal counselling/aid, which will enhance their legal protection for family reunification, and against house demolitions, evictions and residency right's revocation. Advocacy initiatives will enhance their knowledge of their human rights and make their situation more widely known to the public, both locally and internationally.

## **Human Rights**

The Rights-Based Approach is central to each project undertaken under this Action given that the challenges faced by Palestinian Jerusalemites are essentially due to the prevailing human rights violations and the absence of relevant protection mechanisms. The action is fully in line with the "Human Rights Policy framework including the new EU Action Plan on Human Rights and Democracy (2020-2024)", the EU Guidelines on the Promotion and Protection of the Rights of the Child (2017), the EU Human Rights Guidelines on Freedom of Expression Online and Offline - 2014; EU Human Rights Guidelines on Children and armed conflict - 2008 and EU Guidelines on the Promotion and Protection of the Rights of the Child - Leave no Child Behind -2017; EU Guidelines on promoting compliance with International Humanitarian Law (IHL), EU Guidelines on Human Rights Defenders (2008), Guidelines to EU policy towards non-EU countries on torture and other cruel, inhuman or degrading treatment or punishment - 2016 and the EU Guidelines on Violence against women and girls and combating all forms of discrimination against them (2008).

## **Disability**

As per OECD Disability DAC codes identified in section 1.1, this action is labelled as D1. This implies that disability will be a significant objective of the action.

## **Democracy**

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<sup>10</sup> [https://ec.europa.eu/international-partnerships/system/files/join-2020-17-final\\_en.pdf](https://ec.europa.eu/international-partnerships/system/files/join-2020-17-final_en.pdf)

Due to the unique situation prevailing in East-Jerusalem, Palestinian East Jerusalemites suffer from a lack of political representation. In its implementation, the EJP will focus on community-based organisations and internal coordination between partners active in the same fields, in order to ensure that voices of East Jerusalemites are heard, despite the current vacuum. Establishing communication channels, in a context where violence is sometime perceived as the only way to be heard, is of paramount importance. The diversity of partners with which the EJ Programme engage, together with the wide spectrum of activities to cover will ensure that channels for exchanges and discussion are opened and that challenges are identified and addressed to the best, given the current context.

### **Conflict sensitivity, peace and resilience**

European Development Partners have been working to operationalise the Humanitarian-Development-Peace nexus (triple nexus). In the triple nexus, East-Jerusalem deserves specific attention, as recent outbursts of violence focusing on symbolic places in the Old City (notably Damascus Gate and Al Aqsa mosque) during the Ramadan 2021 period, has shown that underlying tensions between young Palestinian Jerusalemites and extremist Israeli settlers are very high. Easing the tensions implies addressing the socio-economic issues faced by Palestinian Jerusalemites following a Right-Based Approach. A conflict analysis, required by the NDICI regulation, was launched in July 2021.

### **Disaster Risk Reduction**

N/A

### 3.4 Risks and Lessons Learned

Category	Risks	Likelihood (High/Medium/Low)	Impact (High/Medium/Low)	Mitigating measures
1 – external environment	Negative political developments leading to increased violence.	H	H	Maintain recourse to use of European organisations and UN agencies.
1 – external environment	Increased Israeli human rights violations and isolation of East Jerusalem	H	H	Continue to apply the Rights Based Approach as approved by the UN Resolutions and EU Council conclusions in all projects under the East Jerusalem programme
1 – external environment	Hardened Israeli policies on the access of people and goods to Jerusalem.	H	H	- Maintain pressure to facilitate access between East Jerusalem and the West Bank. - Maintain continuous coordination with donors and increase communication on overall EU and EU Member States support to East Jerusalem.
1 – external environment	New Israeli regulations and processes might extend delays and impact implementation	H	H	- Dialogue with other EU Member States, other donors and diplomatic missions  Direct and -indirect management, close project monitoring.
1 – external environment	Continued absence of Palestinian political institutions in East Jerusalem	H	H	- Increase efforts to coordinate with the EU Delegation in Tel Aviv with regards to allowing the functioning of Palestinian institutions in East Jerusalem
1 – external environment	Continued COVID19 crisis	L	M	Encourage partners to continue working on mitigation measures and alternative plans for implementation of activities:
2 – project implementation	Fraud and mismanagement of EU funding	L	H	Increased monitoring of activities (attendance of the East-Jerusalem steering committees, expenditure verifications, on the spot checks, field visits)

#### Lessons Learned:

Lessons learned have been drawn from the previous year's project evaluations, independent sectoral studies and consultations with civil society organisations and other donors provide useful feedback on the Programme. Furthermore, results from Results Oriented Monitoring complement lessons learned that can be summarised as follows:

- While the EU shall maintain its method of implementation working through partnerships between international and local organisations, it should continue working directly with Palestinian partners whenever possible;
- The EU must maintain flexible and creative means of implementation, including but not limited to allowing for retroactive funding of activities especially in light of the emergency situation in East Jerusalem;
- The EU should further enhance co-ordination of on-going operations and other donors, including Member States, in order to avoid duplication and increase the potential for synergies among actions;
- The EU should increase - when feasible - well-structured and active efforts aimed at promoting visibility and awareness of EU funding in East Jerusalem. However, with the possibility of allowing for the partners to obtain a derogation from the EU rules of communication and visibility, or to request the total or partial confidentiality of their contract;
- There is a pressing need for EU funded actions to better support strategic communication promoting international humanitarian and human rights law, together with ensuring that the public and European citizens receive fair and un-biased information regarding the challenges, the activities and the beneficiaries of the programme;

In recent years, the East Jerusalem Programme, originally implemented through local and international NGOs, has evolved to also work with international organisations (UN-Habitat, UNICEF, UNDP) and with Member States (BE/ENABEL, DE/GIZ). In this regard, the EU could play a fundamental role in enhancing coordination among the single national programmes. These partnerships have been developed on a case-by-case basis, according to the evolution of the situation on the ground - which remains highly unpredictable - and the specific added-value of each partnership. Overall, these innovative partnership mechanisms have proven their efficiency, and make the case for stronger coordination between EUREP and Member States, as to share views regarding the situation on the ground, optimize funding allocations, and avoid duplication of efforts.

### **3.4. Intervention Logic**

In coordination with EU Member states and all the stakeholders involved, the EU will support targeted actions foreseen in the four following key sectors: (i) human rights and international human rights law are enforced; (ii) socio-economic support is provided; (iii) inclusive Education and the Palestinian cultural heritage are maintained; and (iv) urban planning, housing and environmental rights are protected.

In the unique adverse context of East-Jerusalem, in which no formal relations with neither the occupying power nor the municipality of Jerusalem are possible, and in which the Palestinian institutions are not allowed to operate, the programme intends to maintain the internationally-agreed *statu quo* on the future of the City. This implies to prevent demographic changes and the creation of irreversible situations (e.g. loss of Palestinian character) in East Jerusalem.

In this context, the programme has developed through time a methodology, and is working with a series of partners that are helping to fill the gaps in terms of provisions of civil services in order for Palestinian Jerusalemites to be able to live in their home city. Since institutional partners are not able to operate, the programme is being implemented by a network of NGOs that together are able to address a set of core issues reflected in the section “problem analysis” of this Action Document. For specific challenges requesting

specific competences, the programme also operates with EU Member State agencies and/or international organisations.

These will strengthen the resilience of the Palestinian residents of East Jerusalem (especially vulnerable groups such as women and youth who are key target groups) and will allow them to be better equipped and united in facing the challenges of living in East Jerusalem and pressure of the Israeli authorities. Furthermore, advocacy and awareness raising activities will support reducing barriers imposed by the occupation and strengthen the ties of East Jerusalem with the West Bank. Through a Rights-Based Approach applied to activities across sectors, Jerusalemites will be empowered to better combat the discriminatory policies which aim to reduce the Palestinian presence in the city. By fostering small and medium enterprises (SMEs), notably in the tourism sector, the local economy will be strengthened to provide job opportunities and the youth will not have to resort to options elsewhere. Supporting cultural heritage and restoration and rehabilitation in and around the heart of the Old City, will equally help to preserve the Palestinian character of the city and the identity of Palestinians.

All such measures will assist in maintaining the Palestinian presence on the ground, which will contribute to maintaining the viability of the Two State solution with Jerusalem as the capital of the two states. The main assumption of the programme is that there will not be any further deterioration of the political situation, and that no further obstacles will be imposed on our implementing partners, either NGOs, international organizations or EU Member States agencies. Other assumptions include: Access to school staff and students is not permanently hampered by closures, clashes, road- blocks or check-points. The status quo on the on historical sites remains unchanged. Restorations in the Old City do not change its identity. The space for cultural organizations does not further shrink. Cultural organizations are still committed to working with each other. SMEs see an interest in developing alternative sources of energy, East Jerusalemites are interested in environmental issues and are able to implement actions.

### 3.5. Indicative Logical Framework Matrix

Results	Results chain: Main expected results (maximum 10)	Indicators: (at least one indicator per expected result)	Baselines (2021 unless stated otherwise)	Targets (2024)	Sources of data	Assumptions
Impact	Maintain the viability of the two-states solution with Jerusalem as the capital of two states by strengthening the resilience of the Palestinian population of East Jerusalem and preserving the Palestinian character of East Jerusalem	1. Ratio of Palestinian population living in East Jerusalem	1. 38 % (M/F)	1. 38% (M/F)	- Central Bureau of Statistics (Israel)	<i>Not applicable</i>
		2. % of Palestinian households living under the poverty line in Jerusalem	2. 72 % Palestinians living under the poverty line	2. 70 %	- Statistics from PCBS	
Outcome 1	1. Human rights and international human rights laws are upheld	1.1 system of discriminatory laws and regulation in East Jerusalem analysed and exposed	1.1 Baseline : 0	1.1 A comprehensive analysis is produced and disseminated	- MSDS (2018-2022) -Statistics/reports from Palestinian institutions in Jerusalem - Partners' reports -Israeli human Rights institutions	No further deterioration in the political situation, and that no further obstacles will be imposed on our implementing partners, either NGOs, international organizations or EU Member States agencies.
		1.2 International Duty Bearers/Opinion formers (MPs/MEPs, officials, advisors, other opinion-makers)	1.1 Baseline: 99	1.1 Target: 158 (50%male/female)	Partners' reports	

		1.3 Number of children in detention and house arrests provided with legal aid	1.3 children currently in detention = at least 384 (of which, 383 M and 1F)	1.3 Target: (400 children supported/year) (95% male, 5% female)	UNICEF	
		1.4 Number of Palestinian East Jerusalemites suffering from human rights violations	1.4 Baseline: 3059 people	1.4 Target: TBD	- Civil society organizations reports - Court rulings - partners' reports	
<b>Outcome 2</b>	2. Socio-economic development promoted	2.1 Number of supported entrepreneurs who report an increase in economic activity or income	2.1 Baseline: 134	2.1 Target: 50 SMEs supported	- Partners' reports	No further deterioration in the political situation.
		2.2 % of TVET participants who find a job (self-employed or employed)	2.3 Baseline: 93%	2.3 Target: 70% (M/F)	- Partners' reports	No further regulatory
		2.3 % of Palestinians supported through various social welfare programmes	2.4 Baseline: 257 760 people under the poverty line in EJ	2.4 Target: support 5% (out of which at least 50% women)	- Partners' reports	/custom obstacles imposed on local economic activities
<b>Outcome 3</b>	3. Palestinian educational and cultural identity and heritage promoted	3.1 Number of children (including children with special needs) attending East Jerusalem schools with modified curriculum	3.1. Baseline: 85 000 i.e. 24% of East Jerusalem population	3.1. Target: ratio remains at the same level by 2024	- Partners' reports - PCBS	No further deterioration in the political situation.
		3.2 Number of educational facilities adopting inclusive teaching methodologies	3.2 Baseline: 16	3.2 Target: minimum 10	- Partners' reports	No further obstacles imposed on
		3.3 Status of recognition of Palestinian cultural sites	3.3 Baseline: statu quo regarding Waqf	3.3 Target: maintaining statu quo	- Partners' reports	local and

			and Christians properties enforced	regarding Waqf and Christians properties remains enforced		International NGOs by Israel.
<b>Outcome 4</b>	4. Urban planning, housing and environmental rights are protected	4.1 Renewable energy generation capacity installed (equipment)	4.1 Baseline: 0	4.1 Target: 50	- Partners' reports	No further deterioration in the political situation.  No further obstacles imposed on local and International NGOs by Israel.
		4.2 Number of Palestinians with improved awareness on environmental challenges	4.2 Baseline: 40 000	4.2 Target: 40 000	- Partners' reports	
		4.3 Number of consultations for inclusive urban plans	4.3 Baseline : no formal consultation	4.3 Target : consultation mechanism established	- Public documents and partners' report	
		4.4 Number of households protected against forced eviction	4.4 Baseline : 391 displaced people (2020)	4.4 Target :	- Public information - - Partners' reports - OCHA	
		4.5 Number of demolition cases supported by legal aid	4.5 : baseline : 96 houses demolition cases supported	4.5 Target : 125 household demolition cases	- Public information - - Partners' reports	
<b>Outputs related to Outcome 1</b>	1.1 Victims of human rights violations / discriminatory policies/laws better assisted (e.g. legal services and other forms of assistance)	1.1.1 Number of EJ Palestinians victims of human right violations directly benefitting from assistance funded by the EU	1.1.1 Baseline: 3059 people	1.1.1 Target: 6000 people	-Israeli Human Rights organisations - Partners' reports	No further deterioration in the political situation.  No further obstacles imposed on
		1.1.2 GBV cases documented (90% female)	1.1.2 Baseline : 82	1.1.2 Target : 50 GBV cases are reported		
	1.2 Capacity, protection and security of HR defenders and	1.2.1 Number of HR defending organizations	1.2.1 Baseline: 4	1.2.1 Target: minimum 4	- Grant contracts signed by the	

	civil society organisation enhanced	benefiting from capacity development			EUREP with HR NGOs.	local and International NGOs by Israel.
	1.3. Public awareness and debate on HR violations/laws/discriminatory laws and policies increased	1.3.1 Number of people reached through awareness campaigns on the discrimination system	1.3.1 Baseline: 0	1.3.1 Target: 50 000	-Partner's reports -publications on social networks	
		1.3.2 Number of news articles documenting discriminatory laws/policies appearing in news/social media	1.3.2 Baseline: 0	1.3.2 Target: 50/year	- Partner's reports - publications on social networks	
<b>Outputs related to Outcome 2</b>	2.1.1 Strengthened capacities/skills of local producers/entrepreneurs	2.1.1 Number of local SMEs benefiting from capacity development (soft skills)	2.1.1 Baseline: 50	2.1.1 Target: 30	-Statistics/reports from Palestinian institutions in Jerusalem - Partners' reports	No further deterioration in the political situation.
	2.1.2 Strengthened capacities/skills of local producers/entrepreneurs	2.1.2 Number of SMEs whose productive capacity is developed (small grants)	2.1.2 Baseline: 50	2.1.2 Target: 100	- Partners' reports	
	2.2 Modern and market driven TVET educational and training programmes implemented	2.2.1 Number of people benefiting from TVET programmes	2.2.1 Baseline: 3726	2.2.1 Target: 3000 (at least 50% women)	- Partners' reports	No further regulatory/custom obstacles imposed on local economic activities
	2.3 Provision of social welfare services increased	2.3.1 Number of people receiving welfare support through programme support	2.3.1 Baseline: 0	2.3.1 Target: 26 000 (at least 50% women)	- Partners' reports	
	3.1 Availability of inclusive, well-equipped educational facilities increased	3.1.1 Number of new/renovated classrooms in an inclusive manner	3.1.1 Baseline: 279	3.1.1 Target: 200 (3 years)	- Partners' reports	No political obstacles – schools remain

		3.1.2 Number of schools equipped for ICT skill development	3.1.2 Baseline: 3	3.1.2 Target: 10	- Partners' reports	open and work with the Palestinian curriculum. Access to school staff and students is not permanently hampered by closures, clashes, road-blocks or check-points.
	3.2. Capacities /skills of teachers/ school management enhanced	3.2.1 Number of trained teachers who indicate improved knowledge of inclusive teaching methodologies	3.2.1 Baseline: 103	3.2.1 Target: 200 (at least 50% women)	- Partners' reports	
	3.3 Cultural and historical sites are preserved and/or revitalized	3.3.1 Number of cultural and historical buildings/sites preserved/revitalized	3.3.1 Baseline: 2	3.3.1 Target: 2	- Partners' reports	The <i>statu quo</i> on the on historical sites remains unchanged. Restorations in the Old City do not change its identity.
		3.3.2 Number of people reached by awareness campaigns on importance of preserving cultural/historical sites	3.3.2 Baseline: 10 000	3.3.2 Target: 50 000	- Partners' reports - Communication activities	
	3.4 Diversity of East Jerusalem cultural scene is reinforced	3.4.1 Number of inclusive cultural events	3.4.1 Baseline: 0	3.4.1 Target : 2 event/year	- Partners' reports	The space for cultural organisations does not further shrink. Cultural organisations are still committed to

						working with each other
<b>Outputs related to Outcome 4</b>	4.1 Eco-friendly practices and services promoted	4.1.1 Number of SMEs investing in sustainable energy solutions. (SMEs benefiting from matching grants)	4.1.1 Baseline: 0	4.1.1 Target: 30	-Statistics/reports from Palestinian institutions in Jerusalem - Partners' reports	SMEs see an interest in developing alternative sources of energy East Jerusalemites are interested in environmental issues and are able to implement actions. No further deterioration in the political situation, and that no further obstacles will be imposed on our implementing partners, either NGOs, international organizations or EU Member States agencies.
		4.1.2 Number of people reached by awareness campaigns on environmental issues	4.1.2 Baseline : 0	4.1.2 Target : 50 000	- Partners' reports	
	4.2 Urban and housing rights promoted	4.1.3 Urban planning of East Jerusalem is done through consultations	4.1.3 Baseline: No official consultations of EJ among specialized partners	4.1.3 Target: Involving the Palestinian formal institutions esp. (PLO) in Regular consultations embedded in urban planning procedures	- Partners' reports - meeting minutes	
		4.1.4 Number of new green spaces within urban areas developed	4.1.4 Baseline: 11	4.1.4 Target: at least 5	- Partners' reports - Field visits	
		4.1.5 Coordination mechanism on urban issues is created	4.1.5 Baseline: 0	4.1.5 Target : coordination mechanism meets 2 times/year	- meeting minutes	
		4.1.6 Number of Palestinians whose housing, land and property (HLP) rights as well as residency rights are	4.1.6 Baseline: 80 people benefited from land registration services	4.1.6 Target: minimum 80	- Partners' reports	

		violated, receiving legal assistance and protection				
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## **4. IMPLEMENTATION ARRANGEMENTS**

### **4.1. Financing Agreement**

In order to implement this action, it is envisaged to conclude a financing agreement with the partner country.

### **4.2. Indicative Implementation Period**

The indicative operational implementation period of this action, during which the activities described in section 3 will be carried out and the corresponding contracts and agreements implemented, is 48 months from the date of entry into force of the financing agreement adoption by the Commission of this Financing Decision.

Extensions of the implementation period may be agreed by the Commission's responsible authorising officer by amending this Financing Decision and the relevant contracts and agreements.

### **4.3. Implementation Modalities for Project modality**

The Commission will ensure that the EU appropriate rules and procedures for providing financing to third parties are respected, including review procedures, where appropriate, and compliance of the action with EU restrictive measures<sup>11</sup>.

#### **4.3.1. Direct Management (Grants)**

##### **a) Purpose of the grant(s)**

The grants will contribute to the realisation of the four specific objectives of this action.

Particular attention will be paid to prevent that EU-supported activities contribute to incitement to hatred and/or violence (through full compliance with the 2019 amended respective Guideline). Implementation of this action will be in line with the intent of the EU Framework Decision on racism and xenophobia.

The EU should increase - when feasible - well-structured and active efforts aimed at promoting visibility and awareness of EU funding in East Jerusalem. However, given the sensitivity of the implementation of some actions and to guarantee the security of local partners/applicants, confidentiality of the contract, or derogation from the rules of communication and visibility may be granted, if requested by the applicant.

##### **(b) Type of applicants targeted**

Formally established legal entities, which are: Non-Governmental Organisations (NGOs), international NGOs, non-for-profit organisations; public bodies; and economic operators - among others - are equally eligible<sup>12</sup>.

##### **(c) Justification of a direct grant**

Under the responsibility of the Commission's authorising officer responsible, the grant may be awarded without a call for proposals to entities complying with the criteria under point (b) above selected using at least

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<sup>11</sup> [www.sanctionsmap.eu](http://www.sanctionsmap.eu) Please note that the sanctions map is an IT tool for identifying the sanctions regimes. The source of the sanctions stems from legal acts published in the Official Journal (OJ). In case of discrepancy between the published legal acts and the updates on the website it is the OJ version that prevails.

<sup>12</sup> Guidelines on the eligibility of Israeli entities and their activities in the territories occupied by Israel since June 1967 for grants, prizes and financial instruments funded by the EU from 2014 onwards (OJ C 205, 19.7.2013, p. 9)

one of the following criteria: a) Experience in being operational in East Jerusalem area; b) Specific knowledge in the field addressed in the objectives listed above; c) Previous experience in managing similar projects in the related fields; and d) Relevant technical expertise.

Under the responsibility of the Commission's authorising officer responsible, the recourse to an award of a grant without a call for proposals is justified because the West Bank and Gaza Strip have been acknowledged to be in a "crisis situation". This is in line with Article 195 (a) of the Financial Regulation.

#### **4.3.2. Direct Management (Procurement)**

Procurements will contribute to the four specific objectives of the EJ programme which are to support the resilience of the Palestinian population, and safeguard the cultural identity of the City.

#### **4.3.3. Indirect Management with a pillar-assessed entity**

A part of this action may be implemented in indirect management, based on the nature of the action, with an entity which will be selected by the Commission's services using the following criteria: (i) access, outreach and strong relationships with the local community, CBOs and other local/international NGOs in East Jerusalem; ii) in-depth sectoral expertise, alongside extensive knowledge of the development of the specific sector in which its expertise is held in the Palestinian context in East Jerusalem; (iii) proven experience in working in East Jerusalem (or similar conflict contexts) and preferably in managing EU funds; (iv) strong added value in the field of expertise that is difficult to match by local/international organizations; and (vi) has the ability to implement sensitive projects that other local/international NGOs might not be able to implement due to certain political sensitivities.

The implementation by this entity entails the development and implementation of public policies/civic services provisions in the vacuum created by the situation in East-Jerusalem. This comes in line with the four specific objectives of the programme as well as the outcomes and outputs described in section 3.

#### **4.3.4. Changes from indirect to direct management (and vice versa) mode due to exceptional circumstances (one alternative second option)**

Where, due to circumstances beyond the Commission's control, the implementation of indirect management with Member State organizations and/or International Organizations does not materialise, the alternative implementation modality in direct management will be grants with Non-Governmental Organisations (NGOs), international NGOs, non-for-profit organisations; and economic operators as per modality described under 4.3.1.

### **4.4. Scope of geographical eligibility for procurement and grants<sup>13</sup>**

The geographical eligibility in terms of place of establishment for participating in procurement and grant award procedures and in terms of origin of supplies purchased as established in the basic act and set out in the relevant contractual documents shall apply, subject to the following provisions.

The Commission's authorising officer responsible may extend the geographical eligibility on the basis of urgency or of unavailability of services in the markets of the countries or territories concerned, or in other

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<sup>13</sup> The geographical component will promote partnerships through cooperation with partner countries in the following regions: the European Neighbourhood, sub-Saharan Africa, Asia and the Pacific, and the Americas and the Caribbean.

duly substantiated cases where application of the eligibility rules would make the realisation of this action impossible or exceedingly difficult (Article 28(10) NDICI-Global Europe Regulation).

#### 4.5. Indicative Budget

Indicative Budget components	EU contribution (amount in EUR) 2021	EU contribution (amount in EUR) 2022	EU contribution (amount in EUR) 2023	Total EU Contribution (amount in EUR)	Indicative third party contribution, in EUR	Total In EUR
- Grants (direct management) – section 4.3.1	8 575 000	8 950 000	8 875 000	<b>26 400 000</b>	2 640 000	29 040 000
- Procurement (direct management) –section 4.3.2	150 000	0	0	<b>150 000</b>	0	150 000
- Indirect management with EU Member States /international organisations- section 4.3.3	3 000 000	3 000 000	3 000 000	<b>9 000 000</b>	4 500 000	13 500 000
<b>Evaluation</b> (section 5.2)	0	0	75 000	<b>75 000</b>	0	75 000
<b>Audit/Expenditure verification</b> (section 5.3)	50 000	50 000	50 000	<b>150 000</b>	0	150 000
<b>Communication and visibility</b> (section 6)	225 000	0	0	<b>225 000</b>	0	225 000
<b>Contingencies</b>	0	0	0	<b>0</b>	0	0
<b>Total</b>	12 000 000	12 000 000	12 000 000	<b>36 000 000</b>	7 140 000	43 140 000

#### 4.6. Organisational Set-up and Responsibilities

The EU co-ordinates and consults with the East Jerusalem Unit under the Office of the President of the Palestine Liberation Organisation (PLO) through a Joint Committee established in 2011 with regard to the sector analysis and priorities for East Jerusalem. Furthermore, whenever possible, activities are co-ordinated with line-ministries. Civil society consultations are conducted bilaterally on a regular basis, in addition, once a year, the EU conducts at least one joint consultation session with active organizations, CBOs and (I)NGOs in the City. On a regular basis, the EU also holds meetings of the EU informal working group on East Jerusalem, with representatives of EU Member States and like-minded countries.

As part of its prerogative of budget implementation and to safeguard the financial interests of the Union, the Commission may participate in the above governance structures set up for governing the implementation of the action.

## **5. PERFORMANCE MEASUREMENT**

### **5.1. Monitoring and Reporting**

The day-to-day technical and financial monitoring of the implementation of this action will be a continuous process, and part of the implementing partner's responsibilities. To this aim, the implementing partner shall establish a permanent internal, technical and financial monitoring system for the action and elaborate regular progress reports (not less than annual) and final reports. Every report shall provide an accurate account of implementation of the action, difficulties encountered, changes introduced, as well as the degree of achievement of its results (Outputs and direct Outcomes) as measured by corresponding indicators, using as reference the logframe matrix.

The Commission may undertake additional project monitoring visits both through its own staff and through independent consultants recruited directly by the Commission for independent monitoring reviews (or recruited by the responsible agent contracted by the Commission for implementing such reviews).

Roles and responsibilities for data collection, analysis and monitoring:

A comprehensive system of monitoring, control and audit will be applied in the framework of the implementation of the East Jerusalem programme, to provide assurance over the use of funds, and the efficient and effective provision of support to the Palestinian East Jerusalemites population by the selected implementing partners, while fully protecting donor interest. The East Jerusalem programme will use as reference the logframe matrix.

### **5.2. Evaluation**

Having regard to the importance of the action, a final evaluation will be carried out for this action or its components via independent consultants.

It will be carried out for accountability and learning purposes at various levels (including for policy revision), taking into account especially the particular political nature of the Action.

The Commission shall inform the implementing partner at least one month in advance of the dates foreseen for the evaluation missions. The implementing partner shall collaborate efficiently and effectively with the evaluation experts, and inter alia provide them with all necessary information and documentation, as well as access to the project premises and activities.

The evaluation reports shall be shared with the partner country and other key stakeholders. The implementing partner and the Commission shall analyse the conclusions and recommendations of the evaluations and, where appropriate, in agreement with the partner country, jointly decide on the follow-up actions to be taken and any adjustments necessary, including, if indicated, the reorientation of the project.

Evaluation services may be contracted under a framework contract.

### **5.3. Audit and Verifications**

Without prejudice to the obligations applicable to contracts concluded for the implementation of this action, the Commission may, on the basis of a risk assessment, contract independent audit or verification assignments for one or several contracts or agreements.

## 6. COMMUNICATION AND VISIBILITY

Communication and visibility is a contractual obligation for all entities implementing EU-funded external actions, to advertise the European Union's support for their work to the relevant audiences.

To that end they must comply with the instructions given in the [Communication and Visibility Requirements of 2018](#) (or any successor document), notably with regard to the use of the EU emblem and the elaboration of a dedicated communication and visibility plan, to be completed for every action at the start of implementation.

These obligations apply equally, regardless of whether the actions concerned are implemented by the Commission, the partner country (for instance, concerning the reforms supported through budget support), contractors, grant beneficiaries or entrusted entities. In each case, a reference to the relevant contractual obligations must be included in the respective financing agreement, procurement and grant contracts, and delegation agreements.

Communication and visibility measures may be funded from the amounts allocated to the action. For the purpose of enhancing the visibility of the EU and its contribution to this action, the Commission may sign or enter into joint declarations or statements, as part of its prerogative of budget implementation and to safeguard the financial interests of the Union. Visibility and communication measures should also promote transparency and accountability on the use of funds.

Effectiveness of communication activities on awareness about the action and its objectives as well as on EU funding of the action should be measured.

Implementing partners shall keep the Commission and concerned EU Delegation/Office fully informed of the planning and implementation of specific visibility and communication activities before work starts.

Implementing partners will ensure adequate visibility of EU financing and will report on visibility and communication actions as well as the results of the overall action to the relevant monitoring committees.

Given the sensitivity of the implementation of some actions and to guarantee the security of local partners/applicants, confidentiality of the contract,<sup>14</sup> or derogation from the rules of communication and visibility may be granted, if requested by the applicant.

It is envisaged that a contract for communication and visibility may be contracted under a framework contract.

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<sup>14</sup> In light of the NDICI programming guidelines which allow for flexibility for civil society organizations