1. INTRODUCTION

Background and Context

On 8 July 2014, Israel launched a military offensive known as “Operation Protective Edge” against the Gaza Strip. This is the third major conflict in Israel/Gaza since 2008 and by far the most destructive. Over the course of 50 days of military engagement between July and August 2014, both Israeli forces and Palestinian armed groups committed war crimes and other serious breaches of international law.

During the conflict, over 1,500 civilians, including 551 children, in Gaza and six civilians in Israel were killed, thousands were injured, and around 100,000 Palestinians were displaced. There was also massive destruction and damage to civilian homes, businesses and vital infrastructure in Gaza. Both sides committed serious violations of international humanitarian law, including war crimes. Israeli forces carried out attacks on inhabited homes, in some cases killing entire families, and on medical facilities and schools, as well as deliberately destroying homes and civilian infrastructure. Hamas and Palestinian armed groups in Gaza fired thousands of rockets and mortar rounds indiscriminately into civilian areas of Israel. It is estimated that during Operation Protective Edge, over 118,000 housing units in Gaza were damaged or destroyed. At the end of November 2014, the UN estimated that 19,600 families were displaced, and many were living in unsustainable conditions. The suffering for Palestinians in Gaza generated by the conflict was compounded by the ongoing Israeli blockade. Israel has maintained its air, sea and land blockade of Gaza, imposing collective punishment on its approximately 1.8 million inhabitants and stoking the humanitarian crisis.

In the aftermath of the ceasefire, tensions remain acute, particularly in the West Bank where Israeli forces have carried out unlawful killings of Palestinian protesters, including children, and maintained an array of oppressive restrictions on Palestinians’ freedom of movement while continuing to promote illegal settlements and allow Israeli settlers to attack Palestinians and destroy their property with near total impunity. Palestinians, mostly individuals not affiliated with armed groups, have carried out stabbings, shootings, car-ramming and other attacks against Israeli forces and civilians in both Israel and the West Bank, Israeli forces detained thousands of Palestinians, some of whom reported being tortured, and held around 500 administrative detainees without charge or trial at the end of 2015. Within Israel in 2015, the authorities continued to demolish homes and commit forcible evictions of Palestinian Bedouin communities.

In August 2014, the UN Human Rights Council established a Commission of Inquiry (COI) on the 2014 Gaza conflict to investigate all violations of international humanitarian law and international human rights law in the OPT and examine such violations by all parties to the conflict. The COI found that both Israel and Palestinian armed groups had committed possible war crimes, confirming previous reports by local and international human rights organizations. Still, Israel has steadfastly denied access to Gaza and the West Bank to the COI. Further, it continues to deny access to Gaza to Amnesty International (AI) and other international human rights organizations that are researching allegations of serious violations of international human rights and humanitarian law during the conflict.

Following several years of campaigning and advocacy work by AI and other organisations for Palestine to join the International Criminal Court (ICC), Palestine finally made a declaration accepting the jurisdiction of the ICC over crimes committed in the OPT since June 2014 and, on April 1 2015, it became a state party to the ICC.

Palestine’s accession to the Rome Statute of the ICC, provides an opportunity for thousands of victims of crimes under international law during the Israeli-Palestinian conflict to gain access to justice and for perpetrators of serious crimes, including war crimes and crimes against humanity, by all parties to the Israeli-Palestinian conflict, to be held accountable.
Amnesty International’s work

Over several decades, AI and other human rights organizations have collected compelling evidence of war crimes and other crimes under international law committed by Israeli, Hamas and Palestinian armed groups. However, perpetrators on both sides continue to enjoy impunity as both Israeli and Palestinian authorities have failed to bring justice, truth and reparation to victims of crimes under international law.

During the July/August 2014 Israel/Gaza conflict, AI continued to document war crimes and other serious violations of international humanitarian law by both Israeli forces and Palestinian armed groups, including unlawful killings of civilians and destruction of civilian property, as well as other serious violations and abuses of human rights. AI’s response focused primarily on:

- Protection of civilians including humanitarian cessation-fires
- Referral by the UN Security Council of the situation in Israel/OPT to the Prosecutor of the ICC
- The UN Security Council to impose a comprehensive arms embargo
- The Palestinian Authority to submit a declaration accepting the ICC’s jurisdiction over crimes under international law committed since 1 July 2002. The Palestinian Authority to become a party to the Rome Statute, the treaty that established the ICC.
- Israel to accede to the Rome Statute and issue a declaration accepting ICC jurisdiction over crimes committed since July 2002.

As part of AI’s campaign for justice and accountability, AI engaged external independent experts and specialists to provide research support and to develop new digital methodologies to research and represent information about violations of human rights and international humanitarian law. These allowed AI to provide outstanding evidence in support of allegations that war crimes and crimes against humanity were committed during the 2014 conflict but also helped to establish a pattern of violations in Gaza with an emphasis on long-term sustained environmental damage in the Gaza Strip as a result of the three major conflicts since 2008, and the impact of the eight-year blockade.

The focus during the post conflict has continued to be on accountability for crimes during periods of armed conflict in Israel and the OPT, the Gaza blockade and unlawful killings in the OPT. In particular, AI has campaigned for:

- Accountability for victims of war crimes and other serious violations of international humanitarian law committed by both sides during periods of armed conflict (ensuring that Israeli and Palestinian authorities genuinely investigate war crimes and other serious violations of international law, and prosecute those responsible in fair trials). Much of this is a continuation of work that begun several years ago (e.g. AI campaigning for accountability for war crimes committed on both between December 2008 to January 2009)
- Accountability for Israel’s use of excessive force against Palestinian civilians in the West Bank
- The ICC to carry out an investigation into crimes in to the OPT; International community to give its support to ICC investigation and Israeli and Palestinian authorities to cooperate with the ICC
- Israel to allow AI and other human rights organizations into Gaza
- UN to impose arms embargo on all sides (Israel/Hamas/other Palestinian armed groups)
- The Gaza blockade to be lifted.

2. PURPOSE AND SCOPE OF THE EVALUATION

Amnesty International wishes to conduct an independent evaluation to assess the impact of its work on the July-August 2014 Israel/OPT conflict project (“the Gaza conflict project”).

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1 Two unique digital outputs were created in collaboration with Goldsmith College’s Forensic Architecture, and local Palestinian NGOs: The Gaza Platform and the interactive Rafah Report “Black Friday”.
The evaluation will focus mainly on the period from July 2014 to 31st December 2015. However, the evaluator will also need to acquire a general understanding of the work carried out by AI during and after previous conflicts in the same region.

The evaluation scope can therefore be divided into two ‘phases’:

1. The period during the crisis July-August 2014 but including references to work done during and after previous conflicts and/or relevant to ICC accession; and

2. The post-crisis campaigning for accountability work (for which a number of outputs were produced).

The main purpose of the evaluation is to provide an external and independent analysis that broadly assesses AI’s successes and contributions to positive changes, but also missed opportunities and challenges of the Gaza conflict project, in order to stimulate learning and inform AI’s future work in the region and other crisis/conflict work.

Lessons learned from this evaluation should contribute to AI’s future strategies and tactics for work in crisis, conflict and volatile situations, particularly in the region, and to enhance the effective management and delivery of AI’s work in such contexts. The final report should include recommendations for building on successful approaches as well as suggest ways to overcome any shortcomings in current and future crisis work in the OPT.

The evaluation is also required by the Steering Committee of the project's funder, the NRK Norwegian Telethon. As such, the primary audiences of the evaluation will be the Israel/OPT/PA (Palestinian Authority) team and the Middle East and North Africa (MENA) team at AI’s International Secretariat, the wider AI movement, and the Steering Committee overseeing work funded through the NRK Norwegian Telethon.

The evaluation should address the following provisional key questions (covering both the reactive crisis work and the post-conflict project work). The final evaluation questions will be developed in consultation with the evaluators:

**Relevance and impact**
- What have been the key outcomes/impact achieved so far as a result of AI’s Gaza conflict project?
- How did AI add value in achieving these outcomes?
- What has been Amnesty’s contribution to Palestine’s accession to ICC? What other factors and actors have made a contribution?
- Did Amnesty work with / contribute to the activity and outcomes of other actors? How does Amnesty’s work fit within a wider international response to the crisis?

**Effectiveness**
- Were fact finding, documentation and research activities, advocacy and lobbying work relevant and strategic given the context (particularly documentation for ICC, digital outputs and the Gaza platform)?
- How effectively has AI integrated and used technology to achieve human rights impact? (Key metrics – measurement of social media, media, AV penetration)
- To what extent are AI’s strategies and tactics to engage and influence key stakeholders effective?
- How has was Amnesty’s work viewed by stakeholders, especially in the region (and given Amnesty’s intention to move closer to the ground in the near future)?
- How effective has the work conducted by sections (AI national entities) been?

**Internal processes and project management**
- How effective were the internal project management and coordination between relevant International Secretariat teams, AI’s sections, external stakeholders (e.g. Forensic architecture, local human rights organisations in Gaza) particularly during the period of crisis?
- What were the key challenges in coordinating and managing the project with AI sections in generating relevant outputs and using project resources?
- How effective was the co-ordination with local and partner organisations?
Given the lack of access to Gaza and the nature of this work, how effective were the interactions with fieldworkers (use of consultants) and the impact/pressure on AI’s team members?

Gender

To what extent did this work on the conflict in OPT consider the gender dimension, or other diversity lenses (if relevant) that would be appropriate in the context?

The final report should include recommendations for building on successful approaches and other lessons learned as well as suggest ways to overcome any shortcomings in current and future work. In order to inform future work the evaluation should seek to answer:

- What would be suggested next steps, particularly with digital outputs e.g. Gaza Platform?
- What are the key recommendations and main areas for improvement during future crisis work (taking into account AI’s recently developed Crisis Response Protocol or Duty of Care work (Human resources policy).
- How to work more effectively:
  - For team well-being;
  - Campaigning in context of these issues;
  - Coordinating campaigning with the movement;
  - With external stakeholders.

### 3. METHODOLOGY

A qualitative methodology using approaches that specifically focus on contribution analysis will be preferred for this evaluation. The use of different qualitative methodologies such as process tracing is encouraged, though evaluators are encouraged to propose methodologies that they consider most appropriate to achieve the aims of this evaluation.

The evaluation should employ a range of data collection methods including desk review of research, policy and campaign documents from the project work and interviews with key informants supported by evidence. The evaluator may use a detailed chronology of events, activities and outcomes, as well as focus group discussions, interviews, on-line surveys and written questionnaires to capture the views of different stakeholders. The evaluation will also involve reviewing relevant press releases, urgent actions, policy / legal documents, and other materials produced as part of this project. AI is open to advice on any other relevant evaluation methodologies and data collection tools and techniques that the evaluator or evaluators consider appropriate for this work.

During the evaluation the evaluator is expected to engage with a number of internal and external stakeholders listed below using appropriate data collection tools and techniques:

**Internal Stakeholders**

- The Israel/ OPT/ PA team and the MENA (Middle East and North Africa) Programme, plus other relevant stakeholders in the International Secretariat: Global Thematic Issues - ESCR Team, Law and Policy Programme and the Media team.
- Relevant AI sections (AI Israel, AI Germany, AI UK, AI Netherlands, AI Spain, EU Office, AI Switzerland, AI USA, AI Canada, etc.)

**External Stakeholders**

- Local NGOs, including Adalah, ACRI, B’Tselem, Gisha
- Key activists, human rights defenders
- Civil society actors working on Israel/OPT – NGOs, academics, think tanks
- Forensic Architecture (Goldsmiths, University of London)
- Israeli and Palestinian authorities
- Relevant intergovernmental organisations
- Key media

The final list of stakeholders to be contacted for the evaluation will be decided by AI, in consultation with the selected evaluator.
Short-listed evaluators will be asked to submit a brief outline of the methodology they intend to use for the evaluation. The selected evaluator would then work collaboratively with the Strategy and Evaluation Unit (SEU) and the I/OPT/PA team at the International Secretariat to refine both the scope and the methodology of this evaluation, and develop a detailed evaluation plan. In the research and analysis phase of this evaluation, the consultant or consultants will work independently.

4. KEY DELIVERABLES

Key deliverables expected from the evaluator are:
- A detailed evaluation methodology and an evaluation plan
- A brief presentation of initial evaluation findings to Amnesty International
- Draft evaluation report for comments (in English)
- Final evaluation report of a maximum of 30 pages (in English)
- A stand-alone executive summary of not more than 4 pages. The executive summary should include key findings, major learning points and main actions for improvement.
- Key evaluation findings presented in creative formats for dissemination to key AI teams
- Where possible, documented testimony from relevant stakeholders, especially those within Gaza

5. TENTATIVE EVALUATION TIMELINE

The evaluation is expected to begin in March 2016 and is to be completed by July 2016. The evaluation is expected to take about 30-40 working days within this period. The table below indicates tentative timings for the selection process and the key evaluation moments. The exact dates will be finalised in consultation with the selected evaluator.

<table>
<thead>
<tr>
<th>Activities</th>
<th>Date</th>
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<tbody>
<tr>
<td>Call for proposals from evaluators</td>
<td>10 Feb 2016</td>
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<tr>
<td>Proposal submission date</td>
<td>28 February 2016</td>
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<tr>
<td>Selection of evaluator and contracting</td>
<td>2 weeks March 2016</td>
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<tr>
<td>Evaluator starts work</td>
<td>End March 2016</td>
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<tr>
<td>Draft report submission</td>
<td>May/June 2016</td>
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<tr>
<td>Comments on the Draft</td>
<td>June 2016</td>
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<tr>
<td>Final report</td>
<td>End-June/July 2016</td>
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6. BUDGET

Proposed budgets should be based on approximately 40 working days and should include all evaluation expenses and other relevant costs.

7. TENDER AND SELECTION PROCESS

AI invites bids from a number of possible evaluators (individuals or organizations).

Tenders should include:
- A cover letter introducing the evaluator/organization and highlighting the skills, competencies and experience for this evaluation
- A brief outline of the proposed evaluation process including the methodology, evaluation plan and management arrangements
- Proposed budget for the evaluation
- A brief CV of the evaluator/s
- An example of a previous evaluation, preferably those using methodologies relevant for this evaluation
Tenders should be emailed to seu@amnesty.org by 28 February 2016.

The evaluator will be selected based on the quality of the proposal and the affordability of the proposed budget.

The criteria for selection are:

- Quality and relevance of the proposed methodology
- Excellent track record of conducting and managing complex evaluations
- Regional experience and good understanding of political and human rights issues in the region, particularly Israel and OPT
- Working experience in conflict affected and fragile environments in the Middle East. OPT, especially Gaza, a plus
- Expert knowledge of the international human rights legal framework and good understanding of human rights advocacy issues
- Good understanding of project planning, monitoring and evaluation in contexts of crisis
- Fluency in Arabic desirable