FINAL REPORT

Organisational Review of the Palestinian Environment Quality Authority (EQA)

For

**The Consulate General of
Sweden in Jerusalem**

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ORGUT

List of Abbreviations

AG	Attorney General
CSO	Civil Society Organisation
CMWU	Costal Management Water Utility
EIA	Environmental Impact Assessment
EPA	The Swedish Environmental Protection Agency
EU	European Union
EQA	Environment Quality Authority
EWASH	Emergency Water, Sanitation and Hygiene Group
GD	General Directorate
GEF	Global Environmental Facility
GIZ	German International Cooperation
IEE	Initial Environmental Evaluation
INGO	International Non-Governmental Organisation
JICA	The Japanese International Cooperation Agency
JSC	Joint Service Council
LGUs	Local Governmental Units
MDG	Millennium Development Goals
MoA	Ministry of Agriculture
MoE	Ministry of Environment (Jordan)
MoF	Ministry of Finance
MoH	Ministry of Health
MoLG	Ministry of Local Government
MoNE	Ministry of National Economy
MoPAD	Ministry of Planning and Development
MoT	Ministry of Transport
MoTI	Ministry of Telecommunication and Information
MoU	Memorandum of Understanding
NDP	National Development Plan
NGO	Non-governmental Organisation
NSU	The Negotiation Support Unit
PA	Palestinian Authority
PBCS	The Palestinian Bureau of Statistics
PEIS	Palestinian Environmental Information System
PENGON	Palestinian Environmental NGOs Network
PHG	Palestinian Hydrology Group
PLC	Palestinian Legislative Council
PNA	Palestinian National Authority
PSI	The Palestinian Standards Institute
PWA	Palestinian Water Authority
SAACB	The State Audit & Administrative Control Bureau
SEIS	Shared Environmental Information System
Sida	The Swedish International Development Cooperation Agency
SEK	Swedish Kronor
SWIM	Sustainable water integrated management
TOR	Terms of Reference
UCCD	UN convention for Combating Desertification
UNDP	The United Nations Development Program
UNEP	United Nations Environment Programme
UNFCCCUN	Framework convention on climate change
UN OCHA	United Nations Office for the Coordination of Humanitarian Affairs
UNOCHR	United Nations Office of the High Commission for Human Rights
USD	US Dollar

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ملخص تنفيذي

خلفية

سلطة جودة البيئة الفلسطينية (EQA) هي المؤسسة الرئيسية في السلطة الفلسطينية المنوط بها مسؤولية رصد وحماية البيئة الفلسطينية وضمان توفير بيئة نظيفة وصحية. الوكالة السويدية للتعاون الإنمائي الدولي (سيدا)، باعتبارها واحدة من الجهات المانحة الرئيسية في مجال البيئة في فلسطين، إتفقت وسلطة جودة البيئة الفلسطينية على تنفيذ مراجعة مؤسسية شاملة لسلطة جودة البيئة الفلسطينية كأساس لدعم تطوير العمل في سلطة جودة البيئة وبناء قدراتها.

نفذت عملية المراجعة والتقييم المؤسسي لسلطة جودة البيئة في فلسطين على مرحلتين: 22–29 نيسان و 18 أيار إلى 4 حزيران 2014. كان الهدف العام للمراجعة والتقييم المؤسسي التنظيمي لسلطة جودة البيئة أن تكون مفيدة لسلطة جودة البيئة كجزء من عملية التطوير المؤسسي وتقديم توصيات إلى سيدا على كيفية تصميم الدعم المستقبلي وإمكانية توسيعه.

الأهداف الرئيسية لعملية التقييم المؤسسي هي:

1. إستعراض ومراجعة الإطار القانوني والمؤسسي لسلطة جودة البيئة الفلسطينية، مسؤولياتها وصلاحياتها، بما في ذلك تقاسم الأدوار والمسؤوليات والتنسيق مع الوزارات والهيئات الأخرى فيما يتعلق بإدارة شؤون البيئة وإنفاذ التشريعات البيئية المختلفة، إضافة إلى تحليل البيئة الممكنة اللازمة لسلطة جودة البيئة للوفاء بإلتزاماتها.

2. مراجعة وتحليل الهيكل المؤسسي والتنظيمي والأنظمة في سلطة جودة البيئة بما في ذلك مكاتبها في المحافظات.

3. تحديد وتحليل الأدوار المحتملة والقيم المضافة للشراكات مع سلطة جودة البيئة والتي يمكن أن تساهم في تقديم الدعم المؤسسي وبناء القدرات التي يتم تحديدها وتحتاجها سلطة جودة البيئة.

النتائج والاستنتاجات الرئيسية

نقاط القوة التي يمكن البناء عليها

وجدت المراجعة أن سلطة جودة البيئة مطلوبة من قبل كافة الجهات أصحاب العلاقة والشركاء الذين تم مقابلتهم(الوزارات، مقدمي الخدمات، مؤسسات المجتمع المدني وغيرهم) وهم بحاجة إليها لتلعب دورها المطلوب في مجال البيئة. هم يتطلعوا ويأملوا لدور أكثر فاعلية ونشاطا لسلطة جودة البيئة، ويتوقعون أن تأخذ سلطة جودة البيئة دورا قياديا للبيئة وتكون جهة منظمة ومراقبة للقطاع البيئي. هناك تقدير واضح لموظفي سلطة جودة البيئة على المستويات الوطنية والإقليمية الذين يعتبرونهم مهنيون ولديهم إلتزام واضح للبيئة. وجدت المراجعة أن موظفي سلطة جودة البيئة لديهم الرغبة والإهتمام لتحسين الوضع في سلطة جودة البيئة وأنهم يدركون جيدا نقاط الضعف والتحديات التي معرفتها وتحديدها تعتبر شروط مسبقة هامة من أجل أن تأخذ عملية التغيير والتطوير مكانها الصحيح وهنالك توقعات كبيرة وضعت على عاتق رئيسة سلطة البيئة الجديدة لتولي القيادة اللازمة للسلطة.

في السنوات الماضية تم وضع أساسات مهمة في مجال الإطار التنظيمي للعمل في سلطة جودة البيئة خاصة من خلال المشروع الريادي المدعوم من قبل سيدا وبرنامج الأمم المتحدة الإنمائي (SIDA / UNDP)، حيث تم تطوير العديد من أنظمة العمل الداخلية واللوائح والإستراتيجيات وتعليمات العمل والإرشادات وأدلة العمل ولكن تنفيذ هذه الأنظمة والتعليمات والأدلة لم يبدأ بعد بالصورة المطلوبة. وتحسنت العلاقات مع الوزارات الشريكة. هذه الإنجازات الإيجابية تحتاج إلى أن يبنى عليها ويستمر الدعم لها في المستقبل.

وعلى الرغم من أن الحضور الميداني لسلطة جودة البيئة في ثمانية من أصل أحد عشر محافظة من المحافظات في الضفة الغربية، إلا أن هذا التواجد يعتبر نقطة قوة ينبغي تطويرها. المكاتب الإقليمية هي قريبة من الاهتمامات البيئية الرئيسية وتتفاعل كثيرا مع الشركاء على المستوى الإقليمي في المحافظات. هذه المكاتب تشكل عيون سلطة جودة البيئة وأقدامها على الأرض في الميدان وتستقبل وتعمل وتنسق مع المواطنين والقطاع الخاص ومقدمي الخدمات ومؤسسات المجتمع المدني، والشرطة، والهيئات المحلية وصناع القرار على أساس منتظم وتلتقط الأفكار الجيدة، والمخاوف والقلق على البيئة. هذا التعرض اليومي للمشاكل والتحديات والإنتهاكات والحلول البيئية يجب يبنى عليه ويستفاد منه بطريقة جيدة.

مجال البيئة هو مجال عبر قطاعي مشترك والإهتمامات البيئية يجب أن تؤخذ بعين الإعتبار في قرارات ونشاطات القطاعات الأخرى في فلسطين. لقد عملت سلطة جودة البيئة على بناء علاقات مع العديد من الجهات الفاعلة في عدد من الوزارات، ولقد أعربت العديد من الجهات عن تقديرها لأسلوب سلطة جودة البيئة التشاركي في تطوير وصياغة الإستراتيجيات والسياسات. العلاقات مع المؤسسات الأخرى تركزت في المرحلة الماضية على الجوانب الفنية، وهنالك حاجة لتطوير هذه العلاقة على المجال السياسي الأعلى.

سلطة جودة البيئة لديها علاقات قليلة ولكن جيدة مع المؤسسات المانحة. هذه المؤسسات تتشارك مع سلطة جودة البيئة في قلقها وإهتمامها بالبيئة في فلسطين بغض النظر عن مستوى الدعم، وهي يمكن أن تساند سلطة جودة البيئة وتدعمها في توضيح المشاكل والتحديات البيئية من خلال حوارتهم وتواصلهم مع السلطة الفلسطينية.

الإطار القانوني والمؤسسي
البيئة الممكنة لسلطة جودة البيئة؟ الآثار البيئية المدمرة للاحتلال الإسرائيلي والإمكانيات المحدودة لسلطة جودة البيئة لفعل أي شيء لمنعها وتصحيحها هي تحديات ضخمة، بالإضافة إلى ذلك فإن الوعي البيئي منخفض داخل المجتمع الفلسطيني سواء بين عامة الناس أو في القطاع الخاص، وكذلك فإن البنية التحتية قديمة وغير كافية. إن توزع المسؤوليات البيئية على العديد من الجهات الفاعلة يشكل تحديات لإدارة البيئة بشكل جيد. لم تتمتع سلطة جودة البيئة بالدعم السياسي أو المالي القوي لرسالتها ولم يحظ مجال البيئة بالدعم السياسي الذي يحتاجه على المدى البعيد. ومع ذلك، فإنه لا يمكن القول أن البيئة المؤسسية عدائية تجاه سلطة جودة البيئة. على العكس من ذلك، هناك طلب كبير على سلطة جودة البيئة لتنفيذ المهام المناطة بها والقيام بدور نشط أكثر في هذا القطاع. للأسف اكتسبت سلطة جودة البيئة سمعة باعتبارها سلطة ضعيفة الاداء وتم تجاوزها أو تجاهلها حتى في المجالات التي تكون فيها سلطة جودة البيئة وفقا للتشريع لها دور رائد. من أجل استعادة الثقة، تحتاج سلطة جودة البيئة لتلبية الحد الأدنى من التوقعات من الآخرين، وذلك حسب المسؤوليات والصلاحيات المناطة بها.

الضعف الرئيسي يتمثل في التطبيق والتنفيذ وليس في الإطار القانوني والمؤسسي. حققت سلطة جودة البيئة تقدما جيدا في تطوير الأنظمة الداخلية واللوائح والأنظمة. وحيث أن البيئة تعتبر مجال عبر قطاعي فإن التداخلات الوظيفية سوف تظل قائمة والتداخلات يمكن أن يتم حلها من من خلال تطوير أنظمة واضحة مثلما حصل في مجال النفايات الطبية. إن الإصلاح القانوني ليس من المرجح أن يسفر عن مزيد من النتائج طالما أن هنالك ضعف كبير في التنفيذ، وإن تنفيذ ما تم تطويره سابقا هو الأكثر أهمية في الوقت الحالي

مسؤوليات كثيرة – أولويات قليلة. مسؤوليات سلطة جودة البيئة تتجاوز طاقتها. يتم تحديد الأولويات بناءا على المعطيات الخارجية (ما يأتي من الخارج) بدلا من التركيز على ما هو أولوية استراتيجية للمؤسسة أو بالنسبة للبيئة الفلسطينية. الإعتناء فقط بالشكاوى يعمل على معالجة المشاكل الصغيرة بدلا من التعامل والإعتناء بالمشاكل البيئية الضارة الكبيرة.

إن التعاون المطلوب مع الجهات الأخرى يتركز **في مجال المحميات الطبيعية، ترخيص الصناعات، ووجود نظام مراقبة ورصد فعال. من الأهمية بمكان أن تعمل سلطة جودة البيئة على تغطية المناطق التي تتعرض لمخاطر بيئية وتركت دون معالجة من الجهات الأخرى بإنتظار أن تأخذ سلطة جودة البيئة دورها ومسؤولياتها. إن سلطة جودة البيئة تحتاج إلى السعي استراتيجيا لإنشاء شراكات مع الجهات التنفيذية الأخرى لتكون مسؤولياتها تتناسب وقدراتها المؤسسية الإدارية الفعلية.**
تفتقر سلطة جودة البيئة إلى الدعم المالي والسياسي القوي. الأسباب على حد سواء خارجية وداخلية. وهناك فرصة جيدة للرئيسة الجديدة لبناء علاقات نشطة مع الوزارات الأخرى لتحسين التنسيق والتعاون. إن وجود خطة تطوير مؤسسي إستراتيجية تعتبر أداة فعالة وحاسمة في التواصل وتقوية موقف سلطة جودة البيئة والحصول على الدعم من ومع الوزارات الأخرى والسلطة الوطنية الفلسطينية.

التوقعات الرئيسية من سلطة جودة البيئة من الجهات الفاعلة الأخرى. سلطة جودة البيئة يمكن أن تعمل على تحسين كفاءة الجهات الفاعلة الأخرى في مجالات البيئة من خلال التركيز على المهام الأكثر أهمية، أي:

1. إنشاء نظام فعال للرصد والتفتيش وإنفاذ القانون
2. توفير الوصول إلى المعرفة البيئية

الفجوات الأساسية في القدرات في مجال العمليات

سلطة جودة البيئة تتعامل مع نسبة ضئيلة من مسؤولياتها في مكافحة المشاكل البيئية ذات الأهمية في فلسطين. نقص الموارد هو عامل مساهم، ولكن الأهم من ذلك هو عدم وجود رؤية استراتيجية وأولويات واضحة لعملياتها. سلطة جودة البيئة تحتاج إلى تحقيق التوازن بين الأولويات والموارد بشكل أفضل، وأن تصبح مشرفة أو قائدة إستراتيجية للقطاع تعمل على مراقبة التلوث من خلال خبرة معرفية ونظم مصممة وبناء قدرات. هناك حاجة إلى تطوير الخبرات الداخلية للنفايات الصلبة والخطرة والمياه العادمة.

النفايات الصلبة: في حين يغطي الإطار القانوني والتنظيمي مجال إدارة النفايات الصلبة بشكل معقول فإن سلطة جودة البيئة لا تلعب أدوارها المتوقعة في مجال النفايات الصلبة، من تفقد مستقل لمكبات النفايات، ومقالب القمامة ومحطات تجميع ونقل النفايات الصلبة، أوتوفير التوجيه لإتخاذ الإجراءات التخفيفية عندما يتم اكتشاف مشاكل، أو قيادة عمل على مستوى الوطن لتطوير سلسلة كاملة من إدارة النفايات الصلبة وتكون مصدرا للمعرفة حول أنظمة إعادة التدوير، والتخفيف من مخاطر التلوث وإنتاج الطاقة من النفايات.

النفايات الخطرة: لا تزال هناك فجوة في الإطار التنظيمي في مجال النفايات الخطرة باستثناء النفايات الطبية. وهناك أيضا مشاكل تتعلق بالحاجة إلى إرسال النفايات الخطرة إلى إسرائيل، مما يتسبب في ارتفاع التكاليف. النفايات الخطرة تحتاج أن يتم إدارتها بشكل مركزي نظرا للتعقيدات المناطة بها. إن سلطة جودة البيئة متوقع منها، وهي مخولة، أن تأخذ زمام المبادرة كهيئة تطويرية لتعمل على إيجاد الحلول التقنية لهذه المشكلة. هناك توقعات كبيرة من سلطة جودة البيئة في مجال التوجيهات البيئية، ولكن سلطة جودة البيئة لا يمكنها تحقيق هذه التوقعات لإفتقارها للموارد والأدوات اللازمة.

مياه الصرف الصحي: سلطة جودة البيئة هي هيئة داعمة في مجال مياه الصرف الصحي، ولكن لا تقوم بتنفيذ الواجبات المناطة بها في مجال المتابعة للنفايات السائلة لمحطات المعالجة والمعالجة الأولية وتحديد مصادر التلوث والملوثات. من السهل نسبيا للمؤسسات الأخرى التدخل وأخذ بعض مسؤوليات سلطة جودة البيئة ولكن سلطة جودة البيئة ينبغي أن تتحمل دورها بوصفها المشرف الفاحص، حيث أن جميع الجهات الفاعلة الأخرى لديها مصالحها الذاتية في المراقبة والرصد وحدها سلطة جودة البيئة التي لها دور مستقل في المراقبة والرصد. مصادر التلوث غير محددة ومراقبة النفايات السائلة الصناعية يجب أن يتم تنفيذه في إطار سلسلة الملوثات جميعها.

التلوث الصناعي: لسلطة جودة البيئة دور كبير في منع التلوث الصناعي ولكن هناك عجز كبير في تنفيذ هذه العملية. ونتيجة لذلك، لا يزال التلوث الصناعي غير مضبوط إلى حد كبير. ويجري حاليا تطوير الإطار التنظيمي ولكن التحدي في السنوات القادمة سيكون تنفيذ ما هو موجود.

الرصد والتفتيش والتقييمات البيئية: عملية الحصول على الموافقات البيئية تسير بشكل جيد عند وصول الطلبات إلى سلطة جودة البيئة. ومع ذلك، فإن الغالبية العظمى من المنشآت الصناعية تخرج عن السيطرة في ظل عدم وجود نظام فعال للرصد والتفتيش وإنفاذ القانون. تم العثور على نقاط الضعف في محدودية متابعة عمليات التفتيش على الموافقات البيئية وغياب التدقيق البيئي وعدم وجود سجلات وثائق متناسقة. وعلاوة على ذلك لم يتم تحديد الأولويات من عمليات التفتيش وحجمها بناءا على المخاطر البيئية. إن التنسيق بين المؤسسات ضعيف، إلا على الشكاوى، وهذا يؤدي إلى عدم الكفاءة في استخدام الموارد الشحيحة أصلا للتفتيش وهناك روابط ضعيفة بين الانتهاكات البيئية وإنفاذ القانون. إن المتوقع من سلطة جودة البيئة تطبيق نظام رصد وتفتيش كفؤ وهو الأداة الرئيسية لجعل الجهات الفاعلة في مجال البيئة للوفاء بمسؤولياتها. إن نظام الرصد والتفتيش هذا ينبغي أن يكون على رأس الأولويات بين جميع الاقتراحات الواردة في هذا التقرير.

الموارد البيئية: سلطة جودة البيئة تحتاج إلى الابتعاد عن طموح التنفيذ المباشر من قبل موظفيها لبدء الدراسات ومراقبة الجودة لأعمال الجهات الفاعلة الأخرى. مع مرور الوقت يجب أن تصبح سلطة جودة البيئة بنك المعرفة الرسمي لكافة الموارد والمراجع للتنوع الحيوي في فلسطين وذلك بالتنسيق الوثيق مع المجتمع المدني. إن سلطة جودة البيئة يجب أن تبادر وتضمن جودة المخزون في مجال التنوع الحيوي، تكون جهة رقابة للتنوع الحيوي، وزيادة الوعي وتقديم مداخلات في السياسات والاستراتيجيات واللوائح ذات العلاقة. فيما يتعلق بالمحميات الطبيعية فإن سلطة جودة البيئة ينبغي أن تركز عملها في الإشراف وقيادة جهود التعاون، وعلى قوائم المخزون ومراقبة المحميات.

يتلقى التكيف مع تغير المناخ المزيد من التمويل من الجهات المانحة أكثر من المجالات الأخرى، ويوجد إمكانات كبيرة لجذب المزيد من الأموال. إن الوصول إلى مصادر التمويل الدولي لقضايا المناخ يعزز عمل سلطة جودة البيئة بشأن تغير المناخ باعتبارها قضية تفتقر حتى الآن إلى الدعم القانوني والسياسي على المستوى الوطني. إن سلطة جودة البيئة مطالبة بزيادة الحشد على المستوى الوطني من جل تعزيز أهمية التغير المناخي والتصحر.

نظم المعلومات البيئية: هناك العديد من العمليات غير المنسقة الجارية لوضع مؤشرات ونظم الرصد البيئي في فلسطين. سلطة جودة البيئة تحتاج إلى أن تقود إدارة المعرفة البيئية وخلق أدوات معلوماتية للاتصال الخارجي الاستراتيجي والإدارة الداخلية المبنية على النتائج. ويجب أن توضع   إدارة المعلومات البيئية بشكل مركزي ضمن سلطة جودة البيئة وألا تعتبر وظيفة فنية.

الاتفاقيات الدولية: طورت سلطة جودة البيئة قدرتها وكفاءتها للعمل مع المعاهدات الدولية. هنالك بعض المخاوف من التأثر بأولويات العمل الدولية على حساب أولويات العمل الوطنية التي تحتاج إلى إدارة أفضل.

الوعي والتعليم: محدودية التنسيق الذي تمارسه سلطة جودة البيئة والدور الإستراتيجي المحدود في مجال التوعية البيئية يعتبر استخدام غير فعال للموارد المتاحة. سلطة جودة البيئة تحتاج إلى التحول من دور تنفيذ التوعية في المدارس وورش العمل إلى دور الموجه الإستراتيجي ومنسق لعمليات التوعية البيئية بالشراكة مع مؤسسات المجتمع المدني ووسائل الإعلام لتغطية القضايا البيئية بطريقة أكثر استراتيجية. من أجل وضع البيئة على جدول الأعمال الوطني فإن سلطة جودة البيئة تحتاج إلى دفع القضايا البيئية بطريقة استراتيجية وتسويق نفسها باعتبارها هيئة متخصصة داخل المجال البيئي وهذا يتطلب بناء قدرات في مجال المرافعة والتواصل مع الهيئات الحكومية الأخرى. أيضا الإتصالات الإستراتيجية يمكن تحقيقها بالشراكة مع مؤسسات المجتمع المدني.

ملخص الفجوات الأساسية في مجال العمليات

مسؤوليات سلطة جودة البيئة والتوقعات الرئيسية منها يمكن تلخيصها كالتالي (1) الريادة في حماية البيئة (2) موردا للمعرفة البيئية. والفجوات في القدرات الرئيسية في العمليات هي:

1. عدم ضمان التنفيذ على أرض الواقع من خلال أنظمة تشغيل فعالة
2. عدم تنفيذ الوظائف الأساسية لحماية البيئة
3. عدم لعب دور المركز المعرفي والمؤسسة الخبيرة
4. عدم البحث الكافي عن فرص شراكات مع مؤسسات لديها موارد قوية
5. تطبيق مبدأ رد الفعل بدلا من الدور الريادي المبادر مع أولويات واضحة
6. عدم كفاية عمليات الرصد وإنفاذ القوانين التي تغطي نسبة هامشية من المؤسسات.

الفجوات في القدرات الرئيسية في الإدارة

سلطة جودة البيئة لديها ضعف في الهيكل الإداري الداخلي بما يتلائم مع مهمتها الأساسية ونظامها. لا يوجد أهداف تنظيمية متوسطة المدى ولا خطط تنفيذية للإستراتيجيات البيئية، ولا هيكل إداري رسمي أو توصيف وظيفي أو أوصاف وظيفية. كل مستوى في الهيكل الإداري بحاجة إلى تطوير وتحسين، ونتيجة لذلك فإنه من الصعب في ظل هذا الوضع القائم توجيه المؤسسة أو محاسبة أي شخص على أداءه.

هناك حاجة ماسة لقيادة استراتيجية لسلطة جودة البيئة. تعيين رئيسة جديدة، جنبا إلى جنب مع توقيت إجراء هذا التقييم والمراجعة المؤسسية وإهتمام مؤسسة سيدا في دعم قطاع البيئة بطريقة أكثر شمولية توفر فرصة ممتازة لتصحيح هذا الوضع. يحتاج الهيكل الإداري في سلطة جودة البيئة لإضفاء الطابع الرسمي على جميع مستوياته مع توضيح في المسؤوليات وإسناد الصلاحيات ووضع إجراءات لصنع القرار والمتابعة، وربط المستويات الإدارية في المؤسسة بشكل جيد وتواصل فعال. الهيكل الإداري يجب أن يشمل قطاع غزة ووضع إجراءات موحدة وإجتماعات منفصلة مع متطلبات واضحة في التوثيق وكتابة التقارير.

تم العثور على العديد من التحديات في الهيكل التنظيمي الحالي، وتم الإستنتاج أنه لا يساعد سلطة جودة البيئة نحو أولوياتها الرئيسية. هناك حاجة إلى عملية مراجعة تنظيمية لإنشاء هيكل تنظيمي أكثر واقعية وفعال يعكس الأولويات ويجب أن يكون جزء من الدعم المستقبلي للتطوير المؤسسي.

هناك فجوة كبيرة بين المركز الرئيسي لسلطة جودة البيئة ومكاتبها الإقليمية في المحافظات. المسؤوليات والصلاحيات للمكاتب الإقليمية في المحافظات بحاجة إلى توسيعها لتعكس أكثر مسؤولية سلطة جودة البيئة على المستوى الإقليمي. هنالك حاجة لتفويض أكثر للمكاتب الإقليمية للتخطيط المحلي في القضايا البيئية الأساسية، التوعية والتعاون مع مؤسسات المجتمع المدني، البحث والمسوحات الميدانية وتوثيق المخزون، مراقبة المحميات الطبيعية وتفويض كامل للصلاحيات في مجال الموافقات البيئة. موقع المكاتب الإقليمية على الهيكل التنظيمي لسلطة جودة البيئة يجب أن يتم مراجعته للتأكد من العلاقة المباشرة بين المكاتب الإقليمية ومختلف الإدارات العامة.

الوضع الحالي للتوحد بين الضفة وغزة يقدم فرصة لإنشاء هيكل يستهدف المشاكل البيئة ذات الأولوية والملحة في قطاع غزة. عملية تنشيط سلطة جودة البيئة في قطاع غزة هي جزء من مجمل العملية السياسية المتعلقة بتشكيل حكومة الوحدة وتعتمد على التطورات السياسية التي هي خارج سيطرة سلطة جودة البيئة. مطلوب خطة عمل مفصلة لكيفية تفعيل ودمج المؤسستين في الضفة وغزة مع تدخل مؤثر من الإدارة العليا في سلطة جودة البيئة.

ممارسات التخطيط الإستراتيجي والتشغيلي وجدت ضعيفة في سلطة جودة البيئة. غياب خطط التنفيذ للاستراتيجيات البيئية يؤدي إلى تنفيذ محدود لهذه الاستراتيجيات. وينبغي دمج هذه الخطط في الخطة السنوية التشغيلية لسلطة جودة البيئة ومراجعتها مرتين سنويا على الأقل. هناك حاجة ملحة لخطة تطوير مؤسسية استراتيجية تحدد توجهات سلطة جودة البيئة على المدى القصير والمتوسط.

يتم تطبيق رقابة مالية صارمة على حد سواء من قبل سلطة جودة البيئة ووزارة المالية بالإضافة إلى الميزانية الضيقة. هذا الموضوع يشكل نقطة قوة هامة لسلطة جودة البيئة وعاملا حاسما للجهات المانحة المحتملة. يحث نظام تطوير الموازنة القائم أيضا سلطة جودة البيئة إلى وضع خطة استراتيجية مؤسسية من أجل التأهل للحصول على تمويل تطويري من السلطة الفلسطينية.

تخطيط الموارد البشرية في سلطة جودة البيئة يحتاج للمعالجة على مستوى الإدارة الاستراتيجية مع رؤية طويلة الأجل حول كيفية التطور التدريجي لتصبح مؤسسة متخصصة وتركيز خبراتها على الاحتياجات الأكثر إلحاحا. نظام تقييم الأداء هو تحدي، حيث تنصح سلطة جودة البيئة بتطوير نظام تقييم بدون حوافز مالية يركز على مناقشة الأداء والإحتياجات التطويرية للإفراد.

تطوير الكوادر البشرية يجب أن يرتكز على الإحتياجات المؤسسية مع رؤية واضحة حول كيفية التطوير التدريجي للخبرات المطلوبة ووضع توقعات واضحة على كل موظف حول تطوره الذاتي. جميع الفرص التدريبية يجب أن توضع في سياق خطة التطوير المؤسسي

الاستراتيجية لسلطة جودة البيئة. الموارد البشرية في سلطة جودة البيئة هي القوة الأكثر أهمية. الكوادر البشرية المستقرة، والتي هي على درجة عالية من التعليم، ولديها ولاء للمؤسسة ولديها خبرات مكتسبة من الإحتكاك الدولي، أظهرت رغبة مؤثرة وإستعداد واضح للتغيير، فضلا عن رؤى عميقة حول التحديات ونقاط الضعف الموجودة. هذا الموقف والرؤى هي خطوة أولى حاسمة لأي عملية تغيير. هذا جميعه مترافق مع إدارة جديدة ملهمة، وإدارة أكثر تنظيما يوفر أرضية جيدة لعملية التطوير المؤسسي لسلطة جودة البيئة في المستقبل.

تم العثور على الثغرات الرئيسية التالية في الهيكلية التنظيمية والأنظمة الإجراءات:

- هناك حاجة لإجراء مراجعة تنظيمية مرتكزة على المجالات ذات الأولوية، مع طموح لتشجيع العمل الجماعي وخلق مؤسسة عملية أكثر. هذا ليس بالكامل تحت سيطرة سلطة جودة البيئة، وسوف تحتاج إلى دعم من مستويات أعلى.
- تفويض صلاحيات أكثر للمكاتب الإقليمية بما يعكس مسؤوليات وصلاحيات سلطة جودة البيئة إقليميا
- هيكل تنظيمي رسمي وواضح ومهارات إدارية محسنة
- تطوير الأوصاف الوظيفية وتوصيف الوظائف مع وضوح في تفويض الصلاحيات لجميع الموظفين
- دعم إداري منظم ومكثف مطلوب لإعادة تنشيط سلطة جودة البيئة في قطاع غزة مع خطة عمل واضحة (هذا يعتمد على تطور الأمور السياسية).
- تطوير نظام التخطيط، المتابعة، التوجيه، التحليل، التقارير، والحاجة لخطة تطوير مؤسسية شاملة لسلطة جودة البيئة تعرف الأولويات وتضع أهداف متوسطة المدى.
- تطوير الكوادر البشرية بشكل مخطط ومركز لبناء الخبرات المطلوبة نحو مؤسسة متخصصة.
- إنشاء نظام الاتصالات الداخلية

الشركاء ذوي العلاقة

تم عمل تقييم مقتضب لاربعة شركاء محتملين للتطوير المؤسساتي لسلطة جودة البيئة. وجد التقرير أن هؤلاء الشركاء سيوفرون قيمة مضافة لسلطة جودة البيئة وسيكونون معنيين بدعم مستمر ومتواصل. إن التعاون المؤسساتي المحتمل ما بين سلطة جودة البيئة ووكالة حماية البيئة السويدية في مجال إدارة المعرفة ينظر له بإهتمام. إن التركيز على بناء وتطوير إدارة المعرفة سيدعم إدارة سلطة جودة البيئة بكيفية العمل لتغيير الثقافة داخل سلطة جودة البيئة وذلك كون وكالة حماية البيئة السويدية مرت بنفس العملية.

إن وزارة البيئة الاردنية ذات حجم مشابه لسلطة جودة البيئة ويترتب عليها نفس المسؤوليات. لقد أعلنت وزارة البيئة اهتمامها بالتعاون مع سلطة جودة البيئة من خلال التدريب والتوجيه وتبادل الخبرات. الإهتمام الأكبر هو للتعاون في مجال المتابعة والتقييم والتخطيط التشغيلي المنوط بالنتائج وإدارة النفايات الخطرة حيث لدى وزارة البيئة الاردنية خبرات أوسع. إن الدائرة الملكية لحماية البيئة هي جزء تكاملي من قوات الشرطة الاردنية ومسؤولياتهم الرئيسية هي دعم المفتشين في كافة الوزارات لتطبيق التفتيش وفرض الإجراءات القانونية. لقد أبدت الدائرة استعدادها للتعاون المباشر مع الشرطة الفلسطينية وسلطة جودة البيئة لتطوير الخبرات وتبادلها.

لقد حقق المشروع الممول من سيدا وبرنامج الأمم المتحدة الإنمائي كشريك تنفيذي إنجازات إيجابية ويلزم البناء عليها وتطويرها. تشكل هذه الإنجازات قيمة مضافة للإستمرار بالتعاون مع برنامج الأمم المتحدة مع دعم مرحلي يهدف الى نقل تدريجي لادارة البرامج والتمويل لسلطة جودة البيئة. سيكون دور البرنامج الإنمائي تدريب وتيسير وتوجيه العمليات التعليمية ورقابة الجودة والإدارة العامة للبرامج ذات العلاقة بسيدا بينما تكون مسؤولية سلطة جودة البيئة الإدارة والتنفيذ اليومي من خلال إنخراط كامل للإدارة في سلطة جودة البيئة. الشعور بالملكية لسلطة جودة البيئة للبرامج مهم في هذا المجال.

التوصيات الرئيسية

لا شك ان لدى سلطة جودة البيئة عدد من الفجوات تمنعها من تلبية مسؤولياتها وبما أن المسؤوليات واسعة والمصادر شحيحة ستبقى هذه الفجوات تحديا كبيرا للسنوات القادمة حيث أن المصادر المتوفرة لسلطة جودة البيئة ليس من المتوقع أن تتزايد بشكل كبير. وبالتالي

لتحسين أداء السلطة يجب أن يتم العمل على وضع الأولويات الإستراتيجية. للتوصل الى تغيير في الثقافة تم طرح التوصيات الرئيسية التالية، هنالك حاجة ماسة لتطوير خطة مؤسساتية إستراتيجية للخمس سنوات المقبلة لزيادة وتحسين فرص سلطة جودة البيئة للتأهل للتمويل من وزارة المالية. التوصيات حيث الأولوية هي:

أولا: إستيفاء الحد الادنى من التوقعات والعمل على أكثر المشاكل البيئية إلحاحا

إن أدنى التوقعات هي إستيفاء المسؤوليات في مجال النفايات الصلبة والخطرة والمياه العادمة والتلوث الصناعي. هذا ممكن بالمؤسسة الحالية وهي أيضا ضمن أولويات خطة التنمية الوطنية وإمكانية تطبيقها هي مسألة قيادة واضحة التوجه. الأدوات الرئيسية لتحقيق كافة عناصر دائرة حماية البيئة وجعلها قابلة للتطبيق هي:

1) تحديد أولويات التفتيش وخلق قدرات عالية المستوى بداخل سلطة جودة البيئة

2) خلق قدرات بشرية وتقنية ريادية في إجراءات التخفيف والوقاية وإثبات أهمية سلطة جودة البيئة لكافة اصحاب المصالح

3) أخذ دور قيادي لتأسيس نظام حماية بيئي فعال من خلال التنسيق المخطط بين أجسام التفتيش المختلفة وأخذ سلطة جودة البيئة لدورها كمراقب للرصد الذاتي المنفذ من قبل الصناعات وغيرها من المنشآت الملوثة

4) توجيه موارد سلطة جودة البيئة لمجال الأولوية هذا وتعميمه على كافة الإدارات العامة والمكاتب الفرعية

5) في قطاع غزة يجب أن يكون التركيز مبدئيا على الخبراء الذين يطرحون حلولا للمشاكل الملحة من مصادر المياه والمياه العادمة والنفايات الصلبة مع تركيز أقل على الصناعات

ثانيا: بدء تطوير صورة سلطة جودة البيئة كمؤسسة مبنية على المعرفة

يجب العمل على تغيير سلطة جودة البيئة من وضعها الحالي كمؤسسة رد فعل لمؤسسة ذات خبرة ومركز معلوماتي للبيئة في فلسطين بالتوافق مع الأولويات في خطة التنمية الوطنية. طبعا يجب الأخذ بعين الإعتبار سلطة جودة البيئة في الضفة وغزة. وهنالك حاجة لإعادة تنظيم المهام داخليا في سلطة جودة البيئة لبناء مركز معلوماتي بيئي يعمل من خلال كافة الإدارات العامة ويوفر طرق جديدة للتواصل الداخلي والخارجي من تبادل للمعلومات. يتضمن هذا التالي:

1) تحديد الإحتياجات والمؤشرات وتحديث المعلومات، تحليل النتائج ونشرها بناءا على نظام معلومات بيئية يتم تطويره، والذي يمكن إستخدامه لقياس التقدم في تحقيق الاهداف الإستراتيجية، وتحليل إتجاهات الأوضاع البيئية بهدف التواصل الإستراتيجي وحشد الدعم والمناصرة وكمصدر معلوماتي متاح للجميع.

2) عمل جرد للأبحاث الموجودة والمخطط لها في الجامعات ومؤسسات المجتمع المدني بالإضافة الى مشاريع تلك المؤسسات. يجب العمل على خلق مركز مرجعي لتوفير الابحاث والعمل تدريجيا لبناء قدرات سلطة جودة البيئة لتحديد إحتياجات البحث من خلال بناء الشراكات.

3) المبادرة لبدء منتدى للحوار المستمر مع مؤسسات المجتمع المدني على المستوى الوطني والإقليمي

4) تغيير طبيعة العمل في مجال التوعية البيئية من التنفيذ المباشر إلى التركيز على مستويات أعلى وعلى التنسيق العام لزيادة الوعي من خلال خلق شراكات

5) خلق قدرات لتحليل المعلومات وإستخدامها للتواصل الإستراتيجي والدعم والمؤازرة

6) تخطيط لتنفيذ برامج تعليمية مخصصة لمجموعات مهنية بما فيها أجهزة تنفيذ القانون (الشرطة والقضاء)

ثالثا: التوجه الى أداور ذات مستوى أعلى في مجالات التنفيذ الأخرى

يجب تركيز وتوجيه الكوادر البشرية وموارد المؤسسة على مجالي العمل (التوصيتين) المذكورين أعلاه، وبذلك يقل تركيز الموارد على المجالات الأخرى، وبتوجيه الموارد والكوادر البشرية على المجالات ذات الاولوية ستتمكن سلطة جودة البيئة من تقليص عملها التنفيذي على الأرض وأخذ دور قيادي أكبر متلائم مع الأهداف الإستراتيجية ومسؤولياتها المحددة لها. ممكن عمل هذا بالهيكل التنظمي الحالي. يجب على سلطة جودة البيئة أخذ دورها حتى تتمكن من:

1) حل النزاعات في مجال عملها بطرق واقعية
2) الإنخراط والمشاركة بشكل استباقي في قيادة القطاع البيئي وتطوير وثائق إرشادية وتوجيهية
3) تولي أدوار إشرافية وتخطيط وطني شامل
4) تحديد الأولويات بوضوح فيما يتعلق بالتدخلات الدولية لحشد المصادرللعمل داخل فلسطين. تقسيم الأدوار الدولية بالتساوي ما بين الضفة الغربية وغزة
5) مراجعة الوثائق التوجيهية لتشمل وضع قطاع غزة
6) العمل على حشد الدعم والمناصرة بمستوى عالي وإتصالات إستراتيجية مع الوزارات الأخرى لتعميم البيئة وقضاياها بإعتبارها مجال عبر قطاعي لتضمين الأهداف البيئية في خطط الوزارات الأخرى

رابعا: تعريف وإضفاء الطابع الرسمي على الهيكلية الإدارية ويتضمن ذلك:

1) تعريف المستويات الإدارية وتشكيل الفرق الإدارية
2) تفويض المسؤوليات والتواصل بخصوص ذلك داخليا
3) عقد إجتماعات إدارية بشكل دوري
4) البدء بتنفيذ إدارة نشطة تخرج بقرارات شفافة على كل المستويات

خامسا: تطوير هيكلية مؤسساتية أكثر ملائمة

بناءا على الأولويات رقم 1 و2 و3 يجب مراجعة الهيكلية المؤسساتية لمعالجة وإستهداف الأولويات. سيحتاج هذا إلى تغيير في الهيكلية لتطوير مركز المعلومات بناءا على العمل الذي قد قامت به إدارات عامة مختلفة. بناءا على مراجعة الهيكل التنظمي يجب معالجة أي تكرار وظيفي أو عدم كفاءة بالهيكلية الحالية، وأيضا يجب مراجعة التفويض المعطى للمكاتب الفرعية. تحتاج مراجعة الهيكلية إلى الدعم من مستويات سياسية عالية.

سادسا: خطة عمل لإعادة تفعيل سلطة جودة البيئة في قطاع غزة

كجزء من التقدم في العملية السياسية وإنهاء الإنقسام يقترح تطوير خطة عمل لإعادة تفعيل ودمج سلطة جودة البيئة في قطاع غزة والضفة الغربية. يتم الدمج من خلال خطوات واضحة ومسؤوليات محددة وجداول زمنية. هذه العملية ليست تحت سيطرة سلطة جودة البيئة بشكل كامل.

سابعا: تطوير خطة إستراتيجية مؤسساتية لسلطة جودة البيئة للخمس سنين القادمة

تقترح المراجعة تغييرا جذريا بطريقة عمل سلطة جودة البيئة. حدوث التغيير يعتمد على رغبة سلطة جودة البيئة بالتغيير. يمكن لعملية التغيير أن تحصل على دعم من قبل سيدا أو شركاء أخرين وذلك يعتمد على مدى شعورسلطة جودة البيئة بملكية التغيير وقيادته. إن القاعدة لهذا التغيير تبدأ بتطوير الخطة الإستراتيجية المؤسساتية للسلطة وتحديد الإتجاه المطلوب لها وأهدافها للخمس سنين القادمة. لا يمكن التوصل إلى نتائج سريعة ولكن خطوة بخطوة سيتم التطوير التدريجي. عملية تطويرالخطة الإستراتيجية المؤسساتية يجب أن تتم ما بين سبتمبر وديسمبر 2014 وأن تتم قيادتها من قبل رئيسة السلطة وطاقمها الإداري. الشعور بالملكية للخطة من قبل سلطة جودة البيئة مهم للغاية. الإقتراح أيضا أن يتم تعيين مستشار للتيسير والتوجيه بشكل محايد وبدون أي مصالح للمستشار مع السلطة بالمستقبل. تكون المسودة الأولى للخطة الإستراتيجية المؤسساتية القاعدة لإنطلاق دعم مستمر ومتكامل من سيدا.

ثامنا: توضيح المسؤوليات والتوقعات من الجميع

عندما يتم تحديد الاولويات يجب تطوير وصف عملي للعمليات الرئيسية في كل إدارة عامة وتحديد الوصف الوظيفي لكل موظف بناءا على المراجعة للهيكلية. يجب توضيح المسؤوليات والتوقعات لكل موظف ولكل فريق عمل.

تاسعا: القيام بتغيير واعي في ثقافة العمل الداخلية

من خلال القيادة الفاعلة، والعمل الإداري المطور، والمتابعة الحثيثة للعمل، والتواصل الداخلي يتم تغيير جذري في عقلية العمل وثقافة العمل الداخلي.

توصيات لمؤسسة سيدا

توصى سيدا بالآتي:

1) الإتفاق مع سلطة جودة البيئة على خطة عمل من سبتمبر وحتى ديسمبر لعملية التخطيط الإستراتيجي. يجب تسليم خطة العمل في أغسطس.

2) توفير (وبحسب طلب سلطة جودة البيئة) ميسر لعملية التخطيط الإستراتيجي والذي يمكن له توجيه ودعم سلطة جودة البيئة بتحديد الأولويات وصياغة توجه عملها في المستقبل

3) الإنتظار حتى يتم تقديم مسودة الخطة الإستراتيجية المؤسساتية قبل أية نقاشات أخرى مع شركاء محتملين

4) بعد تطوير مسودة الخطة تبدا مخاطبة برنامج الأمم المتحدة الإنمائي ووكالة حماية البيئة تحت قيادة سلطة جودة البيئة لتصميم كيفية تطوير برنامج دعم مؤسساتي لسلطة جودة البيئة. يمكن ان يتم هذا في بداية 2015 وتزويد سيدا بمقترح مبني على خطة العمل في الربع الأول من 2015.

5) إقتراح إضافة مهمة الرقابة الخارجية لأي دعم مستقبلي وذلك لتقييم دوري لأداء كل الشركاء ويكون ذلك كدعم لسيدا

6) إذا دعت الحاجة، دعم سلطة جودة البيئة من خلال حوارات سيدا مع المستويات العليا في السلطة الفلسطينية في قضايا خارج نطاق سيطرة سلطة جودة البيئة والتي ستحقق التغيير المنشود.

7) تعزيز التعامل مع البيئة كمجال متقاطع(عبر قطاعي) مع مجالات أخرى في حوارات سيدا السياسية وفي مجموعات العمل القطاعية الأخرى.

Executive summary

Background

The Palestinian Environment Quality Authority (EQA) is the main PA institution entrusted with the responsibility to monitor and protect the Palestinian environment and ensure the provision of a clean and healthy environment. The Swedish International Development Cooperation Agency (Sida), as one of main donors in environment in Palestine and EQA agreed to undertake a comprehensive organisational review of EQA as a basis for the design of a broader institution and capacity building support to EQA. The organisational review took place in Palestine during April 22-29 and May 18 – June 4, 2014. The overall aim of the organisational review of EQA was to be useful for EQA as part of its organisational development and to provide recommendations to Sida on how future support could be designed and possibly broadened. The specific purposes were to:

1. Present and review the legal and institutional framework of EQA, its role and mandate, including division of roles, responsibilities and coordination in relation to other ministries and agencies for environmental governance and legislative enforcement, and analyse the enabling environment necessary for EQA to fulfil its obligations.
2. Map and analyse the organisational and management structure and systems of the entire EQA, including its regional offices.
3. Identify and analyse the potential role and added value of partnerships in providing institutional and capacity building support to the identified needs of EQA.

Main findings and conclusions

Strengths to build on

The review found that EQA is demanded and considered needed to play its roles in environment by all stakeholders and partners met, i.e. ministries, service providers and CSOs. Hope and expectations for a more active EQA prevails. It is expected that EQA will take a leadership role for environment and be the regulator and oversight body.

There is a common appreciation of EQA's staff at national and regional levels who are mostly considered competent and committed to environment. The review found willingness and concern to improve EQA's situation among the staff and that they are well aware of EQA's weaknesses and challenges which are important preconditions for change to take place. High expectations are placed on EQA's new chairperson to assume the leadership needed.

Important groundwork in the regulatory framework has been laid during the past years and particularly with the support of the Sida/UNDP pilot project within EQA. Bylaws, strategies, instructions and manuals are to a large extent in place, while implementation of them has not started. Relations with partner ministries have improved. These positive achievements needs to be built on and continued in a future support.

EQA's field presence, despite being limited, in eight of the eleven governorates in the West Bank is a strength which should be further developed. The regional offices are close to the major environmental concerns and interact frequently with partners at the regional level in the governorates. They are the ears and feet on the ground and meet citizens, private sector, service providers, CSOs, police, local authorities and decision makers on a regular basis and pick up good ideas, concerns and worries. This daily exposure to environmental solutions, challenges and violations needs to be fully capitalised on.

Environment is cross-sectoral and environmental concerns need to be fully considered in decisions and activities of other sectors in Palestine. EQA has already built relations with many actors in a number of ministries. EQA's participatory approached in processes for formulating strategies and policies where

particularly appreciated. While relations have been mainly on technical level there a need to raise them to a higher political level.

EQA has few but good but donor relations. These donors share a concern for EQA and for the environment in Palestine regardless of the size of the support and can support EQA by raising environmental concerns in their dialogues with the PA.

The legal and institutional framework

An enabling environment for EQA? The devastating environmental consequences of the Israeli occupation and EQA's limited possibilities to do anything to prevent and rectify them are monumental challenges. In addition, the environmental awareness is low within the Palestinian society, both among the general public and in the private sector and the infrastructure is old and insufficient. As responsibilities are divided on many actors it poses challenges to manage the environment well. EQA has not enjoyed a strong political or financial support for its mission and environment is not given the long term political support it requires. However, it cannot be said that the institutional environment is hostile towards EQA. On the contrary, there is a great demand for EQA to more effectively address parts of its mission and play a more proactive role in the sector. Unfortunately EQA has gained a reputation as a weak performer and others at times bypass or ignore EQA even in areas where EQA according to legislation has a leading role. In order to restore confidence, EQA needs to meet the minimum expectations from others, in compliance with its mandate.

The major weakness is in implementation, not the legal and institutional framework itself. EQA has made good progress in developing by-laws and regulations. Conflicts and overlaps can to be solved through developing clear regulations, as shown for medical waste. As environment is cross-cutting there will always be overlapping functions. Legal reform is not likely to yield more results as long as the large deficit in implementation remains and presently it is more essential to implement what is already developed.

Many responsibilities – few priorities. EQA's mandate exceeds its capacity. Priorities are done based on what comes in, rather than on what is a strategic priority for the organization or for the Palestinian environment. Focusing on attending complaints only risks attending smaller, visible problems instead of the most harmful environmental hazards.

Most improvement in cooperation is needed around Nature Reserves, Licensing of industries and efficiency of M&I. It is crucial that EQA can cover the areas which risk being left unattended unless EQA fulfils its role. EQA needs to strategically seek partnerships with other implementers in order to fit its mandate to its actual management capacity.

EQA lacks strong financial and political support. Reasons are both external and internal. There is a good opportunity for the new chairperson to actively build relations with line ministries for improved coordination. To have a strategic and institutional development plan as key advocacy tool to present to key ministries and the PA at large is regarded as crucial.

Main expectations on EQA from the other actors. EQA can optimize the efficiency of other actors in the environment areas by focusing on the most essential functions, i.e.:
1. Establish a functioning system for monitoring, inspections and law enforcement
2. Provide access to environmental knowledge

Key capacity gaps in operations

EQA handles a small proportion of it responsibilities in combating the highest ranked environmental problems in Palestine. Lack of resources is a contributing factor, but more important is the lack of a strategic vision and clear priorities for its operations. EQA needs to balance priorities and resources better and become a supervisory or strategic leader for monitoring of pollutions with expert

knowledge, a system designer and a capacity builder. Internal expertise for solid and hazardous waste and wastewater is needed.

Solid waste: While the legal and regulatory framework covers the areas for solid waste management areas reasonably well, EQA is not playing its expected roles in the solid waste process to independently inspect dumpsites, landfills, transfer stations and transports, provide guidance for mitigation measures when problems are discovered, take national leadership for development of the *entire* chain of solid waste management and be a source for knowledge about recycling systems, mitigation of pollution risks and energy production from waste.

Hazardous waste: There is still a gap in the regulatory framework from hazardous, except for medical waste. There are also problems related to having to send hazardous waste to Israel, causing high costs. Hazardous waste needs to be managed centrally due to its' complexity. EQA is expected and authorized to take the lead as a development agency and to find technical solutions to the problem. There are large expectations on guidance from EQA, which EQA cannot meet, lacking resources and active working instruments.

Wastewater: EQA is a supporting agency in wastewater, but does not perform the follow-up duties assigned for influents and effluents to treatment plants, primary treatment and identification of polluters and pollutants. It is relatively easy for other institutions to step in and fulfil some of EQA's duties but EQA should assume its role as supervisory inspector as all other actors have self-interests in monitoring and only EQA can take on the role as an independent monitor. Sources of pollution are not identified and monitoring of industrial wastewater flows should be made along the entire chain.

Industrial pollution: EQA has large role of preventing industrial pollution but there are major implementation deficits in the process. As a result, industrial pollution remains largely uncontrolled. The regulatory framework is being developed and for many years to come the main challenge will be to implement what is already there.

Monitoring and Inspections and EAs: The process for environmental approvals functions well when applications arrive to EQA. However, the majority of industrial establishment escape control in the absence of a functioning system for monitoring, inspections and law enforcement. Weaknesses are found in the limited follow up inspections of Environmental Approvals and in the absence of environmental audits and lack of registries and consistent documentation. Furthermore no prioritization of inspections is done according to frequency and environmental risks. Weak coordination between institutions, except on complaints, lead to inefficient use of scarce inspection resources and there are weak links between violations and law enforcement. Efficient monitoring and inspection is expected by EQA and is the key instrument needed to allow for other actors in environment to fulfil their mandates. To establish this should be the top priority among all suggestions for improvements made in this report.

Environmental resources: EQA needs to move away from aspirations of direct implementation by its staff to initiate studies and control quality of the work of other actors. With time EQA should become an official knowledge bank for all resources and references to biodiversity in Palestine, in close coordination with civil society. EQA should initiate and ensure quality of inventories, be a watchdog for biodiversity, raise awareness and provide inputs into policies, strategies and regulations. Related to Natural Reserves EQA should concentrate its work in supervision and leading collaboration efforts, inventories, dialogue, regulations and monitoring of the reserves.

Climate change adaptation receives more donor funding than other areas and have large potential for attracting more funds. Access to international climate funds would strengthen EQA's work on climate change as the issues yet lack a solid legal and political backing on a national level. EQA needs to increase advocacy work on national level in order to mainstream climate change and desertification.

Environmental information systems: There are several uncoordinated ongoing processes for developing indicators and environmental monitoring systems in Palestine. EQA needs to champion environmental knowledge management and create information tools for strategic external communication and internal result-based management. Environmental information management needs to be placed centrally within EQA and not be regarded as a technical function.

International conventions: EQA has well developed capacity and competence for its work with international conventions. Some concerns are noted regarding prioritising international work on account of national work which needs to better managed.

Awareness and Education: EQA's limited coordination and strategic roles in environmental awareness raising is considered an inefficient use of available resources. EQA needs to shift from an implementing role in schools and workshops to strategic guidance and coordination of awareness raising with CSOs and media to cover environmental issues in a more strategic manner. In order to lift environment on the national agenda, EQA needs to argue environmental issues in a strategic way and market itself as a specialist agency within environment. Hence, it needs to develop capacity to carry out successful advocacy towards other government agencies. Strategic communication could also be done in partnership with CSOs.

Summary of key gaps in operations: EQA's given responsibilities and the key expectations placed in it can be summarized as being (1) A leader in Environmental Protection and (2) a resource for environmental knowledge. The major capacity gaps in operations are:
1. Not ensuring implementation on the ground through effective operating systems
2. Not assuming lead functions for Environmental protection
3. Not assuming the role as knowledge centre and expert organization functions
4. Not sufficiently looking for partnership opportunities with other more resource-strong organizations
5. Appling a reactive approach instead of providing leadership with clear priorities
6. Insufficient monitoring and law enforcement that covers a marginal proportion of establishments.

Key capacity gaps in Management

EQA has a weak internal governance structure staring with EQA's mandate and mission statement, no organisational medium term objectives or implementation plans for the environment strategies, not formalised management structure, a not fully adequate organisational structure and limited functional descriptions and job descriptions. Each level in this structure needs to be formalised or improved. As a consequence it is difficult to direct the organisation and hold anybody to account for his or her performance with this system.

Strategic leadership is urgently needed for EQA. The appointment of the new chairperson, combined with the timing of conducting this review and Sida's interest in supporting the environment sector in a more holistic way provide an excellent opportunity to rectify this situation EQA's management structure needs to be formalised on all levels with clear duties and responsibilities assigned and set routines for decision making and follow-ups, connecting the management levels in the organisation and communicated internally. The management structure needs to include the Gaza organisation and set unified routines for joint and separate meetings with clear reporting requirements.

Several challenges were found with the present organisational structure and it is concluded that it is not purposive to direct EQA towards its key priorities. An organisational review process to create a more realistic, functional and efficient organisation better reflecting priorities is needed and should be part of a future institutional development support.

There is a big gap between the head office and the regional offices. The mandate of the regional offices needs to be broadened to reflect more of EQA's responsibilities at the regional level. More delegation to regional offices for local planning for key environmental areas, awareness and cooperation with CSOs in campaigns, research, surveys and inventories, natural reserves supervision and full delegations of environmental approvals with IEEs should be given. The regional offices' place in the organisational structure should be revised to ensure direct access to all General Directorates.

The present situation of reunification presents an opportunity to create a structure addressing the most prioritised and urgent environmental problems in the Gaza Strip. The reactivation process is however part of the overall political process of creating a unified government and depend on the political developments which is beyond the control of EQA. A detailed action plan for how to reactivate and merge the two Gaza organisations is required with substantive input from EQA's senior management.

EQA's strategic and operational planning practises are found weak. Absence of implementation plans for the environment strategies leads to limited implementation of the strategies. Such plans should be integrated in the operational annual plan and be reviewed bi-annually. A strategic institutional development plan defining EQA's direction for the short and medium term is urgently needed.

Tight budget and financial control is executed both by EQA and the MOF. This is an important strength for EQA and a crucial factor for potential donors. The existing budgeting system also urges EQA to develop an institutional strategic plan in order to qualify for development funding from the PA.

EQA's human resources planning needs to be addressed on a strategic management level with a longer term vision on how to gradually develop the institution to become a specialised agency and focus its expertise on the most urgent needs. The performance evaluation system is a challenge. EQA is recommended to consider developing a parallel system of appraisal discussions without financial incentives for more genuine discussions on performance and staff development needs. Human resource development needs to be based on the needs of the organisation, with a clear vision of how to gradually develop the expertise needed placing clear expectations on each staff member regarding his or her development. All training opportunities need to be placed in the context of a strategic development plan for EQA. EQA's human resources is its most important strength. The stable, highly educated, internationally exposed and loyal staff has shown an impressive willingness and desire to change, as well as deep insights of the present challenges and weaknesses. This attitude and insights are the crucial first step for any change process. In combination with an inspiring leadership and more structured management this provides a good ground for a future institutional development process for EQA. The following key gaps have been found EQA's management structure, systems and routines:

- A need for an organisational review based on priority areas, with an ambition to encourage team work and creating a more functional organisation. This is not fully within EQA's control and will need support from higher levels.
- More and clearer delegation to regional offices reflecting a larger part of EQA's mandate.
- Clarified and formalised management structure and improved management skills and routines
- Development of functional descriptions and job descriptions with clear delegated responsibilities for all staff.
- Structured and intensive management support required to reactivate the Gaza organisation with a specific action plan. This process is dependent on and a part of the political process of reunification.
- Improved system for planning, follow-up, directing, analysing, reporting and a need for a Strategic and Institutional development plan for EQA defining priorities and setting medium term objectives.

- Focused and planned human resources development to build needed expertise towards a specialised agency.
- Creating an internal communication system and routines.

Relevant partners

Four potential partners for EQA for institutional development were briefly assessed. The review found that all four would add value to EQA and be relevant partners in a continued support. A possible institutional collaboration between EQA **and the Swedish Environmental Protection Agency** EPA in the area of knowledge management is seen as particularly interesting. Focusing on building EQA's knowledge management would also support EQA's management in how to work with the process of changing culture within the authority as EPA has gone through a similar process.

The Jordan Ministry of Environment (MoE) is of similar size as EQA and holds similar responsibilities. It declared a clear interest to cooperate with EQA through coaching, mentoring and sharing experiences. Of particular interest is collaboration in Monitoring and Inspection, results based operational planning and management of hazardous waste, where the MoE is more advanced than EQA. **The Royal Department for Environmental Protection** is an integral part of the Jordanian Police Forces. Their main responsibilities are to support different ministry inspectors in carrying out the inspection and in enforcing legal action. The Department is open for direct cooperation with the Palestinian police and EQA in advancing and sharing its experiences.

Positive achievements were made in the Sida funded pilot project with **UNDP** as implementing partner which should be built on. There is added value to continue the collaboration with UNDP in overall programme management with a phased support aiming for a gradual transfer of programme and fund management to EQA. UNDP's role would be coaching, facilitating and guiding learning processes, monitoring quality and overall programme management in relation to Sida, while EQA should be responsible for the daily implementation and management through the full integration of EQA's management team. The importance of strong ownership by EQA's management is stressed.

Key recommendations to EQA

It is clear that EQA has a number of gaps in its capacity to meet its mandate. As the mandate is wide and the resources are scares this is likely to remain a challenge for many years to come. The resources available to EQA are not foreseen to not improve drastically during the coming years. A **strategic prioritization** is therefore key to improving EQA's performance. In order to realise this shift in culture the following key recommendations are made. An urgent need prevails to develop a strategic institutional plan for the coming 5 years which would also increase EQA's possibilities to become eligible for funding from the MoF. The recommendations are given in order of priority:

1. **Meet the minimum expectations and attend to the most urgent environmental problems.**
   The minimum expectations are to fully assume the assigned responsibilities for solid and hazardous waste, wastewater and industrial pollution. This is possible within the existing organisation and is in line with the NDP priorities. To make it happen is a matter of clear leadership. The main tool is to make all elements of the Environment Protection Circle in Figure to function, i.e. to:
   (i) Define priority inspections and create first class capacity inside EQA for it.
   (ii) Create human and technical capacity to be a champion in mitigation measures and preventive action, proving the usefulness of EQA to all stakeholders.
   (iii) Take the lead to establish a more efficient environment protection system through planned coordination between inspecting bodies and prepare EQA for the role as an overseer of self-monitoring done by industries and other polluting entities.
   (iv) Direct EQA's resources to this priority area, across directorates and regional offices.

(v) In the Gaza Strip the focus needs initially to be on being experts finding solutions to the most urgent problems of water resources, wastewater and solid waste with less focus on industries.

2. **Start the development of becoming a Knowledge-based organisation.**
Change EQA from being a reactive organisation to an expert organisation and a Knowledge Centre for environment in Palestine, in line with what is prioritised in the NDP. The work shall encompass both the West Bank and the Gaza organisations. It will require a re-organisation of functions within EQA to build a Knowledge Centre, which is mandated to work through all GDs and new ways of internal and external communication and exchange of information. It includes to:
   (i) Define needs and indicators, retrieve data, analyse and communicate results from a developed environmental information system, which can be used for measuring progress on strategic objectives, trends analysis for a state of environment, for strategic communication and advocacy purposes and as an open resource for outsiders.
   (ii) Make an inventory of existing and planned research in universities and CSO as well as of CSO work. Create a reference centre to make research generally available and gradually develop EQA's capacity to identify research needs through initiating partnerships.
   (iii) Initiate a forum for regular dialogue with CSOs at national and regional levels.
   (iv) Shift awareness raising work from direct implementation to focus on a higher level and overall coordination of awareness raising and create partnerships
   (v) Create capacity to analyse data and to use it for strategic communication and advocacy.
   (vi) Plan and conduct systematic education of targeted professional groups, including law enforcement agencies.

3. **Move to "higher level roles" in other areas of operation.**
Staff and resources need to be focused to the two areas above. As a consequence EQA will have less resources for the other areas of operations and will therefore need to move away from "on the ground implementation" in these areas and instead assume the assigned strategic roles, fully in compliance with EQA's mandate. This can be done within the existing organisational structure. EQA should take on the roles to:
   (i) Settle conflicts around mandates in a pragmatic way
   (ii) Proactively engage in sector leadership, and develop steering and guiding documents
   (iii) Assume supervisory roles and overall national planning
   (iv) Clearly prioritize among the international engagements to maximize resources for work inside Palestine. Divide international responsibilities equally between the West Bank and Gaza staff.
   (v) Revise steering documents to include the Gaza situation
   (vi) High level advocacy and targeted strategic communication for mainstreaming environment cross cuttingly in other ministries' strategic plans
   (vii) Develop the expert functions for the other general directorates

4. **Urgently define and formalise the management structure**. This entails:
   (i) Defining the management levels and the composition of the management teams
   (ii) Delegating responsibilities and communicating this internally
   (iii) Setting routines for management meetings
   (iv) Start executing active management with transparent decisions at all levels.

5. **Develop a more adequate organisational structure**
Based on priority 1,2 and 3 review the organisational structure to address these priorities. It will require a change in structure to develop the knowledge centre, based on parts of work done in several general directorates. As part of the organisational review duplications and inefficiencies

in the present structure should be addressed and the place and mandate for the regional offices in the structure revised. The organisational review needs support from higher political levels.

6. **Action plan for reactivation of Gaza organisation**
   As part of the political process of reunification develop an action plan for the reactivation and merger process of the two organisations in the Gaza Strip with clear steps, defined responsibilities and time frames. This process is not fully within the control of EQA.

7. **Develop a strategic and institutional development plan for EQA for five years**
   The review suggests a radical shift in way of functioning for EQA. Making the change depends on EQA's commitment to the change process. It can be supported by Sida and other partners but depends on EQA's ownership of leading the processes and getting the work done. The basis for such a shift is to develop a strategic institutional development plan for EQA, setting the desired direction and objectives for the coming five years. Everything cannot be done at once and a step by step approach for a gradual development will be needed. EQA will also need to prioritize between external and internal needs and the urgency of various development processes. The process of developing a first draft strategic institutional development plan should take place between September and December 2014 and be led by the chairperson and her management team. Full ownership by the EQA management is necessary. A consultant is suggested to be engaged for facilitation and guidance but should be neutral and not have any stake in the future support to EQA. The draft strategic institutional development plan should form the basis for a continued, more holistic support from Sida.

8. **Make responsibilities and expectations clear for all**
   Once priorities are decided functional descriptions of key processes in each General Directorate should be developed and job descriptions elaborated for each employee in accordance with the revised organisational structure and functional descriptions. Responsibilities and expectations on each employee should be clarified and work teams created.

9. **Make a conscious shift in the internal work culture**
   Through active leadership, improved management routines, close follow up and clear internal communication a shift in the work mentality and internal work culture should be promoted.

Key Recommendations to Sida

Sida is recommended to:
1. Agree with EQA on an Action Plan for September to December for the strategic planning process. The Action Plan should be delivered in August.
2. Make available, if requested by EQA, a facilitator for the strategic planning process who can guide and support EQA in making priorities and framing its own direction for the future.
3. Await EQA's draft strategic institutional development plan before further discussions are made with potential partners.
4. Once the draft plan is developed engage with UNDP and EPA under the leadership of EQA in designing the modality of an institutional development support programme to EQA. This could take place in early 2015 with the aim of providing Sida with a proposal based on the plan during the first quarter of 2015.
5. Consider attaching an external monitoring function to the future support for periodic monitoring of the performance of all partners as a support to Sida.
6. Support EQA, if needed, through Sida's dialogue at higher levels with the PA in issuers beyond EQA's control in order to implement the desired changes,.
7. Facilitate the treatment of environment as a cross-cutting area in Sida's political dialogue and in other sector working-groups.

1. Introduction

1.1 Background

The Palestinian Environment Quality Authority (EQA) is the main PA institution entrusted with the responsibility to monitor and protect the Palestinian environment and ensure the provision of a clean and healthy environment. According to the Palestinian Environment Law (no. 7) many of its responsibilities should be carried out in collaboration with other line ministries and authorities. Palestinian natural resources are largely controlled by Israel under its protracted military occupation and many of the environmental challenges are directly linked to the occupation, i.e. the limited sewage system, dumping of waste and developing infrastructure for solid and hazardous waste treatment. The present environmental situation is severe and characterised by overexploitation of land and water, scarcity of water, constrained and insufficient infrastructure for solid waste and waste water management, pollution of air, water and soil and environmental degradation. See further in Annex 4 for a description of environmental problems. The urgent political and economic needs due to the 47 years of occupation have resulted in that the area of environment has received limited attention by the international donor community and the Palestinian Authority. Sweden has emerged as one of the main donors in environment and is co-chairing the environmental sector working group together with EQA. Sweden is interested in increasing its support to environment and natural resource management and environment is an area where Sweden has broad competence and long experiences which can be of relevance for the Palestinian Authority. Increased capacity of relevant Palestinian institutions at national and local levels to manage environment is therefore suggested as a future results area by Sida.

Sweden is a major donor to Palestine with an annual support of approximately MSEK 700 (approximately USD 102). The bilateral cooperation is governed by a collaboration strategy. The present strategy was originally framed for the period 2008 – 2011 and has been extended several times, awaiting the finalisation of a new results strategy. The overall purpose of the present collaboration strategy is to contribute to building a viable Palestinian state and to peace building. Sweden has supported a pilot capacity building project within EQA since 2010, with UNDP as implementing partner. The focus of the pilot project has been to strengthen EQA's regulatory function for environmental governance and to enhance its capacity for environmental protection. The project was extended until September 2014 and the results were evaluated during the spring 2014.

In light of this, the Swedish Consulate General in East Jerusalem and EQA agreed to undertake a comprehensive organisational review of EQA to provide a baseline of the present situation as a basis for the design of a broader institution and capacity building support to EQA. Under a framework agreement with Sida for Agriculture, Forestry and Environment, the Swedish consultancy firm Orgut was contracted to conduct an organisational review of EQA through a team of four consultants; Ms Cecilia Karlstedt (team leader), Mr Torbjörn Öckerman, Mr Suleiman Daifi and Ms Muna Dajani. The organisational review took place in Palestine during April 22-29 and May 18 – June 4, 2014.

1.2 Purpose and disposition

According to the Terms of Reference dated February 10, 2014, the overall aim of the study is to conduct an organisational review of EQA in a way that is useful for EQA as part of its organisational development and to provide recommendations to Sida on how future support could be designed and possibly broadened. The review should complement the recent external evaluation of the pilot project and consider the whole organisational and management structure of EQA as well as its functional relationship to other parts of the Palestinian Authority.

The purpose of the review is three folded, to:
1. Present and review the legal and institutional framework of EQA, its role and mandate, including division of roles, responsibilities and coordination in relation to other ministries and

agencies for environmental governance and legislative enforcement, and analyse the enabling environment necessary for EQA to fulfil its obligations.

2. Map and analyse the organisational and management structure and systems of the entire EQA, including its regional offices.
3. Identify and analyse the potential role and added value of partnerships in providing institutional and capacity building support to the identified needs of EQA.

According to the purpose, the review is to a large extent descriptive as it shall *present and review, map, identify and analyse* the three dimensions above with the aim to identify whether EQA has the competence, capacity and routines to direct its operations towards its own goals and over-arching obligations. Based on identified strengths, weaknesses and capacity gaps the review shall thereafter identify possible partners to provide relevant institutional and capacity building support to EQA.

Sida, as the main donor to EQA, has a need to obtain a comprehensive understanding of EQA's structures and operations as a basis for its further engagement. Since most documentation exit in Arabic, such a comprehensive picture has been lacking. Hence, the review shall provide a baseline on which institutional development support could be developed. The Terms of Reference are found in Annex 1.

1.3 Limitations

The review is the first step in a process towards a long term engagement between Sida and EQA. It is not the purpose of the review to develop programme documents. Nor shall the review provide the answers to capacity gaps and weaknesses identified, as developing such will be part of a future institutional development process.

1.4 Methodology

The organisational review applied participatory approach and a combination of methods for collecting and validating data was used, such as documentary studies, interviews, focus groups, observations and debriefing sessions. Collectively, these have provide puzzle of information which has been analysed jointly by the team through team meetings.

The starting point was a preparatory **study visit** to EQA jointly with the Swedish Environment Protection Agency (EPA) in April2014. This was a useful start as the consultants and EQA got to know each other, developed a common understanding of the assignment and the consultants became familiarised with some of EQA's internal and external challenges. The organisational review was thoroughly discussed with EQA's Chairperson and a common understanding was established. The study visit also provided ample time to discuss the assignment with the Swedish Consulate General in East Jerusalem, meet with UNDP and to exchange thoughts with the experts from EPA. Through this, a good base for the assignment was created.

Secondly, a **documentary study** was done. EQA made an extensive number of key documents available for the team prior to the assessment and more than 400 pages were translated from Arabic to English. The selection of documentation for translation was done in close cooperation between EQA and the consultants. Examples of studied documents were laws, bylaws, strategies, national action plans, policies, instructions, manuals, previous assessments of EQA and various consultancy reports. The fact that they were available in English significantly contributed to effectiveness of the study. Some documentation in Arabic was further studied by the Palestinian team members.

Based on the understandings gained during the study visit and through the documentary study, an extensive and detailed programme for **meetings and interviews** was developed and shared with EQA. The meetings were set up with efficient coordination of EQA. Interviews, focus groups, meetings and debriefing sessions were conducted with a large number of stakeholders, as follows:

EQA management and staff at Head office: Chairperson, deputy chairperson, 6 general directors, staff.
EQA regional offices: 7 Regional directors, staff from 8 regional office, one Gaza deputy general director.
Municipalities and local service providers:7 municipalities and public safety committees, 8 Joint Service councils in the West Bank and one costal water utility in the Gaza Strip.
Ministries and authorities: Ministry of Agriculture (MoA), Ministry of Health (MoH), Ministry of National Economy (MoNE), Ministry of Local Government (MoLG), Ministry of Telecommunication and Information (MoTI), Ministry of Planning and Development (MOPAD), Ministry of Finance (MoF), Palestine Water Authority (PWA), The Palestinian Standards Institute (PSI), The Palestinian Bureau of Statistics (PBCS), The Negotiation Unit (NSU) and the Prime Minister's office.
Civil society organisations: 18 CSOs
Independent Experts: 3 experts
International Donors and agencies: 6 donors and 3 UN agencies
Potential partners: The Ministry of Environment and the Royal Administration for Environment in Jordan, UNDP and EPA.

In connection with visits to all regional offices, **site visits** to sanitary landfills, transfer stations and points of various pollution were made in the West Bank. A brief visit to the Gaza Strip was also made. Findings and observations were continuously shared with management and staff at EQA to ensure a participatory, inclusive and transparent process. Please find a list of documents studied in Annex 2 and a complete list of persons met in Annex 3.

1.5 Structure of the report
The structure of the report follows the three focus areas where Chapter 2 introduces EQA and provides a background, chapter 3 relates to the legal and institutional framework of EQA and its roles in the environment sector and chapter 4 to EQA's operations and chapter 5 to management and internal governance of EQA. Chapter 6 addresses the roles and added values of potential partners to EQA while Chapter 7 provides recommendations to EQA and Sida. Chapters 3 and 4 are organised according to the strategic environmental objectives which are seen as an operationalization of EQA's mission statement.

2. EQA and the environment

2.1 EQA's legal status
The Palestinian Environment Authority was initially created through a Presidential decree in 1996. In 1998, it was transformed into the Ministry of Environmental Affairs. This became the starting point for a history of changing legal status. In 2002, through a Presidential Decree (No. 6) it was turned back into an authority and given the present name of the Environment Quality Authority (EQA). In May 2012 EQA was given the status of ministry for less than one year and in June 2013 it again became an authority with the same name Environment Quality Authority (EQA). The Prime Minister assigned an acting chairman to manage the institution. Moreover in July 2013 a presidential decree was issued to convert the Ministry of environment to Environment Quality Authority and this also applies on the law no. 7/1999.

During the periods of being a ministry, the institution was represented in the Council of Ministers through its own Minister, while when being an authority EQA reported through the General Secretary of the Council of Ministers. However, in April 2014, a Presidential decree was issued which nominated a new chairperson for EQA. Since then EQA reports directly to the Prime Minister's Office.

Despite the frequent change of status, EQA's mandate and resources have remained the same. Many different views exist among external stakeholders and within EQA regarding the importance or not of EQA being a ministry. EQA perceives that the legal status affect their possibility to influence decision at ministerial level at the right time and to raise environmental concerns on the national agenda. Many of the external stakeholders' interviewed argue that the change of legal status has less implications for EQA's performance, but consider that what matters more is how EQA manages to present itself towards other ministries as a specialised agency. They confirm however that the multiple changes of status have affected EQA's self confidence in assuming the required leadership role for the Palestinian environment and that EQA has often been side lined by other Ministries.

2.2 EQA's mandate, mission, roles and responsibilities

According to the Environment sector strategy 2011 – 2013, EQA's mandate, based on the Environment Law number 7 for the year 1999 and Article 33 in the Palestinian Basic Law, is:

> *To monitor and implement all what is necessary for the protection of the Palestinian environment and the provision of a clean and health environment to ensure the right of all Palestinians to the highest attainable level of health and welfare as guaranteed in the Palestinian Basic Law and Environmental Law.* [1]

The mandate is found to be wide and not clearly formulated. As such it provides limited guidance to EQA and other stakeholders on EQA's roles and responsibilities. To further specify EQA's mandate could be useful for increased clarifications on its roles.

According to the environment sector strategy 2011 – 2013 EQA's mission statement, based on the Environment Law, is formulated as:

> *"Maintaining and protecting the environment, preserving human health, curbing and reducing the depletion of natural resources, combating desertification, preventing the aggravation of environment pollution, promoting environmental awareness and ensuring sustainable environmental development."* [2]

EQA's mission statement is also broad and does not provide enough guidance for EQA and its partners regarding what roles EQA should play, which relationships it needs to build and maintain, how EQA should carry out its mandate and which values it stands for, which are aspects that are commonly reflected in a mission statement. Neither the mandate, nor mission statement reflect EQA's responsibilities to lead, regulate, monitor and collaborate with other actors for the realisation mandate. The fact that EQA's mandate and mission statements are wide and not sufficiently clearly formulated may contribute to the challenges of EQA to assume a leadership role in environment.

The environment sector strategy for 2014 – 16 specifies four strategic quality objectives for the Palestinian environment. These will be discussed further in chapter 2.11 below. There are no strategic objectives formulated by EQA to guide its internal development and roles. As the mandate and mission statement are broad and imprecise and no strategic objectives for EQA are formulated EQA's core identity is not clear and would benefit from being further developed to clarify EQA's roles and responsibilities internally and externally.

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[1] Environment Sector Strategy, Executive Summary, March 2010
[2] Environment Sector Strategy, Executive Summary, March 2010

2.3 Organisational set-up

Head office

EQA's head office is located in Al Bireh/Ramallah. The authority is led by a Chairperson, appointed by the President. The Chairperson is supported by a Deputy Chairperson. The Chairperson was appointed in April 2014, following a period of about one year of where EQA was managed by an Acting Chairman after the formulation of the new government. EQA's former Chairman was based in Gaza but was moved to Ramallah in 2012. During the period when the Chairman was in Gaza, his Deputy Chairman was responsible for directing the Authority with support of the senior staff based in Ramallah. The offices of the Chairperson and Deputy Chairperson compose of eight staff. Among them is the legal department with two lawyers, located under the deputy chairperson in the West Bank

On the middle management level the organisational structure is organised into six General Directorates with the following number of staff[3] in West Bank:

1. Environment Protection (15, including Regional Offices)
2. Environmental Resources (8)
3. Policies and Planning (4)
4. Awareness and Environmental education (6)
5. Projects and international relations (4)
6. Administration and financial affairs (40)

Each general directorate is led by a General Director. Eight Regional offices in the West Bank fall under the responsibilities of the General Directorate for Environmental Protection. Each General Directorate is divided into a number of departments. These vary from three to seven between the General Directorates. Each department is further divided into two or three divisions. Since the number of staff is limited, most boxes in the organisational chart are empty. Hence, the organisational chart does not correspond well to reality and shows a too large structure for its present level of staff. This is further discussed in chapter 5.3. Please see the organisational chart in Annex 5.

Regional offices

EQA has offices in eight of the eleven Governorates in the West Bank. Jerusalem, Jericho, and Qalkilya, where there are no regional offices, are supposed to be covered by the Ramallah, Bethlehem and Tulkarm offices. The regional offices in Nablus, Hebron, Bethlehem, Jenin and Tulkarm have four or five staff members each and separate office premises, while the Regional offices in Ramallah, Salfit and Tubas each composed only of a regional director. The Salfit and Tubas offices are housed in the governorate buildings and therefore also report to the governors, while the Ramallah office is integrated in the head office. The latter is a cause for confusion as roles are not clearly separated between the head office and the Ramallah regional office.

There is no set structure for a regional office but in general they compose of a regional director, an inspector, an awareness officer and secretary. Tulkarm, Hebron and Bethlehem offices have one car each, while Nablus, Salfit, Jenin and Tubas offices share one car which is supposed to be available one day per week. A jeep is shared between the head office and the Ramallah Regional Office. The mandate of the regional offices is limited to environmental protection (environmental approvals, environmental impact assessments, environmental audits, monitoring, inspections and complaints) and documenting Israeli violations. However, most regional offices also conduct awareness raising activities but without being linked or reporting to the General Directorate for Environmental Awareness and Education.

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[3] According to the organizational structure from 2005

The Gaza Strip organisation
A parallel "head office" structure, with one regional office existed in Gaza until 2007 but has been non-functional for seven years due to the political divide. If a General Director is based in Gaza, the Deputy is in the West Bank and vice versa.

2.4 Staff composition

EQA has 92 employees in the West Bank and 106 employees on the pay roll in Gaza. The following data pertains only to the West Bank staff. As illustrated in the following graph, two thirds of the staff are men. Few of the women are on managerial level and only seven of the directors are women.

Graph 1
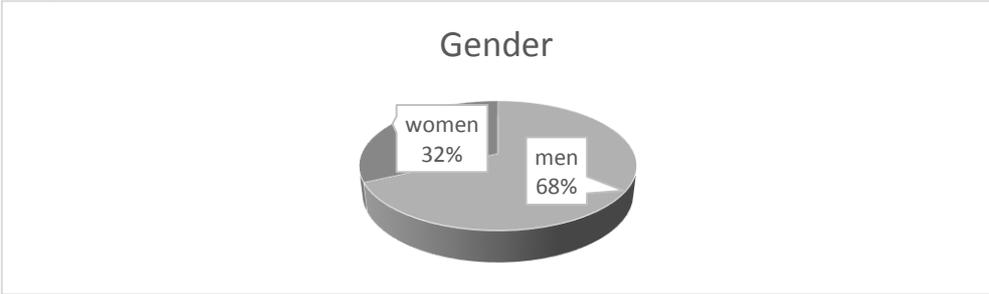
EQA's staff is well educated which is a huge asset and strength of the organisation. The following graph illustrates the educational background of the West Bank staff, were 78% of the staff have a Bachelor degree or higher.

Graph 2
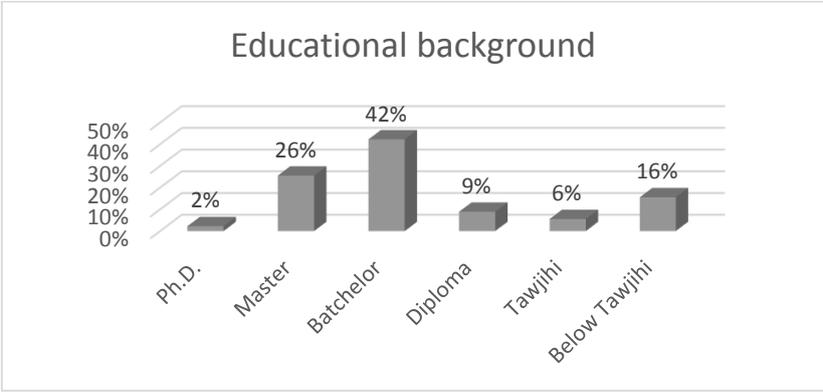
Most of the staff has been working with EQA since the start and the loyalty of the staff is another strength of EQA. Due to the government system for promotions an overwhelming majority of the staff has directors' titles. 71% of EQA's staff in the West Bank are Heads of Divisions or higher. The general staff are found in the General Directorate for Administration and Finance and are mainly support staff such as drivers and janitors.

Graph 3

Administrative level
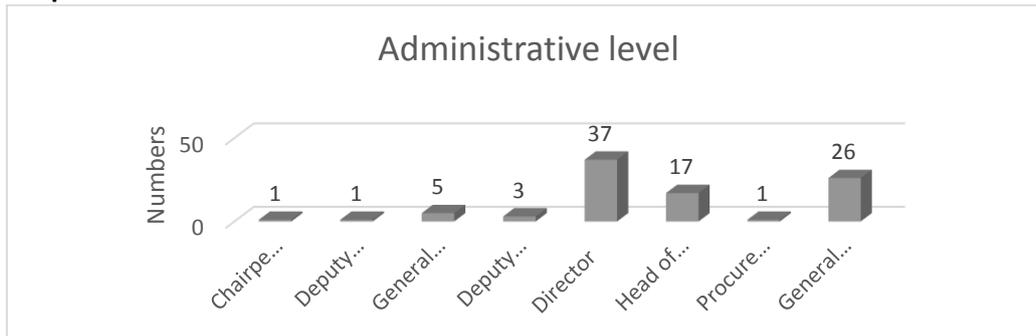
2.5 Funding

According to the recently approved Palestinian national development plan (NDP) for 2014 – 16 the annual operational budget for the environment sector is 4.1 US$ million for 2014, with an annual increase of 0.1 US$ million for 2015 and 2016 respectively. The development budget in the NDP is foreseen to increase threefold from 6.5 US$ million in 2014 to 18.6 US$ million in 2016, but EQA has rarely received a development budget from the Ministry of Finance and these figures should therefore be considered with caution. There is no separate budget line for the development budget from PA funds for EQA in the national budget.

EQA's expenditure ceiling for 2013 was set at NIS 14.264.000. 80% was intended for salaries and social costs. According to a study analysing public environmental expenditures in 2011 and 2012 by PCBS, only 0.65% of GDP was used for environment expenditure in 2012 (0.64 in 2011).

2.6 The Sida/UNDP support

Sida has funded a pilot project within EQA, implemented through UNDP, during June 2010 to December 2012, and later extended to September 2014.The initial budget was USD 703,000 and an additional funding of USD 400,000 was provided for a bridging year during 2013. A no-cost extension until September 2014 was approved in early 2014. The aim of the project has been to enhance EQA's regulatory capacity and to enhance environmental protection by improving the regulatory framework, environmental planning and monitoring, and enhancing coordination with sector stakeholders. In addition, EQA's work environment was upgraded. The project has focused on improving environmental monitoring, inspection and enforcement through development of bylaws and monitoring manuals and by building technical capacities in monitoring and enforcement. General training for all staff categories was also provided. The main outputs of the programme are detailed in Annex 6. The support was initially developed by UNDP and MoPAD, in consultation with EQA, as a large and comprehensive programme with a budget of UDS 3 million. Since sufficient funding was not raised, the programme was reduced to fit the Swedish budget. Certain components of the programme were picked and thereby the support lost the character of a comprehensive programme.

The pilot project was recently externally evaluated[4]. Some of the main conclusions of the evaluation confirm that the project has been instrumental in initiating an important dialogue on EQA's roles and responsibilities with its partners, but did not for various reasons manage to conclude these discussions. The project was assessed as having contributed to increase EQA's capacity in monitoring and inspection and was regarded as a "first aid" to rectify the situation, but not addressing it fully. The evaluation recommends to expand the scope of future interventions to target other functions and

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[4] "Strengthening Environment Quality Authority Regularity Functions" Project (RFQ-2013-312) Final Evaluation Report, May 1, 2014, Dimensions Consulting

services of EQA, i.e. protection of natural resources, regulatory and oversight, project management and coordination and environmental policies and planning. It concludes that the environmental needs are still massive and therefore recommends that a broader and more holistic intervention should be designed. To lift environment as a "cross-cutting" theme for better integration and mainstreaming environment across the relevant sectors is assessed as critical to enable EQA to play more active and visible role in pushing the environmental agenda forward. EQA is also recommended to increase its outreach work with the partners, and in particular with the line agencies as the negative perception of the capacity and role of EQA is an issue of concern. This should be addressed urgently to allow for better influence and coordination. The evaluation calls for donors to support EQA to strengthen it as an institution with a clear direction and vision as a regulator of the sector, encourage the PA to ensure political support for EQA, encourage more donors to increase financial support to EQA and the sector, and to empower the leadership and middle management of the EQA.

Based on the evaluation and the discussions with EQA, UNDP and Sida, the review has concluded that the pilot project has played an important role in initiating some crucial change processes regarding EQA's performance and has opened channels for dialogue for improved relations, while due to its scattered nature, more comprehensive results were not possible to achieve.

2.7 Other international support

Environment is included in the National Development plan under the infrastructure sector. Applying this perspective, there is a fairly strong donor support to environment in Palestine in terms of infrastructure support and institutional investments in solid waste management, waste water management and water supply management. According to PBCS' study on public environmental expenditure for 2011 and 2012 donor support to solid waste management, waste water management and water supply management constituted 88% of the donor funding to the environment sector in 2012 and 80,5% in 2011. This support is, however, managed by other actors than EQA. The main donors in these areas are the World Bank, KFW and the EU.

Apart from the Sida support, EQA has received only limited and scattered project support from other donors. These are further detailed in Annex 7 and are summarised as follows:
- Belgium: Mainstreaming climate change adaptation into policies, development of national communication report on climate change and provision of small grants to CSOs for climate change mitigation projects through the Global Environment Facility (GEF).
- EU Euro-Med regional programmes; Horizon 2020 for solid waste, waste water and industrial emissions development of environmental indicators and information system and training as well as training opportunities through ENPI South –Clima South for climate change mitigation, SWITCH-Med for support to sustainable consumption patterns and SWIM for sustainable water integrated management.
- GIZ: development and installation of an automatic archiving system for EQA's internal and external communication;
- JICA: basic monitoring and inspection equipment worth USD 100.000.
- GM: basic support in development of National Strategy, National Action Plan and Integrated Financing Strategy to Combat Desertification.
- UNEP/ MAP: a project on Climate Vulnerability and Integrated Coastal Zone Management (ICZM) where Palestine is one of the beneficiaries.
- Plan Bleu: a project called "Governance and Knowledge generation", funded by the World Bank under the Global Environment Facility (GEF). Palestine is one of the beneficiaries with two national activities under implementation (Environmental Auditing for stone and marble industry and a Survey for industrial activities)

The Belgium consulate expressed interest in possibly providing further support to EQA during the next NDP, starting from 2017, through a delegated cooperation with e.g. Sweden.

The review team met with the UN Office of the High Commission for Human Rights and UN OCHA in order to find out to what extent they monitor environmental violations from a human rights perspective. OHCHR intends to address environmental rights indirectly as part of more systematic monitoring of Economic, Social and Cultural rights. OCHA monitor civilians' emergency access to water and sanitation through the WASH cluster and collaborate with the advocacy group EWASH composed of CSOs, Palestinian institutions and INGOs. EQA is not part of EWASH, while PWA is participating as an observer. OCHA is also working on disaster risk reduction in collaboration with the Palestinian Civil Defence and the President's Office which is another area of interest for EQA.

2.8 The legal framework
There are four levels of environmental legislation and instructions: 1) Laws; 2) Bylaws, regulations and Cabinet decisions; 3) Decisions by the competent Minister, and 4) Standards, guidelines and instructions at technical levels. These are briefly discussed below:

2.8.1 Laws
The Environmental Law number 7 of 1999 is the main governing law for EQA. It is based on the Article 33 of the Constitution (Basic Law)[5] . The Environmental law gives a wide mandate to EQA, with a leading responsibility within 10 technical fields (solid waste, water quality, waste water, agricultural chemicals, marine environment, air and noise pollution, nature resource extraction, nature protection, biodiversity and desertification) and a supporting role in four areas (land use, , radiation and environmental emergencies). In addition, it clearly states lead responsibility for awareness, monitoring and inspection and environmental approvals. Please see further details in Annex 8. It shall be noted that being a lead agency is not the same as having direct implementation responsibilities; it , however, gives EQA the responsibility to ensure that the article is executed, which in practice can be done in many different ways.

The environment is also regulated in other laws, most importantly in six laws: The Laws of Public Health, Local Government, Agriculture, Water, Natural Resources and the Law of Industry. Some environmental aspects are also regulated in the Labour Law and the Mining Law. Annex 9 specifies the most important laws in the 14 major technical fields. The Palestinian environmental law is considered to be rather modern. It contains a paragraph of adapting it to future signing of international conventions and standards. The Arab league has produced a summary of all Environmental Laws in the region and also analysed how they relate to international law[6].

2.8.2 Bylaws, regulations and Cabinet decisions
A national committee[7] leads the legislative process to develop by-laws or Cabinet decisions in the form of bylaws. Since 2010, six bylaws[8] have been approved, and another four exist in an advanced draft form. Two bylaws are planned to start (hunting and landscape) after which the most needed bylaws will have been developed according to the Committee. A complete list of the actual legislative situation is found in Annex 9.

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[5] "The clean and balanced environment is a human right. The conservation and protection of Palestinian environment for the future generations is a national responsibility".
[6] The mission obtained a soft copy from the Inspection and Enforcement department in the Jordanian Ministry of Environment and handed over to EQA.
[7] National Legislative Planning Committee, established in 2007 and amended in 2012. Eleven ministries and authorities are members, including EQA.
[8] We here include the Strategy for Solid Waste Management", which to its content forms a base for the coming Solid waste Bylaw, now in draft form. (see further Annex 2)

2.8.3 Other legal steering documents

Standards development is led by the Palestinian Standards Institute. Any standard with a directing instruction is a compulsory standard where the related ministry or authority should follow up the implementation. Standards also become compulsory if included in instructions or bylaws. In case Palestinian standards are not developed, international standards apply.

The list of hazardous waste in the draft Hazardous waste bylaws mentions types of waste, but without detailed specifications. Environmental standards exist in four areas: Emissions, Air pollution, Water pollution and Noise pollution. The most important steering documents are the standards for drinking water, for air pollution, for industrial waste water effluents and standards for treated waste water. In Gaza Strip, the only environmental standard presently applied is for water and waste water, but is considered close to impossible to live up to.

Ministerial instructions from EQA exist alongside instructions from other ministries. Of particular importance are instructions regarding public health from Ministry of Health (MoH).In section 2.9, governing strategies are presented.

2.8.4 EQA's capacity

EQA's legal department is staffed with two lawyers, of whom the legal advisor is one of the few lawyers in Palestine with experience in environmental law and regulations. EQA is generally considered to contribute well and participate actively in the development of by-laws, standards and strategies. EQA is also considered open to participatory involvement of non-government actors for strategies. EQA can request the Palestinian Standards Institute to develop new standards as needed.

2.8.5 Potential gaps in the legal framework

There are several overlaps in the existing laws as will be further elaborated in Chapter 3. The overlaps are mainly due to failures in revising existing legislation when developing newer laws. To a certain extent such overlaps can be regulated in by-laws and the present modus operandi of establishing multi-institutional committees for developing regulations is an important step in resolving these overlaps in practice. EQA, as will be shown in this report, has a long way to go in order to reach the required capacity to implement all responsibilities given to it. Hence, if other institutions can fill that void in a regulated manner, it would be advantageous to all involved, as well as to the Palestinian environment at large.

There may be a need to develop a bylaw for air pollution. More importantly, bylaws for monitoring and inspection (M&I) by all actors would be beneficial, but the environmental law does not provide the legal base for that. Hence, the M&I responsibilities need to be regulated through other types of documents .In Annex 8 major responsibilities of EQA given in the environmental law are summarized. The EQA capacity to assume the responsibilities given in the Environmental law will be discussed in more detail further on in this report.

2.9 Governing strategies

2.9.1 National Development Plan

The overall steering document is the Palestinian National Development Plan (NDP). It provides the national vision, strategic goals, sector priorities, a medium term expenditure framework and a set of national indicators for monitoring progress. Environment is included as a sub-sector under the infrastructure sector in the recently approved third NDP for 2014 –2016. The strategic objective guiding the environment sector is formulated as: *"A less contaminated Palestinian environment and safeguarded cultural heritage and natural environment which are managed in a more sustainable manner"* The NDP is structured according to four key sectors. EQA has long argued for that environment should to be regarded as a cross cutting area in the NDP, like gender, rather than a sub-

sector under infrastructure. The review fully agrees with this as environment is not a sector, but needs to be mainstreamed in all sectors and found that some acceptance of this view prevails in the Ministry of Planning and Development (MoPAD). It is important to note that water and waste water management fall under a separate strategic objective under the infrastructure sector in the NDP. One priority under this objective is to improve sewage networks and waste water treatment plans, reuse waste water in the agriculture and industry sectors, reduce pollution and protect water sources.

Under the environment objective the NDP interestingly highlights the following priorities, amongst others:
- Establishment of an environment police department in parallel with promoting environmental oversight and inspection.
- Establishment of a specialized facility to treat hazardous waste
- Establishment of an environment information centre to assess and reduce emissions from industrial facilities
- Develop the system to monitor, air, water and soil quality

A national framework of indicators forms part of the NDP in order to monitor progress towards the objectives. 12 indicators are defined for the environment objective of which six relate to solid waste management. The other six cover a disparate area of quantity of saved water, % of forest land, endangered species, environmental cases in court and number of signed environmental conventions.

2.9.2 Environment Sector Strategy and the strategic environment objectives
Based on instructions from MoPAD EQA has developed two consecutive environmental sector strategies, for 2011 – 13 and for 2014 – 16, in collaboration with a national team of stakeholders. As a basis for developing the second environmental strategy, a revision was conducted of the first. However this was not documented in a report which could be used as a future baseline. The second environmental sector strategy highlights the interventions which EQA are responsible for. The strategy only exists in Arabic. The 2014 – 16 environment sector strategy specifies the following four environmental quality objectives:
1. The Palestinian environment is less polluted
2. The natural environment and the cultural heritage are maintained and managed in a sustainable way.
3. The requirements for climate change adaptation, combating desertification and environmental disasters are adopted.
4. The environment sector is governed in an integrated way coinciding with international procedures and requirements

According to the strategy and based on a survey by EQA a vast majority (approximately 90%) of donor funded projects in environment contribute to the first objective only.

2.9.3 Environmental sub-strategies
EQA has developed five more specific environmental strategies, i.e. the Desertification Strategy, the Biodiversity Strategy, the Climate Change Adaption Strategy, the Solid Waste Strategy and the Environmental Awareness and Education Strategy. The strategies have been developed in consultation with other stakeholders and contain implementation plan which outline required interventions and responsible parties for implementation such as EQA, MoLG, MoH, etc. However EQA has not developed any implementation plan for how it should manage its own responsibilities according to these strategies and action plans. Such implementation plans should show the responsible directorate within EQA for implementing the interventions, and the time frame to implement the interventions. Nor has EQA made any efforts to evaluate its own progress in implementation of these strategies despite the fact that the oldest, the Biodiversity strategy is from 1999. By not operationalizing the strategies

through implementation plans has caused poor implementation of them. The lack of plans has also prevented EQA from following up and evaluating the implementation progress of these strategies.

The sector strategy together with the sub-sector strategies are key guiding documents for EQA. However, they have not yet functioned as steering documents as systematic operationalization of them in terms of implementation plans, with clear internal responsibilities have not been done which could be used follow-up and evaluation. EQA's review of the sector strategy was not documented and could not be used as means to measure and communicate progress.

2.10 Roles and Responsibilities

The Environment Law provides the basis for defining the roles and responsibilities of EQA. Based on it and on the expectations raised by many stakeholders interviewed during the review, the following list of expected roles and responsibilities of EQA has been compiled. EQA should play the following key roles, i.e. be the:

1. Regulator
2. Planner and policy formulator for protection and prevention
3. Supervisor for ensuring compliance to regulations and taking mitigation measures
4. Provider of environmental knowledge
5. Public awareness mediator and initiator, educator and advocator
6. Partner for sustainable development
7. Representative of Palestine internationally in environment
8. Defender of Palestinian environmental rights

As will be seen in this report EQA is struggling to meet many of these roles.

3. Strategic objective: integrated sector governance

This chapter addresses the main part of the fourth strategic quality objective mentioned in 2.9.2 above, concerning that the environment sector is governed in an integrated way coinciding with international procedures and requirements. EQA's awareness raising work and its international representation and preparation for international conventions also fall under this strategic objective. These are however presented in chapter 4, while chapter 3 focuses on the institutional framework and governance of the environment sector.

3.1 Institutional framework and governance

The main institutional partners for EQA are the Ministries of Health (MoH), Local Government (MoLG), National Economy (MoNE), Agriculture (MoA) and the Palestinian Water Authority (PWA). Other partners are involved in specific subjects and will be referred to in Chapter 4. On central level coordination between partners take place in committees for developing certain documents (strategies, standards, by-laws, etc.). The committees, as well as EQA's contribution to them, is generally considered to function well. After the documents are produced the committees are formally dissolved or just cease to function, sometimes leaving a void behind.

On regional level, EQA's most frequent contacts are with the Municipalities (LGUs) and MoLG. The major vehicle for local coordination is through monthly meetings with the Public Health and Safety Committees in the Governorates. When EQA fails to attend, it loses the most prominent local instrument for mainstreaming environmental issues. EQA appears to attend regularly where it has representation while failing to attend in Governorates without Regional Office representation.

The actors, overlaps and gaps following the technical areas stipulated in the law are summarized in **Fel! Hittar inte referenskälla.** below and to content described in Annex 10.

Table 1 Overlaps and gaps in the environmental sector

| Main actors | Support roles | Laws and regulations | Overlaps and | Gaps | |
			Leading sector development	Monitoring and Inspection[9]	Public awareness
1. Solid Waste					
LGUs and JSC	MoLG, EQA, MoH	Overlaps in laws Bylaws not yet approved	MoLG; JSC/ LGUs locally ; In theory: EQA	Clear roles in practice	Lacks leadership minimum coordination;
2. Hazardous Waste					
Nobody-gap	JSC, LGUs, MoH, EQA	Rather clear	Nobody – big gap In theory: EQA	EQA main resp. at sources, MoH	As for solid waste in general
3. Medical Waste					
MoH, EQA	JSC, LGUs	Solved in new bylaws	Unclear	No conflict	Clearly with MoH
4. Waste water					
JSC[10] and LGUs, PWA	EQA, MoH, MoLG, MoA	Overlaps in laws, partly solved in practice	PWA and JSC/LGUs	Clear roles	In practice LGUs and water undertakings
5. Agricultural chemicals					
MoA	EQA, MoH	Overlaps in laws but solved in practice except for disposal	MoA leading committee	Clear. In practice. MoA leads	In practice only MoA
6. Industrial pollution					
EQA	MoH, MoLG, MoNE, LGUs	Clear roles but licensing and approvals de-linked	Should be EQA	Unclear between EQA and MoH	Nobody- big gap
7. Extraction of natural resources					
EQA	PSI, MoNE (MoA in some cases)	Clear roles, but licensing and approvals de-linked	Should be EQA	Clear roles	Nobody- gap
8. Air pollution and ozone damage					
EQA	MoT, MoH	Clear roles	Should be EQA	Clear roles	EQA
9. Land use and soil quality					
MoLG, MoPAD	LGUs, MoA, EQA, MoNE	Clear roles. (Soil quality: MoA)	MoPAD, MoA (soil quality)	MoLG, MoA	Mainly MoLG
10. National reserves and parks					
MoA, EQA	MoLG	Overlaps and conflict in roles	Overlaps and conflict in roles	Overlaps and conflict in roles	MoA and EQA similar tasks
11. Biodiversity					
EQA	MoA	Clear roles.	EQA	Not done	EQA
12. Sea water and coastal zone					
EQA, PWA	MoLG, LGUs, MoA	Minor overlaps	Refers to Gaza, nobody doing it	Refers to Gaza, nobody doing it	Refers to Gaza, nobody doing it
13. Radiation					
Divided	EQA, MoH, MTIT	Some overlaps	Conflicts	Conflicts	Unclear
14. Noise					
none	EQA, MoT, MoW, MoH	Clear in the laws	Should be EQA. MoT for vehicles	Overlapping roles	Overlapping roles leading to gaps
15. Drinking Water					
PWA, Water utilities	MoH, MoLG (EQA)	Some overlaps	PWA and Utilities	Partly overlapping responsibilities	Mainly utilities, PWA

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[9] There is a general gap for all monitoring and inspection, which is elaborated in section 4.1.6 but not specified in this Table.

[10] Or similar entities with other names

Main actors	Support roles	Overlaps and		Gaps	
		Laws and regulations	Leading sector development	Monitoring and Inspection[9]	Public awareness
16. Climate Change					
EQA, PWA, MoA, PEA	All other entities	Little regulated, but clear	EQA leading committee	Monitoring responsibility PEIS[11]	Clear through committee

Fel! Hittar inte referenskälla. shows several overlapping areas in the legislative framework as well as in responsibilities for awareness and leading sustainable development. The mandate of EQA extends beyond what the institution can realistically handle. There are, as shown in the table, three areas which constitute major gaps if EQA does not fulfil its role, namely: hazardous waste, air pollution and biodiversity. EQA's mandate (also as lead institution) extends to numerous other areas as well (see Annexes 8 and 10). For these areas, other institutions partly step in, reducing EQA's overall role towards one of inspection, monitoring and with expectations of being a knowledge provider (see further in Chapter 4).

The development of bylaws and cabinet decisions has proved to be a tool to straighten out most overlaps and conflicts in the various areas. A clear example is the Medical Waste bylaw of 2012. This was earlier the area where the strongest conflict was reported, in this case between EQA and MoH. It is now no longer considered a conflict area[12].

Draft MoUs between EQA and MoNE, MoH and MoA have been developed. These MoUs have, however not been signed as the parties could not reach agreement on the delineation of responsibilities. In addition, EQA has developed matrixes of responsibilities between EQA and these same ministries plus MoLG, MoL and PWA. These have been discussed with the partners in workshops and serve as internal guiding documents for EQA, but have no formal status. The clearest delineation of responsibilities has been reached with PWA, where almost no contested areas remain. EQA considers having issues of duality with MoA, MoNE, MoLG and MoH. Within MoNE and MoH the issues are considered more or less resolved and they now focus on implementation, urging EQA to fulfil its assigned role. With MoA several areas remain as a result of duality in the laws, in particular around nature reserves and also with MoLG around solid waste.

3.1.1. Handling of complaints

All government institutions prioritize complaints before other actions. Most complaints come to the municipalities (over ten times EQA's volume for the whole country in a single large municipality like Al Bireh, Ramallah or Hebron only). Documentation of complaints in large municipalities, JSCs and MoH is more advanced and records are better kept than in EQA. EQA functions more as a second-tier complaint institution, when complaints cannot be solved or when they concern another ministry or LGU. The Public Safety and Health Committees in the Governorates have the most important function in dealing with more complicated complaints. There is no similar structure at National level. There is critique in the Governorates that EQA does not always act on complaints, and not always participate in joint inspection missions. No case was reported where EQA acted as the initiator and lead inspector. Being the main interface with other institutions (complaints and PHSC), EQA will need to prove its usefulness there if environmental issues shall be lifted higher on the agenda.

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[11] Palestinian Environmental Information System, see Chapter 4.4.
[12] Ministry of Health considers it solved and now expects EQA to fulfil its mandate of inspections outside health stations and hospitals. MoH is disappointed as no such inspections have been taken place yet (confirmed by EQA in interviews and the performance audit of SAACB). EQA claims not happy with the solution, but clearly lacks capacity to implement the reduced proportion of responsibilities still remaining.

3.2 Demands and Expectations on EQA

The legal framework constitutes the basis for any government institution. However, in practice, it is also important what other partners working in the environmental sector *expect and need* EQA to fulfil. All interviewees where therefore asked to rank the most important functions of EQA for facilitating the best management of environment in Palestine. The results are summarized in **Fel! Hittar inte referenskälla.** below and presented in more detail in Annex 11.

Table 2 Major expectations on EQA by other actors in the Environmental sector

Major expectation	MoH	MoLG	MoA	MoNE	PWA	JSC	Munici-palities	Other Gov.	CSOs
1. Functioning inspections and law enforcement	***	***	**	***	**	***	***	**	**
2. Provide solutions to environmental problems	***	***		**		***	***	*	
3. Leadership in hazardous waste	**	**				***	***	**	*
4. Knowledge center	*				**	***	**	**	***
5. Provide regulations and standards			*		**	*	*	***	*
6. Support public awareness		*				*	*		*

*** Essential, absolute requirement
**   very important
*   prioritized

The table shows that a minimum requirement from other actors is to make the monitoring and inspection of polluters to function, including being able to take legal action. This is considered the major contribution of EQA to the Palestinian environment. Secondly, EQA is expected have a role to play as a centre of knowledge for (1) solving immediate problems (2) mitigation measures (3) access to new techniques and partners, and (4) combining already existing knowledge from research and studies. All other areas were considered secondary.

The technical issues where EQA is expected to be a resource for others, providing technical solutions[13], resolving problems and pro-actively provide knowledge were focused to three areas: (1) Hazardous waste, (2) Solid waste in general and (3) Wastewater. In all three areas, there were in addition expectations, and even demands, on EQA to assist to document and resolve issues regarding Israeli environmental violations. The exception are the CSOs, which – while still stressing these three areas – saw a Knowledge centre management in EQA for a wider range of subjects, including biodiversity, desertification, etc.

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[13] In the Environmental approvals, EQA requests the owner of the installation to provide technical solutions. In reality most industrial establishments do not have environmental approvals, so there is a need to work with specific knowledge towards them, which is not happening. However, most stakeholders still expect EQA to be able to provide access to (not necessarily know everything themselves, but knowing how to retrieve information) solutions to upcoming problems, as well as assessing the appropriateness of suggestions from consultants. There is also a need for guidance for the installation owners to provide the right type of solutions.

Expectations from individual citizens were assessed indirectly through complaints received and revision of the strategic plans of two municipalities based on citizen consultations. The expectations were in order of priority: (1) good services in solid waste and wastewater (2) reducing odours and leakages and (3) avoid installations close to homes. Donors were also consulted, and their responses concur with the general picture. The main demand from donors investing in the sector is that supervision and inspection functions in a professional way. There are also expectations on a stronger EQA, able to mainstream environmental issues into all sectors, and to provide environmental data and statistics.

3.4. Conclusions on the institutional environment

An enabling environment for EQA? It cannot be said that the external environment is conducive for the work of EQA. The devastating environmental consequences of the Israeli occupation, both in terms of actual deterioration of the environment and EQA's limited possibilities to do anything to prevent and rectify them, are indeed monumental challenges. In addition, the environmental awareness is low within the Palestinian society, both among the general public and the private sector and the infrastructure is old and insufficient. As responsibilities are divided on many actors it poses challenges to manage it well. EQA has not had strong political or financial support for its mission and environment has still not been given the long term political support it requires. However, it cannot be said that the institutional environment is hostile towards EQA. On the contrary, there is a great demand for EQA to more effectively address parts of its mission and play a more proactive role in the sector. In many areas of its' mandate, EQA is not visible. A de facto prioritization of tasks is taking place based on reactions, donor contacts and some individual conceptions of what to do. This has gained EQA a reputation as a weak performer, to the extent that others try to bypass or ignore EQA also in areas where EQA according to legislation has a leading role. In order to restore confidence, EQA needs to meet the minimum expectations from others, which all fall within its mandate. Likewise EQA has not wisely used the environment sector working group for strategic discussions with potential donors to build larger donor support and greater influence for prioritising environment on the political level. EQA's advocacy role is seen as key to change the present situation.

The major weakness is in implementation, not the legal and institutional framework itself. Good progress is being made for by-laws and regulations. Conflicts and overlaps can be solved through clear regulations as shown for medical waste. As environment is a cross-cutting issue, there will always be overlapping functions. The essential is now instead to implement what is already on the table[14]. Legal reform or further development of laws would lead to few, if any, results as long as the large performance gap in implementation remains. The major picture, which emerges is one of EQA's mandate largely exceeding the capacity of the organization.

Many responsibilities – few priorities. Priorities are done based on what comes in, rather than as a strategic priority for the organization or for highest value for the Palestinian environment. Complaints are an important example of this. Complaints by its nature focus on visible problems, and all institutions prioritize complaints. This risks attending smaller, visible problems instead of addressing the most harmful environmental hazards. An example is when bad smell is dealt with for dumpsites, while pollution of groundwater or toxic heavy metal pollution may pass unnoticed. EQA could play a role of giving strategic guidance of inspections towards the most severe environmental problems, a role EQA has not yet started to assume.

Most improvement in cooperation is needed around Nature Reserves, Licensing of industries and efficiency of M&I. There are also potentially conflicts surfacing for radiation. It is furthermore crucial that EQA can cover the areas, which risk being entirely abandoned unless EQA fulfils its role, in particular hazardous waste, air pollution and biodiversity. EQA needs to strategically seek partnerships

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[14] When signing international conventions, some legal amendments may be necessary. This can only be addressed as it comes along.

with other implementers in order to fit its mandate to actual management capacity. In order to become a trustworthy partner, EQA needs to first and foremost implement what is expected from them by the other partners. The regional office play a key role for gaining trust as implementers and are a tool and pre requisite for mainstreaming environment into practical implementation in the localities.

EQA lacks strong financial and political support at present but reasons for this are partly internal and within EQA's hands to address. There is a good opportunity for the new chairperson who has a strong political base to actively build relations at top levels with line ministries for improved coordination. EQA urgently needs to develop its own strategic and institutional plan as its key advocacy tool to present to the MoF and MoPAD and the PA at large.

Main expectations on EQA from the other actors in the environmental sector are all within the mandate of EQA. The emerging picture is quite clear, and an important reflection on what role EQA could play in order to optimize the efficiency of other actors in the sector. The **Fel! Hittar inte referenskälla.** presented in Chapter 3.2. provides an input into focusing on the most essential functions, summarized as:
3. Establish a functioning system for monitoring, inspections and law enforcement
4. Provide access to knowledge

4. EQA's operations – challenges and capacity gaps

4.1. Less pollution

EQA's mandate is oversized compared to EQA capacity. While environmental problems are difficult to rank in a scientific way, the review has considered the ranking made for interventions in the Environmental Strategy for the sector as well as for EQA's own operations. This ranking coincides with priorities in the National Development Plan[15], Palestine Millennium Development Goals, municipal strategic plans and other documents reviewed. Three technical areas stand out as the major ones, as shown in table 3 below.

Table 3 Most serious environmental problems in Palestine as ranked in the Environmental Strategy

	Environmental Strategy	EQA operations	Rank for Gaza
1. Solid & Hazardous Waste	1	1	2
2. Wastewater	2	2	1
3. Industrial pollution	3	2 or 3	na[*]

[*]Industry not functioning due to Israeli blockade

Note: Existing documentation of the solid waste and wastewater environmental problems provides good information and indicators, while the extent of industrial pollution remains largely unknown and is not measured.

Minimum performance expectations on EQA have therefore been considered as satisfactory interventions for these most serious environmental problems where EQA has a major role to play. Underperformance of EQA within these highest ranked problems, would be considered as serious and point at an urgent need to reassess work priorities.

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[15] Waste and wastewater make up two of the five goals under "Infrastructure" and are the only goals mentioning environmental problems in "Infrastructure", where "Environment" presently is located for national planning purposes.

4.1.1. Solid Waste

Solid waste disposal is managed through three now operating sanitary landfills (North and South West Bank, Gaza) and one planned for the central West Bank and other areas in Gaza. Other landfills and dumpsites are also being used without the sanitary installations. West Bank landfills are located in Area C, which means they need Israeli approval; a process that takes many years to conclude and presently puts the central landfill on hold. It also means that Israeli inspections take place on the landfills, and a political crisis around dumping of waste from the Israeli settlements. At present, there are many random dumpsites, some entirely illegal others being managed by municipalities without sanitary measures. Most areas are in the process of closing these other dumpsites. Collection, transportation and disposal of waste is being done by Local Government Units (LGUs) or Joint Service Councils (JSC, public service companies with LGUs as members)[16]. The operations are underfinanced with low fees[17], and low fee collection rates, being extremely low in Gaza. The new landfills are donor financed with World Bank and KfW as major donors. The donor support has included strong institutional development backing, in particular to the JSCs.

The main governing documents for solid waste are the laws for environment, health and local government. Bylaws are being drafted. A Strategy for Solid Waste was adopted up to 2014 through a committee led by MoLG. The committee was later dissolved and there are no plans to establish a permanent committee[18]. The MoH has issued guidelines for safe closure of random dumpsites. There is however, no long term vision or long term plan for solid waste management, e.g. to reduce waste production and increase recycling.

The position in EQA for a Solid Waste specialist is presently vacant. Earlier incumbents were general environmentalists rather than waste management specialists. Other actors have larger expert capacities with several engineers in large municipalities, in JSCs, MoH and a recently created department in MoLG. EQA is not expected to be involved in direct implementation. The EQA role as inspector and planner is rather clear from a regulatory perspective, but needs to be reflected in EQA actions. The State Audit & Administrative Control Bureau (SAACB) conducted its' very first environmental compliance audit for Solid Waste in 2011.

The task of this mission was to review EQA's capacity within solid waste management. The different responsibilities given to EQA are listed in Annex 12. An overall assessment gives at hand that out of 20 tasks for solid waste (hazardous waste is dealt with in the next chapter) EQA performed two fully (effluent standards as part of committee and dealing with Environmental Approvals as they come in). Some work has been done in six cases, mostly on awareness, while 11 areas remain to a large extent unattended[19]. As EQA lacks expertise in reuse and recycling, their awareness activities do not cover these main awareness areas. Performance is summarized in table 4 below.

Table 4. EQA capacity to fulfill responsibilities in Solid waste management

EQA responsibility	Actual implementation by EQA
Overall solid waste management planning and supervision	Minimal**
Monitor pollutants in landfills, dumpsites and along the whole waste collection and treatment process	Minimal for landfills. Not done for the other parts.

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[16] In the refugee camps, garbage collection is done by United Nations Relief and Works Agency for Palestine Refugees, but for disposal the same sites are used as for the rest of Palestine. JSC are referred to as Solid Waste Management Councils in Gaza.

[17] No fee system exists for hazardous waste

[18] Another committee is working on the by-laws, but likewise expected to be dissolved when work is completed.

[19] Evaluation and grouping of responsibilities done by the team through checking the performance of tasks listed in Annex 12

Develop standards and regulations for the whole chain	Not done
Lead recycling development	Not done
Public awareness to reduce waste production	Some limited work
Reporting on performance of the entire waste management chain	Not done

*as given in approved laws, bylaws and strategies. The different documents are coherent on all issues.
** EQA participated in developing the solid waste strategy though not as lead and most overall issues remain uncovered

EQA's involvement seems limited to providing Environmental Approvals. In some cases these have been delayed until the opening ceremony of the installation. EQA is also expected to provide overall monitoring of the development of the solid waste management. EQA has done a few inspections at landfills and dumpsites as a result of complaints. These have concentrated on bad smell rather than a comprehensive review of the sites environmental performance. No inspections are made in the other links of the chain: collection, transfer stations, separation or transport. EQA has no inspection plan for solid waste installations, but has through the Sida/UNDP project started to develop M&I guidelines for landfills (present status unclear). While JSCs have databases on waste production and the PCBS publishes yearly investigations, this remains data not used by EQA.

Solid waste is one of the two areas receiving more complaints than others, the larger municipalities receive over 200 a year. Direct complaints to EQA are very few; instead EQA can potentially play a role as part of the inspection teams mobilized by the Public Health and Safety Committees of the Governorates. The larger landfills have advanced self-monitoring systems for the environment, designed through the donor-financed projects. Due to the absence of EQA, the self-monitoring system is not followed up and controlled[20], nor is compliance with conditions in the environmental approvals. As an example, the Al Minyha landfill received good ratings from World Bank evaluators on all accounts but one: the oversight monitoring to be provided by EQA, which received a "not satisfactory" rating.

Other organizations are partly stepping into EQA's role, in particular municipalities and JSCs. They have been converted to major players in the closure of random dumpsites, guided by the Public Health and Safety Committees. However, alternatives to closed dumpsites for disposal are not readily available and remains as a problem which requires national coordination to address. EQA has shown no capacity to address this .MoH is to develop guidelines for closing and performs some monitoring and inspections and MoLG is taking initiatives to bridge the knowledge gap left by EQA as well as providing capacity building of the implementers (LGUs, JSCs).

Recycling and waste reduction is driven by some JSCs and LGUs, thereby lacking the national coordination and a central knowledge provider, a role which EQA is supposed to play. The lack of private sector actors and markets for recycling and reuse remains a problem, where nobody is taking on the role as promoter or facilitator.

There is also a knowledge gap in the sector regarding solid waste technicians, while there are many engineers available for the more theoretical parts of the processes. There is a wish from donors and municipalities for the private sector to step in to the solid waste management sector, but the Palestinian private sector remains weak; the only larger private actor is a foreign company in a Private Public Partnership for the Al Minyha landfill.

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[20] As landfills are located in Area C, monitoring is also done by the Israeli authorities.

EQA needs to fulfil the minimum requirements as leading inspectors for environmental conditions, but also has an opportunity to lift the status of the organization through: (1) Searching for a solution to the problem of settlement waste dumping and (2) Promoting renewable energy through methane gas from dumpsites, making Palestine less dependent on Israeli energy provision[21].

4.1.2 Hazardous waste

According to the Oslo agreement, hazardous waste shall be transported to Israel for disposal. In practice, hazardous waste is today mixed with other solid waste, and apart from the medical waste there is no separation done and a rather complete lack of equipment for treatment[22]. There is a comprehensive documentation made for UNEP and EQA in 2010 on types and quantities of hazardous waste. The same consultancy assignment drafted a plan for hazardous waste. However. sources of hazardous waste are not registered. Hazardous waste, includes waste that is poisonous, explosive, infectious, sharp, medical, radioactive, contain heavy metals or others as specified in international agreements or through EQA decisions (not done yet). In addition to the same regulations for solid waste, there is a National Hazardous waste committee, which has developed draft by-laws. There is an approved medical waste by-law from 2012. The Health law regulates medical waste more specifically and the agricultural law mentions waste from veterinary services and animal diseases.

The drafted hazardous waste inventory and plan has not been implemented. There are some local and scattered initiatives to remedy the situation, with JSC and municipalities having hazardous waste plans and inventories made, but no national leadership. EQA has no expertise in hazardous waste management. MoH has some experts for medical waste. Unlike the situation for solid waste in general, there is almost no expertise available in the local governments, MoLG, MoH or the JSCs. As there is no inventory on hazardous waste producers, it is also unclear whether EQA possesses the right equipment to measure it (meters, testing kits, etc.). The State Audit & Administrative Control Bureau (SAACB) has conducted its second environmental performance audit for Medical Waste (still in draft form). The task of the review was to evaluate EQA's capacity and competence within hazardous waste management, of which medical waste is one part. The different tasks for EQA in hazardous waste are listed in Annex 12. An overall assessment gives at hand that out of 16 tasks for hazardous waste EQA performed two (same as mentioned in the solid waste section above, effluent standards and Environmental Approvals as they come in). Some work has been done in three other areas, while 11 areas remain unattended[23]. As EQA lacks expertise in reuse and recycling, their awareness activities does not cover this main awareness area. Performance is summarized in 5 below.

Table 5 EQA capacity to fulfill responsibilities given in Hazardous waste management

EQA responsibility	Actual implementation by EQA
Overall plan for hazardous waste management, treatment and disposal planning	Plan and inventory exists though not followed up with actions**.
Establish system to track, document and update sources (database)	Not done
List hazardous wastes for regulation purposes	Started
Management system for handling and transport	Not done
Instructions for processing, storage, treatment and disposal , handling and transport	Not done, but plan drafted
Establish report system from hazardous waste producers	Designed in draft bylaws, not implemented yet

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[21] A feasibility study has recently been made by the World Bank.
[22] There is treatment of medical waste in Ramallah and Hebron, recently started and not yet covering all waste.
[23] Evaluation and grouping of responsibilities done by the team, checking the performance on tasks given in Annex 12.

| Inspect, enforce, report, document (also for medical waste outside health facilities) | Not done |

Like for solid waste in general, EQA's involvement seems limited to providing Environmental Approvals. However, most industries bypass the process or were established before Environmental Approvals were compulsory. Licensing of industries given hitherto do not contain conditions on treatment of hazardous waste[24]. In any case, conditions are not followed up.

4.1.3 Wastewater

The wastewater sector suffers from a severe shortage of infrastructure, and many installations are already outdated. Most households in urban areas are attached to sewage networks, while others use cesspits or septic tanks. Influent quantities exceed the capacity of treatment plants and much wastewater is released directly into the *wadis* or the sea (Gaza). The situation is more acute in Gaza, with frequent power cuts, when all effluents are simply released without treatment. Industries use the same sewage network, and hazardous liquid waste is not treated separately. Wastewater quantities and projections are available (PWA) as well as service levels (MoLG and PCBS). The major gap in available information regards types and volumes of hazardous wastewater.

The major law governing the wastewater is the Water Law (2014), and the main regulatory institution is PWA (regulatory council to be established according to the new water law). MoLG oversees the Local Government Units. Several standards exist (see Annex 2) but no bylaws or regulations. The major strategy documents are the Environmental strategy and the Water strategy of 2013. There is very little regulation of the role of various stakeholders. A committee led by MoA (EQA member) is developing treated wastewater for agriculture reuse standards. Service provision is handled by the municipalities or in some cases JSCs or the Coastal Municipal Water Utility in the Gaza Strip.

Infrastructure is financed by a multitude of donors, including Sweden (the Gaza Strip) and institutional development programs are part of donor funding, but do not include EQA. In donor financed programs, test and laboratory equipment has been provided, also in Gaza. EQA also has good equipment for measuring influents and effluents from treatment plants, but EQA lacks a manual for testing. The responsibilities of EQA are presented in Annex 13. EQA performance for these major tasks is summarized in 6 below:

Table 6 EQA capacity to fulfill responsibilities given in Wastewater management

EQA responsibility	Actual implementation by EQA
Lead development of standards and regulations for compiling, treating, reuse and disposal of wastewater	Good participation in committees, though not as lead
Develop and enforce a system for primary treatment of wastewater (at the source)	Not done
Monitor water pollutants outside treatment plants, influents and effluents	Not done

EQA's expected role in wastewater (Annex 13) is reduced compared to solid and hazardous waste. The role is mainly limited to a supervisory inspection function, environmental approvals and in practice a

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[24] Sources: interviews in regional offices

supporting role for standards and regulations. Inspections only take place in case of complaints and Environmental Approvals are not followed up. Wastewater is the second major complaints area (together with solid waste) and municipalities receive the vast majority of the complaints. Even so, wastewater complaints are a large proportion of complaints received by EQA.

Treatment plants have established self-monitoring systems, but due to the absence of EQA monitoring and inspection, the functionality of the system is not followed up. As many treatment plants are in Area C, they are also monitored by Israeli authorities. Access to Area C is more difficult for EQA, but some activities take place, in particular for environmental approvals.

EQA has no expertise in wastewater management. There are demands from the municipalities to receive guidance on how to solve leakage problems, measuring leakages, on emissions from pumping stations and dealing with exceptional values for influents and effluents. This is not necessarily the task of EQA and could also in part be assumed by PWA, but it would give EQA professional credibility to in cooperation with PWA be able to solve the problems.

4.1.4. Industrial pollution

There are no reliable data on industrial pollution. There are almost no larger industrial establishments in Palestine. The small-scale polluting industry in the West Bank is concentrated to rather few fields: food processing, stone cutting, chemical industry, construction, tanneries, textile dyeing, metal processing, furniture and agriculture. In the Gaza strip, the industry is almost at a standstill due to the import- export restrictions. As the access to Area C is difficult for industry establishment, the vast majority of industries are inside or in close proximity to residential areas. In addition, Israeli industrial settlements and factories on the green line emit dust, toxic and noxious gases and wastewater into Palestinian territory, a pollution which cannot be controlled by Palestine[25].

There are bylaws and regulations underway for (a) stone and construction materials; (b) natural resources extraction; (c) hazardous waste and (d) licensing of industries. These four documents will provide additional regulatory framework for controlling industrial pollution. Interestingly enough, these regulations contain a high degree of self-monitoring and reporting from the industries themselves, which constitutes a change of mentality in the approach to control of sources of pollution. EQA presently lacks the capacity to establish a comprehensive documenting system for these reports, analyse them and assist with mitigation measures. No preparations have started.

EQA is assigned a leading role in preventing industrial pollution. EQA is also responsible for controlling and remedying all industrial pollution at site. MoH has monitoring and inspection duties, but limited to public health issues; the main focus is on food production and processing entities. When the new regulations are approved, EQA will be assigned large responsibilities for handling self-monitoring by industries, in terms of supervisory inspections, mitigation measures and a robust documentation system.

Major industrial pollutants are in solid waste and wastewater, which has been dealt with in the previous sections. In addition there is air pollution, and noise. Major air polluters are the stone cutting industries, transport and the burning of waste. The main responsibility for air pollutants clearly lies with EQA with supporting roles for MoH monitoring health threats and MoT for vehicles. The overall as well as the point source surveillance of air pollution is weak. Unlike some other areas, there are no other institutions stepping in, so this in an uncontested area for EQA. EQA's performance for the major tasks is summarized in 7 below.

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[25] Further described in "The Environmental Impact of Israeli settlements on the Occupied Palestinian Territories", Sawsan Rawani, Middle East Monitor, UK, 2012

Table 7 EQA capacity to fulfill responsibilities to prevent Industrial Pollution

EQA responsibility	Actual implementation by EQA
Issue environmental approvals	Done when applied for. Most establishments do not apply
Monitor approvals and environmental audits	Infrequent
Document and track sources of pollution	Not done
Develop and enforce primary source treatment systems (at the industrial site)	Not done

The lack of information on polluters

There are several institutions managing lists of potential industrial polluters: PCBS (close to 4,000 installations), MoNE, Municipalities, Chambers of Commerce, State of Environment report 2009, Union of Industries, Stone cutters association, universities and others. MoH has a database for installations to inspect within their responsibility. In addition, EQA was supported to develop an internal list of 2,388 points sources and some of the Regional Office Managers also manage their own lists. This could be compiled and constitute the basis for analysis and an active database on polluters, but has so far not been done by EQA.

Licensing is frequently de-linked from environmental conditions

New industrial establishments need Environmental Approvals from EQA in order to obtain a license from MoNE (in some cases MoH or MoLG/LGUs). Licenses must be renewed yearly by MoNE, but the renewal is in practice not linked to the compliance with conditions in the environmental approvals. In addition, MoNE can choose to accept environmental approval from either EQA or MoH. MoNE is the institution responsible to inform industries about the need for approval and refer them to EQA. The licensing is decentralized to Governorates, only formal signature is at central level. The weak physical presence of EQA in the Governorates, detaches EQA from much of the process, and makes it more difficult to coordinate.

This licensing approval process by MoNE is not according to the Environmental law (article 48). It results in only a small portion (the mission could not estimate the percentage) of new establishments receiving environmental approvals from EQA. In addition, there are also unlicensed industries, which are harder to locate and identify.

EQA rarely inspects the licensed industries, but the situation varies between regional offices, where those with fewer industries have a higher inspection rate. Some make no inspections except in order to issue Environmental Approvals. In all cases it is only a marginal proportion of industries actually being inspected; even 4% would probably much over-estimate the number of inspections.[26] Inspections are almost exclusively in response to complaints and not as a regular follow-up activity. EQA has equipment to measure noise, dust, air and water pollution. EQA has limited specialized expertise in the GD for Environmental protection with two experts on public health and air and ozone (now in Jenin office).

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[26] Data obtained from regional offices with high number of industries: Office 1: Maximum 5% of those planned, less than 3% for industries, Office 2: No inspections except for to issue environmental approvals (15-20 per year, would be less than 2% of industries); Office 3: less than 2% of industries, only through Public Health and Safety committee; Office 4: recently started, no statistics available; In addition, there are no regional offices in three Governorates and almost no inspections are conducted there.

EQA's relation to the private sector (in this case potential polluters) is limited; contacts are limited to rare inspection visits. EQA has made some attempts to inform industry owners without success. For many industries, the presence of an EQA regional office remains unknown, unless they have been inspected. As long as the law enforcement for pollution remains weak or almost absent, it is unlikely that the industry owners would show a positive interest towards learning about environmental regulations and mitigation measures for pollutants.

4.1.5. Regulation of chemicals

There is no inventory of chemicals entering into Palestine and there is no system to treat residue or confiscated chemicals. Israel instructs importers that they need to obtain a license from EQA and also manages a list of prohibited chemicals. The role of EQA for regulation of chemicals is to approve import licenses. The position as expert on chemicals is vacant in EQA, but another employee is assuming the tasks since two months back. During these two months over 60 applications have been attended to and a procedure is in place.

For agricultural chemicals there is a functioning National Scientific Committee led by MoA (with EQA as a member), which manages a list of permitted agricultural chemicals. MoA is alone taking on the role assigned to both them and EQA and inspecting pesticide use and possession, resulting in considerable confiscations of pesticides. The treatment and disposal of these has not been solved, and confiscated chemicals are simply being stored, many actors awaiting a solution by EQA[27].

The largest capacity gaps for handling of chemicals refer to controlling industrial pollution along with treatment and disposal of hazardous solids and liquids, which were dealt with in earlier sections. It is too early to assess eventual gaps in the import and storage system, as EQA has now started to fill the earlier control vacuum.

4.1.6. Drinking water

There is no specific entity responsible for drinking water in Palestine. Drinking water is mainly the responsibility of PWA and the MoH. Implementation is done by the Water Utilities and Municipalities. Nevertheless, EQA has been assigned a fairly large role in determining the quality standards and characteristics of drinking water and indirectly through the responsibility to monitor water pollutants. EQA is also giving environmental approvals for drinking water installations and extraction infrastructure. EQA participates in the Committee for Bottled Water and in other committees, usually led by PWA.

There are several organizations testing drinking water quality (MoH, PWA, LGUs, Water Utilities). Conflicting data are sometimes provided. Even if this is a problem, there seems to be no role played by EQA. EQA has one specialist on Water quality and good testing equipment, and can be given access to PWA laboratory if needed. There is no documentation on any work being performed with water quality in EQA, the State Audit Bureau found no documentation and considered EQA "not auditable" for drinking water.

EQA is not assuming its assigned role which is covered by other actors, acting according to overlapping laws. EQA has water quality expertise for a rather minor responsibility, while lacking wastewater expertise.

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[27] The responsibility lies with the pesticide owner to treat or return them back to the source. However, not all comply with this, hence the stock of confiscated pesticides.

4.1.7 The broken cycle of Environmental Protection

In the sections above on waste, water, and industrial pollution, the **absence of a functioning system for monitoring and inspection and law enforcement is the common denominator** causing under-performance in reaching the strategic goal of "Less pollution". The legal framework forms the basis for any intervention by a Government agency. While most of the needed legislation and regulations have recently been put place, there are large deficits in implementation. This section will look into the Monitoring & Inspection system in more detail. The different parts of a functioning system are presented in Figure 1 below, where the green arrows representing the different steps in the process.

Figure 1 The Environmental Protection Circle.
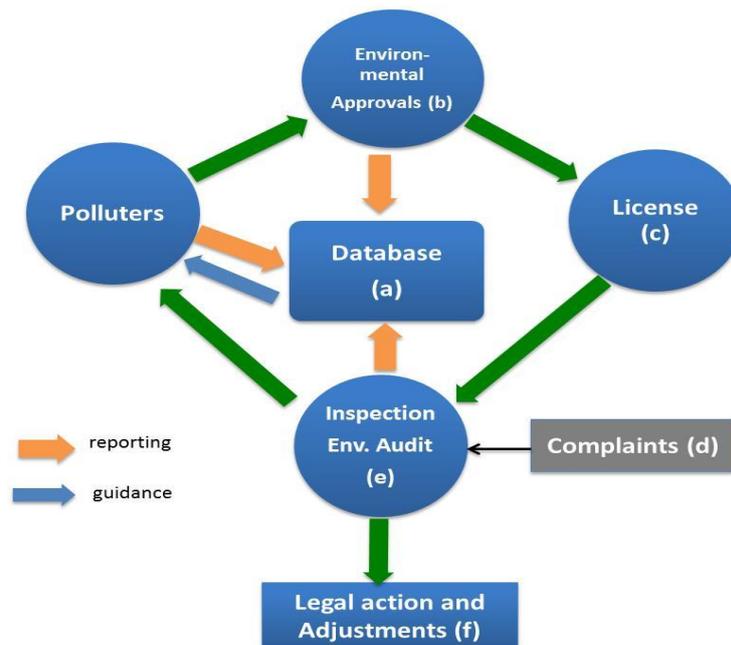
Below is a description how the various parts of the Environmental protection system look today and EQAs ability to direct itself towards goal fulfilment. The letters in brackets (a) refer to the respective part of the circle.

(a) Database

A national database in the form of a register of polluters and pollutants is necessary. Based on the licensed industries (unlicensed places still fall under the radar) and other entities it is a relatively uncomplicated process to (1) Compile and triangulate the different lists of polluters mentioned in 4.1.4; (2) Rank the establishments for risk of pollution[28]; (3) Assess frequency of inspections needed; (4) Assess potential for preventive action and (5) Convert this into an inspection and action plan. In the future, environmental approvals, self-monitoring reports from entities and inspection reports should be fed into and used to constantly update the database. As this does not exist today the pollution risks remain unknown. EQA has a capacity gap in this area, which is highly prioritized and has not systematically compiled existing industry lists (also inside EQA itself), or analysed it.

(b) Environmental approvals

A system for environmental approvals is given in the Environmental Assessment policy of year 2000. All licensed entities need environmental approval according to the Environmental law. Applicants are referred to EQA through the respective licensing agency (LGU, MoNE, etc.) Environmental approvals

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[28] The variety of establishments is limited. Apart from the public service institutions, there are few types of industries. This means that most work for prioritizing can be done without too heavy expert input.

are based on Environmental assessments, conducted by the applicant for the approval. Based on the policy, EQA decides whether the project needs a full Environmental Impact Assessment (EIA) or only an Initial Environmental Evaluation (IEE). A national Environmental Assessment Committee Is established and is functioning well, led by EQA[29]. The Committee assesses EIAs, while scoping studies and IEEs are in practice handled by EQA alone. Investments in Area C are a special case as EQA authority is not recognized by Israel, but also because there is political pressure to establish activities in Area C and to initially ease environmental conditions for such establishments.

Around 10 EIAs are handled per year. Approvals based on IEE are handled by the regional offices, and vary between 10 and 30 per year and office. This seems a quite reasonable volume to handle with the existing staff in EQA. However, no aggregated data exists, which is sign of deficiency to gather and analyse available information. Environmental approvals based on IEE are delegated responsibility to Regional Offices. Still, approvals are signed by head office, which seems inefficient. Through the UNDP support guidelines for investors and consulting firms have been developed.

Seven tasks are given to EQA in the Environmental Assessment Policy. EQA handles to two of these, which deal with implementing the procedures for approvals as outlined. EQA falls short in the other major areas, which in summary are: (1) Providing advice, technical guidance and best practices to potential polluters; (2) Maintaining a register; (3) Following up compliance with the issued Environmental Approvals.

EQA's competence as environmental assessors is valued differently by different actors. There are examples of complicated EIA assessments where EQA was regarded as not sufficiently competent, as well of EQA not making use of in-house experts because they belong to another department, or failing to hire outside expertise. There are no standard Terms of reference for different types of installation in order to guide the regional directors, the EQA staff and the EA Committee. There are also complaints and examples of long delays in issuing Environmental Approvals of up to two years. There are also problems with the quality of consultants hired by the applicants to do EIAs. Donors frequently opt for hiring international consultants. A list of approved consultants is under development, similar to what exists in Jordan. The documentation of approvals is weak and not consistent. This impedes using the registries to collect data or for easy identification of inspection needs.

(c) Licensing
Licensing is done by other entities, depending on the installation (MoNE, MoA, MoH, PWA, MoLG, LGUs), and should be based on environmental approvals. MoNE does not always apply EQA environmental approvals (see 4.1.4.) and many industries escape licensing altogether. Licensing works well for public institutions.

(d) Complaints
Incoming complaints is the main driver for EQA inspections. While motivated from a democratic perspective, this delinks inspections from the rest of the environmental protection circle. Complaints are registered but not classified; registers vary between EQA offices; solutions are not always documented. Complaints can therefore not serve as a base for learning or setting future inspection priorities. They provide an incomplete picture as they focus on environmental nuisances (smell, etc.) rather than real problems, as well as dense residential areas, thereby circumventing distant, rural areas.

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[29] The other members (of which the mission met with several of the individuals nominated) are MoNE, MoLG, MoT, MoA, MoH, MoT&A, MoPAD, PWA and PEA. Other agencies may be co-opted to the committee.

(e) Inspections and environmental audits

The rights to inspect and of naming Judicial Officers in EQA and Ministries is provided in the relevant laws, for EQA in the Environmental law. Judicial officers have the right to enter facilities, issue warnings and punishments, report to the competent authorities to revoke licenses and to deal directly with the Attorney General for prosecution of violations. Stone cutters and landfills. The Chairman of EQA names the Judicial Officers and issues instructions (last in Sept. 2011). EQA has 14 judicial officers in the West Bank (2014) and 17 in Gaza (data from 2007), with good educational background. 72% of the West Bank inspectors are based in the Regional Offices. The central General Directorate for Environmental Protection has four judicial officers. Monitoring and Inspection has been provided with administrative tools the past years, such as identification cards, warning, meeting and reporting formats, and guidelines/manuals for environmental monitoring and auditing. There is good equipment available in EQA[30] but maybe up to half of these are not used. There is a laboratory van, often requested but not being used, and reasonable access to transport at headquarters and in three of the regional offices. The staff is competent to use most equipment, but needs also more advanced training. Staff capacities vary considerably. There is no need for an EQA laboratory, should EQA increase inspections, other laboratories can be used (private, universities, PWA, etc.). Apparently EQA has a laboratory in Hebron, but the actual situation is unclear to the review.

The 14 EQA judicial officers are only a small part of the total number of environmental judicial officers in Palestine. The MoH has around 100-120 inspectors (the majority based in the regional offices), and MoA also has a good number. In addition, PWA, MoLG and LGUs also have judicial officers, so the total numbers for environmental inspection purposes may well exceed 200. Inspections are as mentioned a major weakness, and the review found the following gaps:
   (i)   There are no or limited follow up inspections of Environmental Approvals
   (ii) No Environmental Audits or ad hoc (sudden) inspections are conducted
   (iii) No registry exists to base inspections on, documentation is weak, disperse and not coherent
   (iv) Inspections mostly take place through the Public Health and Safety Committees in the Governorates, where EQA is considered as the "least participating agency".
   (v)   Inspections are done are in reaction to complaints.

There are examples of better functioning inspection systems in Palestine, from which EQA can learn. The reports, documentation and planning of the MoH (Department of Environmental Health) for environmental inspections is one example. Another is the voluntary quality control inspection system for the marble stone industry, managed through Palestinian Standards Institute.

The Public Health and Safety Committees are important platforms for EQA to integrate environment into the larger picture, and could be the focus for a more decentralized EQA. Except for reaction on complaints, coordination between inspecting organizations is almost non-existent. There is both a need and a large scope for making inspections more efficient through increased cooperation with other judicial officers, in particular with MoH where many responsibilities converge with those of EQA. EQA inspections can be concentrated to areas which MoH and other inspectors do not cover. There are no aggregated statistics on the number of Environmental approvals, but around 3,000 would be a fair estimate for the West Bank[31]. With only 14 licensed inspectors (Juridical officers) only the yearly inspection of given approvals would require over 200 inspections per person and year. If all installations, possibly 10,000 should be inspected[32], this would require 700-800 visits per inspector and year. Obviously this is impossible, and inspections need to:

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[30] Instruments to measure water quality, industrial water test kit, dissolved oxygen, pH, conductivity meter, laser distance, GPS, cameras, air pollution, soil testing kits, wastewater testing kits, noise detectors, radiation meters, dust meters.

[31] A one-off inventory listed 2,488 industries. 3,000 is an estimate if also public installations are added.

[32] MoNE estimates the total number of installations needing monitoring to around 10,000 in the West Bank.

<ol type="a">
Be ranked according to frequency of inspection and environmental risk
Be coordinated between institutions. As an example, should there be a total of 100 inspectors available for inspections, the volume would be reduced to 30-100 inspections per person and year, which seems manageable.

(f) Law enforcement

According to the law, EQA has the right to revoke licenses of any facility violating environmental terms, close down facilities for up to two weeks and through the judicial officers issue fines and warnings. When environmental violations need to be penalized it needs to be brought to the court. The inspectors (juridical officers) need to report the case to the Attorney General (AG), who is responsible to take the case to court. The Police has the responsibility to (1) implement the decisions of the inspectors (juridical officers), EQA chairperson, Governors and the courts, and (2) provide protection for inspectors to do their job. There are several institutions authorized to close violating establishments, including EQA, MoH and municipalities. Fines for environmental violations are low compared to the damage, and it can be tempting for a violator to just pay and continue the activities as before. Neither of the three law enforcement organs (AG, courts, police) has special competence in environmental matters or legislation. This increases the demands on the judicial officers to provide well-based reports, information and legal consultations, something which they are not fully capable to.

Court cases are few, between 1 to 3 on-going per regional office. This can be compared to Jordan with around 1,000 per year in central region only. While comparisons may be misleading, no doubt the number of court cases in Palestine is low and leads to lower fulfilment of environmental goals. There are uncertainties among EQA staff as to their legal competencies and how to enforce the law on violators. In some Regional offices, no warnings are issued. In others, physical threats to inspectors are common and police protection low, which makes inspectors reluctant to report cases for legal action. The link between violations and enforcement is extremely weak.

The broken process for Environmental protection – the Key capacity gap

Practically all parts of the environmental protection circle that were presented in

Figure 2 are dysfunctional, and the system is not working. This is illustrated in **Fel! Hittar inte referenskälla.** below. The non-functioning parts of the circle also constitute the key capacity and competence gaps in environmental protection.

Figure 2 The broken circle of Environmental Protection

Legend:
- reporting
- guidance
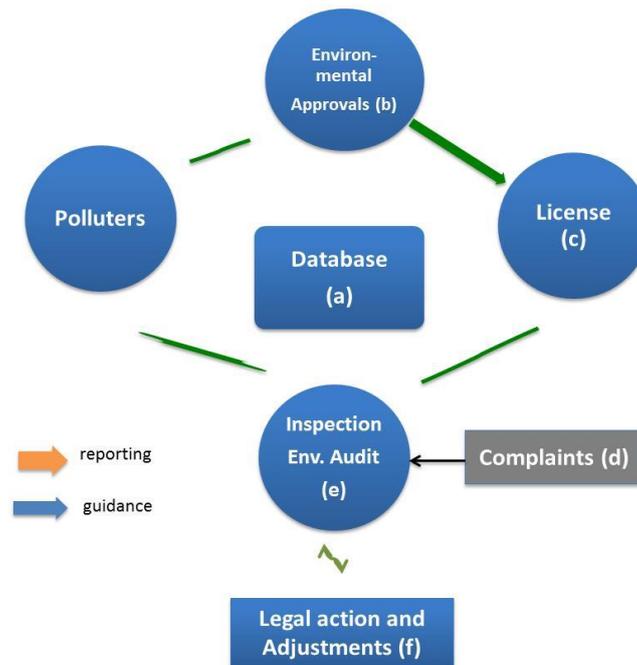
Fel! Hittar inte referenskälla. illustrates how systematic reporting is absent and that the database does not exist. The database should be the start to build a functioning system. The majority of polluters can bypass or escape environmental approvals. No inspections or follow-ups are conducted, and no guidance given to polluters. The only functional parts are licensing based on environmental approvals (partly) and attention to complaints. Some remaining manuals, regulations and instruction may be good tools to develop, but will achieve little in isolation from a functioning structure. A functioning monitoring and inspection is the main expectation on EQA, and the main instrument needed to allow other actors in environment to fulfil their mandates, as well as for EQA fulfilling its own role. To establish this must be the top priority among all suggestions for improvements made in this report.

4.1.7 Israeli violations

Israeli environmental violations occur not only through the occupation of Palestinian lands and the separation wall, depleting land resources, uprooting of trees and effecting biodiversity. There is also direct discharge of untreated household and industrial wastewater and air pollution from settlements and industries as well as illegal dumping of solid and hazardous waste and military materials brought in from Israel. There are several Palestinian CSOs documenting cases. EQA gives high importance to reporting Israeli environmental violations monthly through the regional offices, but has difficulties in documenting cases and is not compiling and analysing the available information in a systematic way. Becoming a centre for information gathered by others, mainly CSOs, would be important to raise the status of EQA in Palestine. So far EQA does not show capacity to assume this expected role.

4.2 Strategic objective: Sustainable management of natural resources and environment

The roles of EQA to reach the goal of "sustainable management of natural resources" are to design adequate policies, strategies, criteria, provide conditions and plans to sustainably manage land, water, marine environment[33], biodiversity and nature reserves and to include these subjects in awareness campaigns, in addition execute and initiate studies and surveys through contracting outside expertise. Bylaws for landscape and hunting will be developed in the near future through the National Legislative Planning Committee. Sea water and marine environment are large responsibilities for EQA, but as they

refer to Gaza, where EQA has been almost inactive the past seven years, EQA capacity in this area was not possible to assess.

The General Directorate for Environmental Resources consists of seven persons in the West Bank with a general director and experts on biodiversity, water quality, GIS and remote sensing, renewable energy and combating desertification and the deputy director general with expertise in climate change. If the Gaza strip EQA is reinstated, one of the major challenges will be to start working with the sea and marine environment again.

4.2.1 Biodiversity

EQA has developed a national strategy on biodiversity from 1999 that aims to conserve Palestine's biodiversity, ensure its sustainable use, enhance local knowledge, change people's attitudes and develop human capacity in the field of biodiversity. Up to 2007, there were funds to produce communication reports on biodiversity but when funds ceased, the activities were discontinued. The biodiversity strategy identified 5 gaps that are still valid: 1) in information 2) in human resource 3) in legal framework 4) in lack of coordination, and 5) in lack of awareness and commitment. Biodiversity remains an uncontested area with EQA as lead, with MoA responsible for agricultural biodiversity.

Data on biodiversity remains scattered and no recent updates exist, with CSOs being the main players. EQA has limited human resources and needs to establish a planned cooperation with more resource-strong CSOs in order to document biodiversity, not least in terms of the effects from the separation wall and settlements. Due to weak communication between EQA's directorates and the fact that regional offices lack biodiversity personnel, biodiversity concerns are not integrated into environmental approvals issued by EQA as they need to be. EQA needs to lead and supervise the work on biodiversity by initiating interventions, studies and surveys such as the national survey of Palestinian Biodiversity and to ensure the quality of work carried by other actors.

4.2.2 Nature reserves

There are 48 protected areas, of which 19 are allocated in the National Spatial Plan and are to be declared Nature Reserves by EQA. They are all in Area C and hence under Israeli control, but EQA considers that it will still be able to work with them. The protected areas remain to be classified and studied to identify if they will be qualified to be a nature reserve according to IUCN criteria or not. A management plan for the *Wadi Quf* reserve has been developed as a pilot by EQA under the Sida/UNDP project. MoA considers its General Directorate of nature reserves as one of the vital GDs in the ministry and works on all aspects (wildlife, vegetation cover, desertification, water harvesting) in natural reserves. MoA stresses EQA's role as exclusively setting strategies and policies. EQA on the other hand states that by law it is responsible for supervising national parks and natural reserves and this has caused tensions between EQA and MoA.

EQA represents Palestine in international conventions and treaties, while some implementation work is done by MoA which has guards in some areas, more equipment and political power. EQA's responsibilities include biodiversity issues, and there are differences in opinion with MoA for instance around forest tree and species. EQA is expected to work with classification, ensuring that inventories are done and overall planning of reserves. EQA lacks qualified staffs trained in protected area management.

4.2.3 Extractive industries

Draft bylaws have been developed for natural resource extraction. The focus is on the stone and marble industry. Sustainable management of extraction of natural resources is divided on three general directorates in EQA: (1) Environmental resources (2) Environmental protection and (3) the Sustainable development department within the GD of Policy and Planning. This has caused some internal role confusions and indicates the need for mainstreaming sustainable development within EQA. The monitoring of extractive industries is closely related to environmental approvals, which remains EQA's main tool to ensure sustainable exploration of natural resources (see section 4.1.7).

In the Palestinian institutional landscape, only EQA can be expected to possess the necessary expertise for long term sustainable use of natural resources and therefore has a key role to play. No studies were encountered to define sustainable levels of extraction. Such assessments remain challenging as they depends on access to Area C, where the resources are located.

4.3 Strategic objective: Climate change adaptation, desertification and disaster reduction

The GD for Environmental resources is mainly responsible for the third strategic objective related to climate change and desertification. Only the position for desertification is manned. Climate change adaptation is covered by an advisory position linked to the chairperson. The advisor is also deputy head of the GD for environmental resources, which can lead to confusing roles[34].

4.3.1 Adaptation to climate change

There is a limited legal framework regulating work within climate change. EQA has produced the Palestinian Adaptation Programme of Action and the Climate Change Adaptation Strategy of 2010 but with little implementation up to date. The framework convention on climate change (UNFCCC) is among the prioritised list of international conventions to be signed by Palestine and when signed, will provide a strong working tool for EQA. The national Climate Change Committee consists of 21 national institutions with EQA as chair. A restructuring of the committee will be needed after reconciliation with the Gaza strip, where climate change mainstreaming is presently done by UNDP, involving six institutions.

The EQA climate change unit is not mentioned in the organizational structure of EQA and is a contributing factor to weak coordination between GDs. The advisor is EQA's focal point for the UNFCCC and has been investing in international advocacy through participation in international meetings and conventions.

Another strength is that EQA is building partnerships with UNDP, Belgium and other donors on enhancing Palestinian capacities in mainstreaming environment and climate change. These projects aim to address the challenges of climate change in the areas of reporting, mitigation and adaptation and to contribute to achieving the Millennium Development Goals. The first national communication report on climate change, including an inventory of greenhouse gases will be developed in the coming year. In addition, selected pilot adaptation projects from the Palestinian Adaptation Program of Action, in the most affected areas of Palestine will be implemented, addressing water resources, food security, sustainable energy and sea level rise. Through working on small scale projects, the Global Environment Facility (GEF) is supporting the development of 8 pilot projects and demonstration sites, of which 5 are in Gaza, which focus on biodiversity, climate change, land degradation and water resource management. EQA's General directorate for international relations is part of the steering committee for the GEF and all projects need endorsement letter from EQA. Hence, it is clear that climate change adaptation is an area for donor interest.

4.3.2 Combat desertification

Desertification, unlike climate change, has a legal basis in the Palestinian environmental law and therefore enforcement and implementation could be more easily facilitated. A National Strategy, Action Programme and Integrated Financing Strategy to Combat Desertification exist. As the focal point for UN convention for Combating Desertification, the UNCCD, EQA has together with other partners, re-launched the national committee to combat desertification, led by MoA with EQA as co-chair, and prepared proposals for demonstration sites and projects. The national committee has not yet been effective due to internal conflicts and a previous period of freezing activities. The national

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[34] As will be discussed in Chapter 5, the organizational structure is unclear, and the review team has been presented with three different schemes. The issue of GD belonging must therefore be taken with some caution. Nevertheless, it still refers to the same expertise/ individual position.

committee must strategize and work in collaboration with a technical team to develop policies and measures for drought mitigation and management.

4.3.3 Emergency planning

Disaster Risk Reduction infrastructure is weak in Palestine with limited institutional framework, lack of policies, weak capacity and training. The Environmental law gives a considerable mandate to EQA for emergency planning, but EQA's interventions on emergency planning are very limited. The department of environmental emergency, which is not shown in the organisational chart, has not been active and does not have any staff. Limited work has been done on chemicals management and the development of a national emergency plan, focusing on environmental emergencies, has remained a draft. The Civil Defence is the lead agency and EQA participates in national committees and international conventions.

Under the President's Office, the Higher Council of Civil Defence is being strengthened by other parties than EQA. A revived Higher Council of Civil Defence would provide an opportunity for EQA to mainstream environmental disaster prevention.

4.4 Knowledge management

There is no comprehensive national environmental monitoring system in place in Palestine through which the state of environment can be monitored. In 2008, the National Team for Development of Environmental Information system was formed, and later reactivated in 2011, led by PCBS. EQA acts as secretary to the committee[35]. The National Team, with sub-teams, is the only formal platform for data exchange between institutions. PCBS has developed cooperation memoranda with ministries and CSOs concerning data exchange. A number of different, only partly compatible indicator systems are being used or are under development, without clear links to the strategic environmental objectives which are supposed to be monitored. These are:

- The Palestinian Environmental Information System (PEIS) with 245 approved indicators
- ENPI-SEIS[36], with 6 indicators (2 for solid waste, 2 for wastewater and 2 for industrial pollution)
- Start of a pilot for the Pollutant Release and Transfer Register with 91 indicators[37]
- Arab league reporting, 45 indicators
- National Development Plan (12 indicators) and Millennium Development Goals reporting
- Example indicators (29) in the Environmental strategy 2014-2016
- 50 indicators mentioned in plans for a State of Environment report

The major Palestinian partners for creating a Palestinian Environmental Information System (PEIS) are EQA and the Palestinian Central Bureau of Statistics (PCBS). The activities are based on the provisions in the Environmental law and the General Statistics law/2000. Unfortunately there are no national reporting obligations in the laws, which weakens the laws as well as no international reporting obligations since Palestine is not yet signatory party to any convention. The leadership role for environmental statistics is assumed by PCBS, while data collection for indicators is decentralized to the respective specialised institution.

The indicators in the PEIS are in five major areas: (1) Water and wastewater, (2) Solid waste (3) Air quality (4) Land use and (5) Climate and energy. All indicator groups are led by one ministry, EQA being the lead for air quality. The ENPI-SEIS process along with the PEIS receives support from the European

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[35] Other members are PWA, MoH, MoA, MoLG, MoT, MoNE, MoPAD, universities and three CSOs (ARIJ, MAS and PHG)

[36] ENPI-SEIS: Shared Environmental Information System in the European Neighborhood. The support from the EEA in the present phase ends in September 2014, but is planned to continue. It is used to comply with monitoring requirements for the Horizon 2020 thematic challenges.

[37] Yet to be adapted to numbers and content to the Palestinian situation. The process supported by EEA

Union through the European Environmental Agency along with 16 partner countries, including cross-institutional capacity building, and strengthening environmental information systems and networks.

4.4.1 Information gathering

The role of PCBS is limited to collecting data, while EQA is expected to make use of the data in a strategic way for environment sector management. There is, however, no regular, comprehensive data collection system in place. In spite of this, Palestine is considered a top quality reporter in the region and was one of only two countries in the region complying with SEIS standards last year. Palestine has, however, not published any State of Environment report since 2009 when it was produced by a CSO (ARIJ). All stakeholders consider this to be a prime responsibility of EQA.

CSOs and Universities collect much environmental data through a disperse set of projects. There is no overarching systematic plan for data collection, through indicators or proxies. Neither is there any organized compilation of this scattered data. The same applies to documentation of Israeli environmental violations which are most commonly in solid waste, waste water and depletion of natural resources.

The data provided for some indicators is mainly a result of PCBS surveys in the fields of solid waste and waste water[38] and some water resource information from PWA. Large challenges for measuring indicators and the status of environment remains, especially for industrial pollution. The root cause is the lack of data on industrial pollution within EQA. Questionnaires are being updated by PCBS. While PWA is building a National Water information System since 2011 and manages several information databases, there is no consistent information or systematization of information in EQA. EQA is generally unable to provide data on the expected pollution indicators, as it lacks a system for coherent information collection and does not initiate or lead research studies in this area.

Israeli violations are recorded and reported by the regional offices, but not analysed, processed and strategically communicated. EQA could pro-actively become a central information bank for Israeli environmental violations, which is much sought for among all other stakeholders, including CSOs. This would be one way to lift the status also of EQA itself in the view of the Palestinian Authority and other actors.

Data reporting on coastal management, wastewater and solid waste has been almost the only activity of EQA Gaza. This is therefore one of the few areas, where a unified EQA would not start from nothing. In addition, PWA in Gaza has constantly been updating water resource and wastewater data, to the extent that data quality is equal or better than for the West Bank.

Resources

PCBS is generally regarded as a capable entity. It also has larger staff capacity than EQA with 6 employees taking responsibility for the ENPI SEIS country report[39] while EQA has one employee, who is an IS, GIS and RS expert rather than en environmental expert. In technical aspects he depends on provisions from other EQA departments. As long as the central database is with PCBS, the EQA information systems department has, or can access reasonable technical material such as GIS maps, etc.[40]. It is the impression of the team that the emerging Environmental information System is being developed in isolation inside EQA. Cases were found where different departments in EQA would report

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[38] Yearly or biannual publications of Environment Household and Environmental Economic Surveys, latest in 2013

[39] See for instance Monitoring Report , EU 31 Dec 2013, MR-128680.24 Towards a Shared Environmental Information System (SEIS) in the European Neighbourhood

[40] Remote sensing photography is missing for monitoring land changes and other. If EQA requests, OCHA can provide at a lower price.

different data to the same stakeholders, bypassing the Information Systems Department. The information systems department is located inside the GD for Environmental resources, while it should be a resource for the entire organization.

Environmental data is partly available at other government entities, CSOs, donors, etc. In no case, the mission found any example of EQA, apart from in the cooperation with PCBS for indicators, requesting data other than when needing it to answer to an incoming request. Hence the review has found that EQA participates in the development of environmental monitoring systems on a reactive basis and lacks a system for collecting needed data[41]. The various indicators accessed are scattered and used in an unplanned manner. There is no initiative to make use of the information in a systematic way as:

- There is no analysis of what indicators are useful for monitoring the Environmental Strategy and trends analysis (for the sector)
- There are no plans to use the indicators as targets, or to adapt the set of targets to be used in EQA's internal, institutional Environmental Information Management.

This is critical as developing and maintaining information systems is extremely costly. The review sees that EQA needs to complete three crucial steps to fulfil its mandate in this field:

1. Create a functioning Environmental information System as a prime tool for advocacy for lifting environmental issues on the National agenda. EQA can, and is expected to, take the lead in creating a Palestinian Environmental Information System.
2. EQA needs to internally analyse which indicators or proxies for indicators are useful in order to measure the strategic environmental objectives.
3. EQA needs to advance from being a data collector to a champion in knowledge management for environment, leading the development through strategic communication based on facts and measured progress or regression. The process is schematically illustrated in Figure 3 below:

Figure 3 The process to become a knowledge manager

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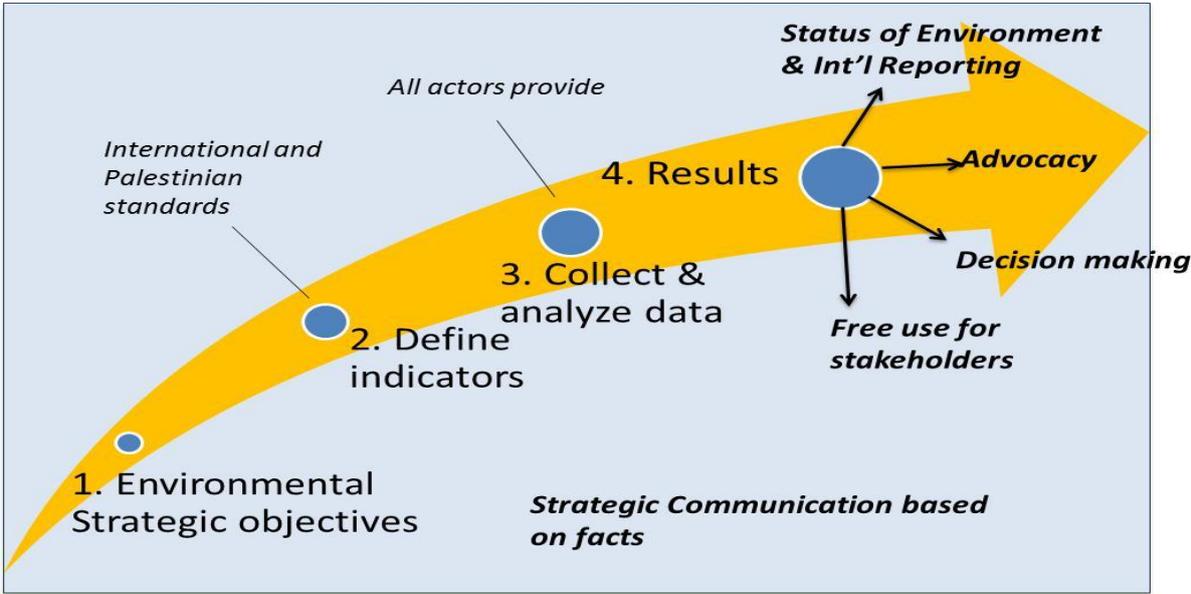
[41] On the PSBC website, only four indicators are available on environment, so this is not yet a comprehensive information source.

Step 1 has already been defined in the Environmental strategy, while the other steps remain to take. When EQA has access to results and can see trends, this should be used as a basis for EQA's own decision-making and institutional planning, being the measuring stick for EQA's performance. In addition, a Knowledge Management System opens up avenues for strategic communication in order to lift environment on the political agenda. It can be used nationally for advocacy within the Palestinian Authority as well as internationally.

It could furthermore increase transparency for citizen and CSO involvement by providing free access of reliable information, considering such information as a Public Good. The basis for a system is a functioning information management system (including the database described in Chapter 4.1.6 for inspection purposes) and a firm management commitment to apply the knowledge gained in a strategic way. A communication strategy would be part and parcel of this knowledge management.

4.5 International conventions and representation

EQA's work with raising environmental awareness, educating partners and international representation and cooperation fall under the strategic objective of integrated sector governance. However for a better logical flow of the report these areas of work are placed here.

The General Directorate for Projects and international relations is responsible for coordinating all international relations regarding representation of Palestine, in an international or regional organisation and participation in a donor funded project. As the General Directorate is small with only 4 staff members it works horizontally across all General Directorates through a system of Focal Point responsibilities. This approach to foster collaborations across General Directorates is unique within EQA and is noted with appreciation by the review. Similarly, it works to hand over responsibilities for donor funded projects to the concerned General Directorates once the project work has started. Such division of responsibilities is not formalised within the organisation, causing sometimes delays in implementing and reporting project related activities and responsibilities.

EQA has identified eight core environmental conventions which they would like Palestine to seek membership in. These are:
1. The UN Framework convention on Climate Change (Rio)
2. The UN Convention on Combating Desertification (Rio)
3. The Convention on Biological Diversity (Rio)
4. The Basel convention on the control of trans boundary movement of hazardous waste and disposal
5. The Barcelona convention for the protection of the Mediterranean sea
6. The Vienna convention for the protection of the ozone layer including the Montreal Protocol for it
7. The Rotterdam convention for the prior informed consent procedure for certain hazardous chemicals and pesticides in international trade
8. The Stockholm convention on persistent organic pollutants

For each environment convention a focal point is assigned, who participate in all conferences and meeting related to it. The focal point responsibility is not formalised in a terms of reference. Sharing of learning's from these events takes place among concerned staff. As EQA's management and technical staff is limited, and the majority of the Gaza staff not operational, this system of representation, in combination with the extensive training opportunities offered under the EU Horizon 2020, has created a negative image of EQA as heavily involved international events.

EQA facilitates access for other agencies to participate in the international trainings and more than 250 persons from EQA and other ministries, agencies, municipalities and private sector have taken part in the Horizon 2020 training courses. There seems however to be some ground for the concern of too

extensive international travelling. This needs to be looked into with more concern and it should be carefully prioritised when EQA must be represented, as it is also a political decision to be present in international fora. The balance between being able to do the work at home, to represent Palestine abroad and to participate in training opportunities offered needs to be managed more wisely for the benefit of the organisation.

EQA collaborates in the work of preparing for the international conventions with the Negotiation Support Unit, NSU. According to the NSU, EQA is working hard and is well prepared and knowledgeable in all the details of the international environment conventions it aspires for membership in and has been participating in COPs meetings for some of them for many years (e.g. combating desertification since 1997 and climate change since 2009). The technical competence of the different focal points is assessed as satisfactory. EQA is aspiring for membership in eight international conventions and is according to NSU well prepared for these. Two require national committees, which are in place (the National committee to combat desertification and the National committee for climate change) and three required national strategies which have also been developed (climate change adaptation strategy, National strategy to combat desertification and national biodiversity strategy). Funding for a communication report on climate change adaptation is in place. According to NSU Palestine will most likely apply for membership in two conventions initially. According to EQA the top two priorities are the Basel and the Rio Conventions. When this will happen is not known.

4.6 Raising environmental awareness

The legal framework gives EQA, together with a number of other institutions (MoH, MoLG and LGUs, PWA, MoA, MoE) the responsibility to conduct environmental awareness with focus on schools. CSOs have the largest implantation capacity for environmental awareness and also conduct the bulk of all work in implementation, production of materials, etc. In addition, JSCs conduct awareness campaigns. These multiple responsibilities and multitude of actors are not conflicting but require coordination at all levels in order to be efficient.

EQA's role according to the environment sector strategy is to strengthen behaviours that encourage nature protection and raises public environmental awareness. EQA has developed the National awareness and education strategy. EQA's main activity today is through schools and during World environmental day and other events. The present Gaza government is maintaining the same type of awareness as its main activity.

Awareness is the responsibility of the General Directorate for Environmental Awareness and Education with a staff of six persons. Much work is done at the regional offices and also through temporary contracted extra staff. While awareness should in principle be an activity by all EQA staff, coordination between GDs is almost non-existent.

Based on the strategy, EQA has developed an Action Plan. A revision of capacity to implement the plan showed that out of the six main activities:
- Two were being implemented (environmental clubs and awareness on a long range of subjects)
- One was implemented to a limited extent (using and developing media, mainly done through press releases)
- Three were not implemented (Curricula development, National centre for environmental training and to make a plan for Environmentally friendly initiatives)

EQA has thus focused on an implementing role to conduct school activities and workshops mainly for women's organisations, as well engaging in direct awareness campaigns. EQA has not showed capacity as a leading agency in developing strategic interventions like curricula developments for schools, development and making materials available for CSOs, using CSOs' pilot projects, research and best practises for increased awareness and to promote training activities through others. Nor has EQA built

relations with media or used media strategically for awareness purposes by lifting specific cases, research and best practises.

The awareness activities in Palestine suffer from lack of coordination between actors, except for during special events and with MoE for school access. Several examples of different awareness implementers showing up at the same schools at the same time were reported. The environmental law gives EQA a coordination mandate but this is a responsibility EQA has not assumed. As a consequence, there is no lead agency, which can coordinate and ensure efficient use of resources available.

4.7 Education of partners and advocacy

With support from Sida/UNDP EQA has made some positive steps towards educating governmental bodies like the police, judges, and lawyers in environmental concerns. The recently finalised awareness and education strategy (also developed under the Sida/UNDP project) outlines strategic objectives which focus on media, curriculum development and environmental ethics under which a number of policies and interventions have been set to ensure the implementation. The strategy and action plan are targeting line ministries and other partners. The policies can be described as cross cutting and the interventions as multi-level and EQA has identified governmental and non-governmental partners and players. The strategy is assessed as relevant and useful. However it does not include interventions for internal assessment of needs and capacities that EQA needs before it identifies and leads interventions that are multi-sectorial and require multi-level action (from awareness campaigns to legal framework development and international advocacy). EQA's strategy focuses on indicators and results but lacks a focus on the design and development stages of the plan and institutional framework to reach the outcomes. This would entail customizing intervention strategies for each environmental priority and targeting the right groups with the right messages. In this way, EQA could build alliances with main actors in the environmental field.

Hence, EQA has identified potential partners and counterparts to promote education based on a long term strategy to advocate and lobby on multiple fronts and levels. Understanding that environment is a low priority in government policy and within the general public EQA need to start working with targeted strategic communication towards the PA, based on evidence based analyses of statistics, data and other organizations' documentation. Such efforts should be intensified as part of a strategic plan to change behaviours and mainstream environment into Palestinian culture.

4.8 Research

EQA is mandated to coordinate environmental research programs and to formulate joint research cooperation programs. EQA's role as a regulatory and policy body is to encourage, guide and facilitate research on pressing environmental issues in Palestine. EQA is also expected to compile, analyse and make use of research results, provide information about on-going research areas and identify topics which need more research. EQA hence has a role to play as an official reference point to maintain a database of on-going research and studies which can guide the work of stakeholders like universities, CSOs and research institutes. Results from research is one of several inputs into becoming a centre of knowledge, but also to provide a background for strategic communication and management decisions as described in section 4.4. Having compiled information on on-going research on environment in Palestine, EQA could derive its strategies, influence decision making and guide others towards research areas. The advocacy efforts of EQA will also be strengthened and will leverage EQA's advocacy positions on national and international levels.

EQA is currently not involved in guiding research on environment, leaving available research today more organization-specific and project-based.

4.9 Relations with civil society

Around 35 Palestinian CSOs are engaged in the environment field implementing projects, monitoring Israeli environmental violations, being documentation centres, conducting research and engaging in awareness raising in communities and schools. Projects vary from a vast number of areas i.e. conservation, recycling, alternative energy, composting, tree planting, water rights, climate change mitigation and ecological farming. Funding is provided directly from donors, via INGOs and from the small scale GEF fund and16 have more substantial donor funding. A few CSOs are large, well established and have experience since before the establishment of the PA, while many remain small and operate voluntarily at the community level. Due to the scattered nature of donor funding many projects are duplicated and not coordinated. The focal body PENGON works to coordinate activities, joint advocacy and share information among its 17 members. The network EWASH facilitates international advocacy among INGOs and UN agencies, mainly in water and sanitation. PENGON tries to include EQA in its campaigns while there is no coordination between EWASH and EQA.

There is a general apprehension that EQA tends to look upon Palestinian CSOs as competitors for project funding rather than as partners in protecting the environment. While the relations with EQA are in general considered weak, CSOs are usually approached by EQA and vice versa to carry out environmental activities for raising awareness. EQA's role in their activities is often official representation and in some cases giving lectures. For EQA, CSOs facilitate access to participants for its workshops in the communities. CSO staff are also hired as freelance consultants for EQA. Civil society has long experience in documenting environmental aspects and working on campaigns and community development. From their perspective, EQA is seen as a regulator and planning and monitoring body which has never received sufficient national attention as environment remains not a priority. The lack of enforcement mechanisms, weak relations with other ministries and lack of continuous follow up by EQA has weakened its role and contribution to the environment field, according to CSOs.

Two departments in EQA have different roles in relation to CSOs which appears not connected. One is the legal department which receives CSO profiles when CSOs register with the Ministry of Interior if their areas of operations are environment. The lawyer assesses the documentation and has the responsibility of following the activities of CSOs through their annual progress and financial reports. While it can be argued whether this is the right place for this information, a knowledge base regarding CSO activities already exist in EQA which needs to be made available for other parts of the organisation. Some donors require that EQA issues support letters to CSOs prior to receiving funding and The Global Environment Facility (GEF) is playing a significant role in this sense by mediation and coordination between civil society and EQA. It insists on that environmental projects should be aligned with environment sector strategy and be approved by EQA. As EQA is a member in the GEF steering committee, a higher level of coordination and follow-up is established. This responsibility is held by the General Directorate for international relations. The General Directorate for awareness and education does not have a strong relation with civil society. Likewise the General Directorate for Natural resources appears to have limited collaboration with civil society. There is hence no department in EQA that plays a central role to guide environmental civil society work. Without this lack of meaningful coordination with CSOs, environmental projects remain donor led and with no prior consultation with EQA. CSOs lists many important roles related to knowledge management which they would wish EQA to play: to host and be an umbrella for debates and regular meetings with local and international CSOs, to provide materials for awareness raising and share it through a web based electronic resource centre, to be recognised experts and facilitate bringing Israeli violations to Israeli courts, to ensure mainstreaming of environment in all sector strategies, to be an official reference point for studies and research, share learnings from demonstration projects and become an environmental data base centre.

4.10 Conclusions: Key capacity gaps in operations

EQA has managed to fulfil a small proportion of responsibilities in combating the highest ranked environmental problems in Palestine. There has been a positive development in terms of regulatory framework and strategy documents but EQA has not converted its own priorities into practical action. Lack of resources is a contributing factor together with a lack of a strategic vision and clear priorities in operation. An important finding is that EQA needs to balance priorities with capacities and consider becoming a player at a higher level, i.e. a supervisory or strategic leader for monitoring with expert knowledge, a system designer and a capacity builder. EQA lacks expertise for the two highest ranked environmental problems, i.e. solid and hazardous waste and wastewater. In addition, EQA lacks implementation capacity for the third prioritised area of Industrial pollution.

Solid waste

While the legal and regulatory framework[42] covers all areas reasonably well, EQA is not playing the assigned and expected roles, which leaves four major gaps in the solid waste process. The gaps which limit a continued positive development for solid waste, next to Israeli delays in permits are:

   (i) Almost no independent inspection of dumpsites, landfills, transfer stations and transports
   (ii) Little guidance for mitigation measures when a problem is discovered
   (iii) No clear national leadership for development of the *entire* chain of solid waste management, which remains scattered and driven by strong local initiatives, especially the JSCs or donor projects.
   (iv) Knowledge gaps in recycling systems, mitigation of pollution risks and energy production from waste

Hazardous waste

There is still a gap in the regulatory framework, except for medical waste. There is also a major problem related to having to send hazardous waste to Israel. Hazardous waste needs to be managed centrally due to its' complexity. In operations the major gaps are:

   (i) Lack of a lead development agency. EQA is expected and authorized to take that role, including advocacy within PA and contacts with the Israelis.
   (ii) Need for finding technical solutions to a difficult problem.
   (iii) No identification of individual sources of polluters and polluting agents.
   (iv) Lack of capacity to utilize the existing survey of hazardous waste from 2010 and for all steps of implementing the plan except for the legal framework.

As a consequence, hazardous waste receives almost no support. There are large expectations on guidance from EQA, which EQA cannot meet, lacking resources and active working instruments. EQA needs to internalize and put into practice an institutional vision or plan for how to fill the void and take the available information forward. EQA could utilize the fact that it has international access to an extent that others do not.

Wastewater

EQA is a supporting agency in wastewater, but does not perform the follow-up duties assigned for influents and effluents to treatment plants, primary treatment and identification of polluters and pollutants. In wastewater it is relatively easy for other institutions to step in and fulfil some of EQA's duties, but there are still gaps left in practice:

   (i) The role as supervisory inspector. All other actors have self-interests in monitoring and MoH only monitors for biological and health hazards. Only EQA can take on the role as independent monitor.
   (ii) Lack of identification of sources of pollution (industries and institutions) in both West Bank and the Gaza strip and monitoring of industrial wastewater flows along the entire chain.

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[42] When taking draft documents into account, like the bylaws for hazardous waste

(iii) Development and enforcement of primary treatment of industrial wastewater

Industrial pollution
Referring to the large role of EQA for preventing industrial pollution, there are six major competence gaps in the process:

(i)   Inspection, monitoring and law enforcement are very weak
(ii)   No guidance for preventive action or mitigation measures
(iii) EQA is unprepared for managing increased self-monitoring responsibilities from the industrial establishments
(iv)   Lack of synthesized data to plan inspections, primary treatment and to monitor development of industrial pollution.
(v)   If industry develops in Gaza, there will be huge challenges to develop the necessary skills for surveillance.
(vi)   The need for legally binding regulations between MoNE-EQA-MoH to ensure that all establishments obtain environmental approval (which then EQA is obliged to follow up)

As a result, industrial pollution remains largely uncontrolled. The regulatory framework is being developed and for many years to come, the main challenge will be to implement what is already there. EQA as the main responsible institution does not play its assigned role, which leaves these gaps open.

Monitoring and Inspections and EAs
The process for environmental approvals is designed and functions well as a process when applications come in, but with some concerns regarding EQA competence, especially for EIA assessments and consistency of documentation. EQA lacks capacity to use follow-up approvals through monitoring and inspection.

The vast majority of industrial establishment escape control. Many of the gaps and weaknesses for the three major problems above of waste, wastewater and industrial pollution are direct consequences of the absence of a functioning system for monitoring, inspections and law enforcement, where the following gaps are major concerns:

(i)   Limited follow up inspections of Environmental Approvals, absence of environmental audits
(ii)   Lack of registries and consistent documentation
(iii) No prioritization of inspections according to frequency and environmental risk
(iv)   Weak or absent coordination between institutions, except on complaints, leading to inefficient use of scarce inspection resources.
(v)   The link between violations and enforcement is very weak.

Some remaining manuals, regulations and instruction may be useful tools to develop, but will achieve nothing in isolation from a functioning structure. Performance in monitoring and inspection is the main expectation on EQA, and the key instrument needed to allow other actors in environment to fulfil their mandates, as well as for EQA fulfilling its own role. To establish this must be the top priority among all suggestions for improvements made in this report.

Other technical areas

EQA needs to move away from aspirations on direct implementation and undertaking inventories of biodiversity by the staff to initiate studies, control quality, lead and supervise and with time become an official knowledge bank for all resources and references to biodiversity in Palestine in close coordination with civil society. EQA can initiate and ensure quality of inventories, be a watchdog for biodiversity, raise awareness and provide inputs into policies, strategies and regulations.

There is also a need for EQA to find a solution to institutional controversies around nature reserves as it lacks sufficient resources for direct management on the ground. EQA should concentrate its work to lead collaboration efforts, inventories, dialogue, regulations and supervision of the reserves.

Little knowledge exists on sustainable extraction levels for natural resources and EQA needs increased internal coordination around environmental approvals as well as building cooperation mechanisms with especially MoNE for licensing of extractive industries.

Climate change is an area already receiving some extra funding and with a large potential for attracting more funds. Access to international climate funds would strengthen EQA's work on climate change as the issues yet lack a solid legal and political backing on a national level. EQA is the lead agency and needs to take this opportunity to also work more inclusively with other departments within the organisation in order to maximize benefits and efficiency. EQA needs to increase advocacy work on national level to mainstream climate change adaptation and combating desertification.

Emergency planning is an area where EQA is almost entirely absent, but where it could, and is expected to play an expert role for environmental related disaster planning.

Environmental information systems
There are many simultaneously on-going processes for developing indicators and environmental monitoring systems. In order to fulfil its role, EQA needs to move from being data collector to a champion in knowledge management, creating information tools for strategic external communication as well as for its internal result-based management. The process needed is illustrated in Figure 3 and in the text in Chapter 4.4.

The understanding of needs from policy makers and to fulfil EQA's mandate should be the driving forces behind developing an Environmental Information System. Information management hence needs to be placed centrally within EQA and not left to a technically oriented function. In addition, becoming a centre for documentation of Israeli violations could raise EQA's status in Palestine.

International conventions
EQA has satisfactory capacity and competence for its work with international conventions and is considered an important strength of the organisation. Main concerns are noted regarding prioritising international work on account of national work due to limited human resources. This needs to be carefully managed.

Strategic communication
EQA's limited attempts to coordinate awareness raising activities and take on more strategic roles leave a gap in environmental awareness and leads to inefficient use of available resources. EQA needs to shift from direct implementation of awareness activities to providing strategic guidance, coordination mechanisms and strategic use of media to cover environmental issues. Efforts must be initiated to mainstream environment in all levels of society with less focus on implementation, a role being played by civil society and education centres and which is at the moment scattering the efforts of EQA.

EQA has developed a good strategy which is yet to be implemented. To reach there, EQA needs to make a shift of minds towards strategic communication towards important partners in environment. In order to lift environment on the agenda, EQA needs to argue environmental issues in a strategic way and market itself as a specialist agency within environment. Hence, it needs to develop staff capacity to carry out successful advocacy towards other government agencies. The issues in the awareness plan need to be prioritized accordingly. Strategic communication could be partly done in partnership with CSOs. EQA needs to:
　　1) Revise and identify its priority roles and needs to achieve the 3 main objectives of the strategy

2) Carry out an internal needs assessment of its capacity and outreach to achieve the outcomes expected from its action plan

3) Move beyond identifying partners for implementation support to strategic partners to reach objectives.

Research is an area which EQA has not yet started to address. It has not specified areas of research, potential partners or mechanisms to promote research which would be useful to fulfil the legal responsibilities or reaching the strategic goals. Through strategic partnership with universities, research centres, and civil society organizations, research on environment could be refined, unified and used in a more effective way.

In relation to all the outreach roles EQA needs to maximize the use of scarce resources in Palestine. This entails changing its perception of civil society from competitors to partners. There is a lot to gain by building positive collaborations.

Summary of key gaps in operations:
EQA's responsibilities and main expectations can be summarized as being (1) A leader in Environmental Protection and (2) a resource for environmental knowledge. EQA is not meeting these expectations and the major capacity gaps in operations are:

7. Not ensuring implementation on the ground through effective operating systems
8. Not being able to assume lead functions for Environmental protection
9. Not being able to assume the role as knowledge centre with expert organization functions
10. Not sufficiently looking for partnership opportunities with other more resource-strong organizations
11. Applying a reactive approach instead of providing leadership with clear priorities
12. Ineffective monitoring and law enforcement that covers only a marginal proportion of establishments.

5. EQA's internal governance, structure and management systems – challenges and capacity gaps

5.1 Strategic management and leadership
EQA is led by a newly appointed chairperson and a deputy chairperson. As of yet there is no division of roles and responsibilities between the two. Since the chairperson is still newly appointed she has focused on analysing the organisation. While this is wise and commendable the present situation is creating uncertainty within the organisation and needs to be clarified. An assistant chairperson is based in the Gaza Strip but has not been able to perform any leadership function during the period of political divide.

The review has found that EQA has suffered from a limited visionary leadership and high expectations prevail internally and externally on the new chairperson. The lack of strong leadership with a clear vision, set priorities within EQA's mandate and strategic goals for the institution's development which are regularly followed up are seen as important reasons for EQA's weak performance. Absence of a clear direction is a likely explanation for EQA's reactive and ad hoc based manner of operations and for entering into disputes regarding the boundaries of its mandate instead of providing guidance and coordinating the development of the sector.

5.2 Management structure, systems and routines
The chairperson and deputy chairperson constitute the senior management. This management team is not institutionalised.

There is no formal management team in which the General Directors are part and forms for interaction between the senior management and the general directors are not defined. Likewise horizontal interaction between general directors is not formalised. No set routines are in place for regular (weekly or bi-monthly) management meetings with a standard agenda and minutes taken. It appears to the review that appointing a formal management team has never been the practice in EQA. Regional directors are not seen as part of the management structure and there is no routine for joint meetings with the three levels of managers. This does not mean however, that General Directors do not meet. Parts of the group seem to frequently interact informally and their personal interaction appears good. The main mechanism for formal meetings for joint decisions is through ad hoc committees based on needs arising, e.g. orders from the Cabinet of Ministers, recruitment possibilities and training opportunities.

5.3 Adequate organisational structure and delegation of authority

5.3.1 Head office

Three different organograms of EQA exist. One is from 2005 and shows EQA as an authority, one is from 2011 and was drafted by a consultant as part of defining scenarios when it was not clear if EQA should become a ministry or an authority and the third is from 2013, showing a ministry structure. Different views prevail within the management regarding which chart presently applies. Both organograms from 2005 and 2013 have been approved by the Council of Ministers but there is no formal decision regarding which to use since EQA is again an authority. In practical terms the 2005 organogram is the one used. An English translation of the 2005 organisational chart is found in Annex 5.

A key question for the review has been whether EQA has a purposive organisational structure to direct its operations. Apart from the unclear legal status of the organisational structure, the review has found several challenges with the structure itself. Whether these are within the possibilities of EQA to address or not needs to be further explored with the PA General Personnel Council. The first point is the oversized structure in relation to the limited number of staff. EQA's organisational structure is based on EQA's mandate according to the environment law and as previously indicated the mandate and mission are very broad. Hence the structure is bigger than the available human resources. This unfortunate situation takes away the purpose of having an organisational chart as the intention is to show for staff and external stakeholders how the institution has organised itself to fulfil its objectives in a logical and efficient manner. If 50% of the departments and units are vacant and therefore non-functional, the chart loses its meaning. As EQA has been limited funded, the review understands the challenges with having a limited number of staff and therefore argues that these must be most efficiently used, based on a deliberate prioritisation. The organisational structure should reflect a realistic prognosis of possible expansion of staff for the medium term. Secondly, there are overlaps between different general directorates which create some friction and make them focus on boundaries rather than collaboration. Thirdly, most departments have only one staff member, often a director. The present model of organisation based on thematic units is rigid and person based and does not encourage team work as the strict boundaries do not allow for staff to step in and support others when one person is absent. There is limited interaction both within and between the General Directorates. With a limited number of staff EQA cannot afford to operate in this manner. Instead of specifying each technical area as a separate organisational entity, EQA is encouraged to organise the staff of each General Directorate in teams with responsibilities to manage the processes of the General Directorate. As a starting point, each General Directorate needs to better define its key processes and which responsibilities these entail. This type of functional descriptions is presently insufficient for most parts of the organisation. Based on functional descriptions clear job descriptions for each staff member should be drafted, instead of using boxes in a chart and titles to define responsibilities.

The organisational structure has several duplicated units, as well as redundant units and divisions. Through an organisational review duplicated units and redundant units/divisions could be removed and responsibilities which are not efficiently located could be moved to a more suitable place in the structure. Examples are the internal auditing department and the internal monitoring department which are to a large extent duplicating the internal audit function. One of them is therefore not functioning. Another example is the environmental approvals department within the General Directorate of Environmental Protection, which is not needed at head office level as this responsibility is delegated to the regional offices. A third example is the Employees affairs department and the Human resources department within the General Directorate for Administrative and Financial Affairs would benefit from being combined to manage the human resources of EQA. Another example is the central function of the Information systems department which is located within the GD for Environmental Resources but should be a resource for the entire authority and therefore would be more efficiently located at another level. Examples of important responsibilities which are not visible in the organisational structure are waste water, climate change and environmental emergency planning. Thematic areas as climate change and sustainable development could however be organised as cross cutting themes and be mainstreamed within several General Directorates. An organisational review would clarify the responsibilities of each General Directorate, remove areas of disputes and organise the priorities more efficiently based on a realistic prognosis of expansion of human resources for the medium term. Such review goes beyond the scope of this study.

5.3.2 Regional offices

The regional offices are EQA's point of interaction with society. The regional offices are located under the General Directorate for Environment Protection while their mandate is broader and in most cases include awareness raising. The mandate of the regional offices should include those of EQA's responsibilities which do not need to be centrally conducted. Examples of such responsibilities are local planning for key environmental areas, awareness and cooperation with CSOs in campaigns, research, surveys and inventories, natural reserves supervision and full delegations of environmental approvals with IEEs. The regional directors are responsible for the staff and operations of the regional office but do not have direct access to all General Directors. Likewise, the General Director for Environment protection does not have the full responsibility for the functionality of the regional offices and is only responsible for staff related to environment protection. Staff working with awareness or administration are not working in coordination with the other general directorates. Hence there are several gaps in the delegation of responsibilities. All communication with head office goes through the General Director of environment protection which is a cumbersome and inefficient way of communicating resulting in long delays. The present location of regional offices under one General Directorate is hence considered ineffective. In a handful of cases there is a mixture between head office functions and regional office responsibilities as several head office directors hold double responsibilities and are based in regional offices. This way of managing head office responsibilities appears not to function well due to the limited flow of information in the organisation.

The review has found that no systematic approach to management of the regional offices is exercised by the head office. There is minimal regular communication and limited flow of instructions, feedback or follow up of plans and reports sent. No management meetings are held between the General Director and the regional directors. Meetings take place on ad hoc basis when a regional director goes to the head office for following up a specific issue. Nor is there a forum for joint discussions or sharing of experiences between regional directors. Each regional office operates in isolation, detached from the head office and tries to do what it can within its limited boundaries. An example of inefficiency is the responsibility to decide on environmental approvals in cases where environmental impact assessments are not needed which is formally delegated to regional offices. Despite this, signatures from the director of environmental approval and the general director are still needed for a decision. Hence the only formal delegation of authority which is given is taken away in practise.

5.3.3 Gaza organisation

No organisational chart was given to the review team which includes the Gaza organisation. The Gaza organisation used to mirror the head office structure with an Assistant chairperson and the general directorates led by deputy general directors or general directors, depending on the West Bank structure. One regional office was supposed to exist in the Gaza Strip. The Gaza organisation has due to the political divide been idle since 2007. Most of the 106 staff members have not been working, while a small number has had permits to work as lecturers, consultants or in CSOs. Some staff members have used the time for obtaining higher education and the Gaza staff are considered highly educated. This is a clear strength when reactivating work in the Gaza Strip and will be a great asset for EQA. Approximately 20 staff have reached retirement age or left for other reasons. In light of the political development, the Gaza organisation should be reactivated as part of the larger political process of the reunification. The main challenge with reactivating the Gaza organisation will be to reorient the staff towards a working mode of mind, as they have been out of practise and out of contact with their professional field for seven years. It will require extensive managerial efforts to get the staff back into work, to unify national action plans and work plans and make the staff operational again. In combination with this, physical assets are lacking and EQA does presently not have any adequate premises, systems or vehicles.

A small parallel environment authority was set up by the Gaza government and has been mainly involved in scattered awareness rising activities during the period of the political divide. Its 15 to 20 staff members are reported to be mostly at junior levels. Following the reconciliation and the newly established government the two Gaza organisations should be merged. On the technical level this is not considered to be challenging since the technical people know each other and can cooperate well. An advantage is that the total number of staff from both organisations will fit within the former number of employees and in addition some new recruitments are foreseen, where relevant specialist competence can be sourced.

5.3.4. Functional descriptions and job descriptions

Brief functional descriptions of the General Directorates were given to the review. EQA needs to elaborate these further and outline the main key processes which each General Directorate are responsible for and which results such processes should lead to. This should be done as part of a process to define EQA's most urgent priorities and where its human resources should be focused.

Only approximately 20 staff members in the West Bank, who are recently recruited, have job descriptions. A clear job description is compulsory for any new recruitment and must be approved by the PA's General Personnel Council. For the majority of the staff however, the only specification of responsibilities are the title, the organisational structure and the general, limited descriptions of levels of responsibilities in a government manual for staff planning. To develop job descriptions for all staff is a priority.

5.4   Strategic and operational planning, follow-up and reporting

The General Directorate for Policies and Planning is responsible for coordinating and following up the environment sector strategy. Its responsibilities mainly lay on planning and policy formulation on sector level and less on the institutional level. The General directorate have four staff members while three departments are vacant. The Action Plan for the Environment Sector strategy 2011 -13 outlined some 35 activities for EQA. As only one or two were implemented this list became more of a wish list than a plan. In addition to the Environmental Sector Strategy EQA has successfully developed many environmental sub-strategies in cooperation with other partners, i.e. for Desertification, Biodiversity, Climate Change, Solid Waste and Environmental Awareness and Education. These strategies contain action plans with interventions indicating responsible parties (such as EQA, MoLG, MoH, etc.), but lack

fundraising plans. Nor has EQA developed own plans for its responsibilities in any of these strategies or fund raising plans or included such interventions in its annual plans. No previous efforts have been made to evaluate the implementation progress of these strategies, apart from the Environmental Sector strategy. EQA also not developed strategic objectives or a strategic plan for its own institutional development. Hence the strategic planning in EQA at the institutional level is considered weak.

EQA does not have a practice of preparing a consolidated annual operational plan for the whole authority. Each general directorate and regional office used to prepare their own work plans without a common standard template. Feedback or follow-up by the immediate managers were normally not provided. All work plans included the routine work but did not include interventions for implementation of the environment strategies or the sector strategy, unless funding was secured. During the first quarter of 2014 a consolidated annual plan for EQA was prepared for the first time, coordinated by the General directorate for Policy and Planning. This is a positive step in the right direction. The 2014 annual plan is however considered lacking results focus and only includes the routine work of the general directorates. When the review discussed planning practises with the regional offices there appeared to be little difference from previous years in the routines and most plans did not include targets for indicators. Whether the plans were used or not as management tools varied between the regional offices and seemed to depend on personal efforts. The 2014 annual plan is divided into quarters but so far no review has been done.

At the end of the year each general directorate prepare an achievement report showing achievements but with no linkage to work plans and without analysis of deviations. The General directorate for policies and planning consolidate the reports into one and sent it to the Cabinet of Ministers. During 2014 consolidated quarterly activity reports are instead sent to the Council of Ministers, still being prepared without linkages to the annual plan.

5.5 Budgeting, financial management and control

5.5.1 Budgeting

A programme-based budgeting system is applied by the Ministry of Finance (MoF) where allocations are made through separate processes for recurrent costs and development budgets based on Strategic Development Plans for all Ministries and Authorities. EQA's recurrent budget is structured according to three programmes. The programmes are 1) the pollution control programme, 2) the natural environment protection programme and 3) the administrative programme. The programmes do not correspond to the boundaries of the general directorates and general directors do not have budget responsibility. Instead, the directors of the budget programmes are the internal controller (administrative programme), the Public health director (pollution control programme) and the fundraiser at the international relations GD (the natural environment programme). The logic for allocating these responsibilities is not clear for the review. Likewise, regional offices do not have any budget responsibilities. The total expenditure ceiling for recurrent costs is divided between the programmes as follows: administration 30%, natural environment 30% and pollution control 40%. Whether this is a rational division based on priorities is not possible to assess. All release of funds is centralized to the Ministry of Finance (MoF).

Tight budget control is executed and is considered a strength. The General Director for administration and finance and the Finance Director follow-up and analyse the expenditure situation every two weeks, while the MoF monitors on-line continuously through the accounting software and through the controller who spends three days a week at EQA checking all expenditures.

5.5.2 Financial management and control

EQA's financial department composes of a chief accountant, a person responsible for petty cash and the finance director. There is strict financial control and a clear process with separation of duties for procurement, accounting and disbursement. Orders, delivery and supporting documents for payments are checked at several levels before the MoF issue clearance for payment. Payment requests are made electronically within the accounting system. Transfers and checks are signed by three signatories. EQA's financial control with clear routines is also considered a strength.

Financial reports are prepared monthly, quarterly, bi-annually and yearly by the finance director to the General Director for Administration and Finance and the Chairperson. Two internal audit departments are supposed to monitor different internal financial processes placed at different levels in the Authority and the MoF exercise weekly internal control. The State Audit and Administrative Control Bureau undertakes annual audits. Duplication of responsibilities between the two internal auditing/monitoring departments is found and the Internal Auditing department within the GD of Administrative and Financial Affairs is considered not needed by both the directorate and the review.

EQA has limited recent experience in managing large donor funds. The same strict financial procedures are applied and project audits are done according to donor specifications by private auditing firms.

5.6 Human resources management and development

Human resources management and development is managed by two departments under the General Directorate for Administrative and Financial Affairs; i.e. the Employee Affairs Department and Human Resources Development Department, both with one staff member each. These are desired to combine into one Human Resources Department.

5.6.1 Human resources planning

The MoF and the General Personnel Council have initiated a pilot project for staff planning for 2013 – 15 which applies for all ministries and authorities. A manual has been issued for this purpose. All staff needs for two years should be assessed and vacancies prioritised. According to the instruction, prioritization of the most urgent needs should be made, clear job descriptions developed and the organisational chart needs to illustrate the need for new recruitment for it to be approved. The last point places a challenge for EQA due to the challenges with the present chart. To indicate needs through names of vacant units in a non-functional organisational chart is not seen as an appropriate tool for defining staff needs.

Recently a collective decision was taken by the director general recruit 11 new positions based on a clear instruction given by the chairperson to prioritise inspection and awareness raising. While the collective decision making is commendable a more systematic approach to staff planning is needed. On the institutional level EQA's human resources planning process needs to be based on a strategic institutional development plan for EQA, setting out priorities and directions for the short and medium term. EQA should develop functional descriptions of prioritised key processes for each General Directorate, assess the required team composition to manage these processes and develop clear job descriptions, specifying responsibilities and required expertise for each team member. Based on such analysis an inventory of existing staff can be done and compared with defined and prioritised needs. Long term plans for how gradually improve the situation through competence development and recruitments can be developed.

5.6.2 Recruitment, transfers and internal rotation

Clear and adequate procedures for external recruitment are found to be in place. A web based form is used for applications and initial screening. Tests and interviews are used in combination and concerned

general directors and the Employees Affairs department take part in recruitment committees and interview panels. At times internal recruitments are used and such positions are posted on the notice board and sent internally through e-mails. Similar procedures as for external recruitment are used and an interview panel conducts the interviews. This is also assessed as satisfactory.

Less successful is the rotation of staff which has been tried within EQA. This has created a situation where staff members do not hold the required qualifications for the position. The practice has also been rejected by many and is now stopped. Regional directors have expressed frustration to lose qualified staff. With the already unclear expectations on staff it is not advisable to force staff to rotate, as this will create more confusion and reduced motivation. However, internal recruitments should continue to be encouraged as staff would change positions based on qualifications.

Another challenge for EQA is the system of transferring staff between ministries. It appears to the review that this has particularly affected the regional offices, but to some extent also the head office. This has created a situation where some staff who lack qualifications in environment have been placed in the regional offices and thereby becoming the local face of EQA. This might in itself be more harmful for EQA's reputation than having vacancies. The review understands that this is part of the foreseen public sector reform and might be beyond the possibilities for EQA to influence.

5.6.3 Appraisal and incentive system

EQA is bound to use the government's performance evaluation form which should be used for all government employees. The application of the performance evaluation system has changed several times in EQA with the changed senior management. A policy for performance assessment and benefits has recently been drafted, stating criteria for distribution of benefits in an attempt to make the system more transparent. The performance evaluation is done by the immediate manager without a discussion with the employee. Meetings are only conducted if the performance is poor. The employee has to approve or disapprove the scoring. It is difficult to improve the system, as performance is linked to distribution of financial benefits. An honest rating might have financial consequences, which in turn will affect the manager – employee relationship. Many managers are not willing to take this consequence and therefore inflate the rating in order to have peace in the office. This practice has been noticed within EQA.

The fact that the employees don't have job descriptions creates a major fault in the system in the first place,. The expectations of their performance is not clear, while performance is one of the evaluation criteria. In a functioning performance based incentive system realistic performance goals should be set together with each employee based on the job description and work plans at the beginning of the year. All employees who meet such objectives should receive the financial incentive. It might be beyond the possibilities of EQA's management to change the government incentive system. However, real appraisal discussions could still be introduced as a separate process for improved management based on job descriptions and work plans. The manager and the employee would discuss in a planned and structured way, the employee's performance based on the job description and define areas for further development in line with the desired direction of the organisation. Constructive feedback should be given by both. As the review has found that there is limited praxis of giving feedback to employees within EQA, institutionalising an annual appraisal discussion without linking it to financial incentives could be a healthy step to take.

The performance evaluation is a condition for promotion in the government system. After three years of positive performance evaluations the employee receives a promotion. Since most staff have been with EQA for 14 years, many staff have reached the level of directors. This has created the present situation where most technical staff are directors without employees in their departments. Since they don't have job descriptions this can create situations where some staff refuse to do certain types of

jobs which are considered as below their levels. This could be a contributing factor to EQA's weak performance and should be dealt with in an organisational review.

5.6.5   Human resources development and staff care

There is no linkage between the performance evaluation and the human resources development in EQA. A separate request for training is filled by each staff member at the beginning of the year, which is approved by the immediate manager and compiled into a training plan. The training plan is submitted to the General Employee Council and approved if there is development budget space. As such it becomes a "wish list" instead of a plan. EQA has hardly received any development funding from the government for human resources development. Therefore, preparing the training plan has become a mechanical exercise of copying from previous year where nothing has been implemented. A parallel system for capacity building of technical staff exists through the regional EU programmes, mainly Horizon 2020 and Clima South and technical staff frequently participate in international trainings. This has created an imbalance in the organisation where administrative staff has not received any competence development while technical staff has frequently attended international trainings. Routines for share learnings in the organisation in a systematic and structured manner to lift the environmental competence are limited. Hence the review has found that the learning culture within EQA needs further development.

UNDP, through the Sida funded pilot project tried to rectify this situation and opened up the training offered through the project for all staff. 12 courses were implemented in general management, communication and team building in which staff from different parts of the organisation attended together. Breaking internal barriers and opening up communication across the directorates were seen as the main results of these courses, while the content of the courses were seen to have more limited results. This indicates that there had been limited attempts of staff care within the organisation with no staff days or social event for the staff.

5.6.6   Work culture and communication

The review has noted a positive will to improve the performance of EQA among staff and a common awareness of the challenges. These attitudes are positive and crucial strengths for EQA which lay the ground for a possible change process.

The review found that a non-conducive work culture appears to have developed internally in EQA over the years. Most characteristic for this culture is to work in isolation and protect the borders of one's work. While personal relations between managers appear very good there is limited cooperation across the general directorates and there is no internal flow of information and documentation in the organisation. EQA does not have an internal documentation system which makes information available for all apart from the recently introduced archiving system of correspondence developed with support from GIZ. The review has found a lack of systematic management practises and leadership, combined with weak management systems for planning, follow-up, analysis, reporting and evaluation. As limited follow-up and feedback is given to staff, and there are few attempts towards teambuilding, staff motivation is negatively affected.

Internal and external communication is weak. Internally, there are common complaints from all regional offices that communication with head offices is slow and limited and often no responses to requests are given. The regional offices are to a large extent detached from the head office and there is limited exchange of information. Communication patterns follow hierarchical lines and colleagues at the same level do not communicate directly with each other's but through their managers. There are no routines for internal communication such as general staff meetings or systems such as an intranet or an internal news bulletin sharing the same information in the whole organisation. Both vertical and horizontal internal communication is considered inadequate. Externally, EQA is accused of not

attending meetings, not communicating reasons for absence or apologising and not replying to letters, creating a negative image of EQA as unreliable. Long delays in environmental approvals affect the performance and the public perception.

5.7 Conclusions: Key capacity gaps in internal management

A number of challenges have been identified in EQA's internal management systems and routines but also some important strengths. This section summaries the conclusions regarding EQA's internal management.

The main conclusion is that EQA suffers from a weak internal governance structure. This is the chain of command to direct the organisation and could be described as an organisation's "spinal cord". The internal governance structure starts with EQA's mandate and mission statement, continues with organisational medium term objectives, implementation plans for environment strategies, the management structure, an adequate organisational structure, functional descriptions and finally job descriptions. The review has concluded that each level in this structure is weak and needs to be formalised or improved. As a consequence it is difficult to direct the organisation and to hold anybody to account for his or her performance with this system. Most likely, many staff members are not clear on what is expected of them, or which responsibilities and duties they actually have. Therefore, it is not surprising that the external impression of EQA is that it is not performing well. EQA's management needs to rectify this situation and build an internal governance system with all components which will lead and direct the organisation.

The review concludes that a strategic leadership, with a long term vision is needed for EQA. The appointment of the new chairperson, combined with the timing of conducting this review and Sida's aim to support the environment sector in a more holistic way provide an excellent opportunity to rectify this situation and start to execute the leadership that is demanded internally and by external partners and donors.

Following this overall conclusion, more detailed conclusions are that EQA's management structure needs to be formalised on senior level, middle management level and on national level, including regional directors. Clear duties and responsibilities and set routines for decision making and follow-ups, connecting the management levels in the organisation need to be developed and communicated internally. Pending the political developments, the management structure needs to include the Gaza organisation and set unified routines for joint and separate meetings with clear reporting requirements.

Several challenges were found regarding the appropriateness of the organisational structure. It is concluded that the present structure is no purposive enough to direct EQA towards key priorities and does not sufficiently represent a realistic expansion of human resources. An organisational review to create a more adequate and realistic organisation which does better reflect priorities is needed and could be part of a future institutional development support. Clear functional descriptions are needed and most staff lack job descriptions and terms of references for special assignments, delegating duties and responsibilities.

The review has found that there is a gap between the head office and the regional offices. The regional offices are the main points for interaction with society. The mandate of the regional offices needs to be broadened to reflect more of EQA's responsibilities at the regional level. Many of EQA's functions have central character and needs to remain at the head office level, such as leading national committees, formulating policies and instructions etc. but more delegation to regional offices would be beneficial in local planning for key environmental areas, cooperation with CSOs in awareness campaigns, research, surveys and inventories, natural reserves supervision and full delegations of environmental approvals with IEEs. A standard structure for minimum human resource requirements

of a regional office should be specified. The regional offices' place in the organisational structure should be changed to ensure direct access to all General Directorates and clear delegation of authority should be given through job descriptions for regional directors.

The review of the organisational structure of EQA needs to include a revised Gaza organisation. The present political process of reunification may present an opportunity to create a structure addressing the most prioritised and urgent environmental problems in Gaza. This process is however part of the overall political process of creating a unified government and will depend on the political developments which are beyond the control of EQA. Within EQA, the Gaza reactivation process needs to be regarded as a process of its own which will require a concrete and detailed action plan for how to reactivate and merge the two Gaza organisations. Such an action plan needs to include clearly defined logical and concrete steps, a time plan and delegated responsibilities for managing the process. To lead the merge and reactivation process will require extensive input from EQA's senior management.

The review concludes that the practises in EQA for strategic and operational planning are weak. Absence of implementation plans for the environment strategies has led to limited implementation of the strategies. Such plans should indicate responsible directorates and time frames for implementation of EQA's responsibilities in the strategies and would make it possible to follow-up and evaluate the implementation processes of the strategies. These plans should in turn be integrated in EQA's operational annual plan and be reviewed bi-annually. Furthermore EQA's activity reporting is detached from the plans and lacks results focus. EQA would benefit from developing a planning procedural manual with standard forms and templates, as well as conduct capacity building in planning practises. The review has concluded that a strategic institutional development plan defining EQA's direction for the short and medium term is needed.

The review has found that EQA has satisfactory budget and financial management systems and routines. Tight budget and financial control is executed both by EQA and the MOF. This is an important strength for EQA and an important factor for potential donors. MOF's existing budgeting system urges EQA to develop an institutional strategic plan in order to fully qualify for development funding from the PA's own development funds and to exercise stronger advocacy than present towards crucial ministries and the Prime Minister's office. EQA's more recent experiences with managing large donor funding is limited and needs to gradually be further developed.

EQA's human resources planning needs to be addressed on a strategic management level with a longer term vision on how to gradually develop the institution into a specialised agency and to focus its expertise on the most urgent and critical environmental needs. EQA's management might find it useful to engage in a dialogue with the General Personnel Council on how combine its needs for organisational review with prescribed instructions. Conclusions on priorities in operation in Chapter 4 can form the basis for a revised operational organisation.

The review has concluded that EQA applies satisfactorily recruitment procedures. Internal rotation should be avoided and if possible, EQA should be more cautious in accepting transfer of staff from other ministries who lacks needed qualifications since competent staff is critical to build the image of a specialised agency.

A challenge is the present performance evaluation system which does not function to develop staff performance or lay the ground for competence development and is beyond the possibilities to change for EQA's management. EQA is therefore recommended to develop a "parallel system" of appraisal discussions without financial incentives for more genuine discussions on performance and staff development needs. Human resource development needs to be managed in a more strategic manner based on the needs of the organisation, with a clear vision of how to gradually develop the expertise

needed and with clear expectations on each staff member regarding his or her development. All training opportunities through EU funding, other potential donor funding and the training plan to the PA need to be placed in the context of a strategic development plan for EQA.

The most important strength identified is EQA's human resources. The stable, highly educated, internationally exposed and loyal staff has shown an impressive willingness and desire to improve EQA as well as insights of the present challenges. This attitude and insights are a crucial first step for any change process. In combination with an inspiring leadership and more structured management this provides a good ground for a future institutional development process for EQA.

To summarise following key gaps have been found within EQA's management structure, systems and routines:
- A need for an organisational review based on priority areas, with an ambition to encourage team work and creating a more adequate organisation. This is not fully within EQA's control and will need support from higher levels.
- Development of functional descriptions and job descriptions with clear delegated responsibilities for all staff.
- Structured and intensive management support to reactivate the Gaza organisation based on a specific action plan. This process is dependent on and a part of the political process of reunification.
- More delegation to regional offices reflecting a larger part of EQA's mandate at the local level.
- Clarified and formalised management structure and improved management skills and routines at all levels
- An improved system and routines for planning, follow-up, directing, analysing and reporting.
- Focused and planned human resources development to build needed expertise towards a specialised agency.
- Creating an internal communication system and routines.
- A need for a Strategic and Institutional development plan for EQA defining priorities, direction and medium term objectives for EQA's step by step development.

6. Roles and added values of potential partners

6.1 UNDP
A relation based on trust and experiences has been developed between EQA and UNDP which makes it preferable to continuing working with UNDP during a second and final phase. Both organisations witness about such a relation. UNDP has worked with EQA since 2009 and been engaged in most areas of its work, sometimes with own funding. It knows EQA'S challenges, strengths and weaknesses. This is confirmed by EQA which is satisfied with UNDP and appreciate the team's flexibility. Being a team of five Palestinians with prior engagement in the environment field, the UNDP Natural Resource team is seen as competent, trustworthy and committed to the Palestinian environment. Another added value is that the team is divided between the West Bank and Gaza. UNDP's special role in environment in Gaza makes it suitable for supporting EQA in reactivating and merging the organisations, given the political developments. The team has in-house competence in programme management, water and sanitation, solid waste, disaster risk reduction, climate change, governance and monitoring and inspection.

Positive achievements were made in the pilot project which should be built on, while many documents developed still remain to be taken in use, i.e. the monitoring and inspection manuals and guides, the awareness raising strategy and the management plan for the nature reserve. UNDP will be concerned to make this happen. The main critique of the pilot phase is the scattered nature of initiatives which could not make change happen. The review found that UNDP shared most of the findings outlined in

this report which is crucial for being a partner in the next few years. The fact that UNDP is an implementing partner to other donors in environment is also seen as a conducive factor, e.g. to Belgium in climate change and being a partner with GEF in the small scale projects. Its regional training programmes could be another added value where EQA could build more regional experiences with other participants from the Arab world.

EQA and UNDP share similar ideas of how a future collaboration should be designed. UNDP's role should be shifted to coaching, facilitating, empowering, guiding learning processes, monitoring quality and taking care of overall programme management in relation to Sida, while EQA should be responsible for the daily implementation and management through the full integration of EQA's management team. The importance of strong ownership by EQA's management and deep involvement in activities is a shared concern by both EQA and UNDP and the need for a gradual building of programme management and fund management experiences and capacities in EQA by gradually transferring more and more responsibilities and funding to EQA is agreed on. Initial areas could be defined where EQA takes the full implementation responsibility already from start. After three years the management responsibility should have been transferred to EQA and UNDP be phased out. Hence, the proposed second phase will be a gradual exit period for UNDP. UNDP's management costs should therefore be lower and maximum two persons from the team should be involved. EQA needs to play a larger role in procurement of technical expertise and preferably contracts with consultants should be done as tripartite to give EQA a contractual relation. As the focus will be institutional development, a more holistic approach to capacity development should be taken and scattered training avoided and always complemented with on the job training, mentoring, attachments and possibly systems development.

6.2. Collaboration with Jordan

6.2. 1. Jordan Ministry of Environment

The Jordan Ministry of Environment (MoE) is of similar size as EQA and with similar responsibilities. It declared a clear interest to cooperate with Palestinian EQA, and saw no problems in sharing internal information. Coaching and mentoring can be done. The review visited all corresponding departments where larger gaps had been identified in EQA. It considered the following areas to be of little added value for EQA: (a) information and data collection, (b) awareness; (c) decentralization to regional offices (d) organizational development, (e) communication (f) regulatory development. The following areas were considered interesting for collaboration, in order of priority:

Area in order of priority	Description
1. Monitoring and Inspection	MoE has conducted a pilot program to establish a database of industrial polluters (chemical industries in central region) similar to the missing database described as a major gap for the Environmental protection circle in section 4.1.6. (b). The database is used to make inspection plans based on existing data. MoE also trains industries in self-monitoring. Jordan is the first country in the region to adopt Inspection Bylaws. Other areas of Inspection does not differ much from EQA.
2. Planning	MoE is the pioneer ministry in Jordan for the introduction of *result based budget management.* They have a strategic plan for the Ministry focusing on how to mainstream environment into other ministries based on the sector plan. They are drafting bylaws for the inter-ministerial cooperation. The strategic plan is part of the advocacy activities of the MoE. MoE are reviewing the services they provide to its "clients" as a basis for planning. They also conduct surveys on "customer" satisfaction. Planning is standardized inside MoE.
3. Hazardous Waste	MoE has a large department with around 10 employees for hazardous waste only and leads the development in the sector. A system where the polluter is

	responsible for primary treatment and transport is established for both solids, liquids and wastewater. The department conducts awareness campaigns for industries and households.
4. Law enforcement	MoE has considerable experience from court cases, training of judges and police and reporting cases. Such a support can be an integrated part of what is suggested for the police and court system in 7.2.2. below
5. Licensing	Jordan as a special Licensing Committee from 12 ministries. The structure can be studied as a way to ensure compliance with environmental approval. After Committee approval, a formal license is issued.
6. Air pollution	The system for automatic measuring stations of air pollution can be studied.

It is recommended that the MoE of Jordan also participates and directly benefits in a possible future support to EQA regarding study tours, trainings, seminars, studies etc. This would provide many opportunities for exchange of ideas and be a motivating factor also for the MoE.

6.2.2. Royal Department for Environmental Protection in Jordan

Also known as the Rangers, the Royal Department for Environmental Protection is an integral part of the Jordanian Police Forces. The 824 employees are police officers, who have received environmental training from the Ministry of Environment and report to the general police department. They have full police officers' powers. Their main responsibilities are to support different ministry inspectors in carrying out the inspection and in enforcing legal action. They normally accompany ministry inspectors (MoE, MoA, MoH) during inspections. When a violation is discovered, the inspector and the police officer jointly produce a report. In this way, the report becomes a police file and is automatically followed up through the legal enforcement system. In each of the cooperating ministries there is liaison office manned with a police sergeant. This environmental police is the only one in the Middle East. There are also specialized environmental judges, which makes filing a case and processing of court cases easier. Plans exist to establish an environmental court.

There is an environmental awareness department with 12 employees, producing a lot of material. The Rangers have a special complaints section as people tend to turn to the police rather than to the authorities with complaints. The Department is open for direct cooperation with the Palestinian police; there are no formal hurdles. The recommended cooperation areas are in order of priority:

Area in order of priority	Description
1. Environmental police	Cooperation to increase awareness and knowledge of environmental cases within the Palestinian regular police. The cooperation with MoE can be taken as a model.
2. Courts	Interchange of experiences between the environmental judges and Palestinian court system.
3. Awareness	Less prioritized, but an interchange between EQA and the Rangers can open up some avenues for cooperation

6.3 The Swedish Environment Protection Agency

The review is suggesting that EQA is developing a completely new function as a knowledge centre, focusing on knowledge management. This will require many new ways of working, new types of inclusive relations to be built, developing new systems and using new approaches for communication. Developing the knowledge centre role will make EQA a more modern authority, trying to solve

environmental problems in partnerships with others concerned. However this is an entirely new role. Therefore, leaning on somebody with more experiences, who have gone through a similar change process and can practically show what the work will entail could be particularly useful for EQA.

As part of the review dialogue has been conducted with the Swedish Environment Protection Agency (EPA) to assess if an institutional collaboration could be a fruitful modality for institutional support to EQA. This process was initiated through the joint study visit to EQA and was followed up by a workshop with a team within EPA after the review mission. Different initial ideas for possible collaboration has been explored by EPA and EQA throughout the process.

EPA has defined as one of its own three priority areas "to develop knowledge and basis for decisions"[43]. This focus area appears to be similar to the knowledge centre role defined for EQA. EPA includes in this area analysis and evaluation of the Swedish environment quality objectives, international reporting, coordination of evaluating the status of the environment, research and making environmental information accessible. Strategic communication and communication tools such as an accessible website is part of this work. During a major reorganization of EPA in 2011 a special department was established as responsible for knowledge management.[44] Lessons learned during this recent experience of creating a new department for knowledge management would be useful to share with EQA.

A possible cooperation between EQA and EPA as an institutional collaboration between two similar authorities in the area of knowledge management is hence seen as particularly interesting. This is in line with EPA's initial thoughts of focusing on environmental information system development and strategic communication, but takes a broader focus than that. The review suggests that such an institutional cooperation would include amongst others:

- support in selection of suitable and realistic indicators or proxies for environmental monitoring,
- support in systems development for data handling and self-reporting of emissions,
- attachments at EPA for developing skills in data analysis and using information for targeted communication,
- long term support in producing a state of the environment report in e.g. three years' time
- high level exchange visits on packaging information and advocacy towards the government,
- communication with the public for awareness raising,
- how to guide and initiate research

Focusing on this broader area could be also support for EQA's management in how to work with the process of changing culture within the authority as EPA has gone through a similar process. The review hence concludes that if EQA agrees with the suggestion of developing its knowledge management and sees it as beneficial to have institutional support from EPA in such a process, the two authorities should initiate a discussion to further explore if this is an area of mutual interest for collaboration.

12.4   Other Swedish comparative advantages

The review has noticed a few areas where synergies between other Swedish development assistance to Palestine and support to environment could be found. These are:

- Building environmental knowledge in the Palestinian court system. Sweden is engaged through UNDP a Rule of law and access to Justice Programme to strengthen capacity of attorney generals, prosecutors and judges and increased environmental knowledge in the court system could therefore be interesting to explore further.

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[43] Annual report 2013, Swedish Environment Protection Agency, Naturvårdsverket
[44] Brief comments on the draft report from EPA, 2014 07 02

- Environmental police. Sweden has in collaboration with the EU been supporting the development of the civilian Palestinian police. A possible collaboration with the Jordanian Rangers could be an interesting continuation for Sweden.
- The on-going collaboration between the Swedish National Audit Office and the Palestinian State Audit and Administrative Control Bureau in environmental performance auditing will continue in parallel and with separate funding. This is a knowledge resource with EQA should make efforts to benefit from by using the performance audits as guiding tools.
- International training programmes. Several of the Sida financed ITP programmes can be of interest for EQA to participate in.

12.5 Conclusions on added value of potential partners

The review has found that the four identified potential partners for institutional development support to EQA would add value to EQA and be relevant partners in a continued support.

A possible institutional collaboration between EQA **and the Swedish Environmental Protection Agency, EPA** in the area of knowledge management is seen as particularly interesting. This is in line with EPA's initial analysis of focusing on environmental information system development and strategic communication, but takes a broader focus than that. An institutional collaboration focusing on building EQA's knowledge management would also support EQA's management in how to work with the process of changing culture within the authority since EPA has gone through a similar process recently. The review hence concludes that the two authorities should initiate a discussion to further explore if this is an area of mutual interest for collaboration.

The Jordan Ministry of Environment (MoE) is of similar size as EQA and holds similar responsibilities. It has declared a clear interest to cooperate with EQA through coaching, mentoring and sharing experiences. Of particular interest is collaboration in Monitoring and Inspection, results based operational planning and management of hazardous waste, where the MoE is found more advanced than EQA.

The Royal Department for Environmental Protection (the Rangers) is an integral part of the Jordanian Police Forces. Department is open for direct cooperation with the Palestinian police and EQA in advising and sharing its experiences. The most interesting areas for cooperation with Jordan is considered support from the Rangers to the Palestinian Police force, with MoE also participating. This could potentially be integrated into Swedish support to the Palestinian police and should be a direct police to police cooperation. Secondly, prioritized options for direct MoE – EQA cooperation could be considered along with support to the legal enforcement system. The legal support could potentially be integrated into the Swedish support to Rule of Law.

Positive and important achievements were made in the Sida funded pilot project with **UNDP** as implementing partner which should be built on. The review concludes that added value to continue collaboration with UNDP for overall programme management in a phased support aiming for a gradually transfer of the programme and fund management to EQA. In a second phase of collaboration UNDP's role should shift to coaching, facilitating, guiding learning processes, monitoring quality and taking care of overall programme management in relation to Sida, while EQA should be responsible for the daily implementation and management through the full integration of EQA's management team. The importance of strong ownership by EQA's management for the institutional development is stressed.

13. Recommendations for Future Directions

The purpose of this chapter is to recommend priorities for EQA for a 3 to 5 years perspective.

7.1 Strengths to build on

While this report has elaborate capacity gaps in EQA's operations and internal management a number of strengths which should be built on have also been identified.

Most importantly it needs to be stated that there is a clear demand and need for EQA to play its role in environment. This need is recognised and stated by all stakeholders and partners met throughout this review, be they ministries, service providers or CSOs. The review has found hope and expectations for a more active EQA. The common denominator among these expectations is that EQA will take a leadership role for environment and be the regulator and oversight body.

The second strength is the overall appreciation of EQA's staff at national and regional levels. In general, they are mostly considered as competent and committed to environment. The review has concluded that the staff has shown an impressive interest, willingness and concern to change the present situation and are well aware of EQA's weaknesses and challenges. Such insights are an important precondition for any change to take place. A strength is also EQA's new chairperson and her commitment to change. High expectations are placed on her and she is welcomed internally and externally to assume the visionary leadership needed.

The review has concluded that important groundwork in the regulatory framework has been done during the past years and particularly with the support of the Sida/UNDP project. Bylaws, strategies, instructions and manuals are now to a large extent in place, while implementation has not started. Relations with partner ministries have improved through the facilitation of the project activities. These positive achievements needs to be built on and continued during the next phase.

EQA's field presence, despite being limited, in eight of the eleven governorates in the West Bank is a starting point which can be further developed. The regional offices are close to the major environmental concerns and interact frequently with the major partners at the regional level in the governorates where they are present. They are the ears and the feet on the ground and meet citizens, private sector, service providers, CSOs, police, local authorities and decision makers on a regular basis and pick up good ideas, concerns and worries. This daily exposure to environmental solutions, challenges and violations needs to be fully capitalised on.

Environment is cross-sectorial as noted in many places in this report and environmental concerns need to be fully considered in decisions and activities in other sectors of the society in Palestine. This means that EQA must continue and expand its cross sectorial work. EQA has already relations with many actors across a number of ministries. This is particularly notable in the processes for formulating strategies and policies where EQA's participatory approach is appreciated. While the relations have been mainly on technical level there is a need to also raise them to a higher political level.

Lastly, EQA has few but good but donor relations which is an asset to capitalise on. The donors share a genuine concern for EQA and the environment, regardless of the size of the support and can support EQA by raising environmental concerns in their political dialogues with the PA and in different sector working groups.

7.2 Key recommendations to EQA

It is clear that EQA has a number of gaps in its capacity to better meet its mandate. As the mandate is wide and the resources are scares this is likely to remain a challenge for many years to come. The resources available to EQA are not foreseen to not improve drastically during the coming years. A **strategic prioritization** is therefore key to improving EQA's performance. A *de facto* selection of areas is already done by attending whatever comes in, i.e. by being reactive rather than pro-active. A shift in this culture is suggested by this review and a limited number of priority actions are defined for EQA to take the lead in improving and safeguarding the Palestinian environment. In order to realise this shift

in culture and key recommendations an urgent need prevails to develop a strategic institutional plan for the coming 5 years. This would also increase EQA's possibilities to become eligible for funding from the MoF. The recommendations are given in order of priority:

1. **Meet the minimum expectations and attend to the most urgent environmental problems.**
   The minimum expectations are to fully assume the assigned responsibilities for solid and hazardous waste, wastewater and industrial pollution. This is possible to be done within the existing organization and is in line with the NDP priorities. To make it happen is a matter of clear leadership. The main tool is to make all elements of the Environment protection circle in Figure 1 to function, i.e. to:
   (i) Define priority inspections and create first class capacity inside EQA for it.
   (ii) Create human and technical capacity to be a champion in mitigation measures and preventive action, proving the usefulness of EQA to all stakeholders.
   (iii) Take the lead to establish a more efficient environment protection system through planned coordination between all inspecting bodies and prepare EQA for the role as overseer of self-monitoring done by industries and other polluting entities.
   (iv) Direct EQA's resources to this priority area, across directorates and regional offices.
   (v) In the Gaza Strip the focus needs initially to be being experts finding solutions to the most urgent problems of water resources, wastewater and solid waste with less focus on industries.

2. **Start the development of becoming a Knowledge-based organisation.**
   Change EQA from a reactive organisation to an expert organisation and a Knowledge Centre for environment in Palestine, in line with what is prioritised in the NDP. The work shall encompass both the West Bank and the Gaza organisations. This will require a re-organisation within EQA to build a Knowledge Centre, which is mandated to work through all GDs and new ways of internal and external communication and exchange of information. It includes to:
   (i) Define needs and indicators, retrieve data, analyse and communicate results from an EQA owned environmental information system, which can be used for measuring achievement of strategic objectives, strategic communication, advocacy, trends analysis for a state of environment report and as an open resource for outsiders (see further section 4.4.3.).
   (ii) Make an inventory of existing, on-going and planned research in universities and CSO as well as of CSO work. Create a reference centre to make research generally available and gradually develop EQA's capacity to identify research needs through initiating partnerships.
   (iii) Initiate a forum for regular dialogue with CSOs at national and regional levels.
   (iv) Shift awareness raising work from direct implementation of activities to focus on a higher level such as curriculum development, information material, overall coordination of awareness and creating partnerships for awareness raising.
   (v) Create capacity inside EQA to analyse data and to use it for strategic communication and advocacy.
   (vi) Plan and conduct systematic education of professional groups, including law enforcement agencies.

3. **Move to "higher level roles" in the other areas of operation.**
   Staff and resources need to be focused to the two areas above. As a consequence EQA will have less resources for the other areas of operations and will therefore need to move away from "on the ground implementation" in these areas and instead assume the assigned strategic roles, fully in compliance with EQA's mandate. This shift needs a change of mind-set but can be done within the existing organisational structure. EQA should take on the roles to:
   (i) Settle conflicts around mandates in a pragmatic way
   (ii) Proactively engage in sector leadership, and develop steering and guiding documents
   (iii) Assume supervisory roles and overall national planning

(iv) Clearly prioritize among the international engagements to maximize resources for work inside Palestine. Divide international responsibilities equally between the West Bank and Gaza staff.

(v) Revise steering documents to include the Gaza situation

(vi) High level advocacy and targeted strategic communication for mainstreaming environment cross cuttingly in other ministries' strategic plans

(vii) Develop the expert functions for the other general directorates, e.g. in awareness, in environmental approvals and follow-up, in management of environmental resources and preventive actions.

4. **Urgently define and formalise the management structure**. This entails:
   (i) Defining the management levels and the composition of the management teams
   (ii) Delegating responsibilities and communicating this internally
   (iii) Setting routines for management meetings
   (iv) Start executing active management with transparent decisions at all levels.

5. **Develop a more adequate organisational structure**
   Based on priority 1, 2 and 3 review the organisational structure to address these priorities. It will require a change in structure to develop the knowledge centre, based on parts of work done in several general directorates, i.e. The General Directorate for Awareness Raising and Education, the Information Systems Department in the General Directorate for Environmental Resources, the Research Department and Indicators and Standards Department in the General directorate for Policies and Planning. The priorities of the Gaza organisation might differ slightly due to less priority on inspection of industries and greater needs to be a partner in defining solutions for environmental problems. As part of the organisational review duplications and inefficiencies in the present structure should be addressed and the place and mandate for the regional offices in the structure revised. The organisational review needs support from higher political levels.

6. **Action plan for reactivation of Gaza organisation**
   As part of the political process of reunification develop an action plan for the reactivation and merger process of the two organisations in the Gaza Strip with clear steps, defined responsibilities and time frames. This process is not fully within the control of EQA.

7. **Develop a strategic and institutional development plan for EQA for five years**
   The review has outlined a suggested direction for EQA which needs to be digested and analysed within EQA. EQA's management might not agree to all what is proposed and make other priorities that the review. Based on such discussions decisions should be taken on the desired direction for EQA's development for the short and medium term. Everything cannot be done at once and a step by step approach for a gradual development will be needed. EQA will also need to prioritise between external and internal needs and the urgency of various development processes. To make such decisions on the desired direction for EQA's development a strategic and institutional development plan for five years should be developed setting strategic objectives for EQA's focus and guiding the institutional development. The plan should preferably address:
   (i) How EQA prioritises it work within its mandate and mission for the near future.
   (ii) Operative processes to develop
   (iii) The process for revising the organisational structure,
   (iv) increased delegation to regional offices,
   (v) The basic management systems to be developed,
   (vi) A competence inventory and competence development plan, corresponding to the strategic institutional objectives
   (vii) How to work with changing the internal work climate and attitudes

8. **Make responsibilities and expectations clear for all**

Once priorities are decided, functional descriptions of key processes in each General Directorate should be developed and job descriptions elaborated for each employee in accordance with the revised organisational structure and functional descriptions. Responsibilities and expectations on each employee should be clarified and work teams created.

9. **Make a conscious shift in the internal work culture**

Through active leadership, improved management routines, close follow up and clear internal communication a shift in the work mentality and internal work culture should be promoted symbolised with the following illustration of behaviours:

From:	**To:**
Reactive	Proactive, planned actions
Control	Collaboration and partnerships
Disputes	Consultations, coaching and providing solutions
Centre	Regional level
Own direct implementation	Supervision and Strategic sector leadership
Isolation	Team work
Scattered initiatives	Prioritize and focus
Activity focus	Results focus

7.3 The strategic institutional development plan

The review suggests a radical shift in way of functioning for EQA. Making the change depends on EQA's commitment to the change process. It can be supported by Sida and other partners but depends on EQA's ownership of leading the processes to get the work done. The basis for making such a shift is to develop a strategic institutional development plan for EQA, setting the desired direction for the coming five years. This plan should concretise a vision for how EQA should gradually, step by step, develop and start assuming its expected roles, in parallel with building the specific expertise needed and developing the required systems and structures. This might sound overwhelming given the amount of needs outlines in this review. However, as a word of encouragement, such a plan does not need to be perfect or even comprehensive to start with. The most important aspect is the EQA takes charge of its own development and shows commitment and ownership for deciding on the direction it wants to move in. A draft plan with can of course be revised and further elaborated with time.

The process of developing a first strategic institutional development plan should take place between September and December 2014. The process should be led by the chairperson and the management team which she needs to constitute. It is necessary that the process is fully owned by the EQA management. A consultant is suggested to be engaged for facilitation and guidance but should be neutral and not have any stake in the future support to EQA. It is suggested that the Swedish Consulate General agrees to provide funding for such a resource, if seen as useful and requested by the chairperson. It is recommended that this organisational review of EQA form the basis for the strategic institutional development plan. Therefore EQA's management needs to engage in a process where it carefully goes through the findings of the review, discusses it broadly within the organisation and thereafter takes decisions where it agrees or disagrees with conclusions and suggestions. This, in combination with the sector strategy and sub-sector strategies and action plans should be the basis for informed decisions on the directions to take. This process to digest the review should start immediately.

In chapter 6 conclusions regarding possible collaborations with UNDP, the Ministry of Environment in Jordan, the Royal Department for Environmental protection and the Swedish Environmental Protection Agency are made. EQA is recommended to reflect on these and make informed decisions regarding which collaborations would be useful, with what focus and when for a continued support by

Sida. Capacity might not exist initially for engagement with all partners. The potential partners to EQA need to provide EQA with space and time for this internal analytical and consultative process as EQA's ownership of its own plan is the key for the transformation. Once a draft plan has been developed, discussions with potential partners should be invited by EQA. An action plan for the coming six months could be beneficial to develop jointly with the Swedish Consulate, agreeing on key steps and deadlines to keep the momentum. The review recommends that the draft strategic institutional development plan forms the basis for a continued, more holistic institutional development support from Sida.

7.4 Key Recommendations to Sida

Sida is recommended to:

1. Agree with EQA on an Action Plan for September to December for the strategic planning process. The Action Plan should be delivered in August.
2. Make available, if seen as useful and requested by EQA, a facilitator for the strategic planning process who can guide and support EQA in making priorities and framing its own direction for the future.
3. Await EQA's draft strategic institutional development plan before further discussions are made with potential partners.
4. Once the draft plan is developed, engage with UNDP and EPA, under the leadership of EQA, in designing the modality of an institutional development support programme to EQA. This could take place in early 2015 with the aim of providing Sida with a proposal during the first quarter of 2015.
5. Consider attaching an external monitoring function to the future support for periodic monitoring of the performance of all partners as a support to Sida.
6. Support EQA through Sida's dialogue at higher levels with the PA in issuers beyond EQA's control in order to implement the desired changes, if needed.
7. Facilitate the treatment of environment as a cross-cutting area in Sida's political dialogue and in other sector working-group

Jerusalem

Development Cooperation   Jerusalem, 10 February 2014

Terms of Reference for an organisational review of the Palestinian Environment Quality Authority (EQA) and identification of possible partners for future institutional- and capacity-building support of the authority

Background

The overall objective for the Swedish development cooperation with the West Bank and Gaza is to contribute to building a viable Palestinian state to peace building. The strategy, originally valid for 2008-2011, has been prolonged twice but a new strategy is likely to be approved by the Swedish government in early 2014. Current priorities include infrastructural development in municipalities, environment and the fair and sustainable use of water resources.

During the current strategy period Sida saw the importance of combining infrastructure support with a stronger engagement in the area of environment, and thus piloted a capacity building project with the Palestinian Environment Quality Authority (EQA) through technical assistance by the UNDP in June 2010. EQA developed the project together with UNDP, focusing on the authority's regulatory functions. The aim has been to enhance the authority's capacity for environmental protection through improving the regulatory framework and building capacities in environmental planning, monitoring and enforcement. The first phase of the project, 2011-2012, has been prolonged into a "bridging phase" during 2013, in anticipation of the new bilateral cooperation strategy.

It is envisaged that the coming strategy will give further priority to the cooperation in the area of environment. It is therefore timely to conduct, as part of our support, an organisational review of the EQA, including all facets of the authority's role and mandate, in a way that is useful for EQA as part of its organizational development and to provide recommendations to Sida on how future support could be designed and possibly broadened.

The review should take into account the external evaluation of the Swedish support to EQA, which will be carried out under the agreement with UNDP starting January 2014. The evaluation will be focused on results achievements during the three-year long project. This review shall complement the UNDP evaluation and consider the whole organisational and management structure of the EQA as well as its functional relationship to other parts of the Palestinian Authority. It should also identify relevant partners for future assistance to the EQA in terms of institution- and capacity-building.

Purpose and scope of the assignment

The purpose of the review is to provide Sida with a basis for how further developed and possibly broadened institution- and capacity-building support to EQA could be designed, based on previous project support (taking into account recent assessment and studies) in a way that is useful to EQA in its continued organizational development.

The assignment also includes the identification of suitable partners to EQA that could provide assistance. It should also identify Sweden's added value in terms of future support.

In order to fulfil this purpose, the review shall:

A. External: Present and review the legal and institutional framework of EQA, its role and mandate, including the division of roles, responsibilities and coordination in relation to other line ministries and agencies for environmental governance and legislative enforcement, and analyse the enabling environment necessary for EQA to fulfil its obligations.

B. Internal: Map and analyse the organisational and management structure and systems of the EQA, including its regional offices.

C. Partners: Identify and analyse the potential role and added value of partnerships in providing institutional- and capacity-building support to the identified needs of the EQA.

Issues to be covered by the assignment

A. **Present and review the legal and institutional framework of EQA, its role and mandate, including the division of roles, responsibilities and coordination in relation to line ministries and agencies for environmental**

governance and legislative enforcement, and analyse the enabling environment necessary for EQA to fulfil its obligations.

1. Present the legal and institutional framework governing the EQA.
2. What is stipulated as its mandate, mission, roles and responsibilities?
3. Which are the policies, strategies and possible action plans guiding the authority's work? Are they clear, have realistically formulated goals and are operational?
4. Identify and present the division of roles, mandates, responsibilities and coordination in relation to other relevant line ministries and agencies for environment governance and legislative enforcement.
5. Analyse the enabling environment (which is constituted by point 1-4, but also include financial and political aspects), its strength and weaknesses, in order for EQA to fulfil its role and obligations.

B. Map and analyse the organisational- and management structure and system of the entire EQA, including its regional offices.

1. Map and present the *organisational structure* of the entire authority, including its regional offices, including the decision-making mandate and delegation procedures throughout the authority.
2. Map and present the *management system of operations*, including systems and routines for operational planning, implementation, budgeting and financial management, monitoring, evaluation and measuring of results.
3. What are the routines for *involvement and ownership of staff* in the aforementioned system and processes and what are the coordination and communication mechanisms within the authority and in relation to the regional offices?
4. Present the system for *human resources management* policies, guidelines, perceived needs and capacity development strategies.

By analysing the enabling environment for the EQA (section A) and mapping the organisational structure and management systems of operations (section B), the review shall be able to *analyse the relevance of the structure* in relation to EQA's mandate, functions and duties and whether the authority has the *competence, capacity and routines* to be able to direct its operations towards its own goals and over-arching obligations. Strengths, weaknesses and capacity gaps shall be identified in the analysis.

C. Identify and analyse the potential role and added value of partnerships in providing institutional- and capacity-building support to the identified needs of the EQA.

1. Based on the analysis of section A and B, identified weaknesses and capacity gaps still remaining (taking into account the results of the external evaluation of the support to the EQA so far) identify possible partners to provide relevant institutional and capacity-building support to the EQA in terms of local, regional or international actors.

2. With regard to the point above focus the analysis particularly on the current partner, UNDP, who is the project managing agency of the current project with the EQA, under the agreement with Sida. Analyse UNDP's relevance and capacities to provide needed technical assistance and capacity building support to the EQA, and what could be their role and added value in possible future support.

3. During the current project period EQA initiated a study visit to their Jordanian counterpart as well as to the Swedish Environment Protection Agency (EPA).The exchange between the parties is on-going. Analyse and identify how the respective parties could provide institutional- and capacity-building support to the EQA, and what could be their future role and added value.

In relation to identifying potential and relevant partners for assisting the EQA, the specific conflict context in which the authority operates needs to be taken into consideration.

The review also needs to analyse and identify Sweden's added value and niche in regard to the future support to EQA. The Swedish EPA will conduct a field visit to the EQA during spring 2014, to further learn about its Palestinian counterpart (EQA) and to identify and jointly analyse with EQA areas of potential cooperation. This should be taken into account in the review and in response to point 3 above.

Methodology and timeframe

The assignment shall be performed through desk studies of documentation, which should be made available mainly by Sida and EQA, but also through UNDP and the Swedish EPA, and through field visits, interviews and possibly work-shops with foremost management and staff at different organisational levels of the EQA, as well as through interviews with other Palestinian Authority (PA) bodies and stakeholders,

relevant staff at UNDP, Sida/Consulate General/Jerusalem and Swedish EPA. If relevant, the assignment may also involve visits to other local, regional or international institutions/organisations.

All other aspects relating to the definition and choice of methods for the implementation of the assignment shall be elaborated in the tender and be in accordance with common principles e.g. OECD/DAC. It shall include a discussion on pros and cons of the chosen methods and delimitations thereof.

The aim is to have the assignment start in April 2014 and the final report submitted to Sida/Consulate General/Jerusalem end of June 2014. (Exact dates will be discussed with the consultant.)

Contacts and Reporting

As the point of departure for the assignment, Sida shall organise a video-meeting (or relevant alternative) between the consultant, Sida and EQA (and possibly UNDP) to discuss the method and time-frame of the assignment, whereupon the consultant shall present an inception report within one week for Sida's approval. The inception report shall include a detailed plan for the entirety of the assignment and chosen methods.

The consultant shall have the support of a contact person at EQA (to be appointed) and from the responsible program manager at Sida during the assignment.

Before submitting the final report, the consultant shall organise a meeting with representatives for EQA, (and possibly UNDP) and Sida to present tentative findings and conclusions and enable a discussion on any problems during the implementation of the assignment.

Reporting routines and format

The assignment shall be presented in a written report and submitted to Sida in electronic form.

A draft report shall be submitted to Sida and EQA no later than 2014-06-XX (will be decided upon with the consultant). The aim is to make it possible for EQA to comment on any factual errors and misunderstandings, and for Sida to assess if the draft has reached an acceptable standard in relation to the terms of reference. Comments shall be submitted to the consultant within one week, whereupon the final report shall be submitted to Sida within two weeks.

The outline of the final report shall answer the questions of these terms of reference. The report shall be written in English and include a summary in Arabic, not exceed 40 pages, excluding the summary in Arabic and appendices. It shall include a discussion on the chosen method and be organized according to the following headings:

- Observations
- Analysis
- Conclusions
- Recommendations

The final report must be presented in a way that enables publication without further editing, which includes having been proof read. The final report shall be submitted to Sida in five hard copies and including access to the report in electronic form.

Other aspects

A consultant with a framework agreement with Sida under the sector *agriculture, forestry and environment* will upon presentation of tender, be called-off to perform the review.

Specification of requirements of consultant

1. The tender shall present a team of consultants (including a local sub-consultant) that together have:
   - relevant knowledge and experience from the field of international development cooperation,
   - relevant knowledge and experience on environment, climate change and natural resources, preferably in combination with public administration and institutional capacity building,
   - relevant knowledge and extensive experience from conducting organisational assessments, including areas of internal governance and control, management for results and capacity development,
   - knowledge and experience from the Palestinian context,
   - specific knowledge in the area of environment in the Palestinian and regional context,
   - have strong and proven analytical skills,
   - proficiency in spoken and written English,
   - proficiency in spoken and written Arabic,
2. The tender shall specify the team leader.

3. The tender shall present 2-3 local sub-consultants with CV which Sida and EQA will be able to comment on in order to ensure objectivity and relevance of the local consultant.
4. The tender shall elaborate on the method chosen for the assignment.
5. The tenderer shall specify the total cost of the assignment, in the term of an hourly fee for each category of personal and any other reimbursable costs for the part of the assignment carried out in Sweden. A weekly fee for each category of personal and any other reimbursable costs for the part of the assignment carried out abroad shall also be specified. All types of costs shall be given in SEK, excluding VAT.

Annex 2 List of Persons met

Name	Institution	Position
EQA Headquarters		
Adalla Attereh	EQA	Chairperson
Jameel Mtour	EQA	Deputy Chairperson
Ahmad Abu Thaher	EQA	Director General GD International Projects and Relations
Samer Kalbouneh	EQA	Director, GD International Projects and Relations
Mahmoud Abu Shanab	EQA	Director General GD Environment Protection
Taleb Humaid	EQA	Director, Monitoring and Inspection
Yassir abu Shanab	EQA	Director, Public Health
Amjad Ibrahim	EQA	Director, EIA
Issa Musa	EQA	Director General GD Environmental Resources
Abdul Aziz Al Rayyan	EQA	Director Water quality
Basem Hammad	EQA	Director, Forest and Range lands
Amjad Salah	EQA	Director, Plant protection & Inspection
Mohammad Mahasneh	EQA	Director, Biodiversity Department
Ibrahim Al Qouqa	EQA	Director, Desertification Department
Khaled Salem	EQA	Director, Environment Information Systems
Zaghloul Samhan	EQA	Director General GD Policies and Planning
Anwar Mualla	EQA	Director, Indicators and Standards department
Samer Dweikat	EQA	Director, Environment Economics Department
Imad Al Baba	EQA	Director General, GD Environmental Awareness
Naima Kan'an	EQA	Director, GD Environmental Awareness
Sae'da Shuaibat	EQA	Director, GD Environmental Awareness
Saed Abu Tarboush		Director, GD Environmental Media department
Jamal Toumaizi	EQA	Director, Design and Production department
Bashir M. Zaher	EQA	Director General GD Financial and Administrative Affairs
Shareef F. Battta	EQA	Financial Manager

Name	Institution	Position
Iftitah Ammous	EQA	Director, Internal Audit department
Raed Abu Bakker	EQA	Director Human Resources Development
Ala Rawshadi	EQA	Director Employees' Affairs
Nedal Katbeh-Bader	EQA	Advisor Climate Change
Murad Madani	EQA	Director Legal department
Hussein Mojahed	EQA	Legal advisor
Ibrahim Abssa	EQA	Director, Chairperson's office, former director solid waste
Shiraz Sawalmeh	EQA	Public relations department
Samer Amin	EQA	Internal Monitoring department, Chairperson's office
EQA Regional Offices		
Marwan Abu Yaqoub	EQA Regional Office, Salfit	Regional Director
Thabet Yousif	EQA Regional Office, Ramallah	Regional Director
Issam Kazem	EQA Regional Office, Tulkarm	Regional Director
Mohammed Subah	EQA Regional Office, Tulkarm	Awareness officer
Abdul Mune'm Shehab	EQA Regional Office, Jenin	Regional Director
Amani Abu Baker	EQA Regional Office, Jenin	Director, Ozone Department and Inspector
Safa' Nazzal	EQA Regional Office, Jenin	Awareness Officer
Amjad Al Kharraz	EQA Regional Office, Nablus	Regional Director
Huda Sarrar	EQA Regional Office, Nablus	Inspector
Hashem Salah	EQA Regional Office, Bethlehem	Inspector
Shauki Saadeh	EQA Regional Office, Hebron	Regional Director
Lama Jarrad	EQA Regional Office, Tubas	Regional Director
Ayman Abu Thaher		Former Director General, GD Environmental Awareness
PLO		
Natasha Carmi	Negotiation Affairs Department, Negotiation Support Unit	Policy Advisor
Bashar Abed Rabbo	Negotiation Affairs Department, Negotiation Support Unit	Policy Advisor
Prime Minister's Office		

Name	Institution	Position
Ahmad Kabaha	Prime Minister's Office	Relations with public institutions
Mutah S. Mutan	Prime Minister's Office	Technical Consultant
Ministries		
Issam Nofal	Ministry of Agriculture (MoA)	Director General of Agricultural Water & Irrigation
Mrs Ibtesam Abu Alheija	Ministry of Agriculture (MoA)	Climate Change Department manager
Ibrahim Atiya	Ministry of Health (MoH)	Director Environmental Health dept.
Farid Ghannam	Ministry of Finance	General Director Central Budget Dept.
Suleiman A. Abu-Muferreh	Min. of Local Government (MoLG)	Director
Mr. Waleed Halayqah	MoLG	JSC directorate GD
Dana Erekat	Ministry of Planning and Administrative Development (MOPAD)	Head of Aid Management and Coordination Directorate
Taghreed Hithnawi	MOPAD	General Director Infrastructure Directorate
Rehab Zaher	MOPAD	Natural Resources Department Manager
Manal Farhan	Ministry of National Economy	Head of GD Industry and Natural Resources
Muheeb Jabaree	Ministry of National Economy	Head – Industry and Trade department
Governmental institutions		
Samid A. Abuznaid	State Audit & Administrative Control Bureau (SAACB)	President
Addallah Y.A. Karsou	SAACB	Auditor
Adel Salim Yasin	Palestinian Water Authority (PWA)	Director Wastewater Dept.
Russell Abrams	PWA- TPAT Project	International Advisor Wastewater
Mr. Haider Hajeh	Palestine Standards Institute	Director General
Aysar Toemah	PCBS	Environmental Statistics
Mr. Abdulkareem Polad	MoH- Salfeet Ditrict office	
Governorates and Municipalities		
Iyad Daragmeh	Al Bireh Municpality	Director Health and Environment
Lamia Adnan Hamayel	Al Bireh Municpality	Head Wastewater section
Allam M. Ashhab	Hebron Municipality	Mayor's Assistant/General Manager
Daod Zatari		
Malvina Jamal	Ramallah Municipality	Director Solid Waste
Khaled Ghazal	Ramallah Municipality	Director Wastewater

Name	Institution	Position
Anton Marcos	Bethlehem Municipality	General Director
Abdalla Khmeil	Tulkarm	Governor
Nehad Jallad	Tulkarem Municiplaity	Public Relations officer
Iyad A. Jallad	Tulkarm Municipality	Mayor
Nidal Abu Sheer	Tulkarm Municipality	Director of health
Walid Abu Mwais	Jenin Municipality	Mayor
	Jenin Municipality	Technical Director
Maysoun Dawoud	Jenin Municipality	Public Relations Manager
Mohammed Salem	Bidia Municipality	
Daoud Salameh	Bidia Municipality	Health Manager
Osama	Bidia Municipality	PR Manager
Service Providers		
Husain Abuoun	Joint Service Council for Ramallah and Al Bireh	Executive Director
Nesreen Abu Lebdeh	Joint Service Council for Ramallah and Al Bireh	Public Relations coordinator
Yasser Dweik	Higher Council for Solid Waste Management, Hebron and Bethlehem	Executive Director
Iyad Aburdeineh	Bethlehem JSC for solid waste management	Executive Director
Eyad Yacoub Yacoub	Joint Service Council, Brukin	Executive Director
Hani Shawahneh	Joint Service Council Solid Waste Management, Zahrat Al Finjan Landfill, Jenin	Executive Manager
Aktham Badran	Tulkarm JSC for Solid Waste Management	Executive Manager
Samir Bsharat	Tubas Solid Waste Council	
Basel Bani Owda	Tubas JSC	
Mukaner Tambous		Technical director
Tarek Nedim		Coordinator JSCs
Donors and multilateral agencies		
Ibrahim K. Dajani	World Bank	Senior Operations Officer Infrastructure/ Environment
Sophie Colette	European Union	Programme Manager Water and Sanitation
Matthias Behnke	UNHCHR	Head of Office
Ramesh Rajasingham	UN OCHA	Head of Office
Rima Abu Middain Barghothi	UNDP, Environment & Natural Resources Unit	Team Leader
HusamTubail	UNDP, Environment & Natural Resources Unit	Programme Analyst

Name	Institution	Position
Taghreed Najar	UNDP, Environment & Natural Resources Unit	Project Manager
Nadia Elkhodary Ali Ahmad	GEF Small Scale Grants Programme	National Coordinator
Johan Schaar	Consulate General of Sweden	Head of Development Cooperation
Ingrid Sandström	Consulate General of Sweden	Deputy Head of Development Cooperation
Lisa Hällström	Consulate General of Sweden	Counsul, Programme Manager Infrastructure and Environment
Reem Khalil	GIZ, Policy Advice and Reform Fund	Programme Manager
Genia Helou-Raad	Consulate General of Belgium in Jerusalem	Deputy Head Development Cooperation
Florence Duvieusart	Consulate General of Belgium in Jerusalem	Deputy Head Development Cooperation
Civil Society Organizations		
Dawood Hammoudeh	Palestinian Farmers Union	Executive Director
Marwan Ghanem	Mrour Road and Safety Group, Ramallah	Director
Wa'el Abu-Rmaileh	Land Research Center - Arab Studies Society (LRC)	
Mohamed Alsalimiya	LRC	Public Relation & Fundraising
Abdelrahman Al Tamimi	Palestinian Hydrology Group	Director General
Ayman Rabi	Palestinian Hydrology Group	Director, chairperson PENGON
Abeer Al Butmeh	PENGON- FoE Palestine	PENGON Coordinator
Imad Alatrash	Palestine Wildlife Society	Executive Director
Jane Hilal	Applied Research Institute-Jerusalem	Water & Environment Research Director
Naser Maali	World Vision, Salfit	ADP Manager, Salfit& Nablus
Taleb Abu Hani	Thinnabeh Cooperative for Agricultural Services	Project Manager, Compost project
Ahmad Abufarha	Caanan Fair Trade, Jenin	Vice President
Reem Jahar	Green Life, Jenin	Director
Yousef Karrout	Palestinian Environment Protection Society, Jenin	Director
Sami Bdiar	North center charitable society for environment and development , Tulkarm	Chairman
Adel Ghanem	Shwaikeh Charitable society for protecting Envirnment	Chairman

Name	Institution	Position
Ismail Zughayeer	Safa Recycling and Material Processing Company, Ithna, Hebron	Manager
Taelb Abu Hani	Thennabeh Charitable Society	Chairman
Semon Awad	Environment Education Center	Manager
Independent experts		
Marwan Tarazi	Center for Continuing Education, Bir Zeit University	Director
Estephan Salameh	Jerusalem Policy and Development	Consultant and CEO
Reem Musleh		Independent consultant
Swedish Environment Protection Agency		
Per Thege	Swedish Environmental Protection Agency (EPA)	
Ulf Bjällås	EPA	Legal expert
Bernt Röndell	EPA	Environmental Information Expert
Kameran Khudur	Swedish National Audit Office	Audit Director/Senior Advisor
Gaza		
Mohammad Aila	EQA	Deputy Director International Projects and Relations
Farid S. Ashour	Coastal Municipalities Water Utility	Director Project Management Unit
Sami M. Hamdan	PWA	Director Wastewater Planning
Hala Othman	UNDP, Environment & Natural Resources Unit	Project Manager Environment and Climate Change
Jordan		
Ahmad Al-Qatarneh	Ministry of Environment	Secretary General
Mohamad Afana	Ministry of Environment	Director Policy and Planning
Samir Al Kilani	Ministry of Environment	Director of Projects
Adnan M. Zawareh	Ministry of Environment	Director Inspection & Enforcement Division
Amjad Al Husami	Royal Department for Environmental Protection	Colonel
Anders Jägerskog	Swedish Embassy	Counsellor, Regional Development Cooperation, Water Resources

Annex 3 List of Documentation

Title	
Laws, By laws and COM decisions	
Palestinian Basic Law, Article 33	
Environmental Law 7/1999	
Water Law 2002	
Water Law 2014	
Medical Waste management bylaw	
Connections of households and establishments to sewerage bylaw	
Presidential decree and cabinet decisions (Arabic)	2014
COM Decision: Environmental Conditions System of Stone and Marble Saws and Ready-Made Concrete and Tile Factories	
COM Decision on System connection with public sewage network	
Hazardous waste management Bylaw	Draft
Excavation and mining of natural resources	Draft
Natural reserves, protected areas and national parks Bylaw	Draft
Organizational Structure of Environment Quality Authority	2005\A.E.M.W\107.89
EQA Organizational Charts	Several versions
Strategies, policies and plans	
Environmental sector strategy and action plan	2010-2013
Environmental Strategy	Draft summary 2014-2016
National Development Plan 2011-2013	
National Development Plan 2014-2016	
Environmental Assessment Policy	
National strategy for Solid Waste Management	
National strategy to combat desertification	
Climate change adaptation strategy	
National Water Strategy	
Biodiversity Strategy	
Environmental Awareness Strategy	Arabic, English summary made by the team
Industrial wastewater standards	
Palestinian Water Policy	2013
Palestinian Water Strategy	2013
National Strategy to Achieve the Millennium Development Goals by 2015	Palestinian Authority
Strategic Development Plan, Al Bireh Municipality	

Title	
Final Report on The Development of a National Master Plan for Hazardous Waste Management for the Palestinian National Authority (PNA),	Amer EL-Hamouz, An-Najah National University, 2010
EQA internal	
Instructions for monitoring and inspection	Draft, Arabic only
Environmental Audit Guide	Arabic, English summary made by the team
Environment Quality Authority (EQA) in Brief	Powerpoint by EQA April, 2014
Environmental Legislation	Powerpoint by EQA April, 2014
An overview of roles and responsibilities	Powerpoint by EQA April, 2014
Ongoing Projects and Future Cooperation	Powerpoint by EQA April, 2014
Regional cooperation	Powerpoint by EQA April, 2014
Organization and management of EQA & relations to other ministries and authorities	Powerpoint by EQA April, 2014
EQA Training Requirements 2014	Arabic
Learning Tour to EPA Sweden, Aspects for Potential Cooperation	Study Tour Report, 2013
Environmental Information Systems in Palestine	Powerpoint by EQA April, 2014
Jordan Mission report by EQA (Arabic)	
Judicial Officers at EQA	List prepared by EQA for the mission
Monitoring and Inspection Guide	Arabic, English summary made by the team
Tasks for the Environment health, Professional health and Solid waste sections	
Draft MoUs with Ministries of National Economy, Health and Agriculture	
Matrices of responsibilities and powers between EQA and Ministries of Agriculture, Health, local Government , Palestinian Water Authorities	
EQA Work plan 2014 (Arabic)	
Decision of heads of budget Programmes (Arabic)	
Decision of financial signatories (Arabic)	
EQA ceiling of budget 2013	MoF
EQA quarterly report to the cabinet	
EQA training requirements (2014)	
Samples of administrative forms & press release (Arabic)	
Report on staff composition in the West Bank (Arabic)	
Organizational studies	
Entrusting the organisational structure of the Environment Quality Authority	26.12. 2005, Mr. Yussuf Abu Safia
Programme of Institutional development for EQA	Khaled Zeidan, for GTZ, November 2011
Capacity is Development, Capacity evaluation of EQA	UNDP, Dr. Abla Amawi

Title	
Reports	
Assessment of EQA Partners	Horizon, 2013
Assessment of EQA Partners – The Action plan	Horizon, 2013
West Bank and Gaza Area C and the Future of the Palestinian Economy	World Bank 2013
Environment and Security in the Occupied Palestinian Territory	ZOI report 4/2012
Governmental Environmental Expenditures (2011, 2012) - Main Findings	Palestinian Central Bureau of Statistics, 2013
The Environmental Impact of the Israeli Settlements on the Occupied Palestinian Territories	Sawsan Ramahi, Middel East Monitor, 2012
Mapping of Actors in the Palestinian Environment Sector	Heinrich Böll Stiftung , Najda Madalani Asseh, 2012
Desk Study on the Environment in the Occupied Palestinian Territories	UNEP 2002
Sustainable Development under Israeli Occupation: Achievements and Challenges	Palestine's Report to the UN Conference on Sustainable Development, Rio de Janeiro 2012
Palestinian National Authority Country Report	European Environment Agency ,2013; European Neighbourhood and Partnership Instrument Towards a Shared Environmental System « SEIS »
Household Environmental Survey, 2013 Main Findings	Palestinian Central Bureau of Statistics, 2013
Palestine National Workshop on SEIS-H2020 Indicators Final Workshop Report	Dr. Rashed Al-Sa`ed , Institute of Environmental and Water Studies, Birzeit University
Environmental Economic Survey, 2013 Main Findings	Palestinian Central Bureau of Statistics, 2013
Palestine Forest and Natural Reserves Assessment Final Report	UNEP/ IUCN
Medical Waste Management in the West Bank Is it being managed properly?	State Audit & Administrative Control Bureau Environment Audit Team Draft 2014
Third National Report on Biodiversity Conservation	EQA 2006
Solid Waste Management and Practices in Gaza Strip (Palestine)	Moustafa Y. El Baba1, Florimond De Smedt, Department of Hydrology and Hydraulic Engineering, Vrije Universiteit Brussel
Management of Drinking Water in the West Bank	State Audit & Administrative Control Bureau Environment Audit Team Draft 2014
Environment Quality Authority (EQA) capacity evaluation	UNDP, 2012
State of the Environment Report	ARIJ, 2009
Sida/UNDP support Project	
Evaluation Report, Strengthening the EQA regulatory functions project(RFQ-2013-312)	UNDP/Dimensions, May 1, 2014

Title	
Program of institutional development: For Environmental Quality Authority 2011-2012	
Technical assistance for Evaluation of the environment sector in the oPt and support to EQA	UNDP; November 2009
Project implementation plan, support to EQA's regulatory function	UNDP, May 2011
Progress Report 3 and 4 Strengthening the Palestinian Ministry of Environment Affairs Regulatory Function	
Development of a Management Plan for Monitoring Compliance and Enforcement For Ministry of Environmental Affairs Project Completion Report	UNDP/ Eco Conserv, November 2012
Implementation plan for bridging year 2013	UNDP; November 2012
Strengthening the Ministry of Environmental Affairs' regulatory function	UNDP, Center for continuing Education, Bir Zeit University, February 2013
EQA training needs assessment (Arabic)	UNDP, Center for continuing Education, Bir Zeit University, May 2012
Donors	
Israel's Statement on Climate Change Closed Session	OECD , 2009 Confidential
Monitoring Report Towards a Shared Environmental Information System (SEIS) in the European Neighbourhood	European Union , 2013, Confidential
Mapping of environmental actors in the Palestinian Civil Society Sector	Henrish Böll Foundation, October 2012
Other	
Visit to Palestine and the Environment Quality Authority (EQA)	Naturvårdsverket (EPA) May 2014
Preliminary analysis and proposal for future possible cooperation between EQA and SEPA	Naturvårdsverket (EPA) May 2014
Final Assessment Report	GZ-Emergency Capacity Building Project to the Palestinian Water Authority: Technical, Planning and Advisory Team in the Water and Sanitation Sector (TPAT)
Draft terms of reference for ESIA and RAP	PWA, 2013
Evaluation Criteria for Treatment Plant Site Selection	PWA, 2013
Environment Network in Palestine	CSO directory

Annex 4 Environmental problems

The environment in Palestine today is undergoing severe deterioration, neglect and mismanagement coupled with increased stress on natural resource exploitation to achieve economic and social development for a rising population. Under decades' long Israeli occupation and military control over natural resources, Palestine is deprived of meaningful advance towards sustainable development and integrated management of its resources. Today, the PA and the environmental body EQA have set a priority to safeguard and protect the environment and ensure Palestinian environmental rights are attained.

Water supply and sanitation services are severely restricted by Israel which controls most water resources and its distribution, leaving many communities with access to little or no reliable source of water in the West Bank. In Gaza, the coastal aquifer is severely depleted and overused, causing ecosystem damage and health crisis, in addition to marine and coastal pollution. Sanitation services are also limited and require dire attention and political pressure to cover more communities and stop the degradation and pollution caused by sewage water. The difficulty of obtaining Israeli approvals to infrastructure projects is exacerbating the dire situation of sanitation and wastewater treatment. This is coupled with illegal settlements disposing untreated wastewater, confiscating land, water sources and dumping solid waste.

Low environmental awareness in the Palestinian society, farming practices, polluting and extractive industries, like stone cutting, are causing irreversible damage to the environment and biodiversity. Soil erosion, extensive use of pesticides, and unregulated urban sprawl are also playing a role in further depletion and exploitation.

Other emerging environmental problems are desertification, climate change impacts and soil pollution. Strategies have been developed to combat such issues and reverse the effects of these phenomena. Rainfall decline, increase in temperatures and drought incidents and land deterioration are expected impacts to climate change. These cross cutting issues require collaboration with other sectors most sensitive to these problems and promotion of solutions on local, national and regional levels.

There is a political will for the protection of the environment, yet the environmental issues themselves are not prominent in the Palestinian national policy agenda. Due to lack of sovereignty, there is an inability to enforce laws and an inability to introduce environmental management principles. Limited enforcement of the environmental law, limited allocation to environment in national budget and international aid focus on other fields has limited interest in environment. On a legal and institutional level, there is a lack of mainstreaming of environmental aspects in national policies, coupled with lack of sovereignty, insufficiency in by-laws and regulations that support the law, limited financial resources, and insufficiency in equipment/personnel.

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                              ┌─────────────────────────┐
┌──────────────┐              │ Minister/Environment    │              ┌─────────────────────────┐
│ Consultants  │──────────────│ Quality Authority       │──────────────│ Office of the Chairperson│
└──────────────┘              └─────────────────────────┘              └─────────────────────────┘
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Minister/Environment Quality Authority

Consultants

Office of the Chairperson

Internal monitoring department

Assistant of chairman of Environment Quality Authority

Office of the deputy chairman

Deputy of chairman of Environment Quality Authority

G.D. of environment protection

Legal affairs department

G.D of environment education	G.D of projects and international	G.D of of policies and planning	G.D of environmental resources	G.D of Administrative and financial affairs

		Preparing projects proposals dept.	Planning and policy dept.	Desertification dept.	Financial affairs dept
Dept. of monitoring and	Envir. Awareness dept.	Implementing and follow up dept.	Sustainable dev. Dept.	Marine envir. And coast dept.	Employees affairs dept.
Air and ozone dept.	Envir. Curr. And teaching dept.	Int. relations dept.	Indicators and standards dept.	Biodeiversificatio ndept	Public services dept
dept.	Envir. Media dept.		Scientific research dept.	Information system dept.	Purchases and supplies dept.
Dept. of solid and dangerous wates	Envir. Documents and design dept.		Envir. Economy dept.	Water quality dept	Internal auditing dept.
Chemical and envir. Emergency			Envir. Radiation dept.	Energy dept	Human resources dev. dept
Public health dept.					

Annex 6 The main outputs of the Sida support to EQA through UNDP

Output 1: Environmental action plan and Awareness Strategy formulated in cooperation with sector partners
- Development of an Environmental Awareness and Education strategy and an Action plan for the environment sector strategy 2011 – 13

Output 2: Legal and institutional framework further developed in partnership with line Ministries communicated
- Development of draft bylaws on exploitation of natural resources and management of hazardous waste
- Development of procedural manuals for monitoring and inspection, environmental impact assessment for investors, environmental auditing, and environmental impact assessment for consulting firms/offices.
- Initiating dialogue on roles and responsibilities for environmental monitoring and inspection with MoLG, MoNE, MoAg, MoH, and PWA. A matrix of roles and responsibilities and MoUs was prepared and discussed.
- Conducting a workshop with the Jordanian Ministry of Environment and the Jordan Royal Society for the Conservation of Nature (RSCN) on environmental legislation and best practices in monitoring and inspection with professionals from the police, general attorney office, judicial authority, and line ministries and authorities.
- Conducting 11 awareness workshops for private sector and women's organisation covering the different governorates of the West Bank.
- Undertaking an inventory of different sources of industrial pollution in four governorates in the West Bank with support from UNVs.
- Development of a management plan for the protected area, Wadi Al-Quf in Hebron.

Not completed:
- prepare a plan for developing an environmental information management system for monitoring and inspection of industrial pollution.

Output 3: EQA's protection department has competencies and equipment to carry out environmental inspection and audit.
- Provision of basic monitoring equipment to all regional offices and one vehicle
- Conducting a study tour for 13 environmental inspectors from the EQA HQ and regional offices to Jordan.
- Undertaking a study tour to the Environmental Protection Agency (EPA) in Sweden.

In addition:

- Conducting a series of general training of EQA staff in communication, team building, conflict management, negotiation, leadership, organization, and planning

Annex 7 Donor Support to EQA

Belgium

The present support focuses on mainstreaming climate change adaptation into Palestinian policies and to support to CSOs' small grants projects for climate change mitigation through funding by the Global Environment Facility (GEF). The support is provided through delegated cooperation with UNDP. The total budget is 1.5 MEuro for 2014 and 2015. EQA is supported to lead the development of the national communication report on climate change for the UN Framework Convention on Climate Change and is part of the steering committee of the GEF facility. In addition, Belgium through its study fund for PA institution, has initiated discussions with EQA to support a consultancy study on the pollution of the Ghisury factory in the Israeli Industrial zone in Tulkarm. The Belgium consulate expressed interest in possibly providing further support to EQA during the next NDP, starting from 2017, through a delegated cooperation with e.g. Sweden. Belgium is part of the working group for environment.

GIZ

GIZ has supported EQA with the development of an electronic archiving system for EQA's incoming and outgoing correspondence. The project was recently finalised. It aimed to address EQA's lack of a comprehensive and institutionalised system for archiving, including regional offices. GIZ provided USD 90.000 for the development of the system form their Good governance fund for PA institutions. The fund will be closed in 2014.

EU

Through the Euro-Med regional programs, i.e. Horizon 2020 EQA has access to some support for mainstreaming environment into other institutions and to develop environmental indicators. Horizon 2020 also includes support for development of regional and national Shared Environment Information System, SEIS, in collaboration with the European Environment Agency EEA. Through the ENPI South programmes Clima South for climate change mitigation, SWITCH-Med for sustainable consumption patterns and Sustainable Water Integrated management (SWIM), EQA can access funds for mainly training of its own personnel and other partners. EQA is a frequent and appreciated participant in these EU sponsored programs, and EU estimates that well over half of all international participation and training done by EQA is sponsored by them. The training results are not monitored, and there are doubts on the usefulness of some training. As the training programs are managed from EU headquarters, there are few links to EUs support in e.g. the wastewater sector, and EQA does not make that connection themselves.

JICA

JICA has provided EQA with basic equipment for monitoring and inspection worth USD 100,000. JICA was not willing to meet the review team as it did not foresee any further engagement in the environment area.

Annex 8 Summary of Responsibilities given to EQA in the Environmental Law

Lead agency[1] for	Article
• **Environmental consciousness**	4
• **Solid waste:** Overall planning, specify dump sites, list hazardous wastes, issue permits for transiting of hazardous waste	7, 9, 13
• **Agricultural chemicals:** determine conditions, directives, standards and ensure compliance	14,15
• **Nature resource exploration:** formulate conditions	16
• **Air and noise pollution:** determine standards, curb the exhaustion of the ozone layer,	19,24, 25
• **Water quality:** drinking water and sea water standards, criteria for treatment, reuse and disposal of **waste water**;	28,29, 31
• **Marine environment:** instructions, rules and regulations for controlling marine pollutants and sea shore deterioration, set environmental conditions	31, 33-37,39
• **Nature protection:** criteria, announce, supervise nature reserves and parks; determine conditions for **biodiversity** conservation	40, 42, 43
• **Environmental Approvals:** Environmental approvals to obtain a license ;Environmental Impact Assessments: criteria, lists, regulations, proceedings	45, 47
• **Monitoring and Inspection:** follow up decisions, the application of the law, standards; conditions for self-monitoring	49, 50, 54
• **Law enforcement and legislation:** stop activities up to 2 weeks in case of serious environmental hazards; prepare by-laws based on the law	57, 80
• **International cooperation programs in environment:** coordinate research, formulate programs	75
• **Environmental monitoring:** compile, report, submit, exchange data	75,79
Supporting Partner[2] in	
• General policy for land use	6
• Solid waste: reduce volumes, encourage re-use	9
• Desertification: take measures for re-planting	17
• Radiation: determine limits	27
• Law enforcement: impound environmental violations	51
• Emergency plans for coping with environmental disasters	78

[1]: Defined as the law stipulating that "The Ministry shall in coordination with the competent authorities…"
[2] Defined as the law stipulating "The competent authorities in cooperation with the Ministry shall…" or "The competent authorities shall…" or "Ministry in participation with…"

Annex 9. Approved and drafted legal framework for the environmental sector

Laws	Main institution
Environmental Law 7/1999	EQA
Public Health Law 20/2004	MoH
Industry Law, 2011	MoNE
Water Law 3/2002; New law adopted in June 2014	PWA
Agricultural Law 2/2003	MoA
Local Government Law, 1/1997	MoLG
Natural Resource Law	MoNE
Regulation of Cities, Villages and buildings Law	MoLG
By laws, regulation, Council of Minister Decisions Based on Environmental Law	**Status**
Medical Waste management bylaw	2012
Agricultural pesticides bylaw	2012 (Environmental and agricultural law)
Connections of households and establishments to sewerage bylaw	2013
COM Decision: Environmental Conditions System of Stone and Marble Saws and Ready-Made Concrete and Tile Factories	2010
COM Decision on System connection with public sewage network	2013
Hazardous waste management Bylaw	draft
Excavation and mining of natural resources	draft
Solid Waste Management Bylaw	Draft (Environmental and Local government law)
Natural reserves, protected areas and national parks Bylaw	Draft (Environmental and agricultural law)
Hunting Bylaw	planned in the near future
Sand Extraction by law in Gaza	approved
EIA policy (in principle looking like a regulation/instruction)	2000
National strategy for Solid Waste Management (partly regulating/instructing)	2010
Landscape Bylaw	planned in the near future
Most important Bylaws based on other laws concerning the environment	**Status**
Pastures protection Bylaw	2005, Agriculture law
Forestry and Forest bylaw	Draft, Agriculture law
Animal farming Bylaw	Approved, Agriculture law
Animal health control bylaw	2010, Agriculture law, including disposal of animals
Quarantine Bylaw	2008, Agriculture law
Governance Councils bylaw	2006, Local Government Law
Cabinet decision 35/9 on Fishery protection	approved
Licensing of industries Bylaw	In development Law of industries
Cross-ministerial Instructions	**Status**

Inter-ministerial committee for Gishori factories in Tulkarm	approved
Instructions for shielding of radiation rooms	2003
Instructions about protection from ionizing and non-ionizing radiation	2003
Instructions for protection from radiation polluted foods	2003
Instructions for monitoring and inspection	Under development, but of uncertain delivery date and quality
Strategies and policies	**Status**
Environmental sector strategy and action plan	Approved, 2011-2013, new for 2014-2016
National strategy to combat desertification	approved
Climate change adaptation strategy	approved
National Water Strategy	2013
Biodiversity Strategy	Over 15 years old
Environmental Awareness Strategy	approved
Standards	**Status**
Drinking Water	2005
Industrial wastewater	1998
Wastewater reuse	approved
Noise	approved
Air pollution	approved
Others	

Annex 10 Institutional framework and division of responsibilities

	1. Solid waste	2. Hazardous waste	3. Medical waste	4. Agro chemicals
Applicable laws	Environment Law Health Law Local Government Law (investment, water and agriculture laws)	Environment Law Local Government Law Health Law (water and agricultural laws)	Environment Law (art 9 – 11- 12- 13) Health Law (art10,42,55) (agriculture law for vet medicine)	Environment Law Agriculture Law (art 51) Health Law (art 42)
Legislative function: • **Laws** • **By-laws**	By laws being drafted. There is a potential conflict between the MoLG and EQA for responsibilities towards the sector. The approved Solid Waste strategy outlines institutional responsibilities.	Almost complete overlap health and Environmental laws giving same responsibilities to EQA and MoH. Bylaw on hazardous waste management under development	Bylaws approved 2012.	Internal decisions from the MoNE minister. (Preventing entrance of some materials) including some agro chemicals There is a Scientific Pesticide committee between EQA and MoA (also MoH) Listing pesticides
Regulatory function: • **Draft Policies** • **Issue instructions** • **Set standards and criteria**	1- A national team headed by the MoLG and supported technically by the EQA prepared the Solid Waste Strategy. This team has the responsibility of issuing the Policies but it never met after the preparation of the strategy 2- This national team has identified three central	The National Strategy for the solid waste refers to it MoH shall determine regulations of transport. MoH also has responsibility for guaranteeing disposal of the waste	agriculture law gives full powers to regulate for Ministry of Agriculture, laws of Public Health and Environment are given to the Ministry of Health and the Environmental Quality Authority and powers "of participation " to organize work in this sector . This conflict must be addressed.	

	1. Solid waste	2. Hazardous waste	3. Medical waste	4. Agro chemicals
	locations for dumping Waste in the WB and one in Gaza 3- Setting standards for the special conditions for treatment locations of solid waste and burning it is a conflict issue. Similar responsibilities given to MoH and EQA in the environmental and health laws. 4- Disposal instructions for hazardous waste to be issued by EQA 5- Nothing defined for hazardous waste, now dumped with other waste. In Oslo agreement should go to Israel, but politically complicated and expensive. 6- Most landfills, dumpsites in area C, requiring Israeli permission, large delays		The EQA issue the list of hazardous materials	
Approval function: • **Approvals** • **Permits** • **Licenses** • **Renewals**	Dump sites should take environmental approval from EQA. Buildings of the Dump sites should take licenses	MoH	MoA MoNE EQA approves import licenses for hazardous chemicals.	

	1. Solid waste	2. Hazardous waste	3. Medical waste	4. Agro chemicals
	for the MoLG/Municipalities Also the MoH has a role in the licensing of the Dump sites			
Oversight function: • **Monitoring** • **Inspection**	EQA overall planning, oversight M&I, MoLG to monitor LGUs and JSCs LGU self-monitoring JSC self-monitoring MoH, oversight monitoring, esp biological hazards There is no conflict in this aspect – it is complementary PWA has some responsibility for liquid hazardous waste from industries and agriculture Israel monitors dump sites in Area C	There was a big conflict in this regard when EQA could not enter health centers for inspection. Now resolved in that MoH has responsibility inside the establishments and EQA outside. MoH happy with the solution, EQA not.	MoA	
Enforcement function: • **Managing complaints** • **Issuing penalty** • **Legal action**	LGUs JSC MoH EQA MoLG The citizen can complaint to any party, the level of coordination is poor and sometimes there is no coordination. The Public	MoH	MoA	

	1. Solid waste	2. Hazardous waste	3. Medical waste	4. Agro chemicals
	Safety and Health committees in the Governorates pal an important function in dealing with more complicated complaints. There is no similar structure at National levels.			
Implementation of public service/utility	JSCs LGUs	MoH	MoA MoH MoNE	
Educating, informing and raising awareness in society	There is national strategy for the Environmental Awareness and education adopted by the EQA In this subject many parties play different roles such as MoH, MoLG, EQA, LGU, MoE, etc. The JSC and municipalities are probably the strongest in awareness around solid waste and recycling, and also those taking initiatives to reduce waste volumes and separate different waste. For pesticides awareness is entirely with MoA. There is no coordination in awareness raising except for during events, such as World Environment Day			

	5. Extractive industries	6. Air pollution ozone damage	7. Polluting industries	8. Land use and soil quality
Applicable laws	Environmental Law Mining Law Natural Resource Law As for the partial sectors relating to exploration and mining, the role of the Environmental Quality Authority and its responsibilities are clear and complementary to roles of other governmental institutions.	Environmental Law (Work Law, Anti-Smoking Law) There are exclusive powers and responsibilities for EQA in determining standards of air pollution and adjust proportions of pollutants from different sources. There are exclusive powers to EQA for the Protection of the Ozone Layer and take the necessary actions to do so.	Environmental Law Industry Law Health Law	Local Governmental Law Agricultural Law
Legislative function: • **Draft laws** • **Draft By-laws**	• Mining Bylaw • Excavation and mining of natural resources bylaw (Under development) • Environments Conditions for stone and marble industries • Stone Extraction By in the WB • Sand Extraction by law in Gaza	Air pollution Standards (issued by the Palestinian Standard Institute)	Prevention of radioactive contamination of foodstuffs Instructions prevention of Non-Ionizing Radiation Shielding radiation rooms Connection of Accommodations and Facilitates With Public Sewerage Network	There is an approved manual for physical planning adopted by the MoLG which organize the preparation of Physical plans for different communities. Spatial planning completed on national level. LGUs now preparing their spatial plans based on the National plan.

	5. Extractive industries	6. Air pollution ozone damage	7. Polluting industries	8. Land use and soil quality
Regulatory function: • **Draft Policies** • **Instructions** • **Set standards and criteria**	Palestinian Standard Institute EQA	EQA Palestinian Standards institute	MoNE EQA MoH	Tanzeem and Building Bylaws Spatial Planning (MoPAD and MoLG) MoA for soil quality MOA and EQA both to make plans for improvement of soils Agricultural strategy
Approval function: • **Approvals** • **Permits** • **Licenses** • **Renewals**	All mining sites need environmental approvals MoNE give licensing. MoNE judge if the licensing request needs an environmental approval or not (some conflict)	EQA issues environmental approvals, respective ministry issue licenses , mainly MoNE but can also be MoA , MoLG/LGUs	EQA or MoH give environmental approvals MoNE issues licenses and judge if the licensing request needs an environmental or health approval or not (some conflict). MoA licenses agricultural undertakings	Top Tanzeem (Regulation Council) approve the physical plans prepared by the LGUs The Top Tanzeem Council chaired by many ministers including the EQA
Oversight function: • **Monitoring** • **Inspection**	EQA – MoH – MoLG – LGU For licensing conditions: MoNE	Air pollution out of the facility it is the responsibility of EQA. Air pollution inside the facility it is the responsibility of Ministry of work (occupational health) Also MoH can follow up from the point view of public health.	MoNE , EQA, MoH MoW, PWA, MoA The situation in the construction and other industries is complex – there is air pollution – waste water full of powder	MoLG, MoPAD for plans MoA monitors soil quality
Enforcement function: • **Managing complaints** • **Issuing penalty** • **Legal action**	Different parties: EQA MoLG LGUs MoH	LGUs MoLG EQA MoH MoW	MoNE EQA MoH MoW	MoLG and Local Committees in each area (EQA is member in some of them)

	5. Extractive industries	6. Air pollution ozone damage	7. Polluting industries	8. Land use and soil quality
Implementation of public service/utility	na	na	MoNE	MoLG / LGUs
Educating, informing and raising awareness in society	MoNE and LGUs are main contacts for awareness with the private sector. There is national strategy for the Environmental Awareness and education adopted by the EQA. In this subject many parties play different roles such as MoH, MoLG, EQA, LGU, MoA, etc. In practice, contacts with private sector is almost non-existent outside the licensing entities (MoNE, LGUs and for agricultural production also MoA)			

	9. National reserves & parks	10. Biodiversity	11. Forests plants, desertification	12. Sea water & coastal zone
Applicable laws	Environmental Law Agriculture Law	Environmental Law Agriculture Law	Environmental Law Agriculture La	Environmental Law Agriculture Law Water law Health Law
Legislative function: • **Draft laws** • **Draft By-laws**	MoA EQA declares reserves Conflict in how both institutions see their roles. Overlaps for planning, monitoring, and re-planting	EQA clearly responsible except for agricultural biodiversity (MoA). MoA : (Agricultural councils Animal Health milk substitutes Veterinary Quarantine Protect pastures System, Poultry hatcheries Nurseries, License poultry farms and animals, Hunting Instructions)	Desertification Agricultural councils System project to protect nature The protection and Forestry and forests	Minor potential overlaps and conflicts. MoA responsible for fishery protection. Clear mandate to EQA for sea water quality. As this is in Gaza, almost nothing has been done except some reporting of data since 2007
Regulatory function: • **Draft Policies** • **Issue instructions** • **Set standards and criteria**	MoA EQA	MoA MoH EQA	MoA EQA should oversee and set indicators There is a conflict as MoA has rather exclusive Forest	Clear roles: MoA (fisheries, sand extraction) EQA (standards) PWA (installations for desalination)

	9. National reserves & parks	10. Biodiversity	11. Forests plants, desertification	12. Sea water & coastal zone
			responsibility, EQA biodiversity	PSI (standards)
Approval function: • **Approvals** • **Permits** • **Licences** • **Renewals**	MoA EQA declares reserves, installations need Environmental Approval	No approvals given, but biodiversity shall be considered for general Environmental Approvals by EQA. Some installations get approvals from MoH instead, , which does not consider biodiversity issues.	MoA	MoA Any costal project needs environmental approval.
Oversight function: • **Monitoring** • **Inspection**	MoA The MOA has a guards for the national reserves and parks. Conflict in how both institutions see their roles	EQA MoA PCBS	MoA	Clear roles: EQA Overall water quality PWA (desalination plants) MoH (health on beaches) MoA (fisheries, algae)
Enforcement function: • **Managing complaints** • **Issuing penalty** • **Legal action**	MoA and EQA There is a conflict An MoU not signed tried to solve this conflict	MoA EQA There is a conflict MoA has licensing and oversight of hunting	MoA	MoA (fishing) EQA PWA
Implementation of public service/utility	MoA	na	MoA	LGUs MoA (fisheries)
Educating, informing and raising awareness in society	MoA is the main player together with EQA. On sea water and coastal zone nothing has been done in Gaza. There is national strategy for the Environmental Awareness and education adopted by the EQA. Similar roles given to MoA and EQA for awareness in biodiversity and National parks.			

	13. Noise	14. Drinking water	15. Waste water	16. Climate change
Applicable laws	Environmental Law (Ambient Air Quality) Work Law (Occupational Safety)	Water Law Environmental Law Health Law Local Governmental Law	Water Law Environmental Law Health Law Local Governmental Law	The available laws do not refers to the climate change
Legislative function: • **Draft laws** • **Draft By-laws**	EQA mandated. No conflicts.	PWA, MoH, EQA Some conflicts in law Water Quality Standards exist. Water quality not mentioned in proposed new Water law Drinking water standards 41/2005	Irrigation Water Management system Connecting Connection of Accommodations and Facilitates With Public Sewerage Network Wastewater standards 2003 Instructions for sludge reuse Instructions for wastewater reuse	Climate change strategy of EQA There is a national committee for the climate change headed by the EQA
Regulatory function: • **Draft Policies** • **Issue instructions** • **Set standards and criteria**	MoW EQA MoH	Clear: PWA (implementation regulations) Palestinian Standards Institute EQA (Standards) MoH (bottled water)	PWA EQA MoH MoA (re use) Municipalities MoLG	Not Clear
Approval function: • **Approvals** • **Permits** • **Licences** • **Renewals**	EQA MoW	PWA EQA gives EA MoH gives EA	PWA Treatment plants and sewage systems need Environmental Approval	Not clear, but could be included in Environmental Approvals
Oversight function: • **Monitoring** • **Inspection**	EQA MoW MoT	PWA (has database for water source quality) Water utilities (self-monitor) MoH (processing stations) MoLG EQA	PWA control at station, re-use for recharging aquifers (mainly Gaza). Has wastewater database Water utilities (self-monitor) JSC (self-monitor) MoLG (oversee LGUs)	Not Clear

	13. Noise	14. Drinking water	15. Waste water	16. Climate change
		Overlapping functions	MoA (re-use for irrigation) EQA MoH Some overlapping functions MoH-EQA, otherwise clear	
Enforcement function: • **Managing complaints** • **Issuing penalty** • **Legal action**	LGUs EQA MoW MoT	PWA MoLG EQA MoH	PWA MoLG EQA MoH	Not Clear
Implementation of public service/utility	na	PWA MoLG Municipalities	PWA MoLG Municipalities	na
Educating, informing and raising awareness in society	There is national strategy for the Environmental Awareness and education adopted by the EQA In this subject many parties play different roles such as PWA, MoH, MoLG, EQA, LGU, MoA, MoE etc			

Annex 11: Summarized expectations on EQA performance

Institution	Main expectations on EQA
MoH (2 interviews)	− Inspections (MoH feels understaffed) − Competent staff with field experience who can solve problems − More scientific, move towards Solid Waste and Wastewater focus, become center of excellence and experts in hazardous waste o Scientific studies land use, hazardous chemicals, landfills, water − Come to meetings locally and nationally − Check polluting industries − Documentation of Israeli violations − Not to give in for political pressure − Decentralize functions
MoLG (2 interviews)	− Make inspection and monitoring function as it is supposed to be − Expert organization , which can assist with mitigation measures − Awareness together with LGUs − Clearly identify its' role and play their role, solid and hazardous waste, wastewater − Decentralize decisions and functions to come closer to the LGUs
MoNE (2 interviews)	− Follow up existing Environmental Approvals − Strengthen enforcement of violations (area C remains a problem) − Do not create unnecessary hindrances for industry establishment − Understand economic arguments − Make conditional approvals, do not simply say no
MoA (4 interviews)	− Make M&I function − Control wastewater plants − Clearer leadership in Climate Change − Positive cooperation around Nature reserves
JSC (7 interviews[1])	− Make inspections and follow up of environmental approvals − Access to new technologies − Assist to solve occurring problems − Solve the hazardous waste issue as this is a national thing, beyond capacity of JSCs − Study on sources of hazardous waste and how to treat separately − Regulations for different types of waste and waste separation, − Want EQA closer as MoLG do not fully understand environmental issues (have now stepped in EQAs place). Need EQA as pressure for MoLG who has to see to the LGU economic conditions in the first place (JSC needing to fully finance their operations) − Awareness for closing dumps towards public and LGUs − EQA as Government support in awareness to raise status (JSC feel they are capable to it themselves)
Municipalities (7 interviews)	− Most important: Supervising self-monitoring of wastewater and solid waste

	− Secondly: Law enforcement!
	− Assistance with difficult technical problems, directly or as facilitator; becoming a knowledge bank on wastewater and solid waste
	− Hazardous waste source treatment, conditions in EA, develop fee system, EQA to find solution
	− Start classifying industries as polluters
	− Someone to turn to when they cannot solve the complaints themselves, second tier complaint resolver
	− Strong regulations for solid waste, esp. Hazardous waste
	− Assistance in awareness campaigns
PWA (3 interviews)	− Enforce private sector to comply with conditions
	− EQA must seek up sources of pollution, and document (Wastewater plant operators need to know what comes into the plants)
	− Information system for solid waste (leachate especially)
	− Water source protection coop with PWA (esp. wastewater infiltration) and *wadi* pollution
	− More professional in assessing EAs, need to have wastewater expertise
	− List of approved consultants for EIA in place and enforced, manual to check consultants
	− Take lead for revised wastewater effluent standards in Gaza (PSI to lead in West Bank)
PSI (1 interview)	− Inspect in the field and enforce regulations
	− Participation in committees to develop standards
	− EQA should enforce standards, this is not forthcoming
	− Survey of polluting sources, esp. industrial waste
	− Assist in recycling
PCBS (1 interview)	− Prepare and gather the indicators they are responsible for
	− M&I in the field concentrating on polluting industries
	− General support for solid and hazardous waste and wastewater
	− Prepare implementation plans and execute them
SAAC (Interview group of auditors)	− Monitoring and inspection guidelines and coordination
	− Instructions on management of hazardous waste
CSOs (18 interviews)	− Information bank gathering existing scattered information, including research and Israeli violations. Encourage debates.
	− Conduct and document inspections, make statistics known
	− Official database of research and studies and environmental data
	− Raise environmental court cases in Israel
	− Strategic sector planning, including for industries
	− EQA should not implement directly!
	− Access to political and international levels
	− State of environment report, monitoring trends in environment
	− Conflict resolution and mediation
	− Assist to create a civil society forum for environmental concerns, similar to E-WASH

	– Provide materials for awareness
Citizens (indirectly thru complaints)	Most frequent complaints: – Sub-standard solid waste and wastewater services – Stop odors and leakages – No installations in my backyard
Donors (6 interviews)	– M&I of landfills and wastewater treatment plants – Set regulations and follow up implementation – Competence in assessing EIAs (considered too low now) – Closing of dump sites – Mainstream environment into all sectors – Broader plan for Solid Waste management – Proactive inspections – Promote private sector involvement, esp.in hazardous waste
Private sector (3 interviews, mainly indirectly understood)	– Stay away – Companies In the waste business: need help with access to knowledge,

[1]this group includes the coastal water utility in Gaza

Annex 12. Solid and Hazardous Waste : Responsibilities given to EQA

	Regulatory	Policy	Monitoring	Approval and inspection	Awareness, research
Environment law	• **List the hazardous** materials and waste. • **Instructions** to process, store, distribute, use, treat or dispose of hazardous waste (lead in coordination with the competent parties.) • determine the **specifications** of the solid waste dump sites.	formulate a national **overall plan for managing solid waste** at the including determination of methods and disposal sites &**supervise** the plan execution (by local entities).		**permit** (or ban) transiting of hazardous waste (importation of hazardous waste into Palestine is prohibited).	together with others **reduce the production** of solid waste to the lowest level possible and promote **re-use and recycling**
By laws Solid Waste ((draft) and **Solid Waste Strategy**(approved)	• **Standards for sanitary landfills** and transfer stations • **Review organizational** structural units as involved • **Standards to collect, treat, and use Green House Gases** emitted from sanitary landfills • Directives and standards for the **collection, transport, recycle, and treatment** of construction and demolition waste	**National vision** for SW disposal **Plan for hazardous waste** management (medical waste hardly mentioned separately in the strategy)	• Unified system to check and **monitor effectiveness for SW** collection and transport • Prepare and implement a **system to document, track**, and update the data of hazardous waste • **Formulate indicators** to monitor the environmental impacts of Solid Waste on air, surface water and groundwater, and soil	Develop the **monitoring mechanisms** of adherence of involved parties to laws, regulations and standards. This includes **periodical inspection procedures** and mechanisms and **reporting at various levels** (each institute as involved)	• **Research study** to identify opportunities and priorities for SW reduction and the needed implementation tools • Evaluate opportunities for **Clean Development** • **Mechanism reduction of GHG** emissions from regional landfills • Find how to utilize the **international agreements** • Evaluate options for **reduction of methane, CO_2.** from solid waste (waste-to-energy, composting, recycling)

					• **Community awareness** programs and relations CSO /citizens at all levels **Joint projects with civil society**. Establish dialogue between governmental, private, and CSO sectors
By laws Hazardous waste	• Develop **standards**, specifications environment and air pollutants **outside the establishment.** • Issue conditions and criteria to **prevent pollution of water.** • Specifications and standards for **effluents** to avoid water pollution • Specify the **sites for processing and disposal** of hazardous waste • EQA chairperson issues instructions concerning the **work of the inspectors**	Implement rules of **agreements and international and regional treaties**	**Receive the following reports**: -Self-monitoring from establishments -Incidents for emergency action establishments own emergency plan and transport; transport records -Quantities and types of waste produced in establishments -Transport of waste outside the sites -Annual reports from establishments and processing stations -Change of ownership for processing stations -Receive pollution notifications -Reports on corrective actions when made to rectify, remove, etc. **Establish reporting content**	Agree to all **licensing and modification** by other authorities for hazardous waste producing entities, landfills, transport, effluents, wastewater treatment according to Environmental assessment policy **IEE/EIA presented to EQA** **Cancel approvals** and ask competent authorities to withdraw license Agree **on safety of disinfecting** according to the plan (for closing establishments) **Issue permits for processing and disposal and transport** to establishments Follow up **environmental violations,** and processes of **rehabilitating** environments **Make the polluter**	

			Periodical review about the extent of suitability of emergency plans Prepare **reports and minutes from inspection work** including smuggling, dangerous waste, discharge **Database** of environmental data, violations, its sources, causes, environmental violations **Law enforcement**	• correct the situation • remove negative effects within 2 weeks • present report about corrective action	
Environmental sector strategy (for the sector) and the Action plan derived from the strategy	Remove the debris of buildings resulting from the war on Gaza Establish a **system** (legislative and physical) for handling and transport of **hazardous waste**	Make **plans** for: (i) reduce, separate, reuse and recycle waste; collect gases from sanitary landfills (ii) private sector initiatives waste management (iii) establish small-scale and domestic treatment plants	**Of 13 indicators 3 relate to waste:** 2. Proportion of households with access to solid waste collection services 4. Proportion of solid waste disposed in sanitary landfills 5. Proportion of solid waste separated and recycled **Control and monitor agricultural chemicals**	Control sources of **water pollution** **Shut down** or rehabilitate unplanned sites	Promote behaviors associated with environmental preservation
Medical waste bylaws (approved)	Approved 2012 MoH responsible inside hospitals and clinics, EQA outside (transport, etc)	**Overall plans** for treatment and disposal		MoH inspects inside health facilities, EQA outside (transport, treatment, disposal, etc)	

MoU w MoLG (not signed)	**Specify places** for waste disposal, for processing or burning solid waste	Make **plans of waste mgt** and oversee it	Taking samples, measure and monitor landfills		
MoU w MoH (not signed)	Select landfill places		EQA to deal with hazardous waste, while MoH with medical waste	Strategic monitoring, MoH the daily inspections	

Aligns with plan for MDGs of Palestine 7th Goal **Seventh Goal: Ensure environmental protection and sustainability, Third:** Third: To improve systems of, solid waste and dangerous waste as follows:

- To expand the scope of sanitary septic system services for solid waste to include all residential areas
- To close and/or treat random landfill sites
- To establish a system of management of dangerous waste

Indicator: 1. Percentage of solid waste dumped in landfills in a sanitary manner to be raised from 30% to 70% in 2015

2. Percentage of people who have solid waste collection service to be raised from 92% to 95% in 2015

Annex 13. Responsibilities given to EQA in Wastewater and Water Quality

Note: Unless otherwise stated EQA is the lead agency

	Regulatory	Planning, policy	Monitoring	Approval and inspection	Awareness, research
Environ-mental law	**29.** Formulate, in coordination the **standards and criteria** necessary for the method of compiling, treating, re-use or dispose of the waste water and rain water 31. Quality regulations for **sea water, conditions for buildings on sea shore, etc.** **35-39.** Regulations for marine environment 28 Determine the **quality standards and** characteristics of the **drinkable** waters			45, 47. on EIA and approvals applies	
Water law 2002	7.14. PWA sets standards for water qualities **in cooperation with others** 29.2 PWA shall participate in guidelines for **EIA (led by EQA)** 29.4. PWA participates in preparing **list of pollutants (led by EQA?)** 7.x. PWA participates in water standard setting, not lead **Very little is included on wastewater in the law, except for standards**	7.1. **PWA has full responsibility** for wastewater 8. Head of EQA is member of Nat Water Council	7.2. Periodic reports on water status PWA **in coop with others (like EQA)**	31. PWA may declare groundwater protected areas, EQA can have a role 32. PWA must **clean up** pollution water (not in EQAs mandate) 34.2, 3. PWA right to inspection	
Water Law June 2014 draft	5. Wastewater facilities to follow regulation by Cabinet of ministers 8.6 PWA sets standards, design, quality control , technical specifications for water and sanitation projects (alone) 8.12. PWA participates in setting water standards (not lead) 8.14 Laws and regulations for wastewater Law establishes regional utilities	3. **PWA has full responsibility** for water resources 35.PWA sets policies for wastewater tariffs	8.17 PWA works on establishment of monitoring systems…water quality… 18. Regulatory council to monitor wastewater management	8. PWA evaluates water resources quantity and quality 24.2. Regulatory council to (2) license wastewater treatment and collection (6) control wastewater operations	8.8. PWA supervises arrangement of water and sanitation campaigns 8.11. Coordinate and supervise research W&S

	Regulatory	Planning, policy	Monitoring	Approval and inspection	Awareness, research
	52. PWA participates in regulating industrial, agricultural pollution, EIAs, crisis management, prepare pollutants list			54. Declare protected water areas 57. Judicial officers for PWA	
Local Gov Law	15. Supervision of the polluters (LGUs) given to MoLG		EQA remains with monitoring of pollution issues		
Environmental sector strategy	Rank 14, Develop and enforce **instructions on primary treatment** of industrial wastewater		Develop system to **monitor water pollutants;** Monitor the quality of Mediterranean waters	Rank 10. Activate control systems for water quality Rank 12. Address **hot pollution** sites	
Decision COM on sewerage connections 2013			**Monitor all installations** as led by MoLG, esp for installations covering more than one municipality	Service provider must get EA thru **EIA .** Other necessary permits come from PWA and MoLG for sewerage system. 4. Treatment plants **approval from EQA,** MoLG, PWA establish treatment plants EQA and MoH entitled to test treated WW from industries	
Water sector strategy	WW reuse **standards** set by PSI (**EQA not mentioned)** **PWA to develop by-laws for Water and wastewater connection**			Together with PWA coordinate **scientific monitoring** to avoid minimize environmental impact on soil and aquifers with WW reuse	PWA & MoA develop mechanisms to increase farmers use of treated WW

	Regulatory	Planning, policy	Monitoring	Approval and inspection	Awareness, research
					MoA , PSI and MoH list safe crops for WW irrigation. Implementation by PWA, MoA, JWU, CMWU and farmers associations (**EQA not mentioned**)
MoU w PWA, signed	**Wells and spring water**, EQA sets standards and monitor		EQA **receives specification** of incoming and outgoing WW to/from treatment plants	**EIA** for treatment plants Testing **sea water** periodically	
MoU w MoLG not signed	Does not mention wastewater, why?				
MoU w MoH not signed			Sea water quality examinations	**EIA** for water processing stations; Specify sources of coast pollution; Strategic monitoring, MoH the daily M&I	

Aligns with plan for MDGs of Palestine 7ᵗʰ Goal **Seventh Goal: Ensure environmental protection and sustainability,** To improve systems of wastewater management, solid waste and dangerous waste as follows:

- To expand the scope of sanitary septic system services for solid waste to include all residential areas
- To close and/or treat random landfill sites
- To establish a system of management of dangerous waste
- To expand the scope of services treating wastewater and existing treatment stations
- To set up a plan to establish small and domestic treatment plants
- To set up a national plan for the use of treated water in