



**ANALYTICAL SURVEY ON**

# **The Role of Civil Society Organizations (CSOs) in Employing Independent Media towards Democratization and Dissemination of a Human Rights Culture**

2013

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## Appreciation and Testimonial

*The Palestinian Youth Union (PYU), being a part of the Palestinian Civil Society Organizations (CSOs), emphasizes the importance of enhancing the relationship between CSOs in general, and CSOs operating in the field of human rights in particular, with independent media organizations. **Through this study**, the PYU highlighted the importance of this cooperation, thus intending to pave the way for other organizations to complete the consideration of this issue and promote it, for serving the issues of public concern; foremost of which are democratization issues.*

*In the name and on behalf of PYU, I'd like to extend sincerest thanks and appreciation to all CSOs and Media Organizations, which enriched this research by information and proposals, and contributed to the success of research seminar which was held to discuss the draft study. Our gratitude is also extended to Plan Company (strategic management and planning experts) and its researchers, who worked professionally and communicated with the PYU's concerned persons, and received all amendments and feedback in team spirit. Special thanks are also extended to Med Net Project Staff, who worked with large-scale diligence and due accuracy to render this research successful, and today they are completing their role to achieve the implement the project's deliverables. Our sincerest gratitude is extended to the European Union, being the project financier, as well as our partners in COSPE Organization, Italy.*

**Muharram Al-Barghouthi**

**General Director of PYU**

## Introduction



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The considerable attention paid by the Palestinian Youth Union (PYU) to focusing on the importance of relationship between Civil Society Organizations (CSOs) and independent media organizations in Palestine is motivated by its awareness of the role these tools play in the process of making a change and impact on the community in all aspects. Foremost of these aspects are the issues of democracy, freedoms, human rights, and public interest. Undoubtedly, the findings of this study will not be sufficient to help achieve the desired objective; rather, it will certainly be beneficial to serve as a key foundation for further relevant studies and reaches, and a valuable contribution in this regard.

First, it is worth emphasizing the importance of large-scale effort exerted by the researcher, which came out in a research-based approach depending on a huge amount of information and ideas, and employing a methodology that relied on plain language, strong analysis, meaningful comparison, positive classification of sub-titles, sequence of ideas and themes in a streamline way that is too much close to the concept of applied study, thus assisting the researcher get the reader familiarized with the objective-related findings.

In practice, this study sought to answer both direct and indirect questions, aiming to bridge the gap by clear, direct answers to serve a vision which combines the study's parties; i.e. CSOs and independent media organizations, based on participation and integration. To serve this objective, the study focused on the description of the current status of this relationship and the necessary course of action to be taken to improve it? What are the key obstacles? However, the important aspect which this study disregarded; or rather did not dedicate a larger space for it, is the role of the judiciary in enhancing the strength of both trends in the society, and perhaps there is no more space here to elaborate in this issue, yet the availability of this issue is of importance for the strength and integration of CSOs and media organizations.

Although all recommendations rendered by this study on the exemplary form of relationship is of importance, it is worth emphasizing that there are no final specifications that determine the relationship between the parties, to serve as a physical benchmark for the relationship which should be in effect. The unanimous fact is that this relationship should be integral, although the study findings revealed that the current relationship is a superficial one having no strategic vision, which, in turn, confirms the superficiality of the structure of these organizations, depending on a number of indicators highlighted by the study, which prove the absence of a legal environment that enhances democracy and transparency within these organizations that enables the media to access to information. On the other hand, the study did not prove the existence of fully independent media organizations which upgrade the level of their functionality to the content of role they should play; their work is limited to covering the news and activities of these organizations in a simultaneous and superficial way, sometimes largely disregarding the importance of issues raised by CSOs.



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*In confirmation of the analysis and recommendations relevant to this study, I'd like to emphasize the importance of Palestinian CSOs' shift from being merely tools used to provide development services to becoming a change-making and influential tool. For this purpose, they should be a key player in raising democratic awareness, defending the freedoms, safeguarding the human rights, fighting corruption, organizing advocacy and lobbying campaigns, with a view to empowering the community. On the other hand, media organizations; or rather independent media organizations, should focus in their activities on mobilizing the public opinion towards the issues of public concern, given that independent, free media represents a cornerstone for democracy and good governance, which is one of the most outstanding pillars of freedom of speech, transparency, bias in favor of public cases, because the Palestinian community needs further awareness on social and development issues and basic freedoms, which needs effective and fruitful cooperation between the parties, and needs larger awareness by media organizations and being familiar that they have an interest in contributing to activating and empowering the civil society, as free media grows only in an environment characterized by diversity of opinion.*

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TOGETHER FOR CHANGE

## **Foreword**

**The history witnessed the emergence of Civil Society Organizations (CSOs) in the framework of different historical contexts and political ruling regimes, and CSOs have played an effective yet varying role in respect of democratization and enhancing human rights culture, and demanding their fulfillment and respect. In the democratic states, CSOs are involved in enhancing democratic practices and development of its various dimensions. Palestinian CSOs have a unique characteristic, which is mainly attributable to their historic development in a manner different from the development of CSOs in other states, even in contradiction with the theoretical concepts and principles that address the civil society. While the majority of CSOs were established within the context of a Sovereign State, yet Palestinian CSOs emerged in the absence of a Sovereign State, absence of independence and national liberation; rather, they came into existence in the context of an existing occupation, absence of sovereignty over the land and lack citizenship. Following the formation of Palestinian Liberation Organization (PLO) in 1994 under Oslo Accord, the situation and role of CSOs had become different and were affected by the promulgation of the Law on Charities Associations and Civil Society Organizations in 2000 (Constantini et al, 2012).**

**This survey, being an integral part of a project implemented by the Palestinian Youth Union, stands out as a map survey of CSOs, aiming to assess their legal, strategic and administrative role, understand the relationship between them and independent media at the local Palestinian level, with a view to identifying the aspects of success and failure of these organizations, which are concerned with human rights and democratization issues, and their employment of the media, particularly independent media, as an important component of community outreach, promoting the freedom of speech and expression, association and gathering, in addition to adopting, defending and promoting the interests of various community segments. Given that human rights and democratization issue is a broad issue, this survey will focus of the freedom of the media, which include a variety of freedoms and rights as detailed in the following pages (specifically freedom of speech and expression, and communication of information), and the right to association, which rights are set out in the International Covenant on Civil and Political Rights (ICCPR) of 1966.**

**As regards the relationship between free media and CSOs, being the focus of this study, it is well known that the media plays the role of upholding the pillars of democratic rule and transparency in both government and non-government work, strives to fight corruption which considers the prevention/ restriction of access to information as the most outstanding factor for the spread of corruption as a phenomenon. From this point, the media-democratic regime relationship has come out, in spite of the disagreement as to which dimension of them is given priority over the other, yet it is unquestionable that any of them has no presence where the other dimension is not present. Based on this fact, the media is widely**



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recognized described as the "Popular Authority" or the "Fourth Authority", thus emphasizing its importance and significant role which is no less in importance than the other three authorities; namely, legislative, executive and judicial authorities (Tawam 2011, 16). That's to say that the free media strives to raise awareness of the current events that concern citizens and individuals, and provides control over the government's performance. Control, in its broad sense, is a key pillar of the democratic rule, since it stands out to strike a balance among the State's public authorities, so that, along with the principles of separation of powers, political pluralism, independence of the judiciary, and elections, the "control" function contributes to protecting the "rule of law and human rights, ensuring transparency and proper exploitation of public property". Control takes many forms; viz, the parliamentary control, which is exercised by the parliament through interpellation, investigation committees and impeachment. In addition, there is the judicial control, represented by the judiciary's control on the enforcement and constitutionality of laws, which is undertaken by the constitutional or higher court. Finally, there is the popular control, represented by the mass media, political parties, and legal means of protest; e.g. non-violent demonstrations and civil commotion, together with the internal control tools within particular powers (Cayed 2004). This emphasizes the importance of popular control, represented by an effective presence of CSOs concerned with human rights, which employ the free media in a meaningful manner, thus providing control over the Executive Body's practices and suppressing its violations. Further, CSOs play a role in the call for amendment of laws and submission of draft laws to the Parliament. This role supposed to be undertaken by the Civil Society as a matter of fact, serves as a real indicator for the respect of rights and freedoms of individuals, and a benchmark for measuring the level of progress and democracy of communities, in accordance with the good governance doctrines.

**This survey aims to shed light on the period** falling between 2010 and 2013 in respect of the activities of Palestinian CSOs operating in human rights field, which supposedly enhance democratization that will not be achieved unless a variety of factors is in place; foremost of which is the proper adoption of democracy internally and exercising the highest levels of transparency and accountability. In addition, **this survey aims to investigate the existing relationship between CSOs and independent media, the cooperation mechanisms in use, and the impact of this cooperation, whether positive or negative**, in a way which contributes to drawing conclusions for generating recommendations on a proper mechanism to upgrade the level of cooperation between civil society and human rights organizations and independent media organizations. This will help select the partners from among the interviewed individuals to take part in the project of Palestinian Youth Union, aiming to enhance relationship between CSOs and independent media organizations towards democratization and dissemination of human rights culture.

**It is worth mentioning that** tackling the democratization issue necessarily involves consideration of the role and relationships of all relevant key players and stakeholders, yet



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this survey looks into the role of Palestinian civil society and free media and their relation to each other, irrespective of the presence of occupation, for the research team to be able to identify the internal requirements needed for the Palestinian CSOs and free media to play an effective role in democratization, especially as this survey makes a focus on the period between 2010 and 2013. This survey refers to the occupation only in the context of emergence and development of both Palestinian civil society and media, and also within the context of overall impediments facing internal and external freedom of media, since the occupation represents an external impediment against the functionality of Palestinian civil society and media. Hence, this survey attaches importance to looking into the internal affairs and status of CSOs as well as independent media organizations, their relation with each other, and their role in enhancing democratization in Palestine. Thus, this survey seeks to provide answer to the main question; namely:

### **What's the role played by Palestinian CSOs in democratization?**

To answer this main question, there are three sub-questions; namely:

#### **Question One: What's the nature of Legal, Strategic and Administrative Status of Civil Society Organizations (CSOs) that are concerned with human rights culture and democratization issues?**

This survey hypothesizes that these CSOs exercise democracy internally, in terms of their bylaws, regulations, control and management, as well as the mechanism of implementing their plans and programs that are set up to serve human rights and democratization issues.

#### **Question Two: At the Palestinian level, what are the guarantees for free media and association? Do these rights and freedoms rely on constitutional rules? Are they conditional upon legal restrictions?**

This survey also hypothesizes that freedom of Palestinian media and right to association rely upon constitutional rules that are conditional upon restrictions being consistent with the restrictions set forth in the international covenants, motivated by the fact that the PLO's Statute, which serves as interim constitution, provides for compliance with international covenants and agreements related to human rights and freedoms.

#### **Question Three: What is the nature of relationship between CSOs and independent media in Palestine?**

This survey hypothesizes that the presence of effective civil society contributes essentially to the occurrence of democratization in the society, and that free media plays a pivotal and essential role in forming the context of political, social and cultural context. Free media, which is the focus of this survey, is political reform and democratization process, maximizing the size of freedoms and plurality of opinions, given that it provides control over the governments and makes them subject to transparency and accountability. In addition, free media, which is supposedly employed by CSOs, represents the presence of freedoms and



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consolidates democratic values, which, eventually, contributes to the occurrence of democratization.

This positive relationship hypothesized by the survey exists in the communities that undergo political change and transition stage, since whoever has the ability to interpret the fact and events is considered a part of the concept of contemporary powers and practice. It was recognized in the past that whoever has control over the information, has the power and authority, so "the contemporary media breaks up this power, and refutes the legend of one-side monopoly of such power. ("Abd El Baqi 2012,4")".

Survey **Methodology** depends, on the one hand, on the review of **available literature**, which were written on civil society and media in general, and their experiences in democracy and human rights. On the other hand, this survey relies on semi-structured **Interviews** with key persons from the selected CSOs, human rights networks, and Palestinian independent media organizations. Twenty CSOs were selected. This technique provides us, on the one hand, with a better understanding of the circumstances through which the CSOs operate and their relations with independent media networks. On the other hand, this technique enables us to explore the trends, gaps, strengths and weaknesses existing between CSOs and independent media networks. Furthermore, this survey depends on a checklist, which is designed to assess the capacity of CSOs and independent media networks in terms of legal, administrative status, good governance... etc. This tool used in the survey is designed to employ the various national and international criteria. Criteria and tools employed in the checklist approved for the study, aiming to look into the mentioned issues, include, for example, the criteria of civil society's code of conduct issued by the NGO Development Center (NDC), code of conduct on transparency and integrity for NGOs (Coalition of Accountability and Integrity – AMAN), Palestine's NGOs and Charities Associations Law... etc. in addition, the survey conducted a workshop, being implemented following the initial findings, with the Palestinian Youth Union and organizations under consideration in this survey, in order to draw conclusions, recommendations and feedback.

### **Survey Structure**

**This survey is divided into three work streams**, preceded by an overview of the origin and development of Palestinian civil society. Work stream One is concerned with looking into the **legal regulation of freedom of media and association**, for a couple of goals; the first of which is to recognize the Palestinian legal environment regulating these freedoms, and the second goal is to identify the extent to which there are laws based on constitutional rules, and whether or not these rules are conditional. It is not sufficient to judge the democracy of any regime based on the presence of laws and constitution, since the presence of conditional laws is a rejected matter and has nothing to do with democracy. To measure the legitimacy and democracy of these restrictions/ conditions imposed by the provisions of Palestinian laws and legislation, they should be benchmarked against the restrictions laid down by



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international declarations and covenants on the freedom of the media and right to association. In this perspective, we shall make gradual progress from the international framework, then the regional and Palestinian local framework.

Work stream Two **addresses the nature of legal, strategic and administrative status of CSOs** under consideration in this survey, which are concerned with human rights culture and democratization issues, and whether these CSOs exercise democracy internally, in terms of their laws, control and management, implementation mechanism of their plans and programs being set up to serve human rights and democratization issues, and in terms of the extent of their implementation of good governance rules. This perspective will reflect the achievements and failures of CSOs, and will also lead to conclusions resulting in recommendations on how to upgrade the functionality and performance level of these CSOs.

Work stream Three addresses **the nature of relationship between CSOs and independent media in question in this study**, and whether this relationship is harmonious and consistent, and whether independent media is actually employed by these CSOs.

All these work streams will answer the main question pertaining to the nature of role played by CSOs in democratization in Palestine, as the presence of laws based on non-conditional constitutional rules ensures the freedom of syndicalist and party association, political pluralism, freedom of the media, and creation of effective civil society that employs democratic mechanisms internally at the legal level regulating the CSO's functionality, as well as at strategic and administrative level, and employment of free, independent media that would give a clear image on the nature of role played by Palestinian civil society in democratization.

### **Survey Terminology**

**Civil Society:** it refers to "a group of free, voluntary organizations, which fill the general atmosphere between the family and state to achieve the interests of their individuals, abiding by the criteria and values of respect, mutual agreement, tolerance, peaceful management of diversity and difference". The civil society comprises the unions, parties, clubs, and all non-government bodies, of non-family or hereditary nature. It is worth mentioning that the concept of civil society involves three key pillars: pillar one is the "free, voluntary act". It is something other than the family and relatives, and other than the State that enforces its sovereignty and applicable laws on its citizens without their prior admission. As such, the people join the civil society in order to achieve material or moral interest. Pillar two is that civil society is a set of associations; each association comprises members who selected their membership with their free own will, under conditions the acceptance and admission of which are made later. "That's to say that the civil society is a membership community, so that as many membership cards obtained by a citizen, he is an active member in his civil society". Pillar three is that the "civil society is a moral, behavioral



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pillar, which involves the acceptance of difference and diversity between the self and others". In addition, the relationship between the civil society organizations, with each other, and between them and the state is based on the values of respect, tolerance, cooperation, competition and peaceful struggle. From this perspective we conclude that the civil society is associated with democracy, so that where the opinions, material and moral interests are different, the values of tolerance, completion and respect prevail. This is the core of democracy, which stands out as the political aspect of civil society. "It is a peaceful form for the management of difference, competition and struggle". (Abu Amro et al 195, 5-6). **Democracy:** Although its definition is a matter of disagreement, several definitions acknowledge that there are pillars for a democratic regime without which it does not exist. These pillars depends mainly on respect for human dignity, and democracy, as a governance system, guarantees these pillars; e.g. effective participation in the rule, represented by parliamentary and presidential elections, the rule of law, separation of powers, freedom of speech, effective representation of the individuals, whether in the civil society field, represented by syndicalist and party functionality. Hence, democracy is a governance regime and political ideology, seeking to administer the society's affairs, guarantees and preserves the human dignity, political participation, freedom of speech, without the spread of anarchy. (Hariq 1998, 9).

\* **Democratization** is a phase that precedes democratic transition, characterized by difficulty and complexity. The Democratization is represented by slow, gradual change of economic, social and political situations in a particular State, without denial of what has been achieved in reliance on former experiences for benefitting from them. (Al-Daser, 2).

It is worth mentioning that the democratization goes through three key phases (Abu Amoud 2009, 52).

Phase one: it is known as regime collapse phase, in which the system of powers begin to change, new powers come into existence, the public concepts begin to change, and change begins actually in this phase.

Phase Two: it is the Democratic Regime Phase, in which the attitude of political leaders, scientific explanation, and actual implementation of organizations and admission of democracy (by both government and elites) begin to stabilize. In addition, actual adoption of democratic practices starts to take place, along with consolidation of a set of rules and procedures that regulate the ruler-subordinate relationship, through clear democratic concepts being agreed on by all.

Phase Three: it is democracy stability phase, where the political players are deeply convinced that the only way to come to power is through democracy. Some researchers add a fourth phase to democratization, which can be termed the "new democratic regime maturity phase". In this phase, a struggle comes to light between the radical and moderate political powers, but in case this phase is present, phase three does not exist, and it would be better



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to term it the last phase. In the event of failure of democratization, and where no transition towards democracy takes place, the term becomes null and void.

**\* Free Media:** it has no specific definition, but it includes a variety of compound rights that constitute as a whole the content of this concept, so that we can say it is "the right to access to information from any source, transmit and share it, the right to disseminate and share ideas and opinions through the media, which should not be subject to advance control over what they present except to the shortest limits, and as related to the public order and morality, with the necessity of accurate specification of both terms". It is worth mentioning that the media freedom concept has a more comprehensive implication than the concepts of freedom of the radio, television and press, which view is adopted by the press freedom committee, Chicago University, in 1947, where the unanimous result was to substitute the freedom of the media for the freedom of the press, so that the freedom of press, audio and video media are branches of the media freedom. (Tawam 2011, 19).

**\* Good Governance:** according to the United Nations Development Program (UNDP), good governance is defined as "The political authority's exercise of its functionality within specific criteria, aiming to achieve sustainable development, develop the short and long term resources of the State, provide integrity and accountability, respect and serve the public interest". Hence, good governance takes place through the exercise of political authority, administration of the society affairs and resources, achievement of its economic and social development, including the State's constitutional organizations ; e.g. starting from the legislative, executive and judicial authorities, in addition to civil society organizations and private sector. (Palestinian Center for Communication and Development Policies, 2011). Hence, the leadership of political rule that is based on the principles of community participation, respect for the public choices in the framework of institutional organization and rule of law, represents the political rule known as good governance. Thus, this form of rule respects human and citizenship rights, but difficult application of it reflects lack of respect for human rights, in the framework of corruption, spoilage, weakness of democratic government bodies, non-independent judiciary, lack of the freedom of speech, political, syndicalist, and civil association. (Khadam 2007)

## Literature Review

This survey relied on researches and studies pertaining to the following work streams:

### **Civil society, democratization and human rights culture**

In this work stream, we are going to identify the importance, democratic practices of SCOs, in terms of good governance and its pillars: transparency and accountability in general, transparency and accountability in the Palestinian case in particular, as well as the impediments of good governance and their remedies.



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- **Importance of civil society**

*In the democratic communities*, NGOs, CSOs and political parties constitute a point of contact between the individuals, government or social bodies, since these NGOs undertake tasks and roles which the government does not perform, and create opportunities for the community members, with a view to exercising their rights and obligations as citizens in the framework of a democratic regime. These NGOs vary, for example, they may be charitable, religious or environmental associations, of which there are those concerned with the interests of population, labor and trade unions. As is well known, these NGOs are not subject to government authority; rather, they perform control over the government, exercise pressure on it, and strive to call it to account. Unlike autocratic communities, where the NGOs are subject to government authority, and rather operate under a government license, through NGOs in a democratic community, citizens can exercise freedom and self-governance, without pressure by the government, noting that these rights are irrevocable. (Aby Ayash 2008, 52-53).

Abd El-Jalil Miftah, Mohammed Al-Dasser, and Radwan Ziada (2007) unanimously agree to the effective and key role played by the civil society in democratization process. Ziada states that to play an effective role in enhancing democratization, it is necessary for the Civil Society to provide some important factors; inter alia:

1. The national will that believes in and strives to achieve the national interest.
2. Real desire should be in place by political powers and parties, to make the democratization process succeed.
3. Democratization program should be set up, awareness should be raised on the importance of democratization for the interest of the community and its citizens.

- **Democratic Practices of CSOs**

Given that CSOs represent a point of contact between the individuals and government, in order to effectively perform their role in the field of protecting individuals from the government tyranny and injustice, organizing the efforts and capacities of individuals, CSOs should show a new form of self-organization of their functionality, depending on enhancement of good governance that is based on the principles of accountability and transparency internally, making them an effective body for calling to account the other bodies, whether government or private sectors. (Ladadwah 2007)

Good governance has pillars; namely, **transparency, accountability and integrity**, while there are elements and criteria governing the good governance (Applied Research Institute Jerusalem "ARIJ" 2011, Palestinian Center for Communication and Development Policies 2011, Ahmed 2008), including:



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1. **The rule of law:** The law serves as the point of reference for all, and applies to all citizens without discrimination. The rule of law is effective and established through the respect of law and constitution, as well as effective democratic institutions that follow democratic course and practices, impartial elections, peaceful devolution of power, political pluralism and organized partisanship, and personal security is in place for each citizen.
2. **Rapid response to citizens' demands and fulfillment of their needs:** citizens' priorities and demands are heard, so the officers and decision makers respond to them within an appropriate timeframe. Good response criterion necessitates positive reaction between the officer's action and community reaction, as well as feedback provided by the community, which the officers take into due consideration upon implementation and amendment of policies.
3. **Equality/ Parity in Obligations and Services:** opportunities and services should be available to the citizens without exception, personal considerations, while the government should be fair and equitable upon fulfillment of its obligations. This criterion serves as the basis of equality and parity in distribution of the government's resources to citizens.
4. **Public Interest:** It means the preference of public and community interest over the personal interest for some individuals, through clear and specific procedures adopted by all government officers on all the professional decisions, irrespective of their positions.
5. **Strategic Vision:** the strategic vision is an overall vision between the government and citizens on the State's general trend in respect of progress, community and economic development. This vision should rely on the civilization, social and historic culture of the community, and be able to create appropriate substitutes that go in line with their general objective, taking into due consideration the current and future local and international changes.
6. **Participation by individuals concerned with Public Authority's Decision:** This secures the right of all citizens to give their opinion, take part in decision making, whether directly or through elected representatives. Participation is required as a guarantee for the freedom of politics, elections and speech.
7. **Decentralization including separation of powers:** The concept of decentralizations means that there are no absolute powers in the hands of a person or authority; rather, the powers and ability to make and enforce decisions are divided among the authorities. That's to say that the three major authorities (legislative, judicial, and executive) are separate in practice of their responsibilities and duties.

Other criteria of good governance include judicious decision making, building unanimous agreement, optimal exploitation of resources and public property and avoid wasting same, good and proper management planning. All these criteria serve as important means to fight



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corruption, promote development and economic progress for the community. (Applied Research Institute Jerusalem "ARIJ" 2011, 7).

Good governance applies to three levels; namely, the government, private sector and civil society. The relationship among these three levels is important to ensure sustainability of human development, as the government creates an acceptable political and legal environment, while the private sector creates job opportunities, and the civil society facilitates the intersection of political and social action, through mobilizing the groups for political and social participation. (Ahmed, 2008).

Referring back to the good governance pillars, it is important to understand the definition of each item of which, means of application and impediments, so that it becomes possible to measure whether or not they are applicable.

**Transparency:** The Arab Integrity System Book defines transparency as related to the clarity of systems and procedures within the organization, and in its relation with the citizens benefitting from its services, as well as openness of procedures, ends and objectives in the functionality of public organization, and linking the beneficiary to a public policy for "disclosure of information, and ensuring the citizens' right to access to necessary information on the functionality of public departments". (Transparency International 2006, 22).

As for AMAN, it included in its publications pertaining to the in-progress project ("Integrity to enhance transparency and accountability in the civil work ", an explanation of the concept of transparency through a number of indicators, including: Commitment by the leadership and management of the organization, at all levels, to disseminating, generalizing, and making available information to citizens on the procedures, decisions and services provided by the organization, on regular basis, whether at their request or otherwise. (Ladadwah 2007).

In its manual on good governance in CSOs, the Civil Society Support Program (2012) asserts that the more transparency in dealing provided by the organization system and employment of a variety of knowledge means and flow of information of the organization to all members, stakeholders and all citizens, the more it is close to application of good governance principles (Civil Society Support Program, 2012). On the other hand, the organization, which is characterized by transparency, is always ready to engage others in the information, facts and decisions related to its functionality, discuss these issues and accept criticism openly and freely. Civil Society Organizations are public organizations, their members are the public, and provide their services to the public, so they must be available to the public and not limited to a private segment. (Civil Society Support Program 2012, 10).



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The literature points out that transparency has two levels; the first of which is related to internal transparency, in terms of making available the information and data for the organization's members and employees on the general policies, work systems, employment mechanisms, administrative procedures...etc. The second level relates to external transparency, which is concerned with providing information to the public, especially the target audience and those benefitting from the organization's services and programs. (Ladadwah 2007).

Transparency has procedural indicators, which serve as benchmarks for measuring the transparency of CSOs, as pointed out by many literature; namely, availability of documents that reflect the vision, objectives, values, philosophy and work programs of the organization, and making them available to the citizens, and necessarily to provide both citizens and stakeholders with the information on Articles of Association and Organizational Structure, Staff Regulation and Budget of the CSO. In addition, allowing the citizens to access to the CSO's plans and involving the target segments in drawing up their plans and assessing their implementation, are worthy indicators for enhancing transparency, creating ways to keep the citizens familiar with the CSO's activities and programs, how to access to its services, how this service is performed, and publishing periodic reports on the CSO's activities, financing and relations, and setting up a general policy for publication and disclosure of information to the concerned audience. (Ladadwah 2007, Palestinian Center for Communication and Development Policies, 2011, Civil Society Support Program 2012).

#### Accountability

"Arab Integrity System against Corruption" Book defines accountability as a "duty of civil servants, whether elected or appointed, to submit periodic reports on the results of their works, explanations for their decisions, and the extent to which they succeeded in implementation, to ensure that their work is consistent with the democratic values and provisions of law, as well as principles of proper work rules". (Transparency International 2006, 36)

Accountability is related to, and results in, calling to account, which stands for "calling civil servants to account under legal, administrative and moral accountability for their decisions and works, represented by the liability of civil servants before their superiors, and in that way up to the top of CSO's senior management. (ibid 2006, 38)

There is a couple of accountability types: the vertical and horizontal accountability. The vertical accountability refers to the ability of electors to call their representatives to account through re-election or abstention from reelecting them, while horizontal accountability refers to the subordination of each authority or officer to control and accountability by a third party authority, so that no person is beyond accountability. (ibid 2006, 39).



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The principles and justifications of accountability for NGOs are based on the consideration that these NGOs are of a public nature, and, *de jure*, they are the property of its members in the public authority, while their officers perform their duties on behalf of the concerned society. In the same time, these NGOs find the justification of their existence in providing various services to the public, and fulfilling certain community needs. That is to say that these NGOs derive their legitimacy from the public, and, in the first place, from the law which regulates their functionality and imposes on them particular entitlements. (Ladadwah 2007, 17). Thus, the accountability issue applies to both the NGOs and government sector.

Although the accountability-related definitions mentioned above pertain to the government sector, these principles also include accountability and calling to account in the private sector/ NGOs. In the manual of good governance in CSOs, it is pointed out that accountability is the right of audience of the CSO and stakeholders, who have the right to interrogate and call to account the administrative bodies of the CSO, and the latter are required to provide convincing grounds on their policies and decisions, and accountability serves as the point of contact between individuals and groups both within and outside the CSO. In addition, the CSO is subject to accountability relations before the members, employees, donors and beneficiaries. Overall, accountability is an obligation of the NGO to provide an account on the nature of its practice of duties assigned to it, with a view to upgrading the efficiency and effectiveness of this NGO. (Civil Society Support Program 2012, 24).

#### Transparency and Accountability in Palestine

In his study on "Integrity and Transparency in the Palestinian NGOs", Hassan Ladadwah argues that the implementation of accountability-related indicators depends on the size of NGO, its activities and geographic space; so that the small NGOs operating at the level of small local community; e.g. a village, do not need to follow transparency indicators professionally, since it is known to the local community in terms of their construction, financing and activity, and the majority of these NGOs is based on voluntary work, including the charitable societies, sports and cultural clubs. Therefore, easier indicators may be adopted; e.g. regular meetings, citizens' participation by their issued reports, and compliance with internal regular elections. (Ladadwah 2007). Ladadwah further points out that certain challenges face the promotion of transparency of small NGOs operating in local communities, which are susceptible to political and clannish polarization, so that a political or clannish entity controls the NGO and dominates its activities, management, controls the information and withholds it from others. The government control and external support affect the transparency of these NGOs, since the government control, performed by the competent body, makes the NGO subject to the application of law in its internal system, reporting, and regular elections, yet the government bodies' default in respect of performance of its role and being sometimes biased in favor of the politically-loyal NGOs, providing financial support to them, and adopting negative attitude against the opposing



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NGOs, reduces the level of transparency practice at these NGOs. As a matter of fact, external financing of these NGOs has a twofold effect; since the financier's demand for promoting the project and submitting reports on its activities contribute to making the local community familiar with the NGO's activities, but, in the same time, this weakens the dependence of NGO's management on the society and local base in consideration of strengthening their ties with the financier. To fulfill external financing requirements, a professional staff is employed, thus resulting in decrease in the role of local base of the NGO. (Ladadwah 2007). As for the large NGOs, where they practice their activities on a large scale, having relatively large programs and activities, in addition to exposure to interact with the regional and international changes relevant to private work; e.g. concepts of good governance and transparency, and enjoying various relations with the financiers, all of these factors require higher level of compliance with transparency indicators. (Ladadwah 2007).

To look into the Palestinian NGOs' observance of transparency and accountability values, we rely on a pilot study conducted by Coalition of Accountability and Integrity – AMAN – during the period June 15-18, 2006, which reflects the public impression on transparency in the NGOs. The findings revealed that 22% of the Interviewees had the opportunity to access to information related to NGOs, thus indicating that the NGOs publish their documents which are accessible by the public. The remaining percentage 78% does not mean the absence of transparency indicator, due to reasons relevant to personal dimension or related to the NGO. That's to say that these percentages are merely impressions and need more criteria and in-depth studies than those pilot studies. Meanwhile, we cannot disregard or reject these findings, since in the same survey, 70% of the Interviewees stated that these NGOs do not provide information on their programs, activities and structures. (AMAN 2006)

In a former study conducted by Bisan Foundation (2002) covering 207 randomly-selected NGOs, transparency was measured through several indicators, including:

- 1) The availability of regular annual reports, 62.3% of the sample NGOs stated that they prepare annual reports.
- 2) The availability of audited annual financial reports, 61.8% responded that they prepare audited financial reports.
- 3) Making accessible all applicable procedures and regulations in the NGO to both staff and beneficiaries, 79.2% of the sample stated that they perform the same.
- 4) Availability of program document, 56.4% responded that they have program document.

Hassan Ladadwah comments on the mentioned findings of Bisan Foundation's survey, pointing out that from the first sight the majority of NGOs are committed to transparency in their activities through annual and financial reporting, but this is not sufficient to assess the extent of transparency practice, given that importance is given to the content of these reports and limits of contained information, while the law makes it binding to submit reports to the competent ministry, yet, in fact, this is not a sufficient factor for transparency or integrity of the NGO, since there are NGOs that submit and publish their financial and



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annual reports, while we find out later that they are marred by financial corruption. (Ladadwah 2007, 9).

Ladadwah further alleges that NGOs often have documents which reflect their objectives, programs and work philosophy, yet they are available for being associated with external financing conditions, which are an important part for promotion and mobilization of funds. In the same context, some NGOs prepare their documents in English, thus implying that they target the financier rather than the local community. Ladadwah adds that the indicator of availability of documents to the public is weaker than the indicator of presence of these documents, yet there is a trend for improvement in this indicator because the financier stipulates in their agreements the promotion of projects and attraction of partners and beneficiary segments in the activities and programs related to the NGO. (Ladadwah 2007, 11)

Having identified good governance indicators and their implementation mechanisms, it is worth mentioning that good governance faces several impediments which hinder its implementation, this negatively affecting the democratization context, but can these impediments be overcome? Who is authorized to do so? We shall address this issue in the last part of the work stream of civil society, democratization and human rights culture.

### **Good Governance: Impediments and challenges**

The impediments hindering the implementation of good governance are represented in the form of relationship between the political governance and democracy, failure provide means of coordination between the government, private sector and civil society, poor political coordination and economic integration, in addition to the lack of democracy and its political atmosphere, spread of corruption, lack of respect for liberties, disempowerment of women and marginalization of their role, lack of cognitive investment in the construction of human abilities. (Ahmed 2008)

Corruption and depravation are the contrary of good governance; they can be overcome only through three practices which constitute a triangle in facing the corruption practices. They include: practices based upon transparency, promoting the spirit of accountability, and diffusion of professional culture fighting corruption. (Ladadwa 2007)

The anticorruption process can't be achieved unless accompanied by the struggle for freedom and governance, as the Arab states have problems concerning the issue of liberties and their current ruling regimes have failed to meet the Arabic peoples' aspiration for freedom and dignity. In addition, the governing regimes don't promise with deep reform in



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terms of correcting the distribution of power, wealth and destinies of states, so as to allow the citizens to benefit from their fair shares in their states and to establish the use of power in an institutional frame, not hierarchical individual one. On the contrary, the governing regimes find their benefit in the disruption of deep reform, however sometimes they don't mind taking some reforming actions to beautify their governance in response to external pressures. (AMAN 2010)

At the Palestinian level, there have been many various initiatives, including the creation of a code of conduct for CSOs, which was passed in 2008; however, there is still a decline in the levels of participation, transparency, accountability and the devolution of power within the CSOs, which are considered an exception, not a rule. The discussion of the Code of Conduct of the non-government organizations (NGOs) has been initiated in 2006 by a broad sector of NGOs which exceeded 250 organizations, where the NGO Development Center drafted the Code and included in its content a set of values, ethics and practices required to be complied with by the NGOs, including: compliance with international covenants, commitment to the development priorities without any activity of normalizing nature, promotion of participation, transparency, accountability, integrity, equality, inclusiveness, coordination, integration, influence, efficiency, preventing conflict of interests, and resolution of conflicts.

At the beginning of 2008, the code of conduct was promoted by the NGO Development Center and charitable associations, in cooperation with the network of NGOs, Charity Federation and the General Federation of NGOs in Gaza, where they formed together the Code of Conduct coalition, which was followed by working on the promotion of this code to be applied, building the capacities of organizations in the democratic governance which help to apply it, along with other promoting activities for putting this code into practice. (Costantini et al, 2011)

The initiatives to develop the level of transparency and accountability of CSOs face significant challenges, including the political and economic situation which hinders developing the organizations' capacities in the dissemination of information and activating the application of the Code of Conduct to NGOs to change the dominant public opinion and improving their capability of participation and mobilization, as these organizations suffer



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from depending only on external support. In addition, there is a weakness in the ability of NGOs to mobilize the financial and human resources locally. (Costantini et al 2011.31)

### **Media, Democracy and Human Rights**

This section of literature review is divided into two parts. The first one is a review of the literature which discusses the development of freedom of thought and speech, the global context in which they appeared and its importance, the relation between these freedoms and the governing political organization and how it has become a standard to measure the extent of urbanization and democracy of states. The second part discusses the priority of the media, democracy and the culture of human rights. Many researchers believe in the close relation between media and democratization, however, some of them believe that there is a need for giving a priority to the freedom of media so as to disseminate and promote the culture of human rights in the society, thus creating the suitable conditions for democratization, while others argue that the democracy itself leads to a free media.

#### **(1) The development of freedom of speech and the media and the link between them and the governing regimes.**

The extent of the openness of political governance to rights and freedoms and the encouragement of participation and compliance with the Constitution, have an impact on the freedom of thought and speech and the movement and activities of media to be invested in the promotion of reform and democratization. The extent of justice or injustice of some State is measured by several indicators, including the indicator of practicing democracy, freedom of the press and the situation of political, civil and cultural rights..etc. (Wadaatulaah, 2012)

Abu Ayash points out that the concept of the theory of freedom achieved great victories in European democratic societies both individually and socially, as this theory developed in a moment of media expression of the social, political and economic development. The freedom of press can not only be guaranteed by a mere Constitution or law, instead, "it can



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be achieved or wasted by the level of public cultural development in the community it serves". ( Abu Ayash 2008, p68 ). The author mentions also that the press is a part of a whole which constitutes an expression of the status accepted by society, but at the same time it is able to cause change in that society. This change didn't happen in democratic societies as a result of some improvements made to the freedom of press, but there is a link between this change and the considerations regarding the status of the society that has become dominated by "long-standing political voices and economic trends which used press as a mechanism to express their competing needs". The nearest example for this change is the Danish experience with regard to publishing abusive caricature drawings of Prophet Muhammad, peace be upon him. (Abu Ayash 2008, p. 69).

Historically, there has been a relationship of tension between the institution of media and other institutions of which the most important is the political institution and the ruling government. With the emergence of the power of ideas and opinions capable of bringing about changes in the political and social sides, these executive and ruling institutions needed to impose control and limits to the media. In addition, the increasing diversity of media has become a matter of much concern for the ruling power in the government, thus leading to make broader efforts to restrict the media. The institution of media has suffered, historically and in different societies, from different forms of control, each of which has certain features, whether in terms of the level of repression or liberalism. This includes the following: (Al Saleh 1999):

- **Repressive Control:** This pattern prevailed in medieval centuries within religious communities (Catholic Church) as the church developed controlling bodies to control any books or publications printed or distributed, and imposed sanctions on those who didn't respect the strict rules on the content of publications.
- **Prohibitive control:** This kind of control has been known by the tyrannical regimes. It aimed to monitor the content of everything published and prevent any publications of any kind not authorized. The rule here was that anything is prohibited from publication unless having consent and approval from the regime. The best example for this is what has been made by the Israeli authorities in the occupied Palestinian territories. (Al Saleh 1999)



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The development of patterns of media and printing forms weakened the potential of imposing control over them. In turn, this led the political and religious institutions to create other methods and ways to control the media, thus creating third pattern of control which is the license or the prior consent. According to this pattern, media and publishing institutions should submit special applications to get licenses and the competent authorities give them that consent or license based on an agreement which prevents printing and publishing materials not complied with certain standards. This pattern is considered much easier than the previous ones, and it has been applied on a large scale. Whoever wants to work in media applies for a license to be signed by him on special conditions and in compliance with specific commitments, and the competent authority examines the applications and gives the licenses. In democratic states, the licenses are obtained and practiced, while in other states, many applications are rejected, especially if they are submitted by the opponents of the regime. After long time and with the development of technology of media, a new pattern known as "recommendation" has emerged. According to this type, the state provides recommendations and guidance for what is published in compliance with the needs and necessities of the society, public interest and the interest of the State. In addition, there is a pattern of non-control which means that the media enjoys freedom and isn't subject to any external control. This pattern emerged from liberal thought which developed from the idea of the free opinion being of the same nature of the free trade market, in which a free competition is made between the media and what is or isn't published being subject to the laws of supply and demand. ( Saleh 1999)

**As for freedom of speech and press in democratic and non-democratic societies,** Abu Ayash, in his study on the freedom of thought and speech and the media in democratic states, makes a comparison between the application of the freedom of thought and speech and freedom of media between democratic and non-democratic (specially tyrannical) societies. He begins with a definition for the concept of democracy and democratic regime, the identity of NGOs and the performance of each of them both within democratic and non-democratic societies. The writer also discusses the freedom of press and refers to the Danish experience regarding the abusing caricature drawing of the Prophet Muhammad and how the Danish government condemned the drawings, but couldn't control them as the press



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enjoys great freedom in Denmark. Abu Ayash concludes that democratic societies themselves differ in respecting freedom of thought and speech. (Abu Ayash 2008, 52-53).

It is worth mentioning that the freedom of media and press is measured globally based upon four criteria adopted by the organization of Reporters Without Borders in its annual reports, including: 1-freedom of speech 2 - freedom of access to information and ensuring its dissemination 3 – press pluralism 4 - freedom of newspaper distribution. ( Abu Ayash, 2008). The writer discussed four directions of the freedom of speech and the role of press in the Scandinavian states, United Kingdom, United States and southern Europe. In the Scandinavian states the legitimacy of executive authority depends on the access provided for people to information. Thus, the freedom of press is determined by free access to information more than a mere manifestation of freedom of speech. For example, since 1976, Sweden has passed a law allowing citizens to access official documents. Hence, reading the daily newspapers is considered a “civilized action “as it contributes to the control practiced by the citizens over the government which loses its legitimacy without this control. (Abu Ayash 2008, 63-64). While In the United Kingdom, the freedom of speech is considered like all other human capacities as since 1662, King Charles II committed to maintaining freedom, abolishing control and recording press within the collective law such that it wasn't subject to specific provisions. ( Abu Ayash, 2008)

As for the United States of America, the founding fathers devoted freedom for fighting the British Crown. Hence, the freedom of press was a way representing the diversity of opinion and the press was demanded to establish a " fourth power ". The first amendment to the Code of Rights in 25/12/1789 states that "Congress will not approve any law limiting the freedom of press. " ( Abu Ayash, 2008)

In Southern Europe, the press was a way to reach rationality other than what prevailed in the era of the Popes, where the debate was forbidden and considered a kind of taboos. The French revolutionaries didn't see freedom necessary unless prescribed by law in order to prevent any deprivation of others from it. A journalist was considered an ordinary citizen but considered illegitimate unless contributed to the democratic discussions. Thus, press is considered fourth power in democratic states. Its role is not limited only to media and news,



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but also in practicing control over the three authorities, the executive, legislative and judicial ones. ( Abu Ayash, 2008)

Hence, the constitutions' provision for freedom of press and speech is not considered a big thing in itself, as there is almost no constitution without a provision related to the freedom of media or press, but there are laws full of restrictions such as the law of publications and media. It is worth mentioning that the explanation of the meaning of freedom of speech differs considerably between states when applied, as there are states consider the freedom of press as the cornerstone of democracy and maintained by the judicial power. While in other states, we may find that this freedom is limited by certain restrictions to meet the "national needs " such as national security, the reputation of individuals or preventing immorality, in addition to the non-democratic communities which consider each of the permanent opposition, means of mass communication and freedom of press as a kind of luxury. These communities suffer from lack of stability in the political and social regime and this situation constitutes in itself a challenge to media personnel and their governments as there are mass communications on one hand and the political opposition on the other hand. ( Abu Ayash, 2008)

## **(2) Which should come first, democracy or liberating media ?**

The literature reviewed by the study regarding the subject of media agrees to the existence of a relationship between media and democracy, but they didn't agree in terms of giving priority for each of them. Thus two different directions of researches emerged regarding which leads to the other, does the free media lead to democracy, or democracy results in free media? Part of them tends to the view that free media precedes democracy and thus paves the way for the context of democratization, others mention that free media is an integral part of the democratic process and thus considered a manifestation of it. However, the researchers did not resolve this argument about which precedes because of the fact that both of media and democracy is a part of a connected circle, where we can neither talk about democratic society without talking about freedom of thought and speech, nor we can talk about tyrannical society without talking about the restriction of freedoms, including freedom of media. Accordingly, the relationship exists in the end and can't be denied. These researches include:



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## **Liberating media paves the way for democratization**

*This literature includes what was written by Saadi (2007), where he mentions that some believe that freedom of media leads to democracy, and media support the democratic situations in society. Others believe that media is one of the manifestations of democracy and one of the standards by which democracy is measured in any society based upon the extent of freedom enjoyed by media, which is determined in accordance with the current media legislations that regulate the relationship of media personnel and their means to the receiving audience and the political system and all what is resulted from this relationship as the limits to the content of the produced media discourse. These persons go even further as they believe that free media is the most effective way to control the abuse of power, and therefore, the more freedom it is allowed, the more ability it has to adjust violations and irregularities, and to contribute preventing them. Hence, these people gave press the title of fourth power, as it monitors the three authorities, the legislative, executive and judicial authorities. ( Saadi, 2007)*

*Liberating the media and freeing energies to innovate and produce media message in line with the aspirations of the masses and the requirements of development and evolution, is represented in the best investment of capabilities, energies, capacities and material and human resources to establish the rules and requirements of developed, rational, strong and effective media industry that can form the public opinion, free market of ideas and civil society that paves the way for democracy, commitment, transparency and honest and constructive dialogue for the benefit of everyone. The ideal goal of media and communication is the progress of humanity and enabling man to achieve his freedoms, equity and justice. This is the right and proper way of media and communication which can be reflected on the road to political democracy and corrects its path. Hence, it is clear that the democracy of media and free communication is the only way to achieve human rights and provide a decent and safe life free from fear and subject to law and nothing else. ( Saadi, 2007)*

*Concerning the relationship between media and paving the way for democratization, Wadaatulaah (2012) argues that media is one of the most effective social forces which are expected to practice an active role in the democratization, in the developed states, the role*



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of media goes towards stabilizing and maturing the democratic process, identifying the weaknesses and shortcomings, and controlling and guiding any deviations. While the role of media in developing states is increasing towards the resistance of tyranny of government and paving the way for the community to interact and deal with its issues and challenges, and to defend the rights and freedoms of individuals, promote the participation and maintain the values of citizenship. It is also worth mentioning that success of media to play an active role in the democratization requires some self- fundamentals, including the extent of its real abilities represented in its resources and its ability to qualify them, and its policies and techniques of work, which reflect in the content of its message. On the other it requires from media and the institution of media to realize the nature of society, the rules of its interaction and the system of its values and social construction which determines its vertical and horizontal relationships that contribute to determining when and how the community should interact with the political affairs. (Wadaatullah 2012)

Both Abdul Baqi (2012) and Aliwi (2006) unanimously agreed that there is a strong relationship between media and democracy, and that achieving democracy depends on the existence of a free media, which allows for free discussion among different political, intellectual and social orientations, in addition to providing the public with knowledge and information. The freer media is allowed to perform its role without restriction, the more it becomes able to take its part in a democratic society.

### **Democratization precedes Free Media**

This kind of literature includes what was written by Al Saleh (1999), where he asserts that the democratic system allows the establishment of a free media, in other words, that media is a mirror of the political system, such that if the system is democratic, media will be free, and vice versa. He says also that the freedom of speech is considered a condition to promote the democratic system which enables citizens to express their opinions and attitudes make their decisions, while in the case of its absence they will not be able to critique, direct or reckon authority. In contrast, freedom of speech supports the values of tolerance and equality in society, and it will be incomplete if not accompanied by freedom of access to important information that will enable citizens to participate. Without accurate information it would be difficult to crystallize opinion, thought and attitude based on arguments and



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evidence. The right to access to information is particularly important when associated with the political regime and the bodies and practices of authority. ( Al Saleh 1999)

Al Saleh asserts also that real democracy includes the right to participate in the management of community life and influence it, through effective frameworks such as parties, pressuring groups, associations, and individual and collective protests. No citizen can enjoy participating or affecting or even joining the associations if not acquainted with current events and able to choose from different alternatives in political and social life. Al Saleh adds that it's hard to talk about freedom of speech and freedom of thought in contemporary democratic society without linking them to freedom of press and media, which constitutes an essential base in freedom of thought. Currently, media has become one of the most important mechanisms in the process of expression of opinion so there is greater interest in ensuring freedom of access to it. Media in democratic society constitutes a strong and effective opposition to the intentions and actions of bodies wishing to abolish the independence of media from the political regime and its interests. Weakening this independence leads to harming the role of media in the service of individual and society. Executive authorities tend to use the media as a tool to serve their goals and abolish the chances of protest and opposition movements to express their opinion opposed to the intentions of authority and authoritarian regimes. ( Saleh 1999)

Information in authoritarian and tyrannical governments are dominated by and subject to the ruling authority such that it legalizes or prevents what should or shouldn't be accessed by the citizens according to its interests. The information blocked is considered a secret and whoever accesses it will be subject to accountability, which is not seen in democratic governments, where information is a right for everyone and can be accesses in different ways through media without monopoly. Free media is considered an embodiment of freedom of thought in contemporary democratic system, and the right to use it is one of the public rights –based on freedom of speech, and without it, we would not be able to apply the principle of the flow of information which is necessary for freedom of speech to form the ability to influence and participate. ( Al Saleh 1999)

Safwat Al Alem (2013) agrees with the previous opinion, as he believes that the process of democratization precedes the existence of free media. He cited what was mentioned by



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Jurgen Habermas about the determinants and conditions of the function of media organization necessary for democratization which would result in promoting and protecting democracy in society. These conditions include the following:

**1. Ability to represent different trends within the society**

In every society there are different groups with a variety of ideologies and trends, and the role of media is to represent society with all such different groups and it is required to allow them to reach audience and to express their views without any restrictions by the governing authority.

When the use of media turns to a kind of privilege and monopoly for certain persons, groups and prevalent intellectual and ideological trends, democracy retreats, and the functions of democratic media stops.

2. Protecting the Society: Habermas suggests that to be effective in performing its function in a democratic society, media is required to be able to protect the interests of the society, as the society considers media as the observer of the combination and performance of authority, a representative of the interests of society in the face of authority, and an informant to the public about any deviations committed by the authority.

3. Providing information to the public: as the provision of information by the media is carried for the benefit of individuals and society at the same time.

Through this, the role of media integrates with the role of educational institutions. In order to make better democratic society, the members of this society must share the knowledge, as the sharing of knowledge is a form of education that ensures that the decision-making process is correct and this can only be achieved if every citizen can access to information about what happens in his society as well as the world.

4. Contributing to the achievement of social unity: By sharing knowledge, the media contribute to achieving social unity and helping the society to remain united where there is a common public culture for all members of society. The media are publish this common public culture. The more the members of society feel this common culture, the more their



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union increases and their ability to make decisions that meet the public interest increases too. ( Al Alem 2013 )

### **Relationship between Media and Civil Society and Impediments of Democratization in both Arab States and Palestine**

Given that freedoms, including freedom of media, are considered the " the cornerstone " in democracies, the absence of freedoms and lack of respect for human rights is common between and a manifestation of tyrannical regimes, this leads us to the subject of obstacles to democratization, what prevents a democratization in states that have authoritarian and tyrannical regimes, particularly in the Arab region? The Arab region which has been known with its tyrannical regimes was and remains the focus of attention of many researchers of the world and the Arab world and motivates them to discuss the obstacles to democratization in the Arab region. Where is the role of civil society in fighting these obstacles? Is it a part of them? Can civil society overcome them? And what is the role of mass media in light of these obstacles ?

The study conducted by the writer Mekhaimar Abo saada aims at highlighting democracy in terms of the constraints that prevent bringing about democratization in Arab world in the light of international experiences, particularly the third wave of transition in Eastern Europe since the 1990s of the twentieth century, and in terms of the conditions of its success. The writer mentions that there are elements for democracy, if these elements are provided we can say that a system is democratic, namely: ensuring free and decent elections periodically and in a way as provided for in the Constitution of the State, ensuring human rights and freedoms and separating the legislative, executive and judicial authorities from each other, with determining the function of each of them and the principle of the rule of law so that all are equal before the law, no matter how high their position is in the State. ( Abo Saada 2007.26)

Abo Saada points out that the one-party system in the Arab states is one of the most important obstacles to democratization. However, Abo Saada excluded the element of poverty as he says that poverty can't be blamed for faltering the democratization in the Arab world, as there are many oil-producing states in which the level of per capita income exceeds the level of per capita income in some European states. In addition, there are poor



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African states, but it started to take steps towards democratization. According to his opinion, illiteracy is one of the most important obstacles in the Arab world and " a cause and a consequence of the failure of the political, economic and social systems, and a waste of human resources. " ( Abo Saada 2007, 30-31 ). As for Islam, the researcher mentions that Islamic democratic experiments degrade the importance of the thought of western writers about Islam. Among 47 Islamic states in the world only 9 are classified as democratic states such as Indonesia and Malaysia and some of them are poor states such as Senegal and Nigeria, thus poverty and Islam can't be considered as constraints of democratization. ( Abo Saada 2007, 32-33)

Some people believe that the Arab-Israeli conflict is the first and basic reason for faltering democratization in the Arab region, the writer says that "the democratization came as a result of big effort and energies in democratic states, while Arab states lost a lot of effort and energy in fighting Israel, and thus failed in the struggle for democratization as they failed in their battles with Israel. " ( Abo Saada 2007.33)

The writer concludes that the conditions necessary for the establishment of a democratic system are represented in providing an environment able to help establishing and providing a political culture based on the values promoting the principle of tolerance, mutual respect and pacifism. In addition to constituting a form of governance, democracy is also considered a pattern and style of life, which is included in the contents of the relations between citizens. To achieve it, people should believe in the principles of democracy. " ( Abo Saada 2007, 21 / 34)

As is well known, corruption is considered one of the obstacles to democracy and spread of corruption reflects a lack of respect for the freedoms and rights of citizens and individuals, misdistribution of resources and loss of rights, which is prevalent in Arab states as revealed by the Human Development Report (2004 ), which showed the results of a survey of "freedom" which could take detailed measurement actions to measure corruption in five Arab states : Jordan, Lebanon, Palestine, Algeria, and Morocco. The key findings were as follows:

- 1) Spread of corruption in the Arab states was at least 85 %, and reached its climax 98% in Lebanon.



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- 2) The participants who answered the questionnaire of the survey said that Lebanon is the most State suffering from political corruption, while Jordan has more corruption in economic and social fields.
- 3) The judiciary also suffered from corruption, especially in Algeria and Morocco.
- 4) Politicians, businessmen and senior officials are at the top of the list of contributors to the spread of corruption in the states of the survey. ( Arab Human Development Report 2004).

It is worth mentioning that corruption is not limited to specific body or particular sector, rather, it may include government, civil and private sectors and may be in specialized sectors, or cover leaders from higher to lower positions. The corruption may be small on the individual level or large including groups with common interests. A survey study about the corruption at the Palestinian level, conducted by AMAN Organization (2010), showed that the order of the institutions in terms of the percentage of corruption in 2009, was as follows: 34.9% for the official security and military institutions, while the corruption in political parties and Palestinian platoons reached 16.4 %, the ministerial and civil institutions had 12.1 %, the institution of the presidency was 8.3%, while the judicial institution reached 5.9 %, while the legislative institution had 5 %, and the private sector had 4.6 %, while the NGO sector had 3.8% of corruption.

Since the focus of the study is on the civil society sector and the extent of its practice of internal democracy through good governance practices, the same survey of AMAN (2010) shows the types and forms of corruption within the institutions of non-government sector, as patronage formed the highest percentage among the views of the respondents and reached 36.5 %, where patronage, nepotism and favoritism specifically in the delivery of services represented the most common types of corruption, while recruitments and jobs had 35.1 %, and the use of resources and properties of the institution for personal or election purposes had 16.3 %, while the bribery formed 9.2 % of the forms of corruption, while the percentage of those who chose the answer " I do not know " reached 2.7 %, while those who believe that there is no corruption in the NGO sector reached 0.1%. (AMAN, 2010).

Since the study is also concerned with the freedom of thought and speech and free media, we show some Arab and Palestinian models of media as an example of the reality of



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freedoms in the light of the ruling regimes, including those mentioned in the following literature:

Al Saadi (2007) raises doubts on the ability of mass media to promote the democratic course in the developing states, including Arab States, as it needs a new political culture and media reference opposite to the inherited holistic State media. Al Saadi also mentions that it is difficult to predict the results of mixing media with the issue of democracy in a society where there is no solid base and reference in the political and democratic work. The author argues that in the process of passing through the democratic course, new powers emerges, which are embodied in factious thought or local or international networks or certain issue such as sectarianism and racism and others that affect the performance of the democratic process, including the role of media. For example what is happening in Iraq, Afghanistan, Lebanon and other states. So the role of media is not enough to stabilize the bases of democratization, but is required to protect and defend them. Referring to the Iraqi pattern, after Iraq was occupied in 2003 and elections were performed, media did not play a big role in stabilizing the pillars of democratization. Though media increased vastly, there were more than 180 daily and weekly newspapers and many satellite channels and radio stations, but neither this diversity and multiplicity of media was able to protect democracy, nor democracy was able to provide the conditions of free and decent media. Accordingly, media was in danger. It paid much for its fault as more than 230 journalists have been murdered. ( Al Saadi, 2009)

In a survey on the status of the Arab media sponsored by the Center for Defending Freedom of Journalists (CDFJ), Cairo , it targeted the media institution in six Arab states , namely, Bahrain , Yemen , Lebanon , Jordan , Egypt and Morocco. Those states were chosen as "emerging democracies" in the Arab world. The media in the six states has revealed itself as influenced by the governing regime. The media cannot criticize the King and the Royal Family in the states of the Monarchy, or the President in the Republican System, and any such criticism can inflict physical harms to the journalist. As for the freedom of access to information in those states it is confronted by a lot of barriers and obstacles that hinder the press regarding the performance of its supposed role , that is enabling the public to have access to facts and information and the course of events , which makes journalists rely on rumors and opinion rather than news. ( Borai et al 2005, 26 ) The Arabic environment, where the media grows, is a political environment characterized by tyranny, which varies from one Arab State to another and is characterized by a culture which does not sanctify freedom due



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to religious extremism, traditions and national security; consequently, this environment produces a media which is distorted and unable to open-mindedly discuss the contentious (Borai et al 2005,23)

In the Palestinian context, the freedom of the media is exposed to the violation of several parties represented by the occupation, the Palestinian Authority and the Hamas Government in Gaza. It is the political division between Hamas and Fatah that has significant impact on the size of violations of media freedoms. In April 2012, Mada Media, in its periodical Magazine, said that 2011 was a bitter year for reporters around the world, especially in the Arab states. According to the annual report of the Reporters Without Borders, 66 journalists were killed in 2010 from around the world and 20 of them were in the Middle East. In Palestine, the Mada Media Centre monitored nearly 206 violation of media freedoms cases the most serious of which was the killing of Italian journalist Arrigoni in Gaza at the hands of a Palestinian group. However, the Palestinian authorities violations against media freedoms has increased by about 34% in its different forms, a figure which indicates that the violations are greater in number now than in the past, (according to The Mada Media Magazine 18/12/2012). The occupation was liable for 100 violations, which was monitored by Mada Media Magazine. Such violation varied between travel ban, storming, coverage prevention, arrest, detention, confiscation of equipment, trials and others, most notably was the recording 55 cases of assault on male and female journalists through while doing their jobs. The same report highlights the fact that violations against media rises and falls according to the relations between the two conflicting parties inside Palestine; when there is a talk about reconciliation efforts violations go, however, it is observed that violations increases in number when disturbance starts between the two conflicting parties; and this is indicated in the report<sup>1</sup>. (Mada Media Magazine 18/12/2012)

Regarding the role of the Palestinian media, the fourth branch of power, Abu Kamish (2013) states that "the Palestinian fourth is not the same as its regional or international. "It is a unique case," said Abu Kamish, "and its uniqueness, so to speak, is in parallel with the uniqueness of its national issue, where it is not up to the level of action and criticism as far as reporting and praising, governed by the influence of the publisher and the power of the officials, and the loss of justice compass.' He adds that this was the opinion of many journalists whose opinions were surveyed. The Palestinian media has failed to conduct a fact-finding and investigative reports on corruption and other important issues, and thus it failed to stir opinion. He quotes the journalist Yousef El-Shayebas saying "The reasons that prevent the making of reportage on corruption cases are related to the media officials themselves and their relation with the economic interest of the media organization; this

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<sup>1</sup> For further details and examples, you can refer to Mada Media Periodical, April 6, 2012 "206 violations of media freedoms in Palestine", page 12-18



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sometimes prevents conducting surveys related to the significant advertisers; Not only politicians but also others sometimes are red line."

The Palestinian journalist suffers from laws which do not protect him when he conducts a reportage on corruption, and thus he is subject to the Jordanian Penal code of 1960 and the Press and Publications Law , which , despite being relatively new, it needs to be amended to such an extent that it can provide greater protection for the press. There is another problem that reflects the insecurity of the journalist who is exposed to temptation or threat in the event he decides to publish a reportage on corruption cases related to prominent figures in the society; the same happens to prevent the publication of reportages that affect societal issues that are considered " taboo " such as homosexuality in Palestine. ( Abu Kamish, 2013)

The role of the Palestinian media in terms of monitoring justice and the society and its institutions and its different segments can be classified as modest; its role does not go beyond citing events instead of being active or involved positively in their making, and here we find that its impact on decision-makers and public opinion is still limited. Al-Ifrinji(2012) states that the weakness in the performance of the organization is due to the Palestinian media itself; there are subjective obstacles and objective obstacles.

The reasons , according to Al-Ifrinji (2012) are:

- Absence of a law regulating the work of Journalism in the absence of the Law of Publication and printed matters due to domestic division;
- Absence of the law regulating the right to access to information;
- Absence of adequate scope of freedom which narrows or broadens in accordance with the political rather than the legal, professional, legislative standards;
- The weak legal cultural of the journalists, a matter which prevents them from receiving their occupational or vocational rights, and has impacts on the journalist's response to justice relating issues; this is in addition to the retreat of the spaces of freedom.
- The superficial journalistic treatment of the justice relating issues is an important reason. The media does not introduce a serious treatment regarding the issues that pertain to the law, justice and the judiciary; the media presents public relations news featured with much praise regarding the security bodies and the judiciary running away from the reality to a great extent.
- The media treatment of issues lacks variation of the techniques, tools and methods in use; this is why we witness absence of or setting a part of the techniques of reportage making, which is considered one of the most important techniques related to supervision.
- Another reason is the seasonal method in the covering and treatment of justice related issues; the talk about justice, lawsuits, the law and courts doesn't occur without the occurrence of crimes, the filing of a lawsuit, issuance of a new law, a



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complaint or similar cases; this happens under the lack of initiation on the part of the journalists regarding the raise of issues and subjects through which the status of justice can be discussed without the need for particular events.

- The weakness of the institutional media work that is based on the collective not individual effort in promoting human rights and the empowerment of justice.
- Decline in the status of investigative journalism concerned with addressing issues of corruption, abuses and prominent problems in the communities” .

Hence, we can say that the obstacles faced by the Palestinian media today can be divided into external obstacles represented by the Israeli occupation and its practices which are aimed to suppress any agency desiring to expose its practice against the Palestinian people ;such practices are represented in preventing journalists from reaching the scene, detaining them, or confiscating their equipment and tools. However, the internal obstacles are either related to laws and the executive authority's exploitation of the laws that do not provide adequate protection for the press; there are political arrests carried out by the Palestinian Authority, reflecting the lack of respect for freedom of speech and association , which is represented in the arrest of journalists and bloggers in the pages of social networking, and in the assault with violence on the demonstrators in their peaceful demonstrations as happened in July 2012. (39,2013 Massoud)

There are obstacles related to the prevailing social values which "prevent the fact-finding and looking into community issues which are considered "sensitive. This reflects the keenness of the journalist or media organization to satisfy the taste of the community, without taking into account professionalism and impartiality in raising issues. This can also be due to the state of division reflected in many areas of life, the most important of which is media; consequently, the partisan media was employed to deepen the state of division, ignoring the status of the construction and the national unity and became in this way the cause of the threat to civil peace. There are also other self-obstacles related to the fulfillment of the media's role as the fourth power and the lack of human resources required in a field which cannot do without coping with the all scientific and technical; another example of self-obstacles is the absence of the efficiencies required for the development of agendas and programs which need to be dealt with professionally.

Interestingly, after reviewing the previous literature, we find that the studies on the subject of civil society and its role in the democratization independently of its relationship with free media , and we have seen how such literature dealt with the freedom of media and its relationship to democracy without linking this to civil society. It is true that the media is one of the most important mechanisms in the process of expression , as previously mentioned , and the free press constitutes the effective opposition to the regime in case of abuse of power, in which case the media has to act as the fourth power, a mechanism for the control



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of such abuses, the exposition of corruption and educator of the public regarding what is happening in the corridors of the ruling political establishment. It is true that the civil society is a supervisor and a mediator between the community and the ruling political establishment; where is the civil society then? What is its position as part of the fourth power? No reference has ever been made regarding how the media and the civil society organization employ each other. The second attention-attracting thing in that the literature they looked into self-obstacles of the democratization on the Arabs and Palestinians levels. Part of the reason is the independent media operates according to the directives of the ruling regime; our opinion that the civil society and its institutions form a reason for the lack of democratization because of its non-effectiveness, absence of organization, non-application of democracy internally, and working in the orbit of the ruling power.

Here lies the importance of this study , which is an in-depth analytical survey designed to examine the relationship between civil society and the media and whether one of them acts without the other , or not? It is assumed in the context of the democratization as the researcher sees that in order for democratization to be fruitful, there must be some consolidation of efforts of the institution of free media and civil society actors , in other words , to be a civil society that employs free, impartial and independent media , which aims to achieve the interest of the individual and the group apart from the goals and mechanisms of action of the ruling political establishment ; the Palestinian civil society must employ the free media the fourth power professionally and purposefully in order to achieve this desired role , which is supposed to be done by civil society following the model of the democratic communities.

### **Origin and development of Palestinian civil society**

It is very important here to look closely into the Palestinian civil society concerning its historical origin and the nature of its role up to the present day. Such brief history is of importance to identify the essential essence of Palestinian civil society organizations the nature of context in which they have grown, the path they have followed, and whether they could have achieved their declared and assumed objectives represented in supervision, mediation between people and government, accountability, transparency and good governance. Recently, these objectives appeared as mechanisms on the way of national building of future Palestinian state. This sequence is important to observe the democratic organization supposed to be present inside CSOs. Thus, this workstream discusses three issues; namely, the history of Palestinian civil society and its phases, post- Oslo phase, and problems of Palestinian civil society.

### **1. History of the Palestinian Civil Society**

Ipsa facto, and as known all over the world, the civil society reflects the stability of society. Nevertheless, the Palestinian civil society was formed in response to crises to which



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historical Palestine was exposed. Consequently, it has been connected with conflict and resistance for survival steadfastness and stability as a preliminary step to establish a Palestinian state. The occupation of historical Palestine by Britain and then Israel since the beginning of twentieth century has pushed many people to follow the methods of resistance and struggle for the purpose of getting rid of occupation and ending its oppressive practices aiming to the absence of Palestinian society. The first methods of resistance were implemented by Palestinian civil society at the twentieth of the previous century. Although these methods shaped with the civil appearance, they were political in their essence, and they are Palestinian Christian and Muslim associations that have appeared in different Palestinian cities to express that religious communities are against the Zionist project that resulted in Balfour Declaration. In spite of their weakness, they represented "the real fetus and the first rule" for Palestinian CSOs that have appeared later. (Sheikh Ali 2008, 47-48).

### **Palestinian CSOs were of two types:**

1. *Political forces and parties.* As a result of 1948 defeat and its repercussions represented in confiscation of Palestinian territories and dislodgment of Palestinian people, the latter resorted to organizing their political work with the purpose of adaption to new conditions. Consequently, working was divided into two forms in the place of migration. The first form was for the purpose of securing the minimum humanitarian requests for which the Palestinian citizen was in need regardless of his political affiliation or ideologies. The second form was for the purpose of restoring "the torch" of Palestinian political work to end the misery and the crisis that Palestinian people witness. (Sheikh Ali 2008, 48-49).

The Palestinian charity associations had begun their efforts to restore social ties within Palestinian community; however, Palestinian political forces existing before the defeat and the new forces the emerged and allied with political parties in the place of migration and Arab states took gradually two significant shapes in the place of migration. The first depends greatly on nationalist thought known as the idea of Palestinian land liberation and the return of its people depending on Arab states. The second is based on the idea that Palestinian people themselves must lead the process of liberating the Palestinian land and the return of its people. This interprets difference and contrast in the nature of work between the Palestinian political,, economic, social and cultural organizations. (Sheikh Ali 2008).

That period between 1948-1967 and the resulted "unusual" condition of Palestinian state has put the Palestinian political forces overseas in front of in important question concerning whether they would turn to political parties to have roots extending within occupied lands in 1967 or to military organizations that consider Palestinian society as "human stock for their activities and events". After a period of "hard labor", Palestinian military organizations had decided to remain outside work for Palestinian civil society and had left the square for



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social organizations to implement tasks for which they were established which are civilian and community based objectives. (Sheikh Ali 2008,50)

2. NGOs; e.g. charitable associations, cooperatives, development organizations, research centers, media, human rights, and centers defending special categories. Thus, we find that that the origin of Palestinian civil society associated with the absence of a legitimate representing authority under oppressive occupational conditions making civilian work in the essence of liberation and building process. Such tasks are in the essence of tasks of the authority and not complementary thereto as the case in independent states. From 1917 to 1948 the work of NGOs was focused on calling for independence, Arab unity, and resisting the Zionist project, and thus, trade unions, sports clubs, women associations, and student unions appeared. (Sheikh Ali 2008,50).

Following the 1967 defeat, NGOs witnessed a recession in their work as a result of the state of disappointment, and thus, the efforts of these organizations were focused on resisting settlement projects and highlighting the right of return to Palestinian refugees. Then they returned in full operation in the seventies as a result of the strength of Palestinian Liberation Organization (PLO) that have worked on creating youth unions abroad to promote the steadfastness of Palestinian people in the occupied lands. However, such period had not witnessed the constitution of development organizations. (Sheikh Ali 2008,51).

The 1980s period witnessed the connection between Palestinian organizations in most of Palestinian communities and political parties the gathered between both political work and providing services for the public at the same time. Like political parties, these organizations integrated with different sectors of population and National Liberation Movement in West Bank and Gaza Strip. It is worth mentioning that left-wing parties were enhanced by popular initiatives including students, labor movements, voluntary work camps and movements of sectorial work e.g. woman, health and agriculture. At the end of Eighties there were committees for women, health and agriculture along with trade unions. During the Eighties, there were a number of political NGOs, particularly those talking about human rights and children' education. Via the connection between political parties and CSOs, ways of political and active participation were created among Palestinian people. As a result, the Palestinians knew how to organize and maintain the first uprising via "popular committees". (Helal, Undated).

At the late 1980s, the first uprising has witnessed the emergence of professional NGOs that had service or research approach, but they had a vision for change in their role and activities. Many of such NGOs began as an extension to CSOs as research centers; however, as a result of the experiments witnessed by political parties and the availability of foreign finance, such NGOs became independent from political parties. The suppliers' interest in West Bank and Gaza Strip during such period and the closure of universities by occupation have caused



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many academics to establish development- oriented NGOs not connected with public CSOs that were connected with political parties, particularly left-wing parties that had professionally financed some NGOs during such period. By the end of such period and the beginning of 1990s onward, these organizations became, particularly those interested in human rights, with a speaking voice and had remarkable presence in opposition to mass movements that had receded. (Helal, Undated).

In post-Oslo period of the 1990s of the previous century, Palestinian CSOs have witnessed great changes concerning their number and change in vision, strategies and internal and external relations. This would appear later on.

### **Civil society and Palestinian authority (post-Oslo period)**

Because Palestinian CSOs have emerged in response to conflicts and crises experienced by historical Palestine after the Israeli occupation, and that they have not emerged as a result of the stability of society and to express its welfare, they were prone to the ideologies of internal and external parties and factions causing them sometimes to be a tool for implementing such ideologies, in addition to foreign conditional financing, putting , as a result, the issue of internal democracy of such organization and their role in political participation process and national building under doubt and inquiry. In this context, Jamel Helal (2006) said that such organizations do not have the required effect on Palestinian political regime. It has implemented the work of popular unions, including but not limited to, woman, labors, youth, and trade and labor unions. It is said that such unions have witnessed a democratic changes, but most of them have did not renew neither their internal structure nor their programs, which means that they enjoy a very limited effect on the structure of Palestinian political regime. This is the same case concerning NGOs as many of them have participated in the field of cooperation and coordination with the Palestinian National Authority organizations, but their problem is represented in "future planning" as they depend on foreign financing that have agendas putting the independency of such organizations under inquiry. NGOs are like popular unions in that they are in need for renewing and developing their internal structure to "become more transparent and able to building dynamic relations with the local audience". It may be said that popular unions and NGOs have a limited effect on the political regime in spite of the strength of their democratic speech, human rights, development, and women-related issues. (Helal 2006,309).

We mention, for instance, NGOs as it is said that 80% out of NGOs budgets come from foreign financing, mainly the European Union and United States. Such financing has a clear effect on such organizations, as it may be said that concerning method of these organizations they are not considered civil society but a factor of stability for the governing regime. (Gerster and Baumgarten 2011, 1). The increase in foreign financing percentage



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provided for civil society organizations since the 1990s to the present day had consequences on the characteristics and trends of such organizations, as they became more occupied by financing and, as a result, became away from societies for which they provide services, and away from political parties. Financing civil society for the purpose of developing it resulted in the avoidance of politicizing and dividing it. For instance, some researchers are of the view that that financing was a reason for creating "world elite" who are politically directed to foreign financing and European system of community organization. Foreign financing had negative effects including weak accountability, increasing internal competition, lack of ability to provide a clear strategic view, as the nature of short term finance targeting civil society has participated in reducing its effectiveness. (GSDRC 2010,2)

Before Oslo Accord, NGOs were partners under the umbrella of Palestinian Liberation Organization. However, after Oslo Accord these organizations had to find an independent role within the civil society and to redefine its position towards their political partner represented in the governing Palestinian authority that seeks to build the state. Separating West Bank and Gaza Strip and divisions in the regions among (a), (b) and (c) make the unified work among them a difficult matter. (Gerster and Baumgarten 2011, 2)

After Oslo Accord, the organizations' activity has flourished and foreign financing has increased. Besides, donors have changed their supporting contributions to pre-conditioned financing over using such financing and they provided support for development. At the same period, certain groups provided initiatives for organization and professionalism. They obtained aides to open offices and employ staff with academic principles. Such period and financing that followed created a kind of hierarchy among these organizations and a kind of competition among NGOs. Organizations characterized by professionalism were receiving finance, but other organizations were put in a margin. "Professionalism" was the key of obtaining financing and there were 3 trends among these organizations which are "empowerment", "capacity building" and "advocacy". (Gerster and Baumgarten 2011, 2)

Despite the limited power of the Palestinian National Authority to define and clarify its policy in West Bank and Gaza Strip, it was committed to receive resistance from some CSOs sectors which sought to remain unknown. During its striving to build a Palestinian state, Palestinian National Authority provided opportunities for many CSOs to affect the development and national building process. Some anti- Oslo political parties began a pressure and mobilization campaign against Palestinian National Authority and its policy. "financing invasion" under Oslo Accord had repercussions as some NGOs were put in a margin as financiers were desiring more to finance the newly-established Authority. Some other NGOs could benefit from financiers' interest in the field in which they work, hence they were in conflict with the Authority. This caused many parties and mass movements to inquire about legitimacy of the Authority to control its activities and interventions. It is also worth mentioning that the common interests among civil society organizations and



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Palestinian authority in certain sectors e.g. health, education, and agriculture has decreased the intensity of animosity and conflict among them, and a settlement was reached by 2000 by virtue of law. (Helal, Undated)

However, such settlement did not achieve its objectives, as the occupied Palestinian territories witnessed a decline in the productive structure and class culture during the Israeli Occupation. This participated in empowering the political authority to contain civil society and political parties, trade unions and foreign financed NGOs were merged as they all were called "Civil Work Organizations". These organizations did not play the role of mediator between political authority and civil society, as it is supposed, but they gathered both civil and political work. The most important features of this containment is the silence of CSOs about turning the elections, that were not held in 2000, to an appointment, in addition to that no municipal nor provincial elections were held. Occupation is not a sufficient justification as if there was an intention for holding elections; this would have been done giving Palestinians political earnings against Occupation. (Samara 2004, 112-113).

With regard to merging both Palestinian civil and political work, a big number of civil society activists turned into work in the bodies affiliating to the Palestinian National Authority. This affected the organizations in which they held positions negatively. Consequently, these organizations were deprived from their experiences and efficiency. Besides, some CSOs turned into government or authority-affiliated organizations. This weakened civil society in general. (Abo Amr 1995, 97). The relation between civil society and Palestinian National Authority is represented in containment, excessive centralization, Inclusiveness, marginalization, deviation from the objectives" for reasons related to foreign financing motives and lack of ability to define objectives as a result of stages overlapping. A part of Palestinian territories has a national authority and another part is still under occupation. Some people deal with the current period as it is an entity building stage. On the contrary, some people believe in the importance of maintaining national liberation stage. It is known for all that this would lead to lack of coordination among priorities, and thus, sectoral interests would prevail. Zyad Abo Omar adds that not all CSOs are based on democratic bases or take into account the democratic practice or seek with perception to achieve democratization. The transmission of Palestinian community from liberation stage to construction stage may reduce the occupation of civil society by liberation agenda. This causes it to engage in ordinary activities of CSOs that must keep pace with the change resulting from the process of moving from one stage to another. (Abo Amr 1995, 97-98\100-101)

In a report on the relationship between NGOs and the Palestinian Authority, it is clear that increasing finance for CSOs caused the Palestinian authority to see that this represents a threat against it; however, the relation between them characterized by cooperation since the second Palestinian uprising (Intifada), but the chances of holding dialogues and protest



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by NGOs declined since the division in Palestinian territories in 2007. It is also worth mentioning that factors and criteria of classifying and dividing modern and traditional civil society are growing. Hamas-related organizations are of a little number, but they are effective and active. Islamic organization provide qualitative and important services. Fatah-related organizations are numerous but not effective. In addition, urban regions-based associations e.g. in Ramallah and Jerusalem are characterized by greater capacity, but they are away from communities for which they provide services. However, organizations working in rural communities are distinguished with greater social ties but they are weaker regarding the organizational side. (GSDRC 2010,2)

### **Problems of the Palestinian Civil Society**

The standard use of Arab civil society term is not limited to the Arab communities excluding the Palestinian communities. In this context, Jamel Helal said that the term of Palestinian civil society has not been used in a clear and accurate way, whether from descriptive, standard or ideological side and for any objectives. The term has not been used in a definite context as an economic\social structure and in the political field. Civil society idea is used to cover a number of organizations and structures that differ in part from one to another and that have different results. Political parties and social movements are different from each other and from trade unions which, in turn, are different from NGOs.

In a report published by the European Union in May in 2011 on the Palestinian CSOs in the occupied Palestinian territories, it became clear that this sector suffers from the following problems:

First: the relationship between policy and CSOs is not clear. There is a need for finding new and specific roles for CSOS to undertake in the processes of democratization and building the currently existing state in the occupied lands. Second: such organizations focus exclusively on providing services. This resulted in risks threatening civil society via taking its role away from general policies making fields, competing with public authority in providing services, putting in a margin the service role played by these organizations and restricting it to providing services for "private categories" or "marginalized categories" e.g. the poor, the needy, people with disabilities and others. Fourth: deterioration of security situation by Israeli occupation, in addition to repeated military operations in West Bank, Gaza Strip and East Jerusalem which results in a state of division within Palestinian civil society. The fifth problem is represented in the absence of the unified voice of Palestinian civil society in spite of the big number of Palestinian CSOs, their long experience, the accumulation of knowledge factors they have, and economic dimension of the roles implemented by them within the occupied lands. Sixth: lack of recognition of all kinds of civil society and keeping it limited to NGOs, and the very limited recognition of community-based organizations. In addition, many



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NGOs lack connection with local community and bodies established mainly for the purpose of representing these organizations and defending their interests. Seventh: increasing the manifestations of internal competition in the sector of civil society itself, and this is associated with deterioration of effectiveness level in using the sources available for these organizations. Finally, the deterioration of internal governance of Palestinian CSOs, poor accountability and transparency, the continuation of non-democratic practices within these organizations; the matter which leads to limiting their abilities on mobilization and gathering capacities, and the deterioration in people's trust in them. (Costantini et al 2012, 7-9)

Recently, CSOs have witnessed new challenges as the wave of revolutions/uprisings leads to the emergence of new social movements and forces that form the tributaries of civil society in a number of Arab states which means enhancing the structure and role of civil society in these states. CSOs cannot carry out the role assigned to them effectively and efficiently without solving their self-problems e.g. the limited membership, poor organizational and regulatory abilities, the seasonal nature that prevails in activities and events, poor cooperation and coordination among them, the absence of poor transparency in the issue of foreign financing and that many of CSOs do not comply with the internal democracy. (Hasanen 2013, 45)

In the framework of these self-problems and the internal and external impediments witnessed by both Palestine and Arab civil societies, do CSOs have the ability to be the supervisor and mediator between Palestine government and people? Such questions are of no importance under the events witnessed by the Arab region that witnesses conflicts and uprisings which indicates not only the crisis of the governing authoritarian regime, but also the crisis of civil society that makes itself a mediator between people and their rulers. Such crises showed that people are in no need for civil society as a mediator and that people themselves face the regime directly and sacrifice themselves for achieving what civil society cannot achieve. This caused many people to call for "human freedom and dignity" that civil society was unable to participate in achieving it and that he has always called for and took as a slogan. Such reality is supposed to give civil society greater motivation to reconsider its role and review its mechanism and tools to establish the rules of good governance and to act seriously to face and disclose corruption which is one of the most important impediments against democratization in the region.

### **Legal Regulation of Freedom of Association and Free Media**

The current study discusses the role of Palestine CSOs, and thus there is a need to study Palestine legal system of association right. On the other hand, the study is connected to freedom of media derived from the general theory of human rights and freedom. Freedom of media may be backed to two levels. The first level is "bilateral relations" between freedom of media and its relations with other rights and freedoms. The most important of



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them is describing media as one of the most important sources for the public concerning their right to achieve knowledge and obtain information. Practicing the right of obtaining information is one of the main preventive measures against The phenomenon of corruption, as media is connected to bilateral relations e.g. its relation with the right of political and democratic participation and good governance. The right of achieving knowledge without the right to obtain information is imperfect and tools and content-free right. Concerning the second level relating to the derivation of mass freedom from human rights and freedoms, it is a vertical level in which the relation is going up via backing freedom of media primarily to "the right of communication" that comes from "freedom of thought", and then to "freedom of belief" that belongs to a set of political and civil rights. (Tawam 2011,20-21)

This workstream does not work on comparing between the text of law and the application thereof, but rather to realize the legal regulation of freedom of association and freedom of media in the regions affiliating Palestinian Authority and the extent of its agreement with international standards. Such approach aims to recognizing the extent to which the Palestinian Authority take into account that its legislations shall be consistent with the provisions prescribed in related international declarations and conventions. The current workstream focus on standards relating to international, then regional and finally local conventions within the applicable legislations in Palestine relating to media and right to regulation.

### **The International level**

International and regional efforts were exerted to provide international protection for human rights. Concerning the international level, states of the world adopted the Universal Declaration of Human Rights (UDHR) of 1948 and the two international covenants for civilian, political, social, economic and cultural rights of 1996. Regarding the regional level, such efforts were represented in "the emergence of an international regional system such as European and African Human Rights System". On the level of "the third world", there is a depressing failure in the field of internal and constitutional protection for these rights. (Ghabryal, 2000,12). Concerning their legal value, it may be said that such conventions and declarations of human rights are equivalent to a collective constitution that includes freedoms and individuals' basic rights. The value of principles set out therein is like the value of constitutional rules, having the same binding force of constitutional texts. Consequently, legislator shall take into account these conventions and declarations and respect them, and he shall not deviate from the content of the provisions and principles set out therein. Besides, he shall comply with them in the same way in which he complies with the constitution that comes before legislation and controls it under the principle of legal rules graduation. (Ghabryal, 2000, 58)

We shall commence with the Universal Declaration of Human Rights (UDHR) of 1948. Article (19) thereof states that "Every person shall have the right in freedom of thought and speech.



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Such right includes the freedom of adopting opinions without any interference, obtaining, receiving and circulating news and ideas by any mean whatsoever without compliance with geographic borders". It is worth mentioning that the paragraph II of Article (2) stipulates that there is no discrimination concerning the right of every person to enjoy rights and freedoms contained in the Declaration on the basis of political, legal or international condition of the state or the place to which the individual belongs whether the said state or place is independent or under trusteeship or lacks self-governing or the sovereignty of which is subject to any restrictions. In such way, no place all over the world may be excepted from the application of the rights and freedoms contained in the Declaration including the Palestinian state that will be indicated later on.

Concerning the International Covenant on Civil and Political Rights of 1966, we find that the preamble assures that the only way to achieve what the Universal Declaration for Human Rights contained is that "people must be free, must enjoy civil and political rights, and must be free from fear and poverty". This means that enjoying rights and freedoms results in getting rid of fear whether fear about life or fear from torture or deprivation from rights and freedoms. This causes passing civil and political rights to recognize the freedom and dignity of the individual including freedom of thought and speech, freedom of association, and freedom of forming political parties and so on. The existence of these rights and freedoms reflects that the society is liberated from oppression, torture, fear and poverty. From this point such rights become an indicator for measuring whether the society enjoys freedom and democracy or not.

Article (19) of the International Covenant on Civil and Political Rights states that "every person shall have the right to adopt opinions without annoyance. Every person shall have the right in freedom of speech. This right shall include the freedom to obtain and receive different kinds of information and ideas and to transfer same to others without taking into consideration geographic borders, whether these information and ideas are in a written or printed form, in the form of art or by any other mean as the person chooses. Practicing the rights provided for in paragraph II of this Article is followed by special duties and responsibilities. In such way, these duties and responsibilities may subject to some restrictions provided that they shall be defined by law and shall be necessary for: (a) respecting the rights of others and their reputation. (b) to protect national security, public order, public health or public morals". These conditions which allow imposing restrictions on rights and freedoms are considered the measure for which the local laws of states submit to check the extent of their respect or non-respect for human rights.

While the freedom of speech has many phases e.g. protest and peaceful assembly and not only, for instance, writing. Article (21) of the International Covenant on Civil and Political Rights may be relied on as it states that the right of peaceful assembly shall be recognized, and restrictions may not be imposed on practicing such right except those restrictions



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imposed by virtue of law, and which are important in a democratic society to protect national security, public safety, public order, public health, public morals or to protect the rights of others and their freedoms".

With regard to the right to form associations and syndicates, Article (22) of the International Covenant on Civil and Political Rights provides for :

1. Every person shall have the right to form associations with others, including the right to establish syndicates and to join same for protecting his interests."
2. Restrictions may not be imposed on practicing such right except those restrictions imposed by virtue of law and which are important in a democratic society to protect national security, public safety, public order, public health, public morals or to protect the rights of others and their freedoms. This Article shall not prevent the submission of armed forces and police officers to legal restrictions when practicing this right.
3. This Article includes no provision that allows member states in International Labour Organization Convention held in 1948 on freedom of association and the protection of the right to association to take legislative measures that, or apply the law in a way that, breach safeguards provided for in such convention".

It is worth mentioning that the phrase of "to protect national security, public safety, public order, public health, public morals or to protect the rights of others and their freedoms is in fact is the test used for measuring laws of states, but it reflects an Inescapable fact that freedoms are not unlimited as there is a margin that allows executive authorities to impose restrictions thereon provided that such restrictions shall be provide for in the states' local laws and to be imposed in a way that serve previous objectives only and not for the purpose of restricting rights and freedoms that may be exploited, for example, through "the license application" for the manipulation of this right.

### **The Regional level**

Interest in freedom of speech is not restricted to international level only but also the regional level. Freedom of speech is set out in a number of regional conventions e.g. the European Convention on Human Rights, the American Convention on Human Rights, The African Charter on Human and Peoples' Rights and the Arab Charter on Human Rights. Regional conventions are derived from international charters and they provided detailed Articles in some sides and focused on public freedoms including freedom of media.

We look first into the European Convention on Human Rights as paragraph I of Article (10) of the said European Convention states that:" every person shall have the right of expression. This right includes freedom of thought, freedom of receiving information and ideas and to circulate same without being restricted by geographic borders. This Article does



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not prevent the State from submitting the activities of radio, cinema and television corporations to license applications".

On its part, the European Court of Human Rights assured that the beneficiaries from freedom of speech, whether the scientific, literary or artistic freedom, are the individuals as natural persons and houses of press, mass media and publishing houses as legal persons. This is what is mentioned in the grounds of the European Court of Human Rights' judgment dated 22\5\1990. It stated that Article (10) of the European Convention on Human Rights shall apply on all persons whether natural or legal. Freedom of speech is of three types which are as follows: Freedom of broadcasting information and ideas, freedom of access to information and freedom to search for information. Here, the European Court of Human Rights showed in many of its decisions and in, for instance, (Sunday Times) case that "press has the right to access to information and receive same otherwise its role which is like the role of guard dogs, as the court see, would be disturbed. Regarding the freedom to search for information, we find that the European Convention on Human Rights does not provide for such freedom, freedom to search for information, while according to an advisory opinion of the European Court of Human Rights, freedom to search for information is primarily in integral part of freedom of speech and an integral part of freedom to access to information provided for in paragraph I of Article (10) of said European Convention. However, such advisory opinion did not allow the European Court of Human Rights to adopt clear and decisive judicial jurisprudences concerning the right to search for information. In its judgment dated 26\5\1987, the European Court of Human Rights ruled that Article (10) of the European Convention on Human Rights does not allow the individual to review registers containing information about his personal conditions, nor that Article comply the government of the member state in the European convention to put such information under his disposal (13). Consequently, Article (10) of the European Convention on Human Rights does not provide for the freedom to search for information. The judgment of the European Court of Human Rights was less stringent on 7\7\1989, as it has ruled that " the European Convention protects, on the one hand, rights of individuals to access to information that allow them to understand and know the years of their childhood and rehabilitation. On the other hand, the court did not decide that the government of the United Kingdom had breached Article (10) when it did not allow a claimant called (Gasken) to search for the information he was seeking to obtain relating to his childhood as an orphan and that contained in the papers and documents held by local authorities in the English city of Liverpool". Concerning the fourth form on freedom of speech, paragraph I of Article (10) of the European Convention on Human Rights clarified that practicing the activities of radio, cinema and television bodies shall subject to "license applications" which are not considered by European jurists to be a tool of restricting freedom of speech, particularly under the development of technology e.g. satellites and others in a way that does not allow the existence of limited regulation on such technologies and the difficulty to apply for license for



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receiving or broadcasting programs via such satellites every time. (Field, Amnesty International)

Article (10) provided also for the freedom to receive, transfer and broadcast information without being restricted by borders. This is the only kind of freedoms provided for in many International Conventions on Human Rights, added to which the phrase "without being restricted by borders" or "regardless of borders". Such freedom includes all video, audio and written means of publishing, media and communication, freedom of press and its basic role in democratic European communities. It is worth mentioning that freedom of press is understood via a number of judgments issued by the European Court of Human Rights. (Field, *ibid*). It is worth mentioning that restrictions relating to this freedom are provided for in paragraph II of Article (10) of the European Convention on Human Rights as "practicing this freedoms that requires duties and responsibilities may subject to some formalities, conditions, restrictions or violations defined by law and which are considered necessary measures for keeping the integrity of the home and its territory, public security and public order, protecting the regime, preventing crime, protecting health and morals, protecting the rights of others and their reputation, preventing the disclosure of confidential information or to insure the domination of judiciary and impartiality thereof."

Regarding the American Convention on Human Rights, paragraph I of Article (13) provided for freedom of thought and speech as "every person shall have the right in freedom of thought and speech. Such right includes his right to search for, receive and transfer different kinds of information and ideas without being restricted by borders whether such information are written, printed, in the form of art or by any other mean which the person chooses. It is worth mentioning that this convention provided expressly for the estate in remainder or response on what is being published or broadcasted under the name of "estate in remainder". Article (14) states that every person who is afflicted with any harm as a result of inaccurate and harmful sayings or ideas published for the public by a mean of communication organized by law, shall have estate in remainder or to correct such sayings and ideas using the same mean of communication under provisions defined by law. Correcting sayings and ideas or using estate in remainder shall not prevent, under any condition, other legal responsibilities that may have been resulted. In order to achieve the effective protection for dignity and reputation, each printing house, newspaper or cinema, radio and Television Company shall have an official person who is not under immunity or has no private privileges. Article (14) of the said Convention also provided for the freedom to transfer information and ideas. Restrictions relating to these freedoms are set out in paragraphs 2, 3, and 4 of Article (13) that "in no way may practicing the right stipulated in previous paragraph subject to prior supervision, but it may be an issue for imposing subsequent responsibility to be defined expressly by virtue of law to insure: respecting rights of others or reputations, protecting national security, public order, public health or public morals. It is not permissible that freedom of speech be restricted by indirect methods



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or means such as abusing governmental or non-official supervision on newspapers, radio and television transmission frequency waves or on machinery or devices used in publishing information or by any other mean intended to impede the transfer, circulation and publication of information.

"Notwithstanding the provisions of previous paragraph (II), public entertainment means may subject to prior supervision provide for by law for only one purpose which is the regulation of obtaining them for the purpose of protecting children and adolescents' ethics.

Any propaganda for war and any call for national, racial or religious hatred that both represent an incitement to anti-law violence or any other illegal or similar action against any person or persons, for any reason whatsoever, including race, color, religion, language or national origin shall be considered crimes and are punished by law." (Field, *ibid*)

Regarding The African Charter on Human and Peoples' Rights, paragraph (I) of Article (9) states that "every person shall have the right to access to information". Concerning the restrictions relating to these freedoms, paragraph (II) of Article (9) thereof provides for that "every person shall have the right to express his ideas and to circulate same under laws and regulations."

As our interest is focused on Palestinian condition as Palestine is a part of the Arab region, we shall refer to the Arab Charter on Human Rights. Paragraph (I) of Article (32) thereof states that "this charter ensures the right of media, freedom of thought and speech, freedom of obtaining, receiving and transferring news and ideas by any mean regardless geographic borders." With regard to restrictions, paragraph (II) of Article (32) thereof stipulates that "such rights and freedoms shall be practiced within the basic components of society and shall not subject to any restrictions except for restrictions imposed by respecting rights of others and their reputations or by protecting national security, public order, public health or public morals".

Thus, "the right of freedom of thought and speech including freedom of press is a basic right and although international law allows imposing limited restrictions, such restrictions shall be interpreted in a narrow way and justified strictly for the interest of freedom of speech by different international and local courts hearing cases relating to freedom of speech. Consequently, there is a great responsibility on the shoulders of judiciary and legal system in protecting rights and freedoms". (Arabic Network for Human Rights Information)

### **When do restrictions on freedoms become legitimate?**

Those restrictions set out in international charters and regional conventions shall be considered the "test" by which the legitimacy or non-legitimacy of restrictions is measured. The first test is that the imposed restriction shall be pre-stipulated in the law. The second is that restriction shall be imposed for the purpose serving the project objective. The third is that the restriction shall be of importance in a democratic society". Although drafting the



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requests necessary for evaluating the extent of restrictions legitimacy may be different from a charter to another, they all are concerned with such three points. In Article 29 (2) of the Universal Declaration of Human Rights, there is special addition assuring that restrictions shall be only for "ensuring the recognition of others' rights and respecting them.... In a democratic society'. (Arabic Network for Human Rights Information, ibid)

In the Universal Declaration of Human Rights, the International Covenant on Civil and Political Rights and the European Convention on Human Rights, there is special focus on evaluating the extent of legitimacy of restrictions imposed via comparing same with the importance of which for "a democratic society". As restrictions set out in previous charters necessitating the protection of national security, public order or public morals are all of rubber nature and are difficult to be defined, they differ from a society to another and from a political regime to another. Thus, the level of democracy in society shall be the standard used for measuring the extent of legitimacy of imposed restrictions. In addition to Johannesburg Principles prepared particularly in an attempt to provide "a clear recognition of the limited- scale under which restrictions may be imposed on the freedom of speech and freedom to access to information to keep the interests of national security for the purpose of preventing governments from using national security as a pretext to justify imposing restrictions against practicing such freedoms." (Arabic Network for Human Rights Information)

Johannesburg Principles state that "no restriction shall be imposed on freedom of speech or information under the pretext of national security unless the government could prove that such restriction is pre-stipulated in the law, and that the existence of which is important in the democratic society for protecting the legitimate interests of national security. The burden of proving the validity of these restrictions lies on the shoulders of government. According to the first test, the restriction shall be provided for in law which means that restrictions imposed by states must be provided for in the law, and that law shall be available, contains no ambiguity and drafted in a definite and accurate way. Law shall also provide for sufficient safeguards against abusing it, whether in sudden and emergent cases or on the long term via checking the extent of restrictions' validity and effectiveness in an accurate and effective way through an independent court." Such test is known as "future vision test" through which "it may be ensured that the law is drafted in a way that enable individuals to predict the outcomes and conditions that would result from doing any action." (Arabic Network for Human Rights Information)

The second test is the protection of legitimate objective. This means that it shall be defined whether the restriction or the condition has a definite and legitimate objective or not as in cases relating to the interests of national security, the integrity of state territories, public safety, preventing chaos and crime, protection of health and morals and protection of others' rights and freedoms." states do not always have difficulty in justifying their



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intervention under any of these exceptions, and thus European Court, for instance, has adopted an accurate approach for dealing with issues of "necessity" and "relativism" to define the legitimacy of objectives. Proportionality principle is of importance in the process of defining whether there is importance to impose any restrictions on the right of freedom of speech or not." (Arabic Network for Human Rights Information)

In this we find that restrictions set out in the foregoing regional conventions go in line with those restrictions mentioned in the International Covenant on Civil and Political Rights in Article (19) as it states that "they may subject to some restrictions provided that those restrictions shall be defined by law and shall be necessary for: (a) respecting the rights of others and their reputation. (b) to protect national security, public order, public health or public morals", but is this the case concerning the applicable laws in Palestine?

### **Applicable laws Governing the Media and Association in Palestine**

This part tackles the Palestinian legal regulation on freedom of media that includes a set of rights as mentioned before, and the right to association. In this part, we would not check neither laws relating to administrative, occupational, or union sides, nor party or government media, nor the relationship between judiciary and media and specialized media. Besides, we would not hold a comparison between the legal text and application thereof. However, this study works on discussing the extent of legitimacy of restrictions\conditions imposed by provisions of Palestinian laws comparing restrictions relating to freedom of media set out in the international declarations mentioned before.

#### **1- Freedom of media**

In the ordinary circumstances, the media is regulated by one law that covers different sectors. However, in Palestine, there is a set of legislations regulating media, including legislations relating to the regulation of certain sectors or certain mass media. Those legislations tackles the freedom of media and legal restriction thereof. Other legislations are relating to official media or journalists syndicate the provisions of which are most relating the regulation of administrative and occupational affairs. (Tawam 2011, 33)

##### **a. Palestine's basic law**

First, we shall commence with the Palestine's basic law that replaces constitution and serves the constitutional period of Palestinian National Authority. The amended Palestine's basic law of 2003 is the law adopted for current study. We find that this law includes two groups of rights and freedoms; political, economic and social rights. Freedom of thought, expression and regulation, which are part of civil and political rights, are what intended by current study. They are considered simultaneous rights as they have no relation with states' capacities as the case in economic and social rights which are gradual and based on states' capacities, sources and abilities to apply these rights.



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Section II of the basic law, rights and freedoms, begin with Article (9) which states that "Palestinian people are equal before judiciary, and there is no discrimination between them on the basis of race, gender, color, religion, political opinion or disability". It is noticeable in this section that in paragraph II of Article (10) Palestine's basic law stipulates that Palestinian National Authority shall work rapidly to join regional and international declarations and conventions that protect human rights." In this, legislator assures that, as a constitutional rule, it is important to join both regional and international declarations and conventions that protect human rights which are, as mentioned before, by custom and legally binding rights.

Concerning freedom of thought and speech, Article (19) of Palestine's basic law stipulates that "freedom of thought shall not be breached and every person shall have the right to express and circulate his opinion whether in writing or by other means of expression or through art without prejudice to provisions of law." Article (26) states that "Palestinians shall have the right to participate in the political life whether the individuals or the groups, and they shall particularly have the following rights:

1. To form and join political parties by virtue of the law.
2. To form syndicates, associations, unions, leagues, clubs and popular organizations in accordance with law.
3. To vote and stand for elections for selecting representatives to be elected via public voting according to law.
4. To hold positions and public functions on the basis of equal opportunities.
5. To hold private meetings without the attendance of police officers, and to hold public meetings, pageants and gatherings within provisions of law.

Thus, we find that freedom of association and freedom of thought and speech are constitution-based rights, but this is not sufficient indicator to ensure respecting such rights and freedoms in practice. The phrase of "without prejudice to provisions of law" or "in accordance with law" mentioned in previous Articles is a wide phrase that accommodates wide interpretations by executive authority. This means that conditioned restrictions are not stipulated and we said that those restrictions are considered a test for measuring the extent of restrictions' legitimacy. Besides, it is important to check such rights and freedoms in case of exceptional or emergent conditions, as basic law allowed a wide-range of interpretation and construction when it talked about taking into account provisions of law to ensure practicing freedom of thought and speech, particularly the restrictions contained in exceptional cases. However, Article (19) of the International Covenant on Civil and Political Rights provides for some restrictions against practicing some freedoms in exceptional cases namely; respecting others' rights and their reputation and protection of national security, public order, public health, and public morals. On the contrary, we find that Palestine's basic law did not define conditions and exceptional cases in Article (102) and



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sought instead the help of "necessary degree" to achieve the objective stated in the decree of declaring state of emergency. Such phrases also have many interpretations and constructions. While Palestine's basic law includes a text stating freedom of thought and speech, it has short sentences and phrases that have no interpretation or identification of those freedoms and rights, and thus this gives authorities a wide range of freedom to control these freedoms. "it may be intended to mention freedoms concerning the form only without giving any importance to actual and real safeguards for these freedoms. It seems that legislator allows law to protect these freedoms as the margin of freedom in law is broader than constitution as it is more flexible than constitution concerning alteration or change. It did not also reach safeguards being applied in the field of human rights and administration of justice (protection of persons held in custody or prison, known as the minimum standard rule for treatment of prisoners, the main principles for prisoners treatment, the UN Rules on the protection of juveniles stripped off their freedom...and did not address the issue of political detainees and prisoners." (Alawneh, 2003: 13-16,14)

Regarding the freedom of establishing mass media, we find that the amended Palestine's basic law has allocated Article (27) for this purpose. Paragraph (I) of Article (27) states that "establishing newspapers and all mass media is a right for all guaranteed by this basic law, and the sources of financing mass media shall subject to the supervision of law." Paragraph II stipulated that "freedom of video, audio and written mass media, freedom of printing, publishing, distribution, and broadcasting, and freedom of workers thereon are guaranteed in accordance with this basic law and the related laws." With regard to submitting sources of financing mass media to supervision, basic law prohibits any kind of supervision whatsoever as mentioned in paragraph III of Article (27) of Palestine's basic law". In no way may these sources be warned, prevented, confiscated, cancelled, and it is not permissible to impose restrictions thereon unless by virtue of law and under adjudication."

It is worth mentioning that the applicable Palestine's basic law has been characterized by constitutional rule that aggression on rights and freedoms is a constitutional crime and shall not be lapsed. Article (32) of basic law stipulates that "every aggression against any of the personal freedoms or Inviolability of life relating to humanity or other public rights and freedoms guaranteed by basic law or by law, shall be deemed a crime, the criminal or civil case resulting therefrom shall not be lapsed, and Palestinian National Authority shall guarantee a fair indemnity for the person suffering the damage."

#### **b. Applicable Legislations in Palestine**

Freedom of thought has many and various forms as opinion may be expressed via picture, word in publications, books, and audio, written and video press. Freedom of thought may appear in the form of protests via organizing marches. thus the study adopts law No. (12) of 1998 relating to holding public meetings. This shall be deemed the law regulating holding public meetings and peaceful marches. Consequently, holding meeting or organizing



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marches are among the ways used to express opinion. It is not sufficient that the law admits freedom of thought as each of us has his own opinion and belief, but the most important matter is the freedom of expressing such opinion. In the current law there is a shortcoming relating to stipulating open restrictions for the understanding and interpretation by executive authority e.g. Article (4) relating to the application of written notification and prior advising on the part of the governor. This includes that governor or head of police department may set restrictions relating to the time and course of meetings. This is a wide field for interpretation and construction on the part of executive authority to set restrictions that it think appropriate, and it may also decide what it think appropriate under internal regulations set by Minister of Interior in accordance with Article (7) of the said law. This comes against the provisions of Article (19) of the International Covenant on Civil and Political Rights as it conditioned imposing the restrictions provided for in local laws of states on condition that such restrictions shall be for the purpose of : (a) respecting the rights of others and their reputation. (b) to protect national security, public order, public health or public morals. This does not also go on line with Johannesburg Principles and the three conditions necessary for ensuring the legitimacy of imposing restrictions against these freedoms. It is not out of logic to mention the phrase "conviction of Ministry of Interior" and not to mention the previous two conditions stated in Article (19) of the International Covenant on Civil and Political Rights.

#### **Law No. (9) of 1995 on Press and Publication**

This law is enacted under the presidential decree prior to the existence of an elected legislative council. This is the first shortcoming in this law as it was prone to contestation and lack of legality. This law regulates the written sector of mass media. It has 51 Articles not divided into sections according to topics as in other legislations, and thus the provisions of which are not arranged in a serial way. (Tawam 2011, 33-34)

Article (2) states that "Press and printing are free and freedom of thought is guaranteed for every Palestinian citizen, and he shall have the right to express his opinion freely whether via writing, painting and drawing through means of expression and mass media." Article (3) provide for tasks of press as "press shall practice its tasks freely in providing news, information and comments. It also participates in publishing thought, culture and science under law, and in the framework of keeping public freedoms, rights and duties, and respecting the freedom and inviolability of others' life. Article (4) of the foregoing law states what freedom of press includes as follows:

- a. Citizen shall be aware of facts, ideas, trends, and information on the local, Arab, Islamic and international levels.
- b. To allow citizens to circulate their opinions.



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- c. To search for information news and statistics which are important for citizens from different sources, and to analyze, circulate, publish, and comment on same under law.
- d. Printing house, news agency and press editor shall have the right to keep the sources from which they obtain information or news in secret unless the court decides otherwise during the consideration of criminal cases to protect state security, to prevent crimes or to achieve justice.
- e. Citizens, political parties, cultural and social institutions and syndicates shall have the right to express opinion, thought and achievements in the fields of their different activities via publications."

Articles (7-10, 37, 39, 41) provided for a set of duties and obligations that are incumbent upon journalists and publications with regard to prohibiting the publication of topics relating to confidential information concerning security, or matters that include insulting religions and beliefs, abusing national unity, inciting to commit crimes, or topics relating to financial sources of publications and working with foreign bodies. These articles are drafted in wide and general phrases. (Tawam 2011, 35)

### **Right to Association**

The current study is concerned with civil society which, as mentioned before, includes parties, syndicates, and NGOs. First, we shall commence with:

#### **\* Charitable Associations and NGOs**

Law No. (1) of 2000 regulates charitable associations and NGOs. Article (1) states that "Palestinians shall have the right to practice in social, cultural, occupational and scientific activity freely, including the right to establish and run local associations and NGOs under the provisions of law." The said law regulates matters relating to proceedings of registration and the right of those associations and organizations to enjoy the legal personality, rights and obligations, holding money, the quorum of meeting, the possibility of making branches or unions with other associations and other relating matters.

#### **Trade unions**

Trade Unions Act is the Act No. 331 of 1954. Article (5) of the said Act states that "labors working in the same occupation, industry or craft, or working in occupations, industries, and crafts that are similar, connected to each other or have one production shall have unions to keep their interests, defend their rights, and to improve their financial and social conditions. This shall be according to certain conditions e.g. the number of members allowed to form a union and the age of persons allowed to join unions as members. It is noticeable that Article (18) of this law in addition to prohibiting "investment of funds in financial, commercial or industrial business or in acquisition of securities except under the approval of governor general, it also prohibits engaging in financial or commercial speculations, establishing or



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purchasing buildings necessary for running activities unless under a decision to be issued by the general assembly, engaging in political or religious issues, incitement to strike or set-in by any way or mean, incitement to submit collective complaints or to take hostile attitude against recognized bodies in this region. This is not acceptable as it does not express respecting rights and freedoms. It is a trade unions law and it is possible that the union undertake the organization of strikes or protests or to call for the regulation of its labors' interests. It is worth mentioning that this law is applicable in Gaza Strip since the rule of the Egyptian administration, and Jordanian labor law No. (21) of 1960 and Labor Law No. (7) of 2000 which is applicable in Gaza Strip and West Bank, as Article (5) thereof states that "labors and employers shall have the right to form union organizations on an occupational base for the purpose of keeping their interests and defending their rights." There is no text on the restrictions mentioned in Article (19) of the International Covenant on Civil and Political Rights and Johannesburg Principles.

### **\*Political Parties**

The Political Parties Law No. (15) of 1955 is among the applicable laws in Palestine. Article (6) of that law provides that "any political party that has submitted an application in accordance with Article (5) hereof is not permitted to practice its activities unless after receiving notification that registration is approved. As such, the formation of any party depends on obtaining a license from the Minister of Interior and on his conviction of the party. In case the Minister of Interior is not convinced, the party will not be established. This is not considered a respect for freedom of opinion and expression. It is a significant margin that enables executives' authority to oppress rights and freedoms, and it is against legitimate conditions for imposing restrictions against freedoms. It is worth mentioning that Article (10) of previous law states that the party may be dissolved by Minister of Interior in case the latter is convicted that the party receives aids from local or foreign bodies, the party provided false information to competent bodies, the purpose of the party is "no longer legitimate" or its ways are "no longer peaceful". Concerning the non-legitimacy of the party's purpose or the non-peaceful of its ways, they are wide phrases and subject to the interpretation of the Minister of Interior. This opens the door for oppressing freedom of opinion and expression and the formation of parties. The continuity of parties depends on the conviction of the minister of interior and his interpretations which mainly do not reach the level of standards provided for in international declarations and regional conventions that form tests for measuring the legitimacy or non-legitimacy of restrictions.

This Workstream which discusses the Palestinian applicable laws that regulates freedom of media and association concludes that such rights are threatened by restriction and oppression as great parts thereof contains no illegitimate legal restrictions that are against the conditions provided for in international declarations and regional conventions, which are considered the test and standard used to check the legitimacy or non-legitimacy of



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restrictions. Restrictions mentioned in Palestinian laws do not reach the level of these legitimate conditions and pay no sufficient attention to drafting peaceful laws that ensure practicing rights and freedoms practically in a way that indicates the existence of democratic society, as restrictions set out in Palestinian laws provide the executive authority with a significant margin to oppress rights and freedoms. For instance, depending on the conviction or non-conviction of the Minister of Interior for licensing parties or peaceful assembly is not considered freedom. This Work stream also concludes that there is a need to draft one law on Palestinian media to be divided into sections according to topics, and to be clear and written in a serial form to cover all forms of different mass media and not only printed media. This also includes updating the law to provide for modern means of communication, social networks, blogs and supervision thereon, and electronic security. Here, the role of CSOs is of importance as these organizations devote themselves to establish the basis of good governance and to practice pressure on and mobilize the public for providing draft-laws relating to free media and the right of association and in a way the ensures practicing same in a democratic way.

Having known the developments of civil society and problems facing it, the fact of Palestinian media and the problems facing it, and the legal framework regulating the work of both of them, we find that each one of them is considered one of the most important factors in democratization process and each one of them is associated with the other. They both shall be exploited professionally and systematically to gain the fruits of the upcoming connection and cooperation between them concerning democratization process in Palestine.

## **Data Presentation and Analysis**

### **Survey Sample**

for the purpose of survey, survey sample was chosen selectively and thus the sample was intended, as thirteen of SCOs were selected whether the NGOs or community-based organizations according to the following criteria (see the annex of CSOs):

- Human Rights NGOs that work on dissemination of human rights culture and democratization.
- Community-based organizations that work in local communities.
- Woman-related organization that are interested in women' rights and empowering them and youth organizations.

As the nature of study aims to studying the relationship between NGOs and independent media organizations and the extent to which human rights organizations make use of mass media, seven mass organizations were chosen according to the following criteria (see the list of media organizations):



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- Independent media organizations
- Work in various media fields (printed, written, audio, Video, electronic and means of social networking)

Consequently, interviews were held and data were gathered via semi-structured Interviews as a form was prepared for the interview; one for media organizations and the other for CSOs, and the same form was collected from surveyed organizations. It was decided to collect data from twenty organizations; however, data were collected from seventeen organizations only. Data were gathered from media organizations by 100%, while concerning CSOs, data were gathered from 10 organizations out of thirteen organizations by (77%)

#### Data Collection Tools Description

The study has followed both Qualitative and quantitative Methodologies at the same time. Thus, two forms were designed for such purpose; the first helps to collect qualitative data via semi-structured interviews and the second form helps to collect quantitative data via surveyed organizations.

In the form of semi-structured interview, there is a preamble to show the objectives of study along with special instructions to field female researchers over the mechanism of asking questions and holding interviews, and they have been trained previously on the mechanism of collecting data and mechanism of semi-structured interview, and checklist form.

#### Human Rights Organizations Form (see the form annex)

The form is divided into two parts:

part (I) which contains two section:

The first section (a) background information about the organization and the interviewed person.

(b) it contains ten questions about the nature of the organization work, the classification of which, the number of cadres, field of specialization and other general information.

In the first part, the nature of questions was closed, the answer is by 'yes' or 'no' or via choosing the correct answer.

Part (II) which also contains two sections:

part (II) (a) it contains eleven questions (open questions) about the vision, objectives\programs of the organization relating to human rights and democratization, successes and failures in the field of their participation in democratization and dissemination of human rights culture, impediments facing the organization, learned lessons, followed means of evaluation and so on.

Part II (b) the relationship between the organization and media, and the role of media in the organization.



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This part includes nine open questions for the purpose of acknowledging the mechanisms of media followed within the organization, the existing relations with media organizations, their view of the role of independent media organizations in democratization and disseminating human rights, and recommendations for enhancing the relation between them.

#### The form of independent media organizations

The form of independent media organizations is not different a lot concerning the division, but questions in somewhat different in each part (The form of independent media organizations is attached)

#### Checklist form (see the attachment of checklist form)

the form's purpose is to collect data over practicing internal democracy, behaviors of good governance, self-regulation in all sides of organization's work. Questions are answered whether by "yes" or "no", and in some questions it is asked to give certain examples. The form is divided into 7 work streams; each work stream contains a set of questions to verify the extent of compliance with such work stream: the form work streams

1. Organizations' legal status
2. Strategies, plans and reports
3. Executive management
4. Human resources
5. Relations with local community and beneficiary categories
6. Financial management
7. Public relations and information technology

#### **Impediments facing the survey**

- 1- No interview was held with three human rights organizations because of postponing the interview or that the time is not suitable for them.
- 2- Survey sample is small and thus it is difficult to generalize its results.
- 3- Collecting data is restricted to organizations working in West Bank and most of organizations are located in Ramallah, however, this does not include organizations in Gaza and Jerusalem. As a result, there is no way to give a whole view about the home's organizations.

#### **Background information about the organizations**

##### **Civil society organizations:**

Now, we become aware of surveyed organizations, their kind, management, working staff and volunteers, and the capacity of their spread, and `results showed the following:



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1. Concerning the ten organizations with which interviews were held, they all registered as NGOs and NPOs by 100%, they are affiliating competent bodies according to the nature of their work and they all are affiliating the Ministry of Interior by 100%. They also affiliate other ministries according to the field of their work e.g. Ministry of Culture, Ministry of Information and Ministry of Justice, and they all have license number. Concerning the scope of classification, the following classifications are adopted:

*Elite organization*: this means that it works in a certain field without depending on broad-based mass. The membership of general assembly is somehow limited, and is always specialized in defined field or fields. Elite organization formed 30% out of the total number of organizations. (Al-Haq Organization, Miftah Organization and Jerusalem Legal Aid and Human Rights Center)

*Community-based organization*: works in a limited- scope local community and formed 20% out of the total number of organizations. (The Handalah Cultural Center\ saffa village\ Ayam Zaman Center\ Kafr Ni'ma)

*Mass organization*: the organization that works in a wider scope than the scope of local community. It is spread and has wide membership base as it formed 50% out of the total number of organizations (e.g. Women's Affairs Technical Committee, Rural Women's Development Society, Sharek Youth Forum, The Centre for Human Rights and Democratic Participation "SHAMS", Tamer Institute for Community Education)

2. It is worth mentioning that some organizations consider themselves as both community based and mass organization e.g. Sharek Youth Forum, Rural Women's Development Society, and Women's Affairs Technical Committee. Some other organizations classified themselves as voluntary-based organizations in addition to another classification e.g. the Handalah Cultural Center, Ayam Zaman Center, and Sharek Youth Forum.
3. 60 % of the organizations have male directors, and 40% have female directors. There are two female organizations (Rural Women's Development Society, Women's Affairs Technical Committee). Other organizations are public e.g. Miftah Organization and Tamer Institute for Community Education. The number of working staff in working organizations amounted 281 male and female employee, taking into account that male and female workers in community-based organizations are volunteers (80 male and female volunteers). The percentage of male and female workers from youth category (under the age group of 18-35 years old) in these organizations is estimated by 38.3% out of the total number of worker. The number of female workers represents 45%. The reason behind this high percentage is the existence of female organizations that deal with women and all their workers are female. The number of male and female volunteers in these organizations totaled more than 1400 volunteers. The percentage



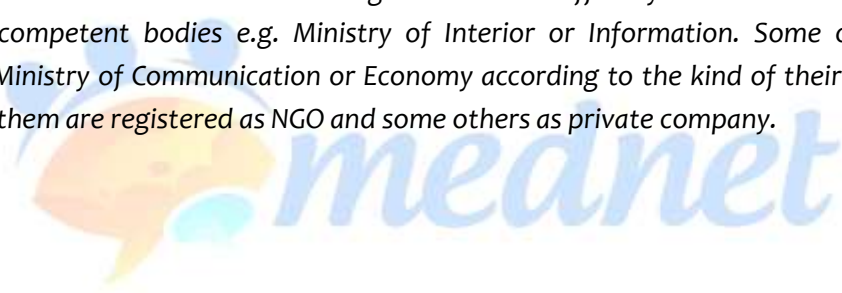
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of female volunteers amounted 44% and most of volunteers are from youth category (under the age of 18-35 years old). 30% of these organizations have no other headquarters, and 50% have headquarters in different regions from 3 to 7 headquarters or branches. 20% have representatives or male/female coordinators without having a head quarter e.g. Al-Haq Organization and Miftah Organization.

#### Independent media organizations

Interviews were held with the seven independent media organizations. It is showed that 5 organizations are run by male director\ Administration Director\program director, while only two organization is run by female director; namely Nisaa Radio FM. From the name and interests of the radio, it is natural to be run by a woman. The other organization the administration director of which is woman is (Palestine Youth). Those organizations include about 266 male and female employees, and 70% of them are male. This indicates that media field according to divisions of work is biased for men or is dominated by them. However, woman has entered this field and reached decision-making position, but this has not reached the acceptable levels yet. Employees in most of media organizations are from youth. It became clear that all media organizations are officially licensed and registered and affiliate competent bodies e.g. Ministry of Interior or Information. Some organizations affiliate Ministry of Communication or Economy according to the kind of their registration. Some of them are registered as NGO and some others as private company.



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## The nature of legal, strategic and administrative Status of CSOs

### Practice of internal democracy "Good Governance"

Literatures showed the importance of practicing internal democracy in CSOs structure. As CSOs have a role in enhancing democratization, establishing democracy, and controlling the achievement of democracy on the part of estate, this requires a great effort to be exerted by CSOs in practicing internal democracy before anything to acquire legitimacy, credibility, and community trust towards the role of these CSOs and their efforts aiming to enhance a democratic society. The submitted literatures showed that practicing democracy is connected to the concept of good governance on both international and local levels. Good governance has levels of application on the level of state, its organizations, private sector and civil society. The essence of good governance is accountability and transparency and the way necessary for achieving them such as supervision and calling to account. On the level of CSOs, there are many indicators to which literatures indicated over good governance inside the organizations that are adopted in the current study and tackled the sides of organization's work. Each side includes a set of indicators within it. These sides include: the works of board of directors tasked with policy, supervising executive management, strategic and implementation plans and reports, executive management practices, financial management, personnel affairs, the relation with local community, public relations and information technology<sup>2</sup>, and to identify the size of board of directors and their general assembly:

#### First: independent media organizations

##### Board of director and general assembly

The General assembly has the main role in supervision, accountability or calling to account. The General assembly is tasked with supervising board of directors and to call it to account. Board of directors, in its role, supervises executive management and calls it to account.

Regarding board of directors in media organizations, it is showed that 3 organizations have a board of director consisting of 9 members including the chairman of the board. The percentage of women among them ranges from one third or half. Those three organizations have General assembly and the number of its members ranges from 15 to 45 members in the General assembly. In an organization the number of women reached the half, while in other organizations their number in the general assembly reached about the third out of the total number of members.

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<sup>2</sup>- it is worth mentioning that checklist form and its answers by surveyed organizations indicate only the approval or non-approval concerning the existence of indicators at these organizations. However, the tool and survey did not reach the level of making sure actually or the accuracy over whether the study is applied in practice or not. What we show in the study is just impressions taken according to the organizations' answers.



The other four organizations are either private companies or owned by organizations, and the board of directors in them has 3-4 members only, and have no General assembly.



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## Verification work streams

Legal Status of the Organization				
S.N	Indicator	Yes	No	remarks examples
1	The organization has an official license.	100%		
2	democratically elected board of directors	100%		
3	effective board of directors that holds meetings regularly.	85.5%	14.2%	
4	The procedures of board of directors' meetings are written in a minutes signed by all present members, and placed in a safe place.	100%		
5	Chairman of the board serves two succeeding tenures or less.	71.4%	28.6%	
6	The organization has articles of association approved by the general assembly.	85.7%	14.3%	
7	There is an approved financial system.	85.7%	14.3%	No answer is submitted by Nisaa Radio FM
8	The organization has an organizational structure approved by the general assembly	100%		
9	There is a written job description for all employees.	100%		
10	The organization complies with the Labor Law (leaves, number of working hours, maternity leave, etc...)	100%		
11	The organization is abiding by laws of income tax and the value added tax.	100%		
12	There is a declared policy on the mechanism of membership in the general assembly.	71.4%	28.6%	
13	Periodic reports are submitted to competent bodies.	85.7%	14.7%	



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Impressions on the legal status of independent media organizations in that they all comply with being licensed and registered. 40% of independent media organizations are registered as NGOs, and 60% are registered as companies. They all affiliate to the competent bodies according to the legal framework that represent the reference for licensing these organizations. Most of the indicators, according to the opinions of surveyed organizations, are implemented or taken into account by these organizations. Some indicators are not implemented by all organizations by 100 %, including:

- 1) Indicator No. (3) as boards of directors hold meetings regularly and are effective by 85.5%. In the remaining percentage of organizations, board of directors does not do this. These results in weakening the role of board of directors in implementing its role regarding accountability and supervision which represent its main role and the cause for its existence, and in holding tasks assigned to it by the organization.
- 2) In the same context, the indicator No. (5) that chairman of the board shall not hold this position more than two succeeding tenures. The percentage of compliance with this indicator is 71.4. Question arises over the remaining percentage that represents one-third of the total percentage, as most of CSOs allow two tenures only. This indicates that periodical meetings are not held, and thus this represents a breach of good governance. Periodical elections and the right to participate in them is among the conditions of governance and democratic practice.
- 3) Concerning indicator No. (7) which indicates to the importance to have approved financial system according to recognized financial assets, the percentage of organizations that comply with this indicator estimated by 85.5% is not sufficient and unacceptable for CSOs. CSOs are supposed to have transparency and impartiality in all their financial transactions, their budgets shall be known and declared, and they shall subject to the supervision of (board of directors). This raises questions over the reasons of non-compliance with this indicator.
- 4) Concerning the indicator No. (12) over the existence of declared policy about the mechanism of membership of general assembly, the percentage of organizations having this policy is 71.4%. the absence of this policy in one-third of the organizations means that the absence of renewing and closing the door of the organization before society members in order not to join it. This restricts the accountability of the organization by its people and thus by the members of its general assembly. In this way, appointing members would be according to the desire of the administrative personnel or board of directors. Hence, society cannot participate in CSOs which are public organizations, and this does not lead to the democratic practice indicated by



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*literatures over the right of society's participation. This goes in line with what is deducted by civil society supporting program (2012) Ladadwah (2007)*



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Strategies, plans and reports				
	Indicator	Yes	No	remarks\definite examples
1	The organization has a strategic plan, written and declared vision and mission.	100%		
2	Strategic plan is drafted in participation with stakeholders and personnel.	90%	10%	
3	The organization's plan and programs are associated with the national plans.	57%	42.8%	
4	The organization works according to implementation plans based on written, clear and definite strategy.	83.3%	16.6%	
5	The organization has follow up tools to supervise the implementation of plans.	100%		
6	The institutions publishes its periodical financial and administrative reports in a regular and declared way.	42.8%	57%	

Concerning the workstream relating to strategies, plans and reports, all media organizations said that they have strategic plans, vision and mission. This goes in line with semi-structured Interviews held with them. The existence of these documents is an evidence that the organization is aware of the reasons for its existence and its work. This is an important indicator indicated by literatures over the importance that the state must have strategies in participation with society. This applies on NGOs such as media that they must have strategy to be agreed on by members of the organization (its general assembly and workers), the matter which appears to be enforced by 90%.

1. Concerning indicator No. (3), NGOs, just like independent media organizations, are supposed to work according to general context as they serve the society's objectives, hopes, and national plans. The percentage of organizations which do not comply with this indicator is estimated by 42.8%. the reasons behind this may that those organizations work away from national objectives and plans, they are not aware of the existence of national plans, or there are no national



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plans. The last reason must be excluded as half of the organizations implement this work stream.

2. Regarding indicator No. (4) that the organization works according to implementation plans based on written, clear and definite strategies, the reason of non-compliance with this indicator by 100% is that strategic plans are set, but they are absent from implementation plans. This reflects the Randomization in work and reduces the chances of supervision and accountability by supreme authorities such as board of directors that supervises the executive body. The executive plan is a way for workers and according to which they are held accountable. We find that there is contradiction between the answers relating indicators 4 and 5 as the latter indicates to the existence of supervision on plans, and the answer was that they have this by 100%. Nevertheless, how does this happen under the fact that a significant percentage of organizations do not have plans, so, what do they supervise on definitely?
3. The strange matter is the low level of indicator no. (6) Which indicates that the organization shall publish periodical financial and administrative reports in a regular and declared way. The percentage of organizations which comply with this indicator is estimated by 42.8%. the remaining percentage which is about half of the organizations do not comply with this indicator. This indicates the poor transparency and deprives citizens from the right of providing them with information. Such information are supposed to be submitted to them whether with or without their request according to what is indicated by Ladadwah (2007). This results in undermining chances of accountability and calling to account, as literatures indicate that NGOs are public organizations owned by society, and people have the right to be aware of their conditions and to call these organization to account. This is what is assured by civil society supporting program (2013). The percentage may also be low as a result of the existence of private media companies that see that those indicators shall not apply on them. This is a wrong matter as democracy, good governance and its practices include all sectors including private sector as we said before.



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Executive Management				
	Indicator	Yes	No	Remarks\definite examples
1	There is an executive management consisting of senior personnel\department heads	100%		
2	Executive management hold periodical meetings and has executive and clear role in taking decisions.	100%		
3	Executive management supervises the execution of its decisions regularly.	100%		
4	The powers are clear, and tasks of board of directors and executive management are separated.	71.4%	28.6%	
5	Executive management holds periodical meetings with employees, support and motivate them to implement their plans.	100%		
6	Executive management balances between the worker's humanitarian needs and work needs.	100%		An example in case the answer is yes.

### **Executive Management Work stream**

Indicators shown above show the tasks and roles of the executive body and it is necessary to comply with it. Answers written according to surveyed institutions are implemented completely by 100%. However, indicator No. (4) that powers are clear and tasks of board of directors are separated from tasks of the executive management is practiced by 71.4 %, while in the other one-third of organizations, there is overlapping in powers and this represents a breach of good governance principles. In case the tasks of board of directors overlap with tasks of the executive body, the main roles of board of directors represented in supervision, accountability and calling to account would disappear. Here, the role of board of directors is like the roles of legislative authority that supervise executive authority as roles may not be mixed. As some organizations are companies, the company owner may be the chairman of the board and may give himself the right to interfere, and thus powers mix here.



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HUMAN SOURCES MANAGEMENT				
	Indicator	Yes	No	Remarks\definite examples
1	Employment policy is transparent and declared and is based on an approved system.	85.7%	14.3%	
2	Selecting employees is carried out by employment committee.	83.3%	16.7%	
3	There is an applicable evaluation system of employees.	71.4%	28.6%	
4	There is an approved and applicable incentives and promotion system.	42.8%	57.2%	
5	There is a written policy over the ongoing training and education of male and female workers.	71.4%	28.6%	
6	There is periodical evaluation of development\training needs of male\female workers.	85.7%	14.3%	
7	The organization is working on qualifying personnel according to development needs for their jobs and for work.	85.7%	14.3%	
8	Male and female workers have a written and well-known job description.	100%		
9	Personnel working in the organization are sufficient for achieving its plans.	50%	Q	Mada Center did not respond
10	There is a policy of high- advantage for receiving volunteers to work in the organization	%85.7	%14.3	
11	The organization is sensitive to social gender in its policies, plans, budgets, and recruitment process.	%71.4	%28.6	An example in case the answer is yes



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Human sources management: having reviewed the indicators and the percentage of practicing them, it is clear that there is no compliance with most of these indicators by 100% except the existence of job description for workers. Workers are considered the social capital of the organizations. Thus, it is important to interest in their developmental and motivational needs, and in periodical assessment. However, media organizations do not meet the needs required for workers completely. A small percentage of the organizations estimated by 14% do not declare about jobs officially. This is against transparency and enhances favoritism and intermediary that reach the level of corruption. Besides, in case the jobs are declared, no interviews are held with employment committee. This behavior is also practiced by about 16% reflecting a personal dimension or favoritism. The safest condition is the existence of competent committee for the purpose of holding interviews with and approving the employment for promoting the principle of impartiality and transparency. Good governance is that the size of work must appropriate the number of male/female workers. It seems that there is shortage in the number of male/female workers in half of the organizations which means increasing burdens on them. Under the absence of incentives system in 50% of organizations and an assessment system in one-third of organizations, this means that there is injustice against male/female workers and exploitation of them. Although two-thirds of organizations are sensitive to social gender in their budget, plans, policy, and recruitment. However, the remaining one-third does not comply with this indicator, and in order not to issue judgments, we would not raise deep questions about reasons, but this is considered one of the aspects of discrimination. Practicing democracy means justice, equality, and non-discrimination on the basis of anything according to what is set out in most of literatures over democratic society including the study conducted by Ahmed (2008). As the organization is sensitive to social gender, this means that it is associated with all categories of society, and admits its rights and needs. Although social gender does not mean women only, they represent half of the community. Consequently, it is worthy for all organizations to take in to account the social gender and to be sensitive to it in their work.



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**Relationship with local community and beneficiary categories**

	Indicator	Yes	No	Remarks\definite examples
1	To engage the target categories in defining priorities.	100%		
2	To engage target categories in selecting projects.	57.2%	42.8%	
3	To engage target categories in evaluating projects.	100%		
4	Defining the needs of target categories periodically.	85.7%	14.3%	
5	The connection between the project and local needs of population.	100%		
6	The connection between outcomes and results and the organization task and objectives.	100%		
7	Women and less fortunate categories are a key-component in the organizations' programs and projects.	85.7%	14.3%	



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The relationship with local community and beneficiary categories: most of indicators' outcomes in this work stream are satisfactory concerning approving their existence. However, indicator No. (2) indicated that half of the organizations do not allow beneficiary groups to participate in selecting projects. This may return to the nature of media work that does not depend on projects. However, practicing this indicator under the existence of projects is a vital matter as through this approach projects are more appropriate and ambitious and meet the needs of target categories. This enhances the principle of community participation which is an important component of democratic practice, and gives target categories the chance in taking decisions in what is relating to their life. In case the role of media is basic in the dissemination of democracy and human rights, this necessitates practicing this indicator within the institution before asking others to practice it. Concerning the last indicator No. (7) relating to seeking the needs of less fortunate categories such as woman and other categories, the percentage of organizations practicing this indicator exceeded 85%, which is a high percentage relatively. This is a democratic behavior to allow those who cannot participate for social and cultural conditions to have a heard voice. There is a contradiction between the percentages of this indicator and the previous one over that the organization is sensitive to social gender in plans and budgets as one-third of organizations are not sensitive to social gender. The contradiction is represented in that issues relating to gender are not prominent in the plans of these organizations, but by practice, the organizations pay attention to the less fortunate categories such as women. This means that these organizations are not completely aware of the concept of social gender and the mechanism of merging it in their plans and budgets.



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Financial Management				
	Indicator	Yes	No	Remarks\definite examples
1	Updated financial system (less than 3 year), approved by board of directors	100%		
2	Financial department makes use of computerized program.	100%		
3	The annual budget is approved by the board of directors.	100%		
4	Annual reports are audited by foreign auditor.	100%		
5	Financial auditing is at the level of every funded project.	57.2%	42.8%	
6	The auditor does not work for more than two succeeding tenures.	42.8%	57.2%	

Financial management: in the financial side, most of indicators are fulfilled except for indicator No.(5) that indicates to auditing each funded project as more than 50% of organizations practice this indicator, while the remaining organizations by 42% do not practice it. As part of the surveyed organizations is companies that do not depend on foreign financing, they do not have projects to be audited. However, these practices is important and enhance impartiality, transparency, accountability, and calling to account via showing that funds are spent in the right place. This is what assured by most of evidences talking about good governance and which are shown in the study including civil society supporting program(2012) and the evidence of ARIJ Institute (2011).

Indicator no. (6) is related to that the auditor does not work for more than two succeeding tenures. This applies on NGOs. These systems are not applied on some surveyed media companies, and this may be the reason that organizations that do not practice this indicator are more than 50%. For sure, changing the auditor is a precautionary measure in order not to be linked with the organization by personal or customary relations for the purpose of hiding information or exchanging interests. They all are corrupt behaviors and against impartiality and transparency.



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Public Relations and Information Technology				
	Indicator	Yes	No	Remarks\definite examples
1	The organization has relations with relevant government bodies (periodical meetings, a report from the organization to government bodies, participation in activities)	100%		
2	There are relations between Palestinian NGOs that have joint specialization (joint meetings, joint activities, coordination of situations and meetings.	100%		Example on organizations
3	The organization participates in Arab, national and international networks\ coalitions\ relating to the nature of its work.	85.7%	14.3%	Example on coalitions\networks
4	The organization's relation with donors and supporters (periodical meetings, accomplishment reports, assessment reports, compliance with condition and specific time).	85.7%	14.3%	
5	Organizations have self-financial resources regardless of their size.	71.4%	28.6%	
6	The organization has many foreign financing sources that help to its sustainability.	14.3%	85.7%	
7	The organization has an effective and easy accessible webpage	100%		
8	Publishing information on the organization's activity in newspaper and printed publications	42.8%	57.2%	



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**Public Relations and Information Technology:** more than half of indicators are fulfilled by 100% or less. According to indicator No. (5), more than two thirds of organizations depend on their self-sources (as some of these organizations are companies and some others are NGOs having commercial investments) this assures our previous interpretation over auditing the funded projects as their percentage is low because organizations resort to funded project in a low percentage. It is logical that the percentage of organization having external sources in indicator No. (6) is low as most of them depend on self-financing.

Concerning indicator No. (8) on publishing information about the organization's activities in newspapers and printed materials, more than half of organizations do not implement this indicator although this goes against the principle of transparency and providing citizens with information. However, the nature of video, audio and written mass media is that their works are conspicuous via their audio, video and written programs. In this way media organizations circulate their services and meet the principle of citizens' right concerning the availability of information. However, the circle is still not complete as these organizations do not publish about their internal conditions e.g. their policy, plans, structure, budget and other issues as literatures indicated including Ladadwah study (2007).

### **Second: Civil Society Organizations (CSOs)**

Board of directors and general assembly: all surveyed organizations have a board of director whether it consists from 7, 9, or 13 members. Women form one-third of members in most of organizations except for two organizations as the whole board of directors in them are women as a result of the nature of female organizations. The number of members in the general assembly ranges from twenty to eighty members in some organizations. In female organizations all members in the general assembly are women, while in other organizations the membership of women ranges from one-third to half out of the total number of members in the general assembly.



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Legal status of the organization				
S.N	Indicator	Yes	No	Remarks\definite examples
1	The organization has an official license.	100%		
2	democratically elected board of directors	100%		
3	effective board of directors that holds meetings regularly.	100%		
4	The procedures of board of directors' meetings are written in a minutes signed by all present members, and placed in a safe place.	100%		
5	Chairman of the board serves two succeeding tenures or less.	%70	%30	
6	The organization has articles of association approved by the general assembly.	100%		
7	There is an approved financial system.	100%		
8	The organization has an organizational structure approved by the general assembly	100%		
9	There is a written job description for all employees.	90%	10%	
10	The organization complies with the Labor Law (leaves, number of working hours, maternity leave, etc...)	80%	20%	
11	The organization is abiding by laws of income tax and the value added tax.	80%	20%	
12	There is a declared policy on the mechanism of membership in the general assembly.	90%	10%	



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13	Periodic reports are submitted to competent bodies.	90%	10%	
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**Legal status of organizations:** results of indicators within this work stream showed that most of the indicators are fulfilled by 100% or a little less. This means that organizations comply with legal dimensions according to legal rules. As these organizations are supervised by Ministry of Interior and competent bodies, they comply with law. Concerning indicator No. (5) that the chairman of board serves in two succeeding tenures or less, 70% of organizations comply with this indicator and the remaining percentage does not comply with it. The process of changing the chairman of the board is a precautionary measure to avoid exploiting the position and it is one of power transfer aspects as the chairman of the board has the highest power after general assembly. Thus, practicing this process is a form of democratic behavior. Regarding indicators No. (10) and (11), percentages are logical as part of surveyed institutions are community-based organizations that depend on volunteering e.g. (Ayam Zaman Center and Handalah Cultural Center). Thus, law of paying taxes, leaves and compliance with Labor Law does not apply on them.

**Concerning the indicator 12 and 13,** while the percentage of compliance therewith is high in each of them by 90%, it is necessary that organizations must have a declared policy membership of general assembly and the improvement of providing reports to competent bodies as referred to in media organizations analysis.



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Strategies, plans and reports				
	Indicator	Yes	No	Remarks\definite examples
1	The organization has a strategic plan, written and declared vision and mission.	100%		
2	Strategic plan is drafted in participation with stakeholders and personnel.	90%	10%	
3	The organization's plan and programs are associated with the national plans.	50%	50%	
4	The organization works according to implementation plans based on written, clear and definite strategy.	100%		
5	The organization has follow up tools to supervise the implementation of plans.	90%	10%	
6	The institutions publishes its periodical financial and administrative reports in a regular and declared way.	90%	10%	
7	The institutions publishes its periodical financial and administrative reports in a regular and declared way.			

Strategies, plans and reports: in this work stream, the percentage of non-compliance with it forms half of organizations except for indicator No. (3) as the percentage of non-compliance with it forms half of organizations. In remarks column, some organizations noted some reasons including: the absence of national plan in this sector, they have not shared in national plans. Their view that their plans are closer to the reality of their community may be legitimate reasons, but integration is important for resources rationalization, distributing roles, reducing worthless competition and repetition which are important factors for good governance.

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roles, reducing worthless competition and needless repetition which are important results for good governance practices.

Executive Management				
	Indicator	Yes	No	Remarks\definite examples
1	There is an executive management consisting of senior personnel\department heads	80%	10%	
2	Executive management hold periodical meetings and has executive and clear role in taking decisions.	80%	20%	
3	Executive management supervises the execution of its decisions regularly.	80%	20%	
4	The powers are clear, and tasks of board of directors and executive management are separated.	80%	20%	
5	Executive management holds periodical meetings with employees, support and motivate them to implement their plans.	80%	20%	
6	Executive management balances between the worker's humanitarian needs and work needs.	80%	20%	An example in case the answer is yes.

Executive management: most of the above indicators are applied by 80%, and the remaining percentage, as we mentioned before, are associated with community-based organizations based on volunteering. They depend on the administrative body volunteering staff and its volunteers. Thus, we can say that executive departments in the organizations implement their role completely according to achieved indicators.



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Human Sources Management				
	Indicator	Yes	No	Remarks\definite examples
1	Employment policy is transparent and declared and is based on an approved system.	80%	20%	
2	Selecting employees is carried out by employment committee.	80%	20%	
3	There is an applicable evaluation system of employees.	80%	20%	
4	There is an approved and applicable incentives and promotion system.	60%	40%	
5	There is a written policy over the ongoing training and education of male and female workers.	80%	20%	
6	There is periodical evaluation of development\training needs of male\female workers.	80%	20%	
7	The organization is working on qualifying personnel according to development needs for their jobs and for work.	80%	20%	
8	Male and female workers have a written and well-known job description.	80%	20%	
9	Personnel working in the organization are sufficient for achieving its plans.	50%	50%	Mada Center did not respond
10	There is a policy of high- advantage for receiving volunteers to work in the organization	85.7%	14.3%	
11	The organization is sensitive to social gender in its policies, plans, budgets, and recruitment process.	71.4%	28.6%	An example in case the answer is yes



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*Human sources management: in general, most of indicators are fulfilled, and the remaining part is associated with community-based organizations. The percentage of compliance with indicator No. (4) is 60%, and if we excluded community-based organizations, we will find that limited number of organizations do not have incentives and promotion system. From our point of view, this is disappointing for distinguished male/female workers and increases the stereotypes and routine in work without creativity or innovation. In indicator No. (9), there is an agreement with media organizations over the shortage in personnel by a very low percentage as the percentage of 30% of organizations having sufficient personnel is very low and shows the burden on the shoulder of male and female workers. Thus, they are prone to facing difficulty in accomplishing their plans, the kind of accomplishment, working for long hours and they may not value the double accomplishment being done.*

*Concerning indicator No. (11) That the organization is sensitive to social gender, the percentage is about 90%. It is a positive indicator and at the same time is the result of the effect of such concept launched by CSOs and called for by the organizations that affected the official bodies. It is logical that organizations apply what they call for. This indicator is in the heart of the democratic behavior that looks for categories of society including women.*



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Relationship with local community and beneficiary categories				
	Indicator	Yes	No	Notes\definite examples
1	To engage the target categories in defining priorities.	90%	10%	
2	To engage target categories in selecting projects.	60%	40%	
3	To engage target categories in evaluating projects.	100%		
4	Defining the needs of target categories periodically.	100%		
5	The connection between the project and local needs of population.	90%	10%	
6	The connection between outcomes and results and the organization task and objectives.	100%		
7	Women and less fortunate categories are a key-component in the organizations' programs and projects.	100%		

Relationship with local community and beneficiary categories: in this work stream, most of indicators are fulfilled by organizations except for indicator No.(2) as 60% of organizations comply with it. If we excluded community-based organizations as they are existing to provide their local community with service, in a direct relation with it, are aware of its needs, sometimes they do not have funded projects and their work is based on voluntary efforts and local sources. The remaining percentage noted in their remark that they do not have projects, but instead they have existing programs. financing these programs is general for the organization and is not restricted to definite projects such as Al- Haq Organization. In this work stream, we conclude that the indicators of good governance are met and are better than media organizations.



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Financial Management				
	Indicator	Yes	No	Notes\definite examples
1	Updated financial system (less than 3 year), approved by board of directors	80%	20%	
2	Financial department makes use of computerized program.	80%	20%	
3	The annual budget is approved by the board of directors.	90%	10%	
4	Annual reports are audited by foreign auditor.	100%		
5	Financial auditing is at the level of every funded project.	70%	30%	
6	The auditor does not work for more than two succeeding tenures.	50%	50%	

**Financial Management:** having reviewed indicators (5) and (6), we find that the percentage of compliance with indicator (5) is 70%. The reasons are, as we said before, the existence of community-based organizations, working in programs and not projects. The assessment of the each organization's work not the funded project is according to noted remarks. Regarding indicator (6), non-changing the auditor for two succeeding tenures by 50% of organizations is a behavior that does not agree with good governance. The fear is from abusing power and not transferring it as we clarified in the work stream of media organizations. The privacy of community-based organizations may have participation in this percentage, but other organizations do not also comply with this work stream.



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Public relations and information technology				
	Indicator	Yes	No	Notes\definite examples
1	The organization has relations with relevant government bodies (periodical meetings, a report from the organization to government bodies, participation in activities)	100%		
2	There are relations between Palestinian NGOs that have joint specialization (joint meetings, joint activities, coordination of situations and meetings.	100%		Example on organizations
3	The organization participates in Arab, national, and international networks\ coalitions\ relating to the nature of its work.	90%	10%	Example on coalitions\networks
4	The organization's relation with donors and supporters (periodical meetings, accomplishment reports, assessment reports, compliance with condition and specific time).	100%		
5	Organizations have self-financial resources regardless of their size.	33.3%	66.7%	
6	The organization has many foreign financing sources that help to its sustainability.	40%	60%	
7	The organization has an effective and easy accessible webpage	90%	10%	
8	Publishing information on the organization's activity in newspaper and printed publications	80%	20%	

**Public Relations and Information Technology:** The majority of indicators are fulfilled, except for indicator (5) and indicator (6) related to the self-financing and other is the external sources of finance. Analysis of semi-structured Interviews with the organizations showed that finance and its sustainability is the main impediment before the work and sustainability of the organizations. This was confirmed in the form of verification of the good governance indicators. Most organizations don't have self-finance and only one third depends on it. The community-based organizations have come to depend on themselves by



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investing the voluntary efforts and local resources. Some organizations may attract self-finance, but the majority depends on foreign investment under the scarcity of finance and its transformation, indicator that threatens the civil community establishments. It is the good governance that predicts the financial future of the organization and develops its resources, whether the autonomous for foreign ones, and employ high effort, in addition to rationalization of the resources and expenditures.

Concerning indicator (8), the percentage of compliance with publication on the organization behalf was 80%, and the remaining percentage 20% doesn't comply. These community-based organizations don't perform this, which is justified according to Ladadwah (2007) because the work of community-based organizations is local in their society is visible and they didn't interact with it or know about it in the activities where they participate. Therefore, we may not need such indicator. Promotion of the publications and press is carried out by different methods, like placing advertisement in the headquarter or in public site like the rural council, mosque, schools and other means.

**General Conclusion on the media organizations and CSOs:** according to the analysis of data that showed in most parts indicators of practice of the domestic democracy and good governance behavior are met. In most aspects, indicators in the CSOs achieved slightly higher than the media organizations, in the particular indicators related to the availability of information to the citizens in particular. The dimension of transparency is reflected through the publication of financial and administrative reports, financial auditing, job openings, policy of affiliation to the general authority and control. The CSOs were distinguished in the indicators of the executive management situation, in terms of the low interference of capacities between them and the boards, which would allow enhancement of transparency, credibility, accountability and interrogation by the domestic and foreign public.

However, some key indicators require 100% verification. For example, the board chairmanship shall not exceed two tenures. This is not achieved in all CSOs and media organizations. In addition, organizations are sensitive to social gender whether in their policies, plans or budgets. In addition, their plans shall be linked within the national plans and development of the achievement of indicators related to the human resources, public relations and use of money. The parties of media organizations and CSOs suffer real problem related to finance, whether self-finance or foreign finance, which would threaten sustainability. All the annotations are specifications of good governance by the good governance behaviors.

The nature of licensing the organizations as company (in media organizations) or community-based organizations or NGOs has affected the answer to the indicators in the checklist tool, as the nature of questions shall be adjusted according to the type of organization. For example, the community-based organizations may need simpler indicators that those offered. This was in agreement with the account of Ladadwah (2007). Some



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indicators didn't apply to them because of their voluntary work and independence on the volunteering investment and local community resources. This was apparent in the part of executive management and human resources management. As for the privacy of some media organizations which are registered as private companies, some indicators apply to them. However, this doesn't prevent, for example, the publication of their financial and administrative reports, and accountability extends to all official, nongovernmental and private sectors.

### **Relationship between the CSOs and independent mass media in Palestine**

In this part, we will present an analysis of the data related to the semi-structured Interviews with the officials in the CSOs and independent media organizations. The data of civil society were presented separately from the independent media data. Subheads and fields were approved for regularly highlighting the analysis.

### **Areas of activity in the dissemination of human rights and democratization culture, type of the rights on which they work and the target categories:**

The organization's field of work of dissemination of the human rights and democratization culture, is it a program and main or secondary objective in the organization. The findings were as follows:

- 70% of the respondents stated that dissemination of the human rights culture is their main work program], and 30% work on it as a secondary work. The latter was more related to the community-based organizations.

- Concerning the type of rights which are the focus of the organization, 10% of them said that they are only concerned with the social and economic rights; 50% of their main focus on the civil and political rights, in addition to the other social, economic or cultural rights. Of these organizations, two have basic programs specialized in democracy, human rights and good governance (Miftah Organization and Shams Center), and 10% of them work only in cultural rights (Tamer Institute), and 20% of the organizations pay particular attention to the women rights (Women's Affairs Technical Committee and Rural Women's Development Society). The community-based organizations that considered their work as subsidiary in the field of human rights, the Ayam Zaman Center pays attention to the civil rights, while Gad Karaja, from the Handala Center (18/19/2013) says that "any activity he performs is a national democratic work within the enhancement of human rights".

- The results showed that the surveyed organizations target certain category like women, children, youth ... etc. or more categories in the same time, and 50% of them target the decision-makers and policy makers. Al Haq Organization was the first one to target the CSOs and security sector in enhancing their capabilities and awareness of human rights. The targeting of youth was considerable in all surveyed organizations. We think that targeting this category is very important for serving the education of human rights culture and



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*understanding the motivations used for development and democratization. Youth are the markers of the Arab Spring revolutions. It is noteworthy that some of the marginalized categories like the persons with disabilities were not targeted by the organizations. This may be due to the small sample of the surveyed organizations, or that this category and its rights was left to the competent authorities that are not included in the study.*



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## **CSOs, their vision, objectives and programs towards democratization and dissemination of human rights culture.**

To clearly understand the role of CSOs in democratization and dissemination of the human rights culture, this can be distilled from different practices and mechanisms, including the vision, mission, objectives and programs of organizations. These work streams indicate the directions of organizations and reveal the discourse that they adopt, since the literatures reviewed showed that active civil communities were the key factor in democratization and enhancement of democracy through the different roles played thereby, including the active control of the democracy behaviors applications by the different sectors, including the existing political ruling regime. By referring the data from the interviews, we found that all surveyed organizations have vision, mission and objectives for which they exist and work according to them as compass or director of them.

The vision and mission of 50% of the surveyed organizations in reference to its role in democracy and culture of human rights. For example, Nasser El Rayes, Consultant of Al Haq Organization(12/10/2013), says "our vision is to reach a situation where the principle of rule of law and standards of international human rights and international humanitarian law can be applied, and to comply with these laws so that Palestinians can enjoy equal treatment in relation to their human dignity and get rid of occupation and completely practice their right to self-determination", while the mission is to "disseminate and generalize the human rights principles and standards, and to deeply establish compliance with the principle of rule of law on the Palestinian community level, and to use the national and international mechanisms to affect the policies on the national and international levels". Expression of the mission and vision by Al Haq Organization is in the core of democracy and its organizations based on the principle of equality of law and compliance therewith, as well as enhancing the human rights to achieve justice and equality. In addition, the institution is charged with role of affecting the policies on the national and international levels. This is an important role played by the CSOs in the democratic countries. If the state of Palestine desired to establish democracy as rules for government, the field shall be left to the civil society to play its role. It is the linking point between the state and society. The Centre for Human Rights and Democratic Participation "SHAMS"- expressed its vision and mission directly on its orientations to bolster democracy and disseminate the culture of human rights. The Shams Center is concerned with the development of media and human rights.

The Center manager, Omar Rahhal (18/09/2013), says that the center vision states that: "Democratic Palestinian society based on the respect of human rights principles and public and private freedoms". The center mission is " The Centre for Human Rights and Democratic Participation "SHAMS" is an independent nongovernmental organization that works on the publication and promotion of human rights values in the Palestinian territories and defending them, and addition to the promotion of the mainstays of good governance, rule



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of law and democratic concepts of civil society through the awareness, enculturation, advocacy, publication and media programs that target category of youth and Palestinian society in general to reach a democratic Palestinian society that safeguards the and respects the public freedoms". Shams center aspires that the Palestinian society be democratic and respect the human rights, including the public and private rights, and to find itself as key contribute thereto through the dissemination of human rights culture and defending them, and promoting the good governance by indicating the methods and tools it adopts to reap the fruits of its contributions.

On the same standing, we find the Miftah Organization proceeding with its mission and vision toward the establishment of democracy and good governance. In the interview of Lamis Al Shuaiby, manager of program in Miftah Organization (10/10/2013), she said that the Miftah in its vision aspires to sovereign democratic independent Palestinian State where the Palestinian can enjoy the fundamental rights and maintain his dignity as well as enjoy international recognition and respect. Its mission states that "Miftah aspires to promote the principles of democracy and good governance with its different components, and affecting the local and international public and official opinion towards the Palestinian cause, through the active and deep dialogue, and free exchange of information and ideas, and local and international interrelation".

The mission and vision of Miftah Organization indicates that it perceives the reality of the democratic state based on the rule of law and good governance in all components. Therefore, the foundation sees that it has a role to assume by affecting the public opinion, whether the local, official or even international. The importance of the international public opinion arises out of the privacy of the Palestinian situation and the occupation and emerging authority that doesn't enjoy sovereignty. In addition, the foundation shows that exercise of democracy is done only by dialogue and free exchange of information and ideas. All these are the bases of democratic practices that leave the stage for freedom of expression, difference and multiplicity according to the literatures.

The other surveyed organizations are concerned with certain category like women or youth. Vision and mission of these organizations were to promote the rights of this category and to assure that society will not reach a society where justice and equality prevails, not through the promotion and empowerment of these categories like women. For example, Amal Jomaa, media officer of the Women's Affairs Technical Committee (10/10/2013) indicated that the struggle of Women's Affairs Technical Committee is "to reach a Palestinian society where the state of quality in rights between men and women can prevail, and that its laws and legislations shall be fair towards women". Therefore, its mission is based on empowerment of sections of the Palestinian community on the importance of women rights and advocacy of these rights to enjoy the rights of fair citizenship.



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The account of the Women's Affairs Technical Committee is in the core of democracy and promotion of the human rights culture that each man has the right to expression on the cases of general life and practice of the rights delineated for him and claim the rights of citizenship directly or through organizations that represent him according to the literatures (Ladadwah , 2007; Abu Ayyash, 2008) so that no discrimination can be based on the social gender. The Women's Affairs Technical Committee establishes itself as representative and defender of the rights of this category (women), as justice and equality didn't complete. Democratic society is said to respect the human and citizenship rights, and half of this society is marginalized and its rights are deficient or usurped. Therefore, the Women's Affairs Technical Committee assumes its role as civil society organization concerned with specific sector of development and enables it and advocates its rights.

In the past, the community-based organizations like the Handalah Center and Ayam Zaman Center served in specific local communities like the saffa and Kafr Ni'ma Villages. Whereas these organizations are in direct contact with their local communities and certain categories of it touch the needs and demands of this society; its vision and mission may be indirect in the terms and language that reflect the concepts of democracy and human rights; it came to reflect its development dimension. This is related to democracy and human rights according to the literatures that were handled by Gada Karaga, Manager of Handalah Center (18/09/2013). He indicates that the vision of the center is as follows: "leading work to enhance the cultural, artistic and social condition of national and democratic dimension by investing the local talents and powers in the Saffa Village". The mission is: that Handalah Center tries to revive the social and cultural landscape in the village by consecutive work on a set of cultural, artistic and social activities.

Promotions of the cultural, artistic and social condition are key components of development. These components are rights provided in the different covenants of human rights, including the International Covenant on Social, Economic and Cultural rights. Building on these topics means that climates of democracy are available to be practiced without restrictions or control. To establish democracy, the categories shall be enhanced and empowered to practice it. The Handalah Center suggested set of means to satisfy it.

In spite of the difficulty for each organization to discuss its vision and mission separately, the surveyed organizations had vision and mission that focus on the concepts of democratization and promotion of the human rights culture, whether directly or indirectly expressed, which reflects the understanding and role of these organizations as CSOs that serve their societies and act as his voice, and defend its rights and affect its policies and laws to facilitate eh access to democratic society. Due to the privacy of the Palestinian society, most accounts of these surveyed organizations handled independence, liberalization and national dimension to perceive that democratic society and human rights will only be realized within free independent and politically stable state.



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### **Applicable strategies and mechanisms of work in the organizations to disseminate human rights and democratization culture:**

When organizations were asked about the strategies and mechanism of work applied by them, they placed several mechanisms of choice including: enculturation and awareness, training and capacity building, pressure and advocacy campaigns, studies and research, provision of services, social voluntary works, and box was added to determine other mechanisms as the results were as follows:

1. 50% of the surveyed organizations stated that they follow all mentioned mechanisms.
2. 10% of the surveyed organizations are concerned with provision of service, legal services in particular.
3. 10% of them stated all the mechanisms except for the researches and studies.
4. 10% of them do all the foregoing except for the social voluntary works.
5. 10% of provide training, capacity building, researches and studies, pressure and advocacy campaigns and social voluntary works.
6. 10% perform awareness-raising, enculturation, capacity building and social voluntary works.

The surveyed organizations adopted several methods and means that translate the strategic mechanisms that they follow. For example, the awareness and enculturation strategy had several approaches. It was mentioned that they hold workshops and categories for certain social classes, documentaries, theater, cultural fairs, cultural pamphlets and bulletins, media of all types including the social media (web-page on Facebook) and other approaches as means for enculturation and awareness.

Concerning the most successful means applied to achieve their different strategies in the field of democratization and dissemination of human rights culture? Half the surveyed organizations tended to state that all means are important and supplementary of each other, and choice of the means depends on the nature of the target category. Some of them may depend on the other. Lamis Al Shaeby, from Miftah Organization (10/10/2013) says "each of them work symmetrically and orderly because they depend on each other. Training can't be held before awareness and survey of the awareness and readiness, then to focus on training and capacity building". Some of them said that it is difficult to prefer a certain method or means to the other, because it depends on the subject at hand". In some cases, media is the largest and best means of expression of this issue and other issues that that we find studies to better serve them" (Al Rayes, 12/10/2013). Omar Rahhal, Shams Center, adds that "there is no certain method, and each method supplements the other. If promotion is desired through the Facebook, it will be directed to certain category, and if direction is to a newspaper, it will be for a certain and different category" (18/09/2013).

Media of all types, including the social media, attends as a means that employs whether for awareness or direction of the public opinion by raising the different issues, and mobilizing



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the society towards them. 80% of these organizations appeared to use media of all types to achieve the awareness and enculturation strategies as well as the pressure and advocacy campaigns. 30% of the surveyed organizations considered that media of all types are one of the best means to achieve their strategies. Rahal justifies the importance of media of all types in achieving the strategies of organization as follows, "I believe that media, whether conventional or modern, supplement each other and is interrelated. I believe that media is integral and social media plays role for promoting some issues and highlighting certain issues. It plays a role in affecting the public opinion and changing it and forming the awareness. I actually represent media like the fish that eggs quietly and smoothly 100000 eggs in the ocean" (18/09/2013).

Accordingly, we find that the CSOs are fully aware of the importance of media and its role and effect on the public and the role it plays for moving the public opinion. It is a means of expression, communication and transmission of ideas and information. Awareness of the importance of media and its role is consistent with the literatures that indicate the importance of media in its different roles, as indicated in the study of Abdel Baky (2012), Al Alem (2013) and others.

From the foregoing review of the strategies and means applied by the organizations in the field of democratization and dissemination of the human rights culture, we deduce that it has come in line with the literatures on the role of CSOs in democratization and dissemination of the human rights culture. It performs the intermediate role between the state and individual according to Ladawah (2007) and Abu Ayyash(2008). It shall instruct and enculturate society with its different classes on the different rights of them, and shall have a role that affects the policies and legislations, and capture rights through the pressure and advocacy that require study and discussion of the social, economic and political aspects. The mechanisms may interfere and interact with each other to achieve specific goals, especially when the subject is related to influence on politics and law. Whereas the role of social society is in fact based on volunteering and social work, the opinions met with the literatures. On the other hand, the results were in conformity with the literatures in terms of the different role of CSOs before or after Oslo according to Gerster and Baumgarten (2011) as three approaches appeared between the CSOs after Oslo, which are "empowerment", "capacity building" and "defense/ advocacy".

Programs/ projects in the CSOs on the promotion of democracy and human rights

Concerning the nature of the programs and existing projects that work on promotion of democracy and dissemination of the human rights culture, and for the purpose of the study, will focus on the freedom of opinion, expression and organization. The programs and projects varied according to the nature of the organization (specialized elite, basal public and voluntary). Some programs came directly and they focus on the issues of democracy



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and human rights, and some of them reflected the service dimension (legal service and consultancy in particular), and another one focused on the rights dimension in defending the rights of certain social classes. Some of them discussed the subject on the level of local community according to different activities among the other activities, but not a core topic for them, in the community-based organizations in particular. However, the social development dimension related to certain social categories whether on the level of the public related to democracy and human rights.

Accordingly, we review the classifications of organizations and their related programs/projects:

**1- Direct programs that discuss the issues of democracy and dissemination of the human rights culture:**

The study indicated that 30% of the surveyed organizations are within this classification. These organizations are Al Haq, Shams and Miftah. Al Haq Organization's programs are mostly related to the capacity building and preparation of studies in the field of human rights and their violation, including the civil and political rights, international humanitarian law and international law of human rights. For this purpose, they have circles concerned with this, like the training center that builds the capacities on the local and Arab levels. The most important part played by this establishment in the recent three years is holding over 25 training courses for different categories like journalists, CSOs, security apparatuses and other agencies on the media freedoms, peaceful gathering, abusive detention and mechanisms for documenting the human rights violations. Al Haq Organization was concerned with the freedom of opinion and expression directly through the journalists training program to upgrade their performance and transfer them to advocates of human rights in partnership with the Ma'an Media organization. Legal papers on the freedom of expression, opinion and media were prepared (Al Rayes, 12/10/2013). Concerning the The Centre for Human Rights and Democratic Participation "SHAMS", it adopted the capacity building in terms of the human rights and good governance concepts as well integrating these concepts within the work of the target categories like the security apparatuses, students of Palestinian universities in the fields of political science, media and sociology, and the students of the faculties of Islamic shari'a, and they have activities on the human rights and social media.

Miftah Organization focused on the right to elections (one of the key indicators for the practice of democracy and one of the human rights), as its program included "support of the elections that target the local communities to promote the principles of citizenship through the exercise of the right to elections. This program targets the promotion of the women political participation by empowering and strengthening the candidates in the municipal



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councils. Miftah perceived the importance of the active role of youth in change on the different political, social and economic levels. It allocated a program for them to build their capacities. This program discusses democracy, human rights and capacity building on the expression of opinion, dialogue, discussion, good governance and other topics. And the freedom of expression, opinion and organization. Miftah has several programs that encourage the freedom of expression and freedom of opinion and expression in certain local communities, including the targeting of women in Al Aghwar within groups and availing discussion and opportunity to them to express their issues and to economically empower them, and the program of support and enhancement of the feminist leaders, communication, discussion and capacity building skills in political life and laws. This shall be followed by advocacy campaigns and local community development project so that the capabilities of local community in its different categories (women, youth, farmers, workers, people with disabilities, etc.) can be enhanced and developed for participation and expression of their needs and vision to set strategic plans that municipalities and rural councils shall adopt and build on (Al Shuaiby, 10/10/2013).

- 2- **Programs of service dimension (legal consult and services):** these programs constituted 10% of the surveyed organizations in this field, and it was their specialized and head office, Jerusalem Legal Aid and Human Rights Center provides the consults and institutes the legal lawsuits before the courts to recover the usurped rights or claim them, especially the social and economic rights. Concerning the programs related to the freedom of expression, Essam Al Aroury, Manager of the center, stated that there are no specific programs on it, because there is no main topic, and their attention is focused on legal consulting and services through the courts (26/09/2013).

According to the literatures, these programs noted that the rule of law and mechanisms of its enforcement through integrated, fair and independent judiciary is one of the constituents of democratic role that sometimes applies in case of dispute. Jerusalem Legal Aid and Human Rights Center is specialized in this field, which is the contribution to defend the rights of the marginalized rights and their protection by law.

There remains a question on the integrity of judiciary and justice of prevailing laws and needs answer that we will find later.

### **3. Programs related to the rights of certain social categories (Youth, Women and Children)**

According to this classification, 40% of these organizations provide their programs to certain category, including the youth, women and children. This classification discusses the needs and rights of this category. More specifically, these organizations focus on some rights, like the social and cultural rights, and women rights in particular, based on the agreement on



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United Nations Committee on the Elimination of Discrimination against Women (CEDAW). These organizations include the Sharek Youth Forum that focuses on the role, effectiveness and rights of youth, Women's Affairs Technical Committee as its programs are oriented to the rights of women. Tamer Institute is concerned with the development of children to develop and support the freedom of opinion and discussion through the arts of literature and writing (cultural rights). Finally, the Rural Women's Development Society which works on the organization of rural women in their local communities within community-based organizations, and enhancement of their economic, social and political rights in their local communities.

The Sharek Youth Forum adopts the capacity building strategies for youth who are working in their organizations to enable them to understand the different human rights. They focus on the political and civil rights so that it enabled the composition of youth and parliamentary councils, and they also adopted the launching of some campaigns to enhance the participation of women in the economic life and others for protection of the children rights against labor in particular. Concerning whether they have specialized programs to enhance the freedom of expression and opinion, the Sharek Youth Forum is a key part of their programs, and those related to the advocacy campaigns in particular. They are facets of raising the voice, expression and opinion. In addition, they issued some studies on youth and that discussed the freedom of expression. Therefore, the freedom of opinion and expression is always a key component of the organization programs and projects (Othman, 01/10/2013).

The Women's Affairs Technical Committee, as mentioned before, is basically concerned with the women rights and issues to promote and seek them, and they have several programs in this side. The media program is a radio program that airs episodes on the rights of women and their different issues, and the Sawt Al Nesaa Magazine. They have programs to promote the women political participation and empowerment of the feminist frameworks affiliate to the political parties, and programs to manage the advocacy campaigns. These campaigns include a campaign on the rights of inheritance division for women and another campaign on the condemnation of women murder on the background of the so-called "family honor". There is a department concerned with the capacity building of women and other categories like the training of journalists and students of media on the media program of women rights and issues. From their own point of view, all media programs allow the freedom of opinion and promote it and give stage for women to present their views (Jomaa, 10/10/2013).

Tamer Institute for Community Education has the mission of creating free and safe Palestinian community through the discussion of the books and opening of pulpits to them, and democratically discussing them. It is the pivot of their work (Totah, 10/10/2013). They have several programs concerned with the freedom of opinion and expression by encouraging the writing to children (lower than 18 years) in the Yarat Magazine published



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with Al Ayyam Newspaper. They have the "Serb" team that employs drama for expression, and the Aswat Men Falastine Magazine published in English, and many movies that focus on the children rights to education, culture and creativity are produced.

The Rural Women's Development Society pays more attention to the right to organization and formation of the basal feminist organizations or centers. To achieve their purposes, they adopt the strategies of training and awareness, and the advocacy campaigns to promote the rights of rural women in general life. Therefore, it has different campaigns, including the campaign on the right of rural women to participate in the political life in the councils and municipalities in particular. The association now works on the campaign of compliance with the minimum limit of salaries, which comes within the social rights (as provided in the convention of anti-discrimination against women and the international covenant on the social, economic and cultural rights, and the decision made by the Ministry of Labor on the minimum limit of salaries). They had a role in the campaign of promotion of national products. According to the association manager, Nadia Harb, they are considered to not have programs or projects related to the freedom of expression, opinion and community organization. They indirectly participate in the general activities that the feminist institutions perform through the campaigns like condemnation of murder on the "background of honor" (24/09/2013). The account of Harb is strange to some extent. We find that the main objectives of the association include the promotion of rural women and helping them compose basal establishments/ associations and building their capacities, defend their rights and promote their participation in public life in their local communities. The programs or activities proposed as well as the lack of programs on the freedom of expression are in somehow in conflict with their objectives, or they were not able to connect their role and the concepts of human rights and freedom of expression. They have a campaign to promote the women right to political participation, which is a key role in democracy and part of the human rights system and needs free expression of opinion.

#### **4- Programs at the level of local communities**

20% of the surveyed organizations, which are community-based organizations that serve specific local communities, which are the Handalah Center in Al Saffa village/ Ramalla district, and the second is Ayam Zaman Center/ Kafr Ni'ma Village.

One of the objectives of the Handalah Center is to popularize the civil and democratic culture. The activities of the center include awareness workshops, training courses and symposiums of different categories that discuss different topics, including the various workshops on the rights of children and rights of citizenship and women. However, it is not within a specific program. They focus on the issue of captives and publication of their rights and honoring them. They are concerned with reviving the heritage through the Dabka and music. They will open a school for music and annually hold cultural heritage festival. They



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consider that they work for promoting the freedom of opinion by holding awareness workshops on the subject. They contribute to establish centers in the neighboring villages, like the Ayam Zaman Center in the Kafr Ni'ma Village. This comes within the promotion of the right to organization and formation of associations (Karaga, 18/09/2013).

The Ayam Zaman Center has the project of "partnership for development" that includes creation of the scouting team, and attention to teaching music and dabka. They hold symposiums on the rights of women and have department of handcrafts and promotion of them. They deliver different training courses, and establish summer camps for children. Their contribution to promote the freedom of opinion, in their view, shall be through the so-called "our country and participation", that allows writing by the members of the center and local community (Al Sayes, 28/09/2013).

We find that the work of community-based organizations within their societies is to try to be in direct contact with their needs. Since the Palestinian villages and towns are the source of Palestinian heritage with all its traditions. It finds that it is a feature that can focus on these organizations whether through the dabka or handcrafts or popular foods. These are considered a human right in the practice of their culture and maintaining his heritage. Although the study focuses on the freedom of opinion and expression and organization and mechanism of employing media for this purpose by the organizations. We didn't find within the programs of these organizations a program that can present these issues, even though Handalah Center contributed to form some of the centers in the neighboring villages because of their experience, it is not a reason and direction in their identification documents, especially the media since their employment of media is limited. The reason may be that they don't work within narrow scope (limited local community) that may not attract media, which aspires to general issues related to the context of the nation, not narrow local context.

It is clear that there are programs, projects and activities related to the promotion of democracy and dissemination of the culture of human rights in the different surveyed organizations whether in specialized or secondary form, directly or indirectly, or vary between the organizations. However, the question is: what is the effect of the outcome of their work? And how they work to evaluate their programs and projects? To what extent have their goals been achieved to say that they succeeded? To answer these questions, the organizations were asked about the mechanisms adopted to evaluate the programs of democratization and dissemination of the culture of human and indicators they report. Their answers were as follows:

1. Most of the organizations noted the methods of evaluation that report quantitative indicators of the number of beneficiaries of the training and awareness courses or the symposiums, festivals and other social activities and Facebook users. Al-Haq Organization considered that the low number of complaints of abuse in the Palestinian Authority prisons



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is due to the intervention, protest and sudden investigation visits to the prisons. These are indicators that were reported and that are considered success (Al Rayes, 12/10/2013), while Jerusalem Legal Aid and Human Rights Center considered that the success of the issues that they raised before the courts is indicator or reporting and success (Al Arory, 26/09/2013). For Ayam Zaman Center, the number of associates of the scout group increased, as it was 35 and has become 75, and today reached 130 persons. This is an indicator for evaluation of the organization programs (Al Sayes, 28/09/2013).

2. Half the surveyed organizations noted that the use of quantitative mechanisms to evaluate their works, like the holding of focal groups (Rural Women's Development Society) to identify the change that occurred as a result of intervention, tracing the official publications and decrees as a result of the campaigns (Miftah), amendment of article of law or approval of new articles (Al Haq), increased of women turn out to volunteering and participation in the (Handalah) foundation's activities, stories of success that report the women who have initiatives (Women's Affairs Technical Committee).

3. Some of them noted that the organization depends on the periodic external evaluation of the organization or project. As a result of the presentation, we find that the organizations pay attention to identification of the results of its work, but the majority of them noted the direct simultaneous effect after training or awareness, but the effect on the medium or long run was limited, although they are key issues that help identify the effects of these programs on the life of the citizens, if they are related to promotion of democracy and dissemination of the human rights culture in particular. They are transformational issues of change, and accumulative transformations that need tracking on the medium and short runs, not only the near one. However, some indicators that group of organizations report like Miftah, Haq and Jerusalem Legal Aid and Human Rights Center are indicators of tangible and sustainable effect. We consider that there is convention of evaluation and follow up regardless of whether it is quantitative or qualitative, internal or external, and they are indicators of good governance practice at home.



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## **Key successes of the surveyed organizations in the field of democratization and dissemination of human rights culture**

Work in the field of dissemination of human rights culture and promotion of democratization is one of the topics that require creation of this culture. It is primarily process of change and requires time and accumulation, and require stability of political regime and secure democracy and human rights, by defending it and reporting, controlling and judging those who violated them in particular by the state. In the context of the study that focuses on the role of civil society in the dissemination of the human rights culture and promotion of democratization. The surveyed organizations were asked about the successes made in this field, in the last three years in particular (2010- 2013), and the lessons to be learned from this success. Therefore, we present the key results that were reported by the surveyed organizations.

### **1. Specialized and elite organizations:**

**Legal assistance center:** to promote the right to accommodation and ownership of land, the Jerusalem Legal Aid and Human Rights Center considered that they have made success in this track by stopping the demolition of about 1300 houses, in addition to restoration of forfeited territories. In addition, they worked on the right to identity and prevention of withdrawing it by the Israeli authorities, especially the Maqdesites. The center achieved successes in preventing the withdrawal of blue identity from the Maqdesites. The center managed to win a lawsuit that was instituted against the Municipality of Jerusalem to improve the cleaning in the districts of Semiramis and Kafr Aqb which are considered within the scope of services of Jerusalem Municipality (Al Arory, 26/09/2013).

**Miftah Organization:** Lamis Al Shaiby, (10/10/2013), noted that the majority of their programs are successful, especially the reinforcement of the feminist leaders in the political work, and promotion of the political role of youth. They have had an active role in their political parties. The main reasons for their success, which is considered as lessons to be learned that can be generalized is an element or principle of participation and dialogue with the different organizations and categories.

**Al Haq Organization:** the key successes of Al Haq Organization is that it managed to achieve the principle of prohibiting the trial of civilians before military courts (which was actually applied), in addition to its role in control of the recent local elections to be in accordance with law and report the violations. The foundation managed to affect some policies and legislations as result of the power of pressure to be formed. They managed to stop the decree establishing the Nongovernmental Organizations Authority because of the non-constitutionality and violation of the capacities of government and competent authority, which are the references of the civil society. They merged the human rights standards in the draft Palestinian penal law (which didn't declare its history and under deliberation), in



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addition to the successful release of detainees who were abusively detained, and approval of the sudden visits to the prisons of the authority that had successes as mentioned before (Al Rayes, 12/10/2013). Nasser El Rayes believes that the lessons to be learned of these successes that were achieved is focus on clear work strategy that shall be intensively applied and achieve positive results.

## **2. Mass organizations concerned with certain category or field**

*The Sharek Youth Forum: achievement of formation of the youth councils in the different areas, the youth legislation council is a story of success of a forum that participated according to the highlights of Sahar Osman (01/10/2013). They indicated the importance of planning through youth according to their needs, in addition to enhancing and promoting the ability to get self-finance capable of sustainability, which is the key reason to be learned from their successes.*

*Tamer Institute for Community Education: the ability to create network of the Palestinian children, and production of some stories in the sign language of the deaf, and others in the Braille Method, which is the success that Tamer Institute considers to be the most prominent. In addition, it opened the stage for the initiatives of children to perform activities that make better success that imposed on them. This is the criterion that they concluded from their work and successes (Totah, 10/10/2013).*

*The Centre for Human Rights and Democratic Participation "SHAMS": their success was the building of partnerships with the security forces and work with 4 faculties of shari'a, except for availability and largely working with media, and spread in 11 governorates through the volunteers and many partnerships and memberships in relevant coalitions and forums. They focus on youth and investment of the voluntary effort oriented through the training and clear methodology of work with them which contributed to the success and facilitation of the penalty of finance, which is one of the lessons to be learned that can be recorded according to Omar Rahal (18/09/2013).*

*Women's Affairs Technical Committee: stating the quota of elections and continuous work with journalists helped change in the directions and orientation of media people and their free handling of the feminist issues and understanding of their issues and rights. Their continuous work in the campaigns of women rights advocacy, including the campaign against the murder of women on the "background of honor", since the staff is the coordinator of the forum of nongovernmental organizations against violence against women. The staff indicated that work with youth achieves effective results according to their experience with the young media people (students and journalists) and integrated work with all categories of society in discussing the issues and rights of women, which are the key lessons to be learnt of their work and success (Jomaa, 10/10/2013).*

*Rural Women's Development Society: They considered that their achievement in the creation of empowered women on the social and economic levels, and participation in the*



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political life in their local community as an achievement, in addition to their interaction with the issues of women and defense of their rights, including the right to life to prevent murder on the "background of honor", although no gains or legal change was made, but the feminist women moved the public opinion and officials towards it (Harb, 24/09/2012). The Rural Women's Development Society scored the main lesson to be learned which is belief in the abilities of women and providing them with opportunity to express themselves and their latent capabilities.

#### **Community-based organizations :**

*Ayam Zaman Center: Dabka band and scout team were successfully formed. Concerning the formation and building of relations on the social level with the active players socially and politically. The handcraft is a recent general activity that shall be marketed. Understanding the needs and will of people, synergy and team work are the constituents of success. They are the lessons that they learned from work (Al Sayes, 28/09/2013).*

*Handalah Cultural Center: the officials of Handalah Center considered that contribution to open other cultural centers in the neighboring villages to Saffa Village, like Al Hadaf Village in Baleen, Ayam Zaman Center in Kafr Ni'ma, which is a story of success. Women participation in the center management and availability of the feminist component in the activities of the center within rural community is a challenge to the culture and traditions, and it is also success. They also established communication with Rowaq Foundation and restored the Handalah Cultural Center, and organized the festivals of the Annual Festival of Handalah Cultural Center. In addition, the center management by volunteers since 1999 is replete of successes recorded by the center. The lessons to be learned include the importance and promotion of voluntary work, constructive relations and transmission of experience to the others (Karaga, 18/09/2013).*

*The successes achieved by the surveyed organizations show that they were diverse and variable, whether on the level of type or privacy (for the target category). The successful programs were in different fields of rights whether the political, civil, social or cultural rights, and some of them was related either to affecting the laws and policies to adopt the human rights standards as in Al Haq Organization, or through the works and gaining and defending the rights as in the case of Jerusalem Legal Aid and Human Rights Center. We find that the promotions of rights of certain categories was paramount in a set of organizations, including those related to the promotion of youth political rights and general life as foreshadowed by the Sharek Youth Forum and Miftah Organization. Concerning the rights of women and defense of their rights, including the right to life, it is the preoccupation of the Women's Affairs Technical Committee and the entire feminist and nongovernmental organizations involved in the forum of nongovernmental organizations to encounter violence, although the results of campaigns didn't bring their outcomes, but it was a significant social mobility that we witness. Children had a role in promoting their right by*



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expression and learning in the present and successful at the same time, as is the case in Tamer Institute that managed to touch the needs of children with video and hearing disabilities in the production of educational cultural materials suitable to their disability. The community-based organizations appeared to have managed to gain the confidence of their societies through their continuous community activities that managed to stimulate the voluntary capacities and the feminist component in societies are conventional and conservative. These societies managed to devote the right to organization and assistance to create the centers and organizations in adjacent local communities and promotion of cultural rights of the local community.

Concerning the lessons to be learnt, we conclude that there is agreement among the majority of organization on the importance of investing the youth voluntary capacities and orienting them, which is key constituent of success. Some organizations indicated the importance of planning, participation and dialogue with the community categories and organizations, including those who noted the importance of having accurate and clear work strategies, team work and formation of pressure groups, promotion of the women participation in institutional work, promotion of the initiatives planned and executed by people. What is provided here is related to the bases of practice of good governance which situation was analyzed in the organizations before and which importance was reflected on the in-depth interviews which reflect the awareness of the organizations on the importance of practicing the good governance in its different sides.

Challenges encountered by organizations in the implementation of the democratization and human rights promotion programs and initiatives

Any work encounters challenges and impediments, so imagine how work would be in the Palestinian case under the occupation and authority that, even though it recently acquired the name of state, still lacks sovereignty and also under occupation. In a national embargoed with apartheid wall that divided the country into communities, and the zones classified as (A, B and C) and settlements everywhere, and political division between Hamas and Fatah under the political conditions and the resulting deterioration of economic conditions and effect on the social life. Do such matters affect the work of surveyed organizations? While the challenges that the organizations encounters were on the external and internal levels, and the external challenges were as follows:

1- Challenges related to the legal environment and legislation:

- 30% of the surveyed organizations indicated that they didn't encounter impediments in law and legislations and that law and legislation didn't constitute challenge to their work.



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- 70% of the surveyed organizations believe that the legal and legislative environment formed, and still forms, challenge and impediment for their work, including the interruption of the parliament work, especially the organizations that target the laws, declaration of laws or amendment thereof. Some of them don't believe that the problem is related to law, and its enforcement, and the court decisions. Other organizations defined the impediment in the law of NGOs, which contains some ambiguous provisions. According to them, this law is outdated or undemocratic, while others noted that laws and discouraging, such that the stringent and strict measures on the renewal of license and lack of the law of protection of organizations and associations. The Women's Affairs Technical Committee considered that laws obstruct their work, especially in the cases related to women rights and law of personal status in particular. Such laws still constitute impediment against the personnel and advocates of legal reforms and amendments, under the lack of parliament. Some of them identified the problem in the executive procedures, especially the serving of complaints against the violations of settlers that are tracked (Jerusalem Legal Aid and Human Rights Center). The complainant shall serve his complaint to the Israeli Police Stations in the settlements and people in general fear going and complaint in the settlement.

2- Challenges related to the political environment. All surveyed organizations agreed that occupation is the primary impediment against their work, and that the occupation has affected the work of organizations in varying degrees because of the nature of their work. However, one third of the organizations stated that occupation detains their staff and volunteers, which affects the movement of work. One of these organizations noted that occupation affected the education system and impeded the delivery and provision of books to the children. In addition, the barriers of occupation obstruct the movement and transfer of personnel, along with the frequent violations. Al Haq Organization believes that occupation is a challenge because of work in the field of accountability of crimes by the Israelis. This by itself remanded the organization under control. The Miftah Organization noted that "the occupation obstructed the targeting of many zones in Jerusalem, and out office in Jerusalem was closed because of embargo and barriers." (Al Shuaiby, 10/10/2013).

The political division between Hamas and Fatah comes as the second impediment for 90% of the surveyed organizations. Some organizations closed their offices in Gaza because of division, and others reflected that the human rights violations increased because of division. In addition, the division affected the work in Gaza because of the pressures exercised by Hamas on the CSOs.

Concerning the division, Amr Rahal, Manager of Shams Center, says "we are divided as organizations, and have become confused in several matters, and don't like to talk about Gaza because our activity in Gaza is obstructed". He adds that the division largely affected their performance, work and philosophy of work, and took large part of our efforts and our role. Priority of meetings has also become for reconciliation and integration and



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rehabilitation instead of civil and rights work. Human rights violations increased, and instead of focusing on the violations of occupation (Rahal, 18/09/2013). Al Rayes, from Al Haq Organization, agrees with him, "due to the division, there has become two regimes and two laws. This degraded our opportunities and capability of controlling the work in Gaza Strip, and we have become unable to follow up the cases in Gaza in detail. As a result, violations of freedoms increased and we skipped some foreign issues and violations of the occupation, and have come to focus on the internal practices" (12/10/2013). Jomaa considered that division affected the decline of work on the women issues. She says "division that awaked us on a shock before our achievements and the long process of our work. We found that we will return to the zero point in defining the women rights" (10/10/2013).

Concerning the Arab Spring Revolutions, 40% of the surveyed organizations responded that the revolutions affected their work, while others considered that their impact on their work was positive. For example, Al Haq Organization, Al Rayes says, "is the only foundation that works out of Palestine. In 2011, we have held regional Arab meeting because of the subject of Arab revolutions and attention to reporting and documenting the human rights violations. We have also trained group of Arab countries in this field, including Yemen and Tunisia. In 2013, we have also held Arab regional colloquy on how to protect women in the international armed disputes. Now we are required to perform training in Morocco on the reporting and documentation of the violations and influence by policies. The revolutions constituted incentive for us to turn to work with the Arab Countries", (12/10/2013), and some of them considered that the Arab Revolutions and fake and that they affected the policies of finance transferred to them at Palestine's cost.

3. Challenges related to the social and cultural environment: in the context of cultural and social environment, 80% of the surveyed organizations recorded impediments related thereto, while 20% of the organizations stated that in the beginnings, there were impediments, but they were worked out and overcome.

The most outstanding impediments identified?

- The organizations, which mentioned the existence of impediments, had unanimous view that the issues related to women and their rights and equality have social and cultural impact, by the conservative powers in particular. In addition, women participation in the local communities is a challenge because of the culture prevailing in the village, according to the officials of the grassroots organizations.

- Growth of the conservative and fundamentalist powers is an element of incitement and prohibition against the progress of work. Omar Rahal confirms that "the culture of society and conservative powers brought many charges to the center like blasphemy and atheism" (18/09/2013).



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- Elaboration of the human rights issues as Western topic, and discussion of the human rights topics are, for them "incitement and prejudice the social stability" (Al Arory, 26/09/2013).

- Some cases related to the rights and freedoms are influenced by traditions and customs.

- Values of voluntary work and development of the values of interests in society are limited, and the concept of social work is weak, while the people's impression on the CSOs is different.

- Youth abstain to stay in their village and move to the city, and they desire to practice the city activities more than those related to the village, which constitutes impediment against their obligation (from the community-based organizations in particular).

### **Challenges and impediments of work at the internal level of the organization**

90% of the surveyed organizations agreed that financing is the primary challenge and impediment that is reflected on the organization's activities on the sufficiency and capacity building of its personnel, and therefore, on sustainability. Some organizations noted that because of the scarcity of finance, crisis arose in the organization as it affected the continuation of the distinguished personnel, and they left the organization for this reason. The majority noted that the global economic crisis and the different orientations of financiers, along with the low value of finance and transfer of finance to other countries affected the stability of organizations that were somehow stable. However, one foundation, Al Haq, considered that finance and provision of cadres and their capabilities and sustainability are not impediments that threaten them, and that their situation is stable, "Al Haq has international position and consulting status in the United Nations, and we are the executive committee of the Mediterranean organizations network that has regional and Arab position. All this enhances the position of finance for the organization, and doesn't constitute concern or impediment at the time." (Al Rayes, 12/10/2013).

The surveyed CSOs encounter challenges and impediments that hamper the promotion of democracy and promotion of human rights. Some of these impediments are external and out of their control, while others affect the internal status of the organizations. The legislations and laws were among these factors whether by their outdated or non-fulfillment of their ambitions and objectives, or impediment of their work, or lack of some of them and poor enforcement of the laws. The political environment was a key factor that affected the work of organizations. All organizations unanimously agreed that occupation was the primary impediment, along with the domestic political division and changes occurring in the Arab region through the Arab Spring revolutions that had double positive and negative effect. The cultural and social factors were challenge for most organizations, on the discussion of rights and issues related to equality between men and women and the



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rights of public and private freedoms. With the growth of conservative powers and Islamic extension that penetrated the Palestinian culture, difficulties before these institutions increases that some of them were targeted and charged of links with the West and threaten to the social stability structure. In addition, some cultural values were outstanding and source of civil work, like the voluntary work began to vanish to be replaced by the language of interests. On the domestic level, foreign finance and its deficiency as a result of the global economic crisis and change of the financiers' agenda and transfer of finance to other countries were factors that threatened the survival of organizations and promotion of their staff.

**The findings concluded are consistent with many literatures that addressed the impediments of democratization, whether in the Arab region or in the Palestinian case, including (Costantini Study, 2011).**



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## **Workstream Two: The Role of CSOs in employing the free media for disseminating human rights culture and democratization**

Literatures reviewed revealed that the free, independent media, which is considered among the features and indicators of a democratic state, enjoys free speech and expression, and adjudication on its issues is administered only by law. The literatures went so far as to name it the fourth authority, which means it has an authority for control, making information available to and accessible by the public, in order to interact and form opinions on their issues. In fact, the media is a motivator for the public opinion, it ousts governments and helps others be firmly established, affects the policies, ideologies and beliefs of both rulers and their people. It is the "watching, vigilant dog" for the practices of political rule, which it observes, announces and call to account, since it has a role that integrate with CSOs' role mentioned in the literatures, as their objectives are found out to be harmonious and supplemental to each other in the democratic states.

In this survey, we are concerned with the Palestinian independent media, and the nature of relationship between the independent media and CSOs, and the extent to which the media is employed by CSOs for enhancing democratization and disseminating human rights culture? Therefore, these questions were included in the interviews, preceded by questions related to the CSOs' understanding of the independent media's role and evaluation of it, and how these CSOs enhance the media dimension internally for the purpose of enhancing democracy and dissemination of human rights culture.

First: Views of CSOs on the Media's role in disseminating human rights culture and democratization:

The majority of surveyed organizations clearly emphasized the importance of independent media and its role in disseminating human rights culture and democratization. Without the media, no change can be created, since the media plays a key role in forming and building a public opinion. In addition, these organizations revealed its roles in calling to account and accountability. For example, Jom'a (Women's Affairs Technical Committee, 10/10/2013) and Al-Rayes (The Right, 12/10/2013) adopted unanimous view that the media is supposed to serve as an overseer, controller, partner, and interrogator, and should have a proactive, preventive role, and give a prior explanation of the risks of violation and breach of democracy and human rights. On the other hand, some answered that the independent media is closely associated with its people, reflecting, defending their concerns and issues, and calling the responsible officers to account for them. It "enjoys independence, and is not biased in favor of the money, rulers, or particular political parties". (Al Sayes, 28/09/2013). In



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Totih's point of view (10/10/2013), the independent media and its role in democratization and dissemination of human rights culture should be based on a strategy in this field and involved in the planning and implementation of programs and projects aiming to disseminate human rights culture, and covers them through a specialized rather than generalized manner.

As regards the current status of Palestinian media in the view of surveyed organizations, it was severely criticized, and all organizations, without exception, expressed dissatisfaction with its current role, although some of which referred to attempts, yet insufficient, as they are lacking to independence, capacities, information and specialization to be efficient and play an effective role in the dissemination of democracy and human rights culture independently and impartially. The most outstanding descriptions of current Palestinian media expressed by surveyed organizations are as follows:

1. Some media are good, but some are merely reaction and irresponsible.
2. "The Palestinian media represents public and commercial relations, depending on personal relations for publication, without objective criteria".
3. This State has no objectively independent media; the media is influenced, dependent and biased in favor of politicians and interests, and plays a weak role in disseminating the human rights culture".
4. "The key task of media is to raise public awareness, but the media proceeds in a way different from the public trend, ad reflects unreal image, so we have no media".
5. "They are traditional and limited, do not focus on the content and topics of news; rather, focus is given to the persons and interviewees. The media personnel do not have sufficient knowledge in social awareness and human rights issues".
6. "They are seasonal in work, and having no approach to focus on highlighting human rights. They is no journalist or any media in Palestine specialized in human rights".
7. "The media is our society does not play its role, and has no main strategy in human rights system".
8. "There are no qualified media personnel specialized in promoting the human rights and democratization, thus, there is no focus on these issues and presenting them in a way influency".
9. The media presents its topics without preparation; there is no clear plan for the media and compliance with standards, the majority of media has political ideologies, so it must be more professional. The media deals with CSOs depending in financial gain rather than on participatory basis for serving the community issues (repeated).

**Second: Employment of various media to raise awareness, promote human rights and enhance democracy inside the CSOs:**



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In spite of the severe criticism raised against the Palestinian independent media by the surveyed organizations, all of which adopted unanimous view as to its importance and role in disseminating human rights culture and enhancing democracy. It is the first minaret for freedom of speech and expression. It is found out that all surveyed organizations employ various means and forms of media to implement their activities related to awareness raising or promoting for the organization, whether the programs, services or news. For this purpose, we believe that 70% of the organizations have dedicated media personnel for this purpose, and some organizations have more than one employee assigned with specific tasks and responsibilities. For example, there is personnel specialized in Arabic media and others in English Media, those responsible for webpage and social networking sites, others for photography, documentation or print media, publications, media campaigns... etc.

On the other hand, the organizations with no dedicated personnel have volunteers who supervise the webpage and Facebook, and it is found out that absence of media personnel takes place in the community-based organizations mostly based on voluntary work (Handalah Cultural Center, Ayam Zaman Center, Rural Women's Development Society).

The most promotional and outreach forms employed by the CSOs to disseminate human rights culture vary as follows:

- The majority uses newsletters, booklets, reports, manuals, studies, researches, announcing in newspapers or having their own newspapers, whether for articles, press reports, news, paid commercials, and press statements (print).
- Half of the organizations produce films for awareness-raising purposes and shedding light on human rights violations (Al Haq Organization, Shams, and Tamer).
- One third of the organizations resort to TV, radio and other audio or video media.
- One third of the organizations employ the theater for raising awareness.
- Shams Center has exclusive filmed press reports.
- All the organizations, without exception, have web pages and Facebook accounts, but their events and regular update took place in 70% of these organizations.
- As regards forms of social networking, the majority of organizations expressed that they use them (with varying forms), which serve a large segment, but cannot dispense with traditional media, which still have their audience and are employed among the organizations.
- According to their responses, 50% of the organizations actively use various social networking forms; e.g. Facebook, Twitter, YouTube, which was remarkably noticed in the organizations of youth personnel (Sharek Forum) and human rights organizations; e.g. Al Haq, Shams Center, and Miftah Center.



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Hence, we conclude that the media is a major component in the business of organizations and their career structure through the specialized personnel. This bears witness to their appreciation of the media's influence and role in raising awareness in a rapid manner that reaches a large segment of the public. Not only this, as the organizations strive to satisfy all categories with their varying tastes and concerns, so they employ traditional media (Press, TV and Radio), as well as modern social media through social networking (Facebook, Webpage, Twitter, YouTube). Indeed, they employ the media for raising awareness on the one hand, and on the other hand as a form of external promotion, outreach, presenting the issues involving violations to the international community, and, to attract donors, their interest in English media bears witness to this fact.

### **Third: Nature of existing Relationship between CSOs and Media Organizations, particularly government and independent ones**

We addressed above the analysis related to the CSOs' understanding and evaluation of the Palestinian independent media, media forms and means employed by them. For more in-depth understanding on the extent to which the organizations employ independent media as an organization, it was necessary to delve deep into the nature of existing relationship between CSOs and media organizations, being the survey purpose.

The findings revealed that 60% of surveyed organizations have good relations with the media, whether government or private, while the remaining percentage 40% stated that either they have no good relations or these relations face obstacles, which was clearly noticed in the case of grassroots organizations. As for whether the government or private independent media are sought, it was revealed that 70% of the organizations resort to the government media, mostly video media (Palestine Satellite Channel), for having large-scale audience, while the print media's readers are less in number than TV viewers, a few number of whom resort to government media, yet they prefer private or independent media for having larger scope of freedom. In addition, 20% of the organizations make private or independent media their first choice, while 10% of which did not answer this question. In addition, it was found out that 60% prefer broadcast video media, precisely Satellite channels, including Palestine Satellite Channel, Arab Satellite Channels, independent local TVs, while 30% prefer broadcast audio, video and print media, in order to satisfy the tastes of various audience categories. Also, the issue's nature controls the form or type of media to be employed, while 10% prefer the print press. It is remarkable that their recourse to media, whether government, private or independent, has its own justifications, a part of which serves the interests and programs of the organization, while the other part depends on their



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attitude towards the media and their prior experiences. Among the interviewed organizations, some pointed out that the matter is not different at all, as they built solid relations with media organizations, along with personal and professional relations that help them in their media programs (Othman, 01/10/2013).

Totih, from Tamer Foundation, stated "We urge and call all mass media of all specializations, because we do not confer discrimination upon some entity and other entities, and are committed to make the information accessible to all of their different attitudes". (10/10/2013). Al Sayed, from Ayam Zaman Center, had a relatively different point of view, as he pointed out that "we prefer the private media in the first place, particularly video media, because it is the most prevalent as has a greater impact". (28/09/2013)

Based on the above, we conclude that the identity of Palestinian Media among the surveyed CSOs as government or independent private classification (based on the circumstances and in the researcher's point of view) is not highly important, since the percentage of people tending to the private or independent media is 30% limited as compared to State Media(70%). This gives rise to a question on the State Media, is it neutral and impartial, gives a space of freedom, criticism, impartiality, and exercises accountability, that's why CSOs resort to it? (Although CSOs understand the concept of independent media ad their assessment of the current state of media, including the State Media), or the reason is that the surveyed CSOs employ the media to promote their programs and cover their news, and, in this case, there is no difference between the State and Private Media, as what concerns them is the media that speak about them and give them an opportunity to express opinion, disregarding the deep consideration of pivotal issues; e.g. the issues of human rights and democracy enhancement!! On the other hand, the reason is likely that the State Media is the most widespread and viewed media, due to its high capacities and broad coverage, with its satellite channel being the first channel in Palestine and preceded both the private and NGOs sector, especially as the rate of organizations resorting to the video media is the highest rate. Meanwhile, resorting to the State Media as a strategy may be successful, through which the civil society's point of view is conveyed, a rostrum to reach the large masses, and a gateway for improving the orientations of State Media towards impartiality and neutrality.

**The above findings rely upon the answers given to the question on the level of existing relationship among CSOs (surveyed organizations) in terms of establishment of partnerships, coalitions, joint campaigns or programs with the media organizations.**



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The findings revealed that 60% of the surveyed CSOs have no partnership relations or programs with media organizations (irrespective of their types), as only 10% responded that they had many media programs and main partnership with Ma'an news Agency (independent media), and Al-Haq Organization had this exclusive relation. In addition, pointed out that they had oriented programs with the media, which target the media personnel, whether professionals or media students. For example, **Sharek Youth Forum** has a program entitled "Youth Media Personnel, while Shams Human Rights and Democracy Media Center has several programs and activities targeted to media personnel in the field of human rights, and their last activity this year focused on the integration of human rights concepts into the Palestinian journalism with Wafa – Palestine News Agency and Syndicate of Journalists<sup>3</sup>. Women's Affairs Technical Committee has a dedicated media department for woman, and each year there is a project made with media students in universities and media personnel working in media production relevant to woman's issues and rights, and they cooperate with the Institute of Modern Media in Al-Quds Educational TV on investigative journalism.

**In consideration of the above, we find out that the media is employed by the surveyed CSOs for the purpose of implementing their programs and activities, while one third of these CSOs resort to the media for programs that enhance their capacities on general human rights issues such as SHAMS CENTER, ALHAQ ORGANIZATION, or relevant to the rights of a particular segment; e.g. Women's Affairs Technical Committee. Hence, some CSOs target the media personnel and plan programs for cooperation with them, without mentioning that the planning of these programs is subject to partnerships with them, or in the framework of coalition or memorandums of understanding; i.e. institutionalized relations. This relation needs review and partnership-based development, for building work strategies that enhance the capacities of media personnel to present human rights issues, thus activating their role as key players and defenders in this field rather than being merely conveyors of news on human rights activities of the concerned CSOs, as pointed out by Abu Kamish (2013)**

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<sup>3</sup> Shams Center is concerned with human rights media, and it operates with the State Media; e.g. Wafa News Agency, as well as independent media. For further information on their mentioned activity, please refer to the center's website at [www.shamas.pal-org](http://www.shamas.pal-org)



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#### **Fourth: Recommendations for Enhancing Relationship between CSOs and Independent Media for promoting democratization and human rights**

*Based on the analysis presented in this work stream, there must have been consideration for mechanisms to develop the relationship between CSOs and independent media, aiming to give effect to their roles and maximize the outcomes of work in the field of democratization and dissemination of human rights culture, so the surveyed CSOs had demonstrated their recommendations in a couple of dimensions, a part that relates to their role and the other is related to the media itself:*

- 1. Enhance the integration between the independent media organizations and CSOs to consolidate the relationship and organize the mechanisms of work between them. This could be done through periodic meetings.*
- 2. Enhance professional objective relationships between the media and CSOs.*
- 3. Media organizations should practice freedom of speech with due impartiality and objectivity.*
- 4. It should be taken into account the occupational and moral basis due to the sensitivity of the raised issues, so the break point between the freedom of speech, publication and privacy of people can be exceeded, particularly through electronic media and social media, which sometimes constitute problematic that affect people and defame them.*
- 5. Thinking to create a unified coordinating body between the independent media and CSOs for the purposes of promoting democracy and human rights.*
- 6. The CSOS shall participate with independent media in developing the strategies for working jointly, aiming to disseminate the culture of human rights and democratization.*
- 7. CSOs are should target the media personnel to develop their skills in the area of human rights and democracy, through systematic programs and work applications to be assessed.*
- 8. Encourage the independent media to broadcast weekly or monthly TV and radio programs related to the human rights and democracy, based on fact analysis.*
- 9. Build permanent and continuous partnerships through joint programs between CSOs and independent media.*
- 10. Direct the independent media to move from the seasonality in tackling human rights issues to permanent and continuous programs based on a clear strategy.*
- 11. Seeking to find media specialized in judicial and human rights issues.*



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12. Qualify media staff to work in the organizations (particularly the organization that do not have media staff, including community-based organizations) to communicate with media and to activate media at the civil society level.
13. Assist the community-based organizations to build strong relationships with media organizations, direct the media to these community centers to care for them and local community's special issues, and demonstrate their work models.

## **Role of Independent Media Organizations in disseminating the human rights and democracy culture**

### **Media Organizations Background**

**Independent media organizations:** their vision, objectives and programs for democratization and disseminate of human rights culture

Literatures had given to the independent media a great role in democratization and the dissemination of human rights cultures. There was an argument on whichever is first, which means is the judgment and the democratic society creates independent media, or the independent media leads to democracy? Notwithstanding these arguments, the independent media is the raiser of democracy and the feature of their behaviors. In the Palestinian Media, particularly the independent ones, there is a question how this defines itself and its objectives as an independent media, so it plays an effective role socially in enhancing democracy and human rights, particularly consolidating the right to opinion and expression, access to the information and the freedom of its publication and circulation.

This survey revealed that all surveyed media organizations have a vision, mission, and objectives to depend on, most of them indicate primarily and directly to their role in enhancing the freedom of media speech, and the effective contribution to enhancing the democracy and human rights. That was clear in all types of media; whether it was oriented to all community categories and its general issues, or addresses a particular category; e.g. women and youth.<sup>4</sup>

**The vision of Mada Media organization states "a free and professional media".** It seeks in its mission to develop the media, save media freedoms and defend it through monitoring and documentation, and to protect journalists, and amend the Palestinian legislation that control media in accordance with the international standards related to freedom of speech

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<sup>4</sup>The provided information on organizations in terms of the vision and mission depend on the interviews and webpages of the organizations to complete information.



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"Al-Rimawy 28/9/2013. The principles of Mada Media in work demonstrates their recognition of the independent media, where media is free and preserve the occupational regulations, this can't be achieved unless there is a legal restrictions which gives the legitimacy to freedom of thought and protect reporters. At the same time, Mada thinks that human right provided in international covenants of human rights are the standards that shall be followed media works and Palestinian legislation. Whilst Ma'an News Agency agrees with Mada organization in her vision, as it dreams to create neutral and independent Palestinian media which enhance citizen's decent life, its mission is ensure enhancing the freedom of speech and pluralism in media coverage as central elements to enhance the concept of democracy and human rights (el- Abedy 10/10/2013). Its mission has a clear significance on the belief in its role to canonize freedom and pluralism, and the principles are considered essential elements of Democracy that affect their performance and the enjoyment of the Palestinian community with their rights and decent life. So Abd El Abedy 10/10/2013 adds enhancing the neutralism of MA'AN NEWS AGENCY and its independence as it is not following any political party".

**On the other hand,** Arabic Media Internet Network (AMIN) seeks to develop independent Media sector in Palestine, and activates its role in developing the community through participation in Democratic process, and to be a shelter for Palestinian journalists through ensuring the professional and legal ground to progress the local media, in order to ensure the freedom of speech, objectivity and transparency. The organization is working on creating a cooperation relationship between media and CSOS "El-Ekr 7/10/2013. As well as Arabic Media Internet Network (AMIN) believes in that "the flow of information is a vital issue for Palestinian people, and that the freedom to access to the information is an essential right for each person in the community. The only way to find the effective community and contributive in the creation process, decision making is to provide the citizen with the main tool: information, particularly that the community is still in the phase of creating the government and to establish the Democratic process rules" (El- Ekr 7/10/2013).

The most distinctive in Arabic Media Internet Network (AMIN) the clarity of its role in creating a Democratic community, and being liable toward the citizens through receiving information and making them available for them to be an effective community towards the democratization, and at the same time its recognition of the significance of the relationship between it and CSOS to achieve the vision of Democratization.

**Wattan TV Channel,** which is a part of a civil organization, states it seeks to maintain the freedom of speech and the people's right in knowledge and progression of local media performance level, and to enhance the Palestinian press role to develop community, and



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that WATTAN organization is an organization that can accommodate various opinions and points of view that ensure enabling the citizen to (the viewer) to access to the truth or to be near from it as possible (Attaia 28/9/2013), on the other hand, WATTAN organization is working on "presenting a national Democratic media care for all related to the Palestinian issue from updates and developments; political, economic, rights matters, cultural and sportive, in addition to caring for the cases related to national evidences" Attaia 28/9/2013. Wattan's pose agrees the other poses of mentioned Media organization, however its vision and mission restrict it as an independent media to enhance home, national evidences and democratic trend.

**Raya FM Radio** believes in the freedom to access to the information as an essential element to Palestinian people who passes by a phase of creating a democratic state, so the only way to ensure the participation of individual in progress process through participation in making decisions and guarantee the freedom of access to the information" AlGariry 1/ 10/2013. Raya FM had expressed its vision that the elements of creating a Palestinian Democratic state, that depend on the freedom to access the information which develops the individual abilities to participate in making decisions. Raya FM 's pose was consistent with literatures which posed the importance of democracy which reflected through the participation of the community in making important decisions in the issues related to their life which needs the provision of information and enabling it to them including El Saleh 1999 and El Alum 2013.

The above organizations either it is designated for the written, visual or audio media address different issues of the Palestinian in different classes, however both Palestine for youth and Women radio fm, we can find through their names that it cares for a specific category of people; i.e. the youth and women.

**Palestinian Youth** believes in the energies and innovations of the youth, which contribute to change , so it seeks to create a dais for youth and a free space for them to express their opinions which enhance to transfer their opinions to the community with any restrictions or limitations "Abu Hejla" 6/10/2013. The vision of Palestinian youth cares for the printed media that address a significant category comprising 49% of the Palestinian community in accordance with the statistics of Central Bureau of Statistics, is a very important issue. Literatures indicated the youth abilities in change, and this was evidenced through the Arab spring revolutions (according to our monitoring for reality and the indication of the presented literature), so to achieve the democratization and to promote the human rights culture, as it needs all categories of community as the youth category, which makes their opinions disseminate and their ability to express is preserved, as the media is a vital dais to promote them. Therefore we think that **Palestinian youth** had achieved its goal to promote the youth category rights in the freedom of thought and speech.



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This can be true for **Nisaa Radio FM**, as it is the only Radio Channel that designated for Women Media and its vision indicates the full and merging for women in the Palestinian society through promoting the open and effective communication between women and include men in some reports "Ouda 2/10/2013. MaysonOuda has demonstrated that there are two parts in **Nisaa Radio FM**'s vision; the first is represented in improving the communication and exchanging information between the women who is separated by a wall and inspection points, secondly, to engage men in discussion about the women's rights in a sensitive way for cultivation not provocation, as well as Nisaa Radio FM works on enabling Palestinian women to contribute in the channel content through social media means which make them as media producers instead of only media customers 2/10/2013. In addition to the dimension of that fulfill the guarantee of opinion and expression rights to the category of women who constitute the half of the Palestinian community, So We think that the vision and work of Nisaa Radio FM address only the issue of enabling ( ) the woman to participate to be productive in Media through her opinions, ideas, thoughts and criticism of life matters (issues) that affect her and her community, not just consuming Media.

In order that the surveyed Media Organization reach its vision and mission that are constituted for and to reflect the human social, political and economic issues and concerns by focus on Democracy and Human Rights. So it uses many and various forms in presenting media works to public, mostly if it concentrated on the form that can't prevent it to seek other forms , for example WATTAN, as an organization has many media forms (such as local TV, modern satellite channel, media center and webpage. Also MA'AN NEWS AGENCY has (satellite, Press MA'AN NEWS AGENCY, and others, and MADA. The Media resorts to written and visual media forms. All the surveyed organizations care for the social media means, and it depends upon it effectively to transfer its works , and to know the opinion of their audience. Khaled El Ekr shows that the manager of AMIN network about the social media " we are the first organization that works in this field, so the trainings that we have done started in a very early stage before knowing this media, then we started to promote the democracy and human rights concept and how to use the community media to communicate these concepts. We are the first who used the blogs idea and trained the youth to disseminate their issues and the community issues as well to be highlighted and to investigate the competent authorities

For the kind of institutions' presents, it depends on Radio & TV series, articles, journal questionnaires, periodic magazines, specific reports and various media coverage. In addition to that, holding campaigns for protecting Media personnel or pressing on them for issuing laws in the favor of freedom of thought and providing information as Madaa El aalam has done in a campaign for issuing law of obtaining information (Rimawi 23/9/2013),



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furthermore, the participation in campaigns with different institutions, either they are publicity or educational ones.

If the Media institutions want to know to what extent their public is satisfied with their presents, they should have kind of assessment and monitoring. More than 90% of institutions said that their responses and monitoring through social media were the most used means, and about 50% of institutions do studies for knowing the echo of their works, programs and campaigns through statistical surveys or questionnaires. The Ma'an institution is the only one who get the help of research unit, that put an index for every work or program, then asses its effect after 3 months, and it also get the help of some specialized statistical institutions, such as Alfa company and Birziet University, in studies of effect. (Abedi 10/10/2013). While Wattan institution depends on "measurements of people's interactions with campaigns and to what extent they have an echo in Media itself and within responsibilities (Ata'ia 28/9/2013).

While Madaa El Alam institution approves the periodic assessment of the institution and the assessment of each project either through internal appraiser, the institution itself, or external one. (Remawi 23/9/2013). The nature of Madaa civil institution's work may be with Media personnel, keeping and defending for their rights through financed projects. Amin network specified mechanisms for following its work, which includes building capabilities of Media personnel (Journalists) through various trainings, in addition to human rights and democracy, so it approved common direct assessment after training through the form, but she monitors later the number of Media works about democracy and human rights by trained Media personnel, and in the same time, she monitors the number of Media personnel who enter the concepts of human rights and democracy in their Media works (Ekr 7/10/2013).

As the social media means approved their international effect for making important changes at the level of Arabic states (Arab revolutions), their ability to penetrate the traditional media and exceed its works freely, leading to move people to what referred in documented literature of the study, and as the all institutions under the research use social media, the question is how do they see its effect in democratic transformation process and publishing human rights?

All surveyed organizations, at percent 100%, said that the social media has a great effect, but 30% of them has a preservation about its role, particularly in case of disseminating many pages, whose their admins are unknown, and may be misused and disseminate inaccurate information, and we cannot say that it is the only effective, as the traditional media still having its role and effect. (Auda 2/10/2013), but most of them confirmed its effect, either in satisfied manner or not, for instance MousaRimawi from Madaa El Alam institution confirms that the social media take a great part today, particularly among youth, and the frequent utilization of it is due to the weakness of traditional media, with its all kinds, and replacing it by social media, and due to the problems that face the traditional media and affect its



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content and level of opinion freedom, so people tend to social media, he added that the social media in Palestine hasn't play a real role yet in supervising the power and developing the society, and there are indexes, that are monitored by Madaa, reflecting the violations which faced the media personnel in social media by the power, and how the power chase them and close their websites under the name of breaching privacy, and so all these are considered as a beginnings refer to its effect. (23/9/2013). Khaled Ekr from Amin network noted that the social media could demonstrate the voices of marginal areas and embrace the responsibilities, and every one can write about what happening and escape from the supervision of the traditional media, also he can be a publisher and journalist, in addition to he can record any specific defect and publish it in order to be a pressing paper on the local responsibilities (7/10/2013).

From the discussions around the role of social media, we can conclude that it has a role and an effect, regardless his side effects, but it is considered as an effective tool for publishing ideas and opinions, and exchanging them quickly and widely through a participation of social groups, who express about their issues and matters, and so its ability to learn people about their rights and the importance of democracy through freedom of thought and thinking and participation in important political decisions, but there is still fear from misusing it and accuracy of its information. So the independent media personnel and means has to create a good social media, has the ability to provide accurate information that help society in interaction with them, discussing them and giving opinions about them.

The successes of media institutions in publishing culture of human rights and democratic transformation

The media institutions mentioned their successes in the last three years, which was as the following:

**Raya FM Radio:** the considered that their success was in their ability to participate in making effect in polices either by forbidding some of them or re-discussing them. (Al-Jariri 1/10/2013)

**Mada Media:** in my own point view I think that the most significant success of this organization "Mada Media" is its publishing of a report about the violations of journalists' rights titled "internet and the freedom of speech", and studying the relation of the new media with the freedom of speech and opinion in Palestine and preparing a draft about the right of accessing the information (Alreemawy 23/9/2013).

**Palestine Youth:** they think that all their programs are successful without limitation. The most significant aspect of their success is winning the annual prize of creation for the youth program of 2013 (Abo Hegla 06/10/2013)



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**Wattan TV:** “Humanitarians Cries” Show was considered to be a success story. This show searched for the disabled and television stories were produced about them. These stories go on and consequently it resulted in community reaction with the people or official reaction sometimes. We believe that such program enhanced the idea of social solidarity. The second subject is about producing the investigations. Wattan TV is distinguished in such work and usually it raises the public opinion and the officials, and it is followed (Attaia 28/9/2013).

**Ma’an Organization:** one of the most important successes according to Abd El-Abedi, it came in three TV shows (10/10/2013):

- 1- “Intebaha” program revealed many facts in the Palestinian organizations and the attempt to find solutions for such problems.
- 2- “Palestine El-Kheir” program tries to help the deprived cases in the community.
- 3- Reality shows (Community participation and one of the stories regarding the youth participation in the political process).

**Arabic Media Internet Network (AMIN):** Khaled AL-Ekr (07/10/2013) referred to many successes including:

- 1- Training journalists on how to cover the subject of judiciary and courts
- 2- Opening the doors of courts to journalists to access the information (upon written agreements)
- 3- Dedicating specific judiciary concerned with media
- 4- Opening prisons to journalists
- 5- Security authorities acknowledged that the journalist has the right to access the information and that he must be dealt with respectfully and not to act with them as if they are demonstrators.

**Nisaa FM:** one of the most successes for them, according to Maaison Ouda, is “the increase of male and female listeners to this radio, and particularly by men though it is dedicated for women, however the social changes are a result of both sexes. The radio reached a lot of people in all the places of the west bank and historical Palestine, Yafa, Coastal regions and Eastern Jerusalem which we consider as a success for us. We also achieved another success in training many employee in the media, for our role as FM women is to attract women working in media and provide them with positions to take decisions and not only to work as



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a reporter and prepare the news, she must have a role in management, programs, presentation and preparation” (02/10/2013).

**In their own views, the successes achieved by the organizations are diverse; they include those related to political and civilian rights (such as Amin and Mada network), and those directly related to the social rights that defend poor and deprived groups (Wattan TV), and others related to the youth rights in the freedom of speech (Palestine Youth). Justice and recourse to equality in all its forms without any discrimination is a democratic and right issue to a great extent, and it is a matter supported by Nesaa FM. Taking the role in criticizing, amending, discussing and deterring the policies is an effective tool, through monitoring and accountability, and that was evident in the works of Raya FM, Amin network and Mada Media, consequently they are important works towards enhancing the democracy and the culture of human rights that need to be relied upon and consolidated.**

There is no doubt that these organizations benefitted from its works and learned many lessons that they relies upon. They were asked about the most prominent lessons learnt, and they replied as follows:

- 1) At the early stages of work we get exposed to many threats, but over time and with our persistence the problem ends.
- 2) With persistence and ability we could put the issue of the freedom of speech on the agenda of the authority and civil community.
- 3) Youth are the change leaders who raise the liberty flag so they must be given the opportunity.
- 4) Success puts us before greater responsibilities and challenges that we shall raise the standard of the professional and objective works, and the community expects bold initiatives from us.
- 5) Working in the media means working in a difficult area, and achieving success in it leads to succeeding in other areas.
- 6) We learnt how to take all opinions and to consider the privacies and needs of different groups.
- 7) All successes and achievements depend upon the political environment, thus if there aren't any political failures or tension, successes are bigger, but any tension would lead to limited success.
- 8) Not to interfere in the journalist work or try to use it in polishing certain body, and deal with the journalist in a professional way for he is the decision maker”.



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- 9) *The importance of media in conveying the truth, it is a fourth authority, it shall perform its role neutrally and it has an effective power for the community and its opinions”*



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TOGETHER FOR CHANGE

## **Challenges Facing Independent Media Organizations in implementing the programs and initiatives on democratization and enhancement of human rights**

As responded by some of the interviewees, work in the media field is "difficult". These difficulties may arise out of various factors, particularly if it is free, independent media, as in this case, challenges increase and types of control also rise, which differ from a democratic to a non-democratic state, according to the literatures reviewed. In the Palestinian independent media, the surveyed organizations marked challenges/ difficulties that encounter their work, and have been classified into external and internal factors, and were also classified by type. The findings were as follows:

**Legal and Legislative Environment:** All media organizations unanimously stated that there was a real problem in respect of laws and legislation, whether those related directly to media work or the type of media work presented. The majority of surveyed organizations referred to shortage in the laws and legislation, including the absence of a law which protects the media men. Ehab Al Jariri (01/01/2013) states that "There is no law to protect us and there is manipulation in laws, as sometimes they rely on the journalism law, sometimes on the law of printed press and publications, and sometimes on the criminal procedure law. Therefore, they can manipulate the application of law and judge any information based on a different law, which may render the journalist implicated somehow. Up to the present moment, the law permits the Public Prosecutor to detain any journalist for over 12 days until he is sent to trial. In addition, there was unanimous view that the law does not guarantee the freedom of media and the right to access to information. Abu Hijla narrates a story in proof of this. "We published a topic on a judge, the officials turned to us and asked how could you publish it, since the law does not guarantee the freedom of media and the right to access to information, instead, it guarantees the protection of government so that the government forms a redline which cannot be prejudiced". (6/10/2013). Abd Al Abedi (10/10/2013) agrees with the above view, and adds that there is no law governing e-media, so that many news are plagiarized. He further states that the Law of Printed Press and Publications is not in force (10/10/2013). In addition to the mentioned challenges, the absence and disbandment of the legislative assembly precludes the enactment of necessary and important legislation that regulate media work and guarantee its freedom. (Al-Eker, 07/10/2013). On the other hand, the view of Nisaa FM on challenges relates to the content of radio work, as it referred to the prejudicial, oppressive, discriminatory laws against women, which are the impediments to their work. Although these laws are discussed, and public awareness is raised on them and the importance of their change, yet in fact there is no change. (Ouda, 02/10/2013).



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Hence, it is evident that the laws and legislation are a key obstacle to media personnel; thus their work involves high risks, and they are susceptible to violations, arrest and detention, in the absence of laws that protect them, or because the laws are interpreted at the judge's discretion. All these challenges are forms of human rights violation and have nothing to do with the democratic rule. In addition, the absence of laws results in limited free, independent media work which focuses on the control over various types of vague or non-existent laws. In this regard, the impediments of CSOs, which were tackled in the field of legislation and laws, are consistent with the impediments of media organizations. Furthermore, the view expressed by Nisaa FM is also consistent with the view uttered by Women's Affairs Technical Committee in respect of oppressive, discriminatory laws against women, which impede their functionality.

**Political Environment:** All organizations viewed the occupation as the major challenge and obstacle to their work, which view is consistent with the CSOs' challenges, yet the type of occupation's impact is similar in certain aspects and different in other aspects. In other words, the occupation's impact is represented in difficult movement of media personnel and aggression against them while covering the events, and preventing them from entering Jerusalem, Gaza, Haifa and Acre... etc, (Attaia, 28/09/2013), in addition to the threats involving the frequency and waves, sometimes compelling them to change the wave. For example, this took place with Raya FM, saying that the communication officers contacted us and notified us that the wave 98.3 jams some frequency they have, but we found out that it did not jam anything and they wanted the frequency for an Israeli settlement, so we rejected their demand and challenged them, but the result was that we were afraid they seize the devices and changed the frequency. (Al-Jariri, 01/10/2013)

Among the other aspects of occupation's impact is the prevention of printed publications from entering Jerusalem or Gaza, as is the case with Palestine Youth. Doha Abu Hijlah says that "The occupation is an obstacle to the magazine, as they confiscated all issues of the magazine which are distributed in Jerusalem and prevented their entry into Gaza this month. (06/10/2013). Ma'an news Agency has a different story with the occupation. Abd El Abedy (10/10/2013) states that in the green zone in Acre we had problems obtaining the license<sup>5</sup>, the journalist has no freedom of speech, and any news which does not appeal to the Israelis makes them take measures against us. For example, our licenses are suspended for the first problem, we are summoned to the Israeli intelligence, and while travelling, we are arrested and interrogated. Inside the West Bank, we can only use certain roadblocks other than those which are dedicated to VIP and international figures, and we were demanded to

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<sup>5</sup>Ma'an has a satellite channel in partnership with a group in Acre, so it seeks to license it.



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stop our financing accused us of incitement, and a case was filed against us in the European Parliament on the charge of anti-Semitism and Holocaust denial". The political split between Hamas and Fatah is also among the challenges facing media organization. This negatively the organizations' functionality, creating a poisonous atmosphere which did not assist the journalist perform an important role. As a result, prohibitions were imposed on the journalist, which cause problems with the ruling authority in Ramallah or Gaza. (Al-Ekar, 7/10/2013). In addition, there are some difficulties to cover the people's issues in Gaza; it is difficult to communicate with the officials in Gaza; e.g. Minister of Interior or Head of Municipality, since the media coverage is limited and inadequate. Undoubtedly, independent media organizations are negatively affected by this tense division, since they are beleaguered for being unbiased in favor of any party. Among the aspects of political split's impact is the intensification of control and preventing the media from functioning in Gaza, due to the demands Hamas makes to the media organizations; e.g. Ma'an News Agency, asking them to "send any Hamas-related news to Hamas' officials before it is published to be amended or altered and then approve for publication. On our part, we rejected this demand, so they closed down our office. (Abd El Abedy (10/10/2013)

As regards the situations in the Arab World, most precisely the Arab Revolutions, the majority of organizations stated that they were affected by them; some of them indicated that their impact was related to high coverage of news (Raya FM, Nisaa FM), while the democratic independent media considered the events to be important in tackling and analyzing them, because they call for democratic transitions, so they were given attention; e.g. Wattan TV. Other media organizations viewed the positive dimension of revolutions and their impact, most pointedly on the youth. In this regard, Doha Abu Hijlah says that "The Arab revolutions had a positive impact, raised the youth awareness and objectivity, and their tackling of stories are close to neutrality and objectivity. (06/10/2013)

On the other hand, Mossa Al-Rimawi (23/09/2013) had a different view. He believed that the media freedoms witnessed deterioration due to the events, most pointedly in Egypt, as the freedom of speech was suppressed through repressing the demonstrations that broke out in Gaza and West Bank (Ramallah and Hebron), while control over the internet increased due to fears of exploiting the new media (social networking) to mobilize the people.

**Social and Cultural Environment:** The customs and traditions, religion, and clannishness had a high weight as obstacle to the media and media personnel, to the extent that some of them pointed out that it would be easier to oppose the ruling authority than to stand up against the community. The surveyed organizations marked various aspects of the impact of



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customs and traditions; some of them stated that sometimes it would be difficult to interview women, particularly the interviews taking place in streets, because many of them refuse. This is related to the extent to which the woman has freedom to her own view freely and daringly, as pointed out by Attaia. He adds that "Both genders have fears to present their issues to the media". (28/09/2013)

In another example from Ma'an, Al Abedi narrates a story which shows the deep impact of customs and tradition. He said "In a particular area, we wanted to focus on the story of a poverty-stricken family to convey their voices, but the members of family locked up our photographers under the pretext of scandal. (10/10/2013)

Nisaa FM faced some trouble due to its name, the as people believed that it was a radio station biased against the men, that's why it took some time to convey the idea that it targets the women, men and family as a whole, and it is the right of women to have their own distinguished identity in the media field which expresses them. In addition, this name does not contradict with the religion, since the Holy Qur'an has a full chapter entitled Al-Nisaa (The Women". (Ouda, 02/10/2013)

The challenges involving customs and traditions, which face the media organizations, are not different from those facing the CSOs, although the level of its impact and severity is higher for media. This is the logical outcome, because the media with all its types is viewed by all people and audience, while the functionality of CSOs may be limited in a particular area or field, yet it is also affected as set out in this work stream for CSOs. In addition, the mentioned challenges are consistent with the majority of literatures which addressed the obstacles facing the media; including, for example, the Report by Mada Media on Media Violations (2012), Abu Saada Study (2007), Abu Kamish (2013) and Al-Ifrinji (2013).

**Internal Factors of the Organization:** The financing had represented a matter of challenge for half of the media organizations, which are registered as NGOs, some of which depend on external financing and others finance themselves by commercial investment, while the remaining organizations are companies which do not suffer from financial problems save as related t the economic situation in the market, since their finance comes from the paid propaganda and commercials. This is true for the self-financed NGOs. The organizations depending on external financing pointed out that the financing was witnessing a decrease, while the economic crisis and movement of financing to other countries were the relevant reasons. This came consistent with the impediments of CSOs. On his part, Khaled Al-Ekr pointed out that there was a problem for the financing of media, since the foreign financing



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is associated with their agenda which requires the approval of media personnel, which, in turn, affects the scope of their independent media freedoms. The second part may be financed by domestic companies, giving a way for these companies to control the media, to the extent which renders the media unable to criticize or control these companies. (7/10/2013)

The financing also reflects itself on the media personnel in terms of their recruitment or job stability, as about half of these organizations stated that they employ a relatively limited number of personnel as compared to the necessary standards of media work. As regards the capacities and training of personnel, some organizations indicated the gap in capacities between the graduates and labor market. In this regard, Ma'an said that "we do not find an appropriate person to use state-of-the-art media tools, and in traditional media field, personal skills are weak after graduation" (10/10/2013). Therefore, some organizations make the graduates acquire training experiences or encourage them to post-graduation voluntary work so as to acquire practical experiences.

Hence, the internal factors affecting the media performance are consistent with the study conducted by Al Borai et al, which emphasized the importance of securing the highest possible level of dominance and professionalism between the employees and managers. The media itself stands out as an industry which requires the employees and officers a high level of awareness and understanding of their rights and duties, understanding of several languages and cultures, broad understanding and ability to employ the technology and progress witnessed by means of communication in the field of information sharing (2005).

## **Part Two: Relationship between Independent Media and CSOs, including Human Rights Organizations**

We had reviewed the CSOs' point of view and evaluation of Independent Media Organizations, and in this work stream, we shall identify the independent media's point of view in the role of CSOs which disseminate the human rights and democratization culture. The findings revealed that one third of media organizations rate the role of CSOs concerned with human rights and democracy as positive, which play an effective role that is different from the role of any other state. Some of them said that they bridge gaps for the government. In this regard, Mossa Al-Rimawi says that "CSOs play a very important role in our State more than any other state, due to the occupation force and weak capacity of the authority. There are fields covered by these CSOs; e.g. health and agriculture". (23/09/2013)



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Criticism was addressed to CSOs on the grounds on their difficult integration with each other due to their large number; they do not unify their efforts and overlap in the scopes of work, thus rendering them unsuccessful due to repeated ideas of the projects. Another aspect of criticism of CSOs involved their personal, non-professional interests and political biases which affect their functionality and credibility. In terms of their relations with CSOs, 90% stated that they had good business relations, while 10% responded that the relationship varies from a particular CSO to another.

However, many organizations asserted that they had integral relations, and that their roles were supplemental rather than competitive. For example, Ma'an Agency states that "we had good relations with all CSOs, and seek to work with them and complement their roles as per their work ability, regardless of the financial return, and we strive to make our role supplemental to their roles rather than competitive". (Al Abedi, 10/10/2013)

In addition, Wattan TV adds "We are distinguished in this relationship, because Wattan TV is owned by NGOs and we have good relations with the CSOs. We entered into several joint projects with specialized organizations, we build this relationship on integral basis; they are specialized personnel, while we are a media organization, so that our work can be integrated" (Attaia, 28/09/2013). Furthermore, Mohammed Attaia criticizes that what affects the relationship with the civil society is the defective understanding of media concept and its importance, so that their project budgets are limited (Attaia, 28/09/2013). To the contrary, Raya FM criticizes CSOs, justifying weak relationship with them sometimes due to their media awareness programs, which they demand to be broadcasted, free of charge in Raya FM, but they go to major companies and pay amounts to them. The majority of organizations pointed out that they had business relations, partnerships and coalitions with the CSOs as well as government bodies; e.g. ministries and universities, which is contradictory with the response given by CSOs in the field of relation with the media as often there is no relation or partnerships, and was very limited among the organizations.

Upon questioning them on the presence of joint programs or projects with the CSOs working in the area of democracy and human rights, the findings revealed that half of the organizations had joint programs or projects in campaigns, training or seasonal activities, and here we render some outstanding models for example but not limitation:

1. AMIN Network: It derived benefit from the experiences of the Independent Commission for Human Rights, entered into partnership with Anti-Corruption Authority, cooperation relations with AMAN Organization, whether in training, transparency and accountability issues.



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2. *Palestine Youth: Their radio is supported by Mossawa Center, Muwatin, and Welfare Association for settling the disputes and conflicts, along with other organizations.*
3. *Wattan: Cooperation takes two forms; the first of which involves joint production of specialized programs with various organizations, while the second type is based on a training contract on how mass media and CSOs communicate, in addition to joining a group of CSOs in media campaigns on certain issues.*

**Recommendations for enhancing the relationship between Independent Media Organizations and CSOs towards enhancing the democratization and dissemination of human rights culture**

To develop the relationship between Independent Media Organizations and CSOs, the media organizations provided the following recommendations:

1. *The CSOs must respect the independent media and adopt partnership relations based on mutual interest rather than unilateral exploitation.*
2. *Coalitions should be developed between both parties for serving the objectives sought by CSOs, because without the media, it would be difficult to convey the ideas and enhance democracy.*
3. *Seek to minimize the restrictions, whether exercised by the community, authority or the government, through cooperation between CSOs and mass media to get rid of these restrictions and create a change.*
4. *CSOs should strive to develop specialized media units within their organizations, and provide a qualified staff that keeps abreast with the modern and social media development.*
5. *CSOs should attach importance to integrating the media in their programs and projects, and provide appropriate budgets.*
6. *CSOs should fully realize that the media is the optimum means to communicate with the audience due to speed, spread and reaching the largest segment of audience, thus enhancing their status and programs in the society.*
7. *Emphasizing the division and integration of roles.*
8. *Joint work to secure the freedom of speech and protection of media personnel.*
9. *The CSOs should have a work mechanism and clear vision that do not change with the change of financier, which is confusing to the media.*



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## Conclusions

In consideration of the presented literatures related to the study work streams and the analysis of data, which were collected through the semi-structured Interviews and the checklist tool, which had revealed the status and role of the CSOs in the democratization and disseminating human rights culture, its vision regarding the Palestinian independent media, its role and function as a tool functioned for the promotion of freedom of thought, expression and organization as democratic rights and practices, and revealing the role of Palestinian independent media in the democratization and the existing relation with the CSOs, and this is in addition to the successes and challenges facing the CSOs and the independent media in the democratization and human rights culture, and on the other hand, monitoring the primary impressions regarding the practice of self-democracy inside all the organizations under study " Good Governance;" and this entails that we should recourse to the detailed conclusions which are in the subject matter of the study in addition to the final conclusions reached through the following:

### The General conclusions

1. The promotion of democracy and the dissemination of human rights culture is a transformational and accumulative process that moves within a timeline; and it needs the creation of a culture within the society and its various institutions under a stable institutionalized political system which believes in it.
2. The essence of democratization is based on freedom of thought and speech, pluralism, community involvement in important decisions, transparency enhancement, accountability in all official and private sectors and the respect for human rights and citizenship.
3. The Effective civil society with all its components and its position as a mediator between the society and the state is considered as a cornerstone of the democratization and the dissemination of human rights culture.
4. The effectiveness of the civil society in the democratization and the dissemination of human rights culture requires the recognition of its role allowing it to practice such role by providing public freedoms and a just and lawful framework allowing the promotion of such role in terms of monitoring, accountability, defense, patronizing, effect regarding policies and educating and empowering the society.
5. The existence of independent media which enjoys media freedoms and acts as a " fourth power " assuming the responsibility of strengthening the democratization and the dissemination of human rights culture
6. The presence of independent free media is a democratic rule indicator



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## **2. Second; conclusions pertaining to the civil society organizations and the independent media and their role in the dissemination of democracy and human rights**

7. The association of the vision and mission of CSOs and the independent media institutions under research and the concepts of democratization and the promotion of human rights culture ;and whether they express this directly or indirectly reflects their understanding of for their role as civil society organizations that serve their community, represent it, defend its rights, and influence its policies and law so as to create a democratic society.
8. when the CSOs employ different strategies such as awareness , capacity building and lobbying and patronizing campaigns , service providing and other strategies, they, in fact, promote the result of work and enhance its role effectiveness in the scope of democratization and the dissemination of human rights culture.
9. The tradition of assessing and monitoring of the of civil society and independent media programs in the field of the democratization and the dissemination of human rights culture, direct or indirect, is an important policy which indicates the results of the made progress at the short, medium and long terms; and it reflects the practice of democracy and good governance.
10. The civil society approach regarding the on-the-spot-assessment is considered insufficient as to recognizing the level of the effect regarding the orientation and practice as a result of their programs and interference which relates to democracy and the dissemination of human rights culture.
11. It is a wise policy that most organizations adopt the method of addressing the youth and providing an opportunity for them to express their opinions regarding the political, public and social life; they have proved to have created the change and triggered the Arab spring revolutions and proved to be knowledgeable and aware of the use of the new social media.
12. The CSOs, being specialist in advocating human rights and promoting therefore, whether public or private rights, which pertains to a particular category, this help distributing the roles and integrating them among the same, and the comprehensibility of dealing with such rights, political, civil, social, economic and cultural, which depend on one another interactively, where the achievement thereof in a field enhance it in another, and this applies to the violation of a right in a particular field where its effect can reach another field.
13. 13. The strengthening of democratization and the dissemination of human rights culture does not exclude or diminish the rights of a community and helps participation of all groups in accordance with the principle of equality and justice without discrimination on any basis; and in this respect, the CSOs independent media organizations have hit the target by advocating women's rights and by paving



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the way for women to act in public and political life and also by protecting their special rights.

14. The role of civil society organization, regarding both the broad base of youth or the elites make them accessible to multiple and various categories; this increases the effectiveness of disseminating the culture of human rights and democratization
15. Despite the importance of a local grass-roots organizations and the role they play with their local community and their endeavor to cover their needs, but they do not find sufficient attention, support and partnerships with other greater civil society or media organizations, or with the media organizations so as to enhance their role in disseminating the culture of human rights and democratization

### **3. The relationship between CSOs and the independent media organizations**

16. The employment of the media in its different forms , whether traditional or social media by CSOs has a wider impact with regard to having access to the masses to make them aware and move their opinion; it assembles them and enable them to reach information in an expeditious manner; this is one of the best strategies and the most widely accepted in the majority of civil society institutions, subject matter of the research, which show that they are aware of the importance of media and its role in democratization and the dissemination of human rights culture.

17. The CSOs are well aware of the role of independent media. (This is in spite of the harsh criticism directed to it.) ; however the identity of the Palestinian media between studied CSOs as an official classification is not of great importance, due to the fact that most organizations are rather oriented towards the official media rather than the independent media; this gives rise to the following question: Is the official media honest and objective? Does it give a space of freedom, criticism and impartiality? Does it exercise accountability? Do the CSOs move towards it for this? Or, the CSOs under study use media to promote their programs and cover their news? If this is the case, there isn't any difference between either of the two media, as the two leads to the same, appearing through the media. If this is the case, there shall be absence of dealing deeply with the pivotal issues relating to human rights and the promotion of democracy.

1. The media is the outlet of the CSOs. Weak planning between the CSOs independent media organizations around the work strategies in promoting the issues of democracy and human rights culture delays the targeted achievement.
2. The Positive attitude of the independent media organizations towards CSOs and valuing their role and effectiveness in the Palestinian society is an important opportunity for CSOs to invest and strengthen its relations with independent media



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3. The limitedness of coordination mechanisms such as objects / committees / coalitions and partnerships between civil society and independent media organizations makes the work seasonal , random , without a strategy to work on them; and this does not focus the power of ideas and collective discourse among them and thus limits the evolution towards democratization and human rights
4. The weakness of partnerships among themselves makes the media and journalists as reporters whose role is just to communicate the news related to democracy and human rights, instead of advocating and patronizing rights and democracy.
4. conclusions on the challenges faced by civil society and independent media organizations in democratization and the dissemination of culture of human rights
  5. There are some challenges which represent an obstacle to the exercise of these organizations roles , including their role in the promotion of democracy and human rights; these challenges are represented in the legislation and policies in terms of ineffective , absence of important laws, bad in implementation, lack of procedures, poor suitability to international and regional conventions which are stipulated so that they can protect the civil society and Media organizations and their cadres.
  6. The political environment is non- conducive to work; this is due to the fact that it is controlled by occupation and its practices which affect the civil society and media organizations and which represents the main obstacle to them; in addition to this, the political division between Fatah and Hamas which has an impact on the steadiness of organizations and makes them vulnerable to violations, strict control regarding freedom of speech, accessibility to information. With respect to the Arab revolutions, they have had a double effect on the work of the organizations.
  7. Still cultural and social factors affect the work of civil society and independent media organizations specifically on issues related to women's rights and public freedoms; the organizations role has also been impacted by influence of conservative forces and the extremists tide that threatens some organizations , accusing them of being associated with the West , and that they threaten social fabric
  8. The decline in the foreign financing and its sustainability is a key factor threatening the CSOs and the media organizations to a lesser extent. This affects the sustainability of the cadres and organizations in general.
  9. The lack of media cadres in the media organizations and specialized media cadres in CSOs, would slow down the work in terms of quality and quantity
  10. The productivity of media organizations that suffer from a lack of personnel is impacted by the gap in terms of capabilities between the media graduates and



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the labor market with respect to dealing with the media technology, or the weakness in the skills of traditional media.

11. The mechanisms of action in attracting independent and qualitative media are affected by Lack of some media items and weakness of the budgets for programs and projects of CSOs related to democracy and human rights,
  - 5- The conclusions on the practice of democracy in the civil society and independent media organizations "good governance"
    1. The practice of the behaviors of democracy and "good governance" within the civil society and independent media organizations, enhances its legitimacy and credibility in the society; thus, it promotes its ability to demand democratization and the dissemination of human rights culture, because An empty hand has nothing to give.
    2. The weakness of the application of some indicators of good governance within the civil society and independent media organizations, specifically the details stated in the report, weakens democratic practice behaviors related to transparency, supervision and accountability, and thus weaken its role in democratization and the promotion of human rights claim.

### **Recommendations**

Based on the above conclusions drawn, we provide the following recommendations in addition to the recall of the recommendations that came in the study made by the civil society and independent media organizations and the work stream of good governance:

- 1- Promoting networking among independent media and CSOs to consolidate the relationship and the work mechanisms among themselves through the formation of committees, bodies and coalitions;
- 2- Or thinking of creating a unified coordinating body between the independent media and CSOs for the purposes of promoting democracy and human rights
- 3- The CSOs must participate with the independent media in the development of strategies for a joint action aimed at disseminating the culture of human rights and democratization.
- 4- There should be: campaigns shared between the civil society and independent media organizations in the preparation of draft laws that protect media organizations and freedoms ; revision of the laws governing the work of civil society and independent media organizations in such a manner that allows such laws to include modern media and to makes restrictions on freedom of the media coping with legitimate restrictions



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stipulated in international declarations and regional agreements ; and the approval of the draft law of the right of access to information.

- 5- The CSOs have to promote independent media through directing more programs and projects to the independent media than the programs and projects directed to the official media.
- 6- The civil society and independent media organizations have to activate the role of social media in such a matter that it practices its role in promoting democratization and disseminating the culture of human rights through the development and provision of accurate information that helps to interact, criticize and direct the constructive opinions by the users.
- 7- There should be strengthening of orientation towards the civil society and independent media organizations; and support of the traditions of periodic assessment at the short, intermediate and long levels so as to know the reasons of progress made in the field of democratization and human rights issues.
- 8- The civil society must activate its role and the role of independent media in promoting freedom of thought and speech and organization; and encourage control, accountability regarding the different official, private and special sectors.
- 9- There should be an endeavor to find a media specializing in human rights, democracy and the responsibility of civil society and independent media organizations
- 10- Of great importance is the building of the capacity of media in the various specialties on the issues of democracy and human rights and monitoring their training through their media projects
- 11- There should be reinforcement of the media dimension in the CSOs, including community-based organizations, through the media finding a competent specializing cadres , training the organizations cadres around the mechanisms of functioning the independent media and deal with it specifically those who represent the organizations and coordinate with the media
- 12- There should be a space of training and capacity building by media organizations for the new media graduates and students, where such training includes the issues of democracy and human rights, and this should be performed through cooperation with the competent CSOs.
- 13- There should be strengthening of work with young people on issues of democratization and the dissemination of human rights culture and launch initiatives, and launching and development of youth initiations



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- 14- Attention should be directed to civil society and community-based organizations to enhance their capabilities in the field of democratization and human rights, since they are closest to their communities.
- 15- The civil society and independent media organizations have to come together to face the cultural and social factors affecting their work and protect one another against such factors.
- 16- The independent media and CSOs, due to the fact that they face cultural, social and legislative obstacles should enhance the organizations which work to defend women's rights and equality, as women represent an important constituent of the democratic process
- 17- There should be exposition of the violations carried out by the occupation against the civil society and media organizations and claims against the same have to be submitted to the international human rights institutions
- 18- There should be explanation of the effect of the schisms on the conditions of independent media and CSOs with respect to the two disputing parties; Reports related to such matter have to be prepared and published and at the same time the violation made by the two parties must be monitored and published through the social media to communicate the facts to the society and moving it towards a solution.
- 19- There should be promotion of voluntary work in the organizations following the example of the community-based organizations in the light of the scarcity of funding.



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### **1. Recommendations for good governance**

1. The civil society and independent media organizations have to promote the practice of internal democracy and the behaviors of good governance, starting from the roles of the Board of Directors, executive and financial administration and the others and correcting their position; and this can be achieved through depending on the Code of Conduct for civil organizations.

2. The private media companies which classify themselves as independent have to observe the principles of good governance in its internal practices to enhance the availability of information and the promotion of transparency, supervision and accountability.

3. We recommend that a specialized in-depth research be conducted on the practice of internal democracy " good governance " due to the limitedness of the study results, which has given general impressions of the existence of the elements of good governance , however the effectiveness is difficult to know within the limits of this study , and it would be better to adopt indicators of good governance so as to befit the nature of the organization and its classification (NGO , community-based organization, a company... etc)



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**Annex (1)**  
**List of surveyed organizations**  
**Civil Society Organizations (CSOs)**

S.N	Name of organization	Name of interviewee	Position
1	<i>Al Haq Organization</i>	Naser Alrayes	The organization's legal advisor
2	<b>Jerusalem Legal Aid and Human Rights Center</b>	Essam Arory	The center manager
3	<i>The Centre for Human Rights and Democratic Participation "SHAMS</i>	Omar Rehal	The center manager
4	<i>Women's Affairs Technical Committee</i>	Amal Gom'aa Lobna Al-Ashkar	Media department official
5	<i>Rural Women's Development Society</i>	Nadia Harb	Manager of the society
6	<i>Handalah Cultural Center</i>	Gad Karaja	The center manager
7	<i>Ayam Zaman Center</i>	Rehe Elsais Dawod El-Dek	The center manager
8	<i>Tamer Institute for Community Education</i>	Roby Taotah	Programs manager
9	<i>Sharek Youth Forum</i>	Sahar Osman	Programs manager
10	<i>Miftah Organization</i>	Lames Al-shoaiby	Programs manager

**MEDIA ORGANIZATIONS**

S.N	Name of organization	Name of interviewee	Position
1	Wattan TV Channel	Mohammed Ataya	Executive director
2	Ma'an <b>Network</b>	Abd El-Abdy	Ramallah branch manager and Marketing Manager



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3	Raya FM Radio	Ehab Al-Garery	Programs, news, and engineering manager
4	Nissa Radio FM	Mayson Oda	radio station manager
5	MADA Center	Mousa Al-Remawy	Organization's director
6	Palestine Youth	Doha Abo Hagla	Executive director
7	Amin Media Network	Khaled Al-Ekr	Network manager



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## Annex (2)

**Palestinian Youth Union (PYU)**  
**Research Form**  
**In-depth / Semi-structured Interview**  
**Related to human rights organizations**

**Cartographic Study on human rights NGOs Organizations and Independent Media organizations**

The PYU is conducting a cartographic study on the organizations interested in human rights and democratization, and in the extent of their employment of media, especially the independent media as an important component in the scope of societal awareness and the promotion of the right of opinion, freedom of expression, regulation and assembly, in addition to the adoption of the interests of the different societal categories, advocating and promoting them.

*This form aims to identify the work of organizations working in the field of human rights that enhances democratization, the relationship of these organizations with independent media, the followed mechanisms within them, the positive or negative effect of this cooperation, and methods of enhancing work between community-based and human rights organizations and independent media organizations.*

*It is worth mentioning that the survey will direct us to select partners from interviewees to work in the project aiming to enhancing the relationship between CSOs and independent media organizations towards democratization and dissemination of human rights culture.*

### **Instructions to the Researcher**

#### **1. General Instructions**

1. *Prior coordination according to the dates of interview and notifying the person about the expected duration*
2. *Identifying the aim of the study and the form as shown above*
3. *The estimated duration of the interview is an hour and a half to two hours*
4. *It is preferred to record the interview on cassette so that no information would be lost, and because the form is completely qualitative.*
5. *Requesting and bringing all the documents related to the organization / brochures in the field of human rights or the related programs.*
6. *Demonstrating that the information is only for the purpose of the study and that it shall not be used in any other field.*



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7. Explaining the parts of the form: general information, organizational information, the organization's work stream in the field of human rights , the work stream of the relation between the organization, media and media organizations.

8. Taking an official letter from the Director of the Palestinian Youth Union to be submitted in the surveyed institution for facilitating the task of the researcher carrying the letter.

### **instructions relating to the Interview**

1. The researcher and the interviewee shall introduce themselves mutually
2. to express thanks and appreciation for accepting the interview
3. to avoid asking the interviewee more than one question at the same time
4. The interviewee shall be interrupted only if he is not to the point, where the researcher shall remind him of the question, and to modify the answer through reposing the question.
5. The researcher shall not help the interviewee with the answer, however, the interviewee may be reminded at a particular stage of the interview **e.g. in part (II), (a) question No. 4, the researcher says what he want, and in case there is a matter to which the attention of the was not paid, the researcher adds: what about training and coalitions, is there a work in this field?**
6. Maintaining effective communication mechanisms e.g. good listening, showing respect for and accepting what the interviewee pose without showing gestures revealing discomfort or disapproval or exclamations, whether verbally or by facial and body language.
7. A smooth transition from one question to another, to make sure that the interviewee has finished his answer before moving to the second question.
8. Ask the question in a graceful manner that may be invoked from a previous answer: for example, You have showed in your answer that you have special programs for democratization; is it possible to give us more information about the nature of the activities?
9. Making the interview enjoyable, subsequent and logical for both the researcher and the respondent, and to demonstrate that the information he gives is important
10. Asking any questions of importance and related to the study which the researcher deduces from the interviewee's answers for clarification, feedback, and addition.



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11. Thanking the interviewee for the time taken, the information and documents that have been provided



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## Palestinian Youth Union Form

### In-depth / semi-structured Interview

#### Part I – General Background information

<b>Researcher Name</b>				
<b>Interview Date</b>				
<b>Organization Name</b>		License Number	Entity	
<b>The Name of the interviewee</b>			Male/Female	
<b>Occupational Position</b>	Organization Head	Director of a Department/ Directorate	Board of Directors	Others, specify.
<b>Years of Experience</b>	1-5 years	6-11 years	12 years or more	
<b>Academic Background</b>				

#### Part I B: General Information on the Organization

<b>1</b>	<b>The address and headquarters of the organization</b>			
<b>2</b>	<b>Does the</b>	Yes	No	If yes, please specify the places



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	organization have branch offices			
3	Classification of the Organization	Elite community based mass federal, Voluntary, others, specify		
4	The targeted category	Male\female youth women children male\female labors Male\female farmers decision makers people with disabilities		
5	The organization works in the field of dissemination of human rights culture and democratization	Main specialization	Secondary specialization	
6	In case it is a human rights organization and works on enhancing democracy, which kind of rights does it focus on?	Political civilian social cultural Economic women rights child rights rights of people with disabilities Others, specify:		
7	Followed mechanisms of	Enlightenment and awareness training and capacity building pressure and advocacy campaigns		



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	work	Study and researches providing services social voluntary works. Others, specify			
8	Number of employees	Total	Number of males		Number of females
9	The potential number of youth employees 18-35 years	Male percentage			Female percentage
10	Number of Male/Female Volunteers		Total	Males	Females

Part II – A: Organization's Vision and Objectives\ Programs relating to human rights and democratization.

**Instructions to the Researcher**

The researcher must request an identification document/ a brochure about the organization revealing the mission / vision, objectives and the main activity of the organization.

1. Does the organization/ net have a vision and a mission reflecting its orientation in respect of human rights and democratization?

Yes/No

2. If "yes", could you clarify the vision and mission?
3. What are the main objectives which the organization endeavor to achieve in the field of human rights and democratization?



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4. What are the methods and mechanisms adopted by the organization for the promotion and dissemination of the culture of human rights and democratization?

Reminding for researcher: to provide a brief explanation about the most important mechanisms e.g. training, awareness for social category/categories, campaigns, media, forming groups, coalitions and otherwise.

2. in your opinion, what are the most successful followed mechanisms? Why?
3. what is the nature of the organization's programs or projects in the field of democratization and human rights in the last three years definitely?

**Note to researcher: if there are any documents about projects\ Induction Program, please bring a copy thereof.**

4. *Are there programs or projects relating to enhancing freedom of opinion and expression and community organization? Yes No*

*If yes, what are its key activities?*

8. What are the methods followed for evaluating the effect of these programs towards human rights and democratization, what are indicators do you observe?
9. what are the most significant success achieved by the organization in programs relating to human rights and democracy over the last three years?
10. what could you say about the lessons learnt from achievements and successful examples?
11. what are the challenges faced by the organization in implementing programs and initiatives of democratization and enhancing human rights?

At the external level:

1. The legal environment and legislation: to what extent are the Palestinian legal environment and legislation reinforcing/ hampering in respect of freedom of opinion and expression? (Are there definite examples on laws)
2. The Political environment: How do the political circumstances affects Palestine and the Arab World (secession, Arab revolutions and occupation)?
3. The cultural and social environment: How does the domination cultural affect promoting human rights and democratization?
4. On the Arab and international level
5. Others

At the internal level of the organization?

1. Financing
2. Capabilities and Staff



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3. Sustainability
4. Others



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## Part Two: (b) Relationship between CSO and Media and Media's Role in the SCO

1. How do the CSO see the role of the media in disseminating the culture of human rights and democratization
2. How is the role of the media , particularly the independent media, regarding the promotion of human rights and democratization evaluated?
3. What are the applicable forms in the scope of promotion and awareness used for the purpose of spreading the culture of democracy and human rights?  
It is advisable that the researcher, for the purpose of achieving a good coverage, use effective tools such as brochures, evidences, movies, electronic pages, Facebook, social networking, etc..  
In your opinion, to what extent is it successful?
4. To what extent are the different forms of social networking used in the CSO? Could you provide examples?
5. What are the forms of the relationship between the CSO and the media, particularly the official media?
6. What are the forms of the relationship between the CSO and the media, particularly the independent media?
6. Which is mostly in use (official, independent, private) and in terms of specialty, (printed, audio, Video)? Why?
  7. Does your institution have specialized employees in the scope of media? Yes/No  
If yes, how many?  
And what is their basic responsibility?
  8. To what extent there are programs and projects targeting the media and journalists in the field of democracy and human rights, for example, not exclusively, (training/ partnerships, affiliation, media campaigns and memorandum of understanding?
  9. How can it be possible to reinforce the relation between the CSO and the independent media with the purpose of supporting democratization and promoting the culture of human rights? What are your special recommendations?



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**Palestinian Youth Union (PYU)**  
**Research Form**  
**In-depth / Semi-structured Interview**  
**Related to the Media organizations**

**Cartographic Study about the Relationship between Human Rights NGOs Organizations and Independent Media organizations**

The PYU is conducting a cartographic study on the organizations interested in human rights and democratization, and in the extent of its employment of the media, especially the independent media as an important component in the scope of societal awareness and the promotion of the right of opinion, expression, regulation and assembly, in addition to the adoption of the interests of the different societal categories and advocating and promoting them.

This form aims at identifying the work of the institution operating in the field of media with its different forms which contribute to democratization, the dissemination of human rights culture and its relation to the rights institutions and the CSO which are concerned with the mechanisms applied thereto; This is in addition to the positive or negative effect of this cooperation, and the mode of promotion of work between the rights and societal institutions and the institutions of independent media.

It is worthy of mentioning that this study shall direct us towards selecting the partners from among the interviewees interviewed for the purpose of operating in the project which targets strengthening the relation between the CSO and the institutions of independent media which are interested in democratization and the dissemination of human rights culture.

**Instructions to Researcher**

**General Instructions**

1. Prior coordination according to the dates of interview and notifying the person about the expected duration
2. Identifying the aim of the study and the form as shown above
3. The estimated duration of the interview an hour and a half to two hours
4. Recording the interview on the cassette is advisable so that no information shall not be lost and that the form is completely qualitative.
5. Requesting and bringing all the documents related to the organization / brochures in the field of human rights or the related programs
6. Demonstrating that the information is only for the purpose of the study and that it shall not be used in any other field



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7. Explaining the parts of the form: public information, organizational information, the focus of the institution's work in the field of human rights , the subject matter of the relation between media and the CSO especially the CSO which operates in the field of human

8. Taking an official letter from the Director of the Palestinian Youth Union to be submitted to the surveyed institution for facilitating the task of the researcher holding the letter.

### **Special instructions for the Interview**

1. The researcher and the interviewee shall mutually introduce themselves mutually
2. Thanks and appreciation for accepting the interview
3. Avoiding asking the interviewee more than one question at the same time
4. The interviewee shall be interrupted only if he is not to the point, where the researcher shall remind him of the question
5. The researcher shall not help the interviewee with the answer, however, the interviewee may be reminded at a particular stage of the interview of the points he/she neglects
6. Maintaining effective communication mechanisms e.g. good listening, showing respect for and accepting what the interviewee pose without showing gestures revealing discomfort or disapproval or exclamations, whether verbally or by facial and body language.
7. A smooth transition from one question to another, to make sure that the interviewee has finished his answer before moving to the second question.
8. Ask the question in a graceful manner may be invoked through a previous: for example, You have showed in your answer that you have special programs for democratization's it possible to give us more information about the nature of the activities?
9. Making the interview enjoyable for both the researcher and the by using chain questions relevant and sequential logic, and demonstrating that the information he gives is important
10. Asking any questions of importance and related to the study which the researcher deduces from the interviewee's answers for clarification and enrichment and addition.



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11. Thanking the interviewee for time given and the information and documents that have been provided



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**Palestinian Youth Union Form**

**In-depth / semi-structured Interview**

**Part I – General Background information**

<b>Researcher Name</b>				
<b>Interview Date</b>				
<b>Organization Name</b>		License Number	Entity	
<b>The Name of the interviewee</b>			Male/Female	
<b>Occupational Position</b>	Organization Head	Director of a Department/ Directorate	Board of Directors	Others, specify.
<b>Years of Experience</b>	1-5 years	6-11 years	12 years or more	
<b>Academic Background</b>				

**Part I B: General Information on the Organization**

<b>1</b>	<b>The address and headquarters of the organization</b>	
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2	Does the organization have branch offices	Yes	No	If yes, please specify the places	
3	Classification of the Organization	Non-for-profit For Profit Others, specify			
4	The targeted category				
5	In which media field does the organization operate?	Printed Audio Video Electronic Social networking Others			
8	Number of employees	Total	Number of males	Number of females	
9	The potential number of youth employees 18-35 years	Male percentage		Female percentage	
10	Number of Male/Female	Total	Males	Females	



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	<b>Volunteers</b>			
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## Part II – A: Organization's Vision and Objectives\ Programs relating to human rights and democratization.

- 1- In your opinion, what is the importance of independent media in democratization promotion and the dissemination of human rights culture?

Instructions to the researcher

The researcher must request an identification document/ a brochure about the organization revealing the mission / vision, objectives and the main activity of the organization.

- 2- Does the organization/ net have a vision and a mission reflecting its orientation in respect of human rights and democratization?

Yes/No

- 3- If the answer is "yes": how can you identify the vision and mission?
- 4- What are the main objectives which the organization endeavor to achieve in the field of human rights and democratization?
- 5- What are the methods and mechanisms adopted by the organization for the promotion and dissemination of the culture of human rights and democratization?
- 6- Reference: Opinion Articles, reportages, Radio programs, TV programs, interviews, media coverage and others
- 7- How do you evaluate your work, and what are the indications of success you have monitored?
- 8- To what extent is the organization oriented towards reinforcement of societal media/ social networking?
- 9- What is your opinion regarding the effect of social networking on democratization?
- 10- In your opinion, what are the most important successes has the organization achieved in its human rights and democratization-related media programs for the last three years?
- 11- What is your opinion concerning the lessons learnt from the successful achievements and models?
- 12- What are the challenges that are being faced by the media in general, and by your organization in particular in respect of the implementation of the programs and initiations of democratization and the reinforcement of human rights?
  - A. The legal environment and legislations: to what extent are the Palestinian legal environment and legislation reinforcing/ hampering in respect of freedom of opinion and expression?
  - B. The Political environment: How do the political circumstances affects Palestine and the Arab World (secession, Arab revolutions and occupation)?



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- C. The cultural and social environment: How does the domination cultural affect promoting human rights and democratization?
- D. Others

**At the internal level of the organization?**

- A. Financing
- B. Capabilities and Staff
- C. Sustainability
- D. Others

**Part II- B: The relation between the independent media and the CSO including the human rights organizations**

1. How does the media institution evaluate the role played by the civil society organizations in the reinforcement of democratization and the dissemination of human rights culture?
2. What is the form of the established relation between the media and the human rights organizations related to CSO which promote democratization and human rights culture?
3. To what extent are there common programs/ projects between your organization and the CSO operating in the field of democracy and human rights?

Reminding the researcher (including but not limited to, of training, partnership, coalitions, media campaigns, common media programs)

4. How can reinforcement fulfilled regarding the relation between the media and the CSO for the purpose of promoting democratization and the human rights culture? What are your especial recommendations in this respect?



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### Annex (3)

#### Palestinian Youth Union

#### Organization Capacity Assessment Form

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**Researcher Name:**

**Date:**

**Name of organization:**

**License Number and the Jurisdiction Entity:**

**Interviewer Name:**

**Job Title:**

The Legal Status of the Organization				
Number	Item	Yes	No	Notes/Examples
1	<i>The organization has an official license.</i>			
2	<i>democratically elected board of directors</i>			
3	<i>effective board of directors that holds meetings regularly.</i>			
4	<i>The procedures of board of directors' meetings are written in a minutes signed by all present members, and placed in a safe place.</i>			
5	<i>Chairman of the board serves two succeeding tenures or less.</i>			
6	<i>The organization has articles of association approved by the general assembly.</i>			
7	<i>There is an approved financial system.</i>			
8	<i>The organization has an organizational structure approved by the general assembly</i>			



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9	<i>There is a written job description for all employees.</i>			
10	<i>The organization complies with the Labor Law (leaves, number of working hours, maternity leave, etc...)</i>			
11	<i>The organization is abiding by laws of income tax and the value added tax.</i>			
12	<i>There is a declared policy on the mechanism of membership in the general assembly.</i>			
13	<i>Periodic reports are submitted to the competent bodies.</i>			
Board of Directors Number	Total	Female Number	Members	
General assembly Members Numbers	Total	Female Number	Members	Male Members Number
<b>Strategies, plans and reports</b>				
1	<i>The organization has a strategic plan, written and declared vision and mission.</i>			
2	<i>Strategic plan is drafted in participation with stakeholders and personnel.</i>			
3	<i>The organization's plan and programs are associated with the national plans.</i>			
4	<i>The organization works according to implementation plans based on written, clear and definite strategy.</i>			



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5	The organization has follow up tools to supervise the implementation of plans.			
6	The institution publishes its periodical financial and administrative reports in a regular and declared way.			
<b>The Executive Management</b>				
1	There is an executive management consisting of senior personnel\department heads			
2	Executive management holds periodical meetings and has executive and clear role in taking decisions.			
3	Executive management supervises the execution of its decisions regularly.			
4	The powers are clear, and tasks of board of directors and executive management are separated.			
5	Executive management holds periodical meetings with employees, support and motivate them to implement their plans.			
6	Executive management balances between the worker's humanitarian needs and work needs.			If "yes", give an example.
<b>Human Resources Management</b>				
1	Employment policy is transparent and declared and is based on an approved system.			
2	Selecting employees is carried out by employment committee.			
3	There is an applicable evaluation system of employees.			
4	There is an approved and applicable incentives and promotion system.			
5	There is a written policy over the ongoing training and education of male and female workers.			



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6	There is periodical evaluation of development\training needs of male\female workers.			
7	The organization is working on qualifying personnel according to development needs for their jobs and for work.			
8	Male and female workers have a written and well-known job description.			
9	Personnel working in the organization are sufficient for achieving its plans.			
10	There is a policy of high- advantage for receiving volunteers to work in the organization			
11	The organization is sensitive to social gender in its policies, plans, budgets, and recruitment process.			If "yes", give an example.
<b>The Relation with the Local Community and the Beneficiary Categories</b>				
1	To engage the target categories in defining priorities.			
2	To engage target categories in selecting projects.			
3	To engage target categories in evaluating projects.			
4	Defining the needs of target categories periodically.			
5	The connection between the project and local needs of population.			
6	The connection between outcomes and results and the organization task and objectives.			
7	Women and less fortunate categories are a key-component in the organizations' programs and projects.			



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<b>Financial Management</b>				
1	Updated financial system (less than 3 year), approved by board of directors			
2	Financial department makes use of computerized program.			
3	The annual budget is approved by the board of directors.			
4	Annual reports are audited by foreign auditor.			
5	Financial auditing is at the level of every funded project.			
6	The auditor does not work for more than two succeeding tenures.			
<b>Public Relation and Information Technology</b>				
1	The organization has relations with relevant government bodies (periodical meetings, a report from the organization to government bodies, participation in activities)			
2	There are relations between Palestinian NGOs that have joint specialization (joint meetings, joint activities, coordination of situations and meetings.			Example on organizations
3	The organization participates in Arab, national, and international networks\ coalitions\ relating to the nature of its work.			Examples on coalitions / networks
4	The organization's relation with donors and supporters (periodical meetings, accomplishment reports, assessment reports, compliance with condition and specific time).			
5	Organizations have self-financial resources regardless of their size.			
6	The organization has many foreign financing sources that help to its sustainability.			



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7	The organization has an effective and easy accessible webpage			
8	Publishing information on the organization's activity in newspaper and printed publications			



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