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STRENGTHENING THE ACCOUNTABILITY AND TRANSPARENCY OF THE LEGISLATIVE PROCESS IN THE WEST BANK AND GAZA PROJECT (BAYAN)

**THE ROLES OF PALESTINIAN CIVIL SOCIETY ORGANIZATIONS IN THE
LEGISLATIVE PROCESS**

LEGISLATIVE OVERSIGHT AND ADVOCACY TRAINING REPORT

June 2008

This document was produced for review by the United States Agency for International Development. It was prepared by the BAYAN team of DAI Washington.

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Executive Summary

BAYAN conducted a training workshop for the purpose of developing legislative oversight and advocacy capabilities of Palestinian Civil Society Organizations (CSOs) in West Bank between 25-29 May, 2008. The five-day workshop targeted 9 staff members representing 5 CSOs from the West Bank. The workshop provided information and knowledge on the role of CSOs in monitoring performance of government role and advocating for better policies and more transparency. Special emphasis was focused on providing participants with practical tools and techniques for developing strategic advocacy and oversight plans to influence the decision making processes to ensure a transparent, accountable and participatory policy-making process

The importance of monitoring the implementation of government-related policies was also stressed as a tool for effective advocacy, for public information, and to ensure accountable, transparent government performance. Information was presented and participants were then given exercises and case studies to provide them practical experience to increase their skills. Specifically, some of the topics covered included:

- The responsibilities of the Palestinian Legislative Council (PLC).
- Definition of oversight.
- Criteria for assessing legislative performance.
- Legislative organization.
- Legislative procedures.
- Impediments to oversight and ways to address these impediments
- How to develop a comprehensive oversight plan.
- The need for CSOs to work together.
- Defining the concept of advocacy in general and in the legislative process in particular.
- Tools, tactics and mechanisms for creating a comprehensive advocacy plan with a focus on issue advocacy campaign.
- Options and alternatives for influencing decision makers, ministries and lawmakers.
- Monitoring and overseeing the work of decision makers and the legislature.
- Challenges to advocacy efforts and possible tactics to address or minimize them.
- Mobilizing the population and grassroots organizations and the importance of building coalitions.

The workshop confirmed the need for continued capacity strengthening in several areas such as oversight, issue advocacy, information dissemination, legislative drafting, issue development, coalition building, planning techniques and regulatory impact assessments. In addition, participants were more aware of the need to work cooperatively and to take a more comprehensive long term perspective on the issue of oversight and advocacy.

As a result of the training, participating CSO representatives have acquired the practical skills to prepare and implement oversight and advocacy plans that will help the CSOs:

monitor the policy-making processes and to better advocate for citizens' concerns; to keep constituents better informed of the performance of their elected officials; to oversee the implementation of laws to ensure open, transparent and accountable provision of governmental services; to promote institutional reforms to overcome barriers to CSO participation in and oversight of the legislative process; and to cooperate effectively with other CSOs and form networks or coalitions where it makes strategic sense.

As a result of the training, participants succeeded in developing two initial oversight and advocacy plans focusing on the following issues:

- PLC Oversight plan on social laws.
- Government economic social policy.

These draft plans were consensus-driven documents that outlined the overall goal of oversight and advocacy efforts, the targeted decision-makers, possible advocacy options, the coalition partners, coalition rules, message development and substantiation and stakeholders' analysis. Additionally, an initial timeline and a budget were developed to give participants an idea of what implementing the program would mean for their organizations.

Introduction

The *BAYAN* project is designed to strengthen the Accountability and Transparency of the Legislative Process in the West Bank and Gaza. The project is a three year, approximately \$6 million project, which began October 1, 2005. The specific goals of this project are to: Strengthen the Accountability and Transparency in the Legislative Process; Strengthen the Broader Legislative Community, and; Implement Small Grants Program to assist civil society in supporting the above activities. Overseeing the performance of the Palestinian Legislative Council (PLC), including its critical role in the budget process, is a key component to ensure legislative accountability and transparency, to reduce corruption, and to provide avenues for civil society input into the policy-making process.

Based on the very positive feedback received from *BAYAN* CSO partners with whom the *BAYAN* project held preliminary meetings, the *BAYAN* team learned that though many groups have a genuine interest and some initial plans to forge new legislative oversight and advocacy coalitions and networks to influence the development and implementation of public policies, the allocation of resources, and decisions within political, economic and social systems and institutions that directly affect people's life, many of them lack the necessary practical experience or capacity to fulfill these roles. *BAYAN* is well positioned to address those particular needs by providing a package of practical training and follow-up with technical assistance to its partner CSOs in the West Bank and Gaza that would enable them to play pivotal roles in the oversight, advocacy and policy-making process. Since oversight and advocacy skills mutually complement one another, *BAYAN* decided to offer a program that combines the training into one training workshop.

To accomplish this, *BAYAN* hired Aref Jaffal, a short-term local expert with oversight and advocacy competencies skills and experience, to conduct a five-day training workshop on legislative oversight and advocacy. The expert used the training materials developed earlier in 2007 to train 9 participants representing a number of West Bank based new and old CSO *BAYAN* partners in core advocacy and oversight skills. More specifically, the workshop had provided capacity building and training in the following technical areas:

- Strengthening the capacity of CSOs to formulate professional oversight strategies that meet international standards. This included topics related to Why, How and what to monitor.
- How to lead and implement popular oversight initiatives and how to link them to CSO advocacy initiatives.
- Improving CSOs' ability to formulate and develop advocacy strategies based on international experiences and local context. This included topics related to Why, How and what to advocate for.
- Developing issue-specific (Youth, women, unemployed, etc.) advocacy campaigns, possibly linked to the PA's legislative agenda and suitable mechanisms for implementing these campaigns. .
- Mobilizing and engaging the wider community and policy-makers at all levels.
- Utilizing media and information, including results from monitoring efforts, to carry out advocacy activities.

- Coalition and alliance building skills.

Training Workshop Objectives

As stated in the approved scope of work, the specific objectives for this capacity building workshop was to provide the participants with the knowledge and skills needed to fulfill their policy making oversight and advocacy role effectively and in accordance with international best practices.

In addition and during the opening session of the workshop, participants were asked to spell out their expectation from the training. Below is a summary of these expectations:

1. Clarify the meaning of oversight and advocacy – how we can gather information, encourage public meetings, and influence decision makers?
2. How can oversight strengthen public institutions and encourage laws to advance democracy?
3. How can oversight and advocacy encourage more involvement in governmental decisions?
4. Gain knowledge of international experience in conducting oversight especially in the area of comparing legislation to international standards.
5. Develop an oversight model to increase public awareness of government actions.
6. Develop a better understanding of the legislative process and the role of CSOs within that process.
7. Trainees also expressed interest in developing better networks and maintaining an on-going oversight effort.
8. How can oversight deal with Presidential Decrees?
9. How to Formulate an advocacy strategies that meet international standards.
10. What are the tools, techniques and strategies that can be utilized for effective advocacy planning that are appropriate for the local context.
11. How to utilize the media to carry out advocacy activities.
12. How to conduct impact analysis of advocacy programs.
13. How they can improve their skills in coalition and networking for advocacy purposes.

Training Workshop Description

Overview

The training provided the participants with the knowledge and practical skills that will better position them and help in paving the way for a more systematic and robust oversight and advocacy role for these CSOs. The training focused on how CSOs might best provide oversight of both the PLC and the government to assure that procedures and policies were followed and democracy advanced. The training began with a discussion of the definition of oversight in its broadest sense, including all phases of legislative activity, policy

implementation. The use of oversight hearings as an information gathering tool both before and after legislation is passed was stressed as was the importance of having CSOs participate in the oversight process. A differentiation was made between legislative oversight of the executive branch and CSO oversight of governmental performance.

This session was followed by a more detailed presentation on legislative oversight using different cases as an example. The session included information on how CSOs can be active in the process from the original formulation of legislation in the executive branch through legislative review of proposed legislation, legislative oversight of executive implementation. The participants were then given a case study on oversight as an exercise. On the second day the trainees were given a series of exercises to lead them through the process of developing an oversight plan for a specific issue area.

The third, fourth and fifth days were focused on advocacy, the training provided the trainees with the knowledge and practical skills that will better position them to fulfill their advocacy role. The training focused on how CSOs might best use advocacy to ensure that transparent and accountable procedures and practices were implemented and adhered to by decision makers. The training was based on adult learning principles and included both individual and group exercises to ensure that the participants are acquiring the required knowledge, skills, and attitudes.

The training began with a discussion of the definition of advocacy in both international and Palestinian contexts. After that, participants, who worked in groups and on specific case studies, were provided with practical tools needed to develop an overall advocacy strategy, including the art of building coalitions and ways to influence decision makers. Throughout the sessions, the participants identified advocacy issues and problems, decision makers, advocacy tactics and developed messages and coalitions. At each stage of the process, the training focused on the policy-making process and advocacy for specific positions.

The workshops became an opportunity for the participants to sharpen their skills and take away practical steps in advocacy organizing that can be applied to current projects. Over the duration of the workshops, the participants divided into two groups and worked on their own advocacy plans.

Workshop Evaluation

Participants were asked for their evaluation at the end of each training day. On the final day they were asked to complete an overall written evaluation of the training.

Participant Satisfaction

Participants were generally satisfied with the workshop. They appreciated getting a better understanding of oversight and were especially pleased with the session on information gathering. They were much more interested in practical application of the information in exercises and case studies than in lectures. They liked the checklist for conducting oversight and being introduced to how to prepare an oversight plan. They also liked the examples from Palestine and other countries. They were pleased with the local consultant's knowledge of the Palestinian political system.

Below is a summary of the participants' feedback:

- Participants were generally satisfied with the preparation for the training program, the training delivery, and the training venue. They appreciated getting a better understanding of legislative advocacy and were especially pleased with the groups work, role play and group discussions.
- The participants did best with a series of questions each opening session about what has worked in the past. This focused the participants' attention on Palestinian best practices. This also allowed participants to learn from one another. As one participant noted in their evaluation, one of the values of the training was to, "exchange views with others and benefit from their experience in the subject."
- The participants took longer at some tasks than expected. Issue choice and messages discussions took longer than anticipated. It was a challenge to balance the democratic process with keeping on a schedule.
- A formal presentation of plans forced the participants to focus their discussion and decisions on a written document.
- Some participants indicated that the material was extensive and more time was needed. The trainer felt that this is a valid point and it should be taken into consideration in future training programs.

Participant Learning

The participants were a very capable and perceptive group. When they entered the workshop on the first day, their knowledge of oversight in general and the advocacy process in particular was limited. However, as the workshop progressed they exhibited great progress through group exercises, discussions, and case studies. By the end of the workshop they were able to develop the outline of a comprehensive oversight strategy and advocacy plane with minimal help from the instructor. They also recognized that oversight has broad implications and that they should be looking deep and based their evaluation on accurate and comprehensive information. Finally, they recognized that by working together in coalitions (on a permanent or ad hoc basis) they could more effectively use their limited resources and have a greater effect on the legislature.

Recommendations for BAYAN and CSOs

1. Continue training in the use of oversight throughout the entire legislative process from legislative development, to PLC deliberations, and implementation.
2. Continue with efforts to present training to CSOs on how to effectively advocate in support of their organization's issues.
3. Compile the legislative oversight training material in a reference manual that is easy to use as a reference tool for CSOs.
4. Develop a program to educate both CSOs and legislators of the need to assess the impact of proposed legislation to craft better designed more effective legislation.
5. Develop a program to educate both CSOs and legislators of the need to conduct post-passage oversight of legislation in order to determine the need for modification of existing legislation or the need for new legislation.
6. Develop a program to educate both CSOs and the PLC on the need to incorporate annual and special audit reports into the oversight process, not a separate entities but as part of the overall oversight process.
7. Develop a mechanism to encourage CSOs to network, form coalitions, and work together as much as possible.
8. Work with USAID and other donor organizations to encourage long-term ongoing oversight efforts by CSOs.
9. It seem training is not sufficient for CSOs, it is suggested that BAYAN take the lead and coach CSOs oversight and advocacy work.
10. Many of the participants had many comments related to creating and maintaining coalitions in their evaluations. This might be an interesting series or day long programs with a mixture of groups or with possible partners in coalition. Some topics to address could include: identifying partners, decision-making, structures, recruiting, dealing with difficult partners and keeping momentum for the short and long-term.
11. Develop comprehensive oversight plans to assure that CSO issue areas will be adequately considered by the government and especially the legislature.
12. Promote efforts to improve the transparency of legislative actions, especially in the work of committees.
13. Engage in efforts to develop an ethos of openness within Palestinian society including passage of Access to Information Legislation.
14. Develop public access databases on legislative proceedings including publication of agendas, meeting minutes, and enacted legislation. Resource center in any designated organization.
15. Develop alternative sources of information such as personal relationships with members of key committees, party blocs, and legislative staff.
16. Pool resources to establish public databases for information on legislative actions.
17. When forming advocacy coalitions and determining an advocacy issue, it is important that CSOs carefully consider the size of any given coalition to ensure effectiveness and not to jeopardize their efforts.

18. CSOs should actually take advantage of the existence of *BAYAN* project that is specialized in the legislative process in Palestine. This is a good opportunity for them to learn, participate in *BAYAN* activities.

Attachment 1: List of Trainees

West Bank Participants

S/R	Organization	Name of trainee	Titles
1	Al-Hares Center for Studies and Media	Wajiha Dar 'Issa	Program coordinator
		Ahmad Sukar	Coordinator
2	Center for Human Rights and Democratic Participation	Dana Mar'e	Public relation
		Mahmoud Assi	Media coordinator
		Kholoud Hanaesha	Coordinator
3	Ta'awon for Conflict Resolution	Rasha Fityaan	Programs Manager
		Hani Smerat	Program coordinator
		Ala' Mustafa Abu Azreel	
4	Juhoud for Rural and Community Development	Sonia Makhoulouf	Acting Director
		Yahya Nafee	Project coordinator
		Taghreed Naser	Program assistant
5	ARD	Johny Basil	Program Specialist
		Iffat Al Tal - Al Amal Sports Club, Al Thahirya,	
		Imad Nour - Al Ihsaan Society, Beit Jala, Tel	

Attachment 2: Daily Training Agendas

Legislative Oversight and advocacy Presentation May 25-29, 2008, Ramallah, Palestine

DAY ONE:

- 8:30-9:00 Arrival and registration
- 9:00-9:30 Introduction –
1. Welcome by Bayyan
 2. Introduction of presenter/facilitator
 3. Introduction of participants
 4. Expectations
- 9:00-10:45 Session One -- Introduction to Legislative Oversight -
1. Responsibilities and role of the PLC
 2. Introduction on PLC Oversight
- (15Min) Break
- 13:00-3:45 Session Two – Oversight of the Legislature and the role of CSOs
1. Introduction to oversight
Basic document the CSOs need for oversight
 1. Organization of the PLC
 2. PLC internal procedures
 3. Basic law
 4. Understanding Legislative Procedures
 2. Exercise – review Palestinian law for provisions related to oversight.
- 12:30 - 13:00 Lunch break.
- 13:30- 15:30 Session three the criteria for evaluating the ability of the Legislative council to perform his duties
1. International standard the role of PLC in
 - a. Representation
 - b. Legislation
 - c. Observation
- Exercise -Classifying PLC works against its lawmaking, oversight and representation roles.
- 3:45-4:00 Wrap-up

**Legislative Oversight and advocacy Presentation
May 25-29, 2008, Ramallah, Palestine**

DAY TWO:

9:00-10:45 Session Four –Oversight opportunities in Palestine

1. Oversight Opportunities
2. Open meetings
3. Published records of meetings
4. Public voting records
5. Attendance at meetings and sessions

Exercise – Rating roles of the PLC

(15Min.) Break

11:00-13:00 Session Five – Developing an Oversight Strategic plan

1. Tools for Conducting Oversight of the Legislature
 - a. The Basics
 - b. Advanced Skills
 - c. Specialized Skills
 - d. Barriers to Effective Oversight

13:00-13:30 Lunch break.

13:00-3:45 Session Six – Tools of Oversight Analysis

6. Basic Oversight Analysis
7. What Makes Analysis Effective
8. Skills Needed for Oversight Analysis
9. Resources for Oversight Analysis
10. Types of Analysis
11. Exercise –develop strategic oversight for two ministries (Ministry of health, Ministry of Education)
12. Presentation

3:45-4:00 Wrap-up

**Legislative Oversight and advocacy Presentation
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DAY THREE:

9:00-10:45 Session Seven

Advocacy conceptual frame work

Understanding politics

The concept of power –

Types of power

Advocacy Definition

(15Min.) Break

11:00- 13:00 Session Eight

- Advocacy conceptual frame work
- Connection politics, power and advocacy
- Five characteristics of effective advocacy
- Advantage and disadvantage of conducting advocacy campaign (group exercise)
- Advocacy cycle

13:00-13:30 Lunch break.

13:30-3:45 Session Nine

- Triangulation analysis
- Advocacy targets
- Triangulation analysis exercise (group exercise)
- SWOT analysis
- SWOT analysis exercise (group exercise)

3:45-4:00 Wrap-up

**Legislative Oversight and advocacy Presentation
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DAY FOUR:

- 9:00-10:45 Session Ten – Developing an Advocacy plan
- component of advocacy plan
 - developing advocacy objectives
 - Characteristics of good objective
 - Developing advocacy objective exercise (group exercise)

(15Min.) Break

- 11:00-13:00 Session Eleven Developing advocacy message
- Characteristic of good advocacy message
 - Advocacy box (group exercise)
 - How to develop effective advocacy message
 - Developing advocacy message exercise (group exercise)
 - Delivery of advocacy message.
 - Message substantiation

13:00-13:30 Lunch break.

- 13:30-15:45 Session Twelve – Stake holders analysis
- stake holders analysis tool
 - Classification of stake holders
 - Stake holders analysis exercise (group exercise)

3:45-4:00 Wrap-up

Day Five

9:00-10:45 Session thirteen

- Pressuring Ministers
- Pressuring PLC Members
- Pressuring President, Ministers and PLC exercise (trainer and trainees)

10:45-11:00 Break

11:00-13:00 Session Fourteen

- Advocacy activities- tactics
- Types of advocacy tactics
- Selecting advocacy tactics exercise (group exercise)
- Building coalition

- Challenges facing coalition building in Palestine (the reason coalition fail in Palestine)

13:00-13:30 Lunch

13:30- 15:45 Session Fifteen

- using media in the advocacy campaign.
- Role playing media editor
- writing letters to decision makers
- Developing advocacy implementation plan
- Components of advocacy implementation plan
- developing final advocacy plan (group exercise)
- Presentation final advocacy plan by the participants