



Afghanistan

Mid-Term Evaluation

Thematic window: Conflict Prevention and Peace Building

Programme Title: Peace through Justice Programme in Afghanistan

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Prologue

The current mid-term evaluation report is part of the efforts being implemented by the Millennium Development Goal Secretariat (MDG-F), as part of its monitoring and evaluation strategy, to promote learning and to improve the quality of the 128 joint programs in 8 development thematic windows according to the basic evaluation criteria inherent to evaluation; relevance, efficiency , effectiveness and sustainability.

The aforementioned mid-term evaluations have been carried out amidst the backdrop of an institutional context that is both rich and varied, and where several UN organizations, working hand in hand with governmental agencies and civil society, cooperate in an attempt to achieve priority development objectives at the local, regional, and national levels. Thus the mid-term evaluations have been conducted in line with the principles outlined in the Evaluation network of the Development Assistant Committee (DAC) - as well as those of the United Nations Evaluation Group (UNEG). In this respect, the evaluation process included a reference group comprising the main stakeholders involved in the joint programme, who were active participants in decisions making during all stages of the evaluation; design, implementation, dissemination and improvement phase.

The analysis contained in the mid-term evaluation focuses on the joint program at its mid-term point of implementation- approximately 18 months after it was launched. Bearing in mind the limited time period for implementation of the programs (3 years at most), the mid-term evaluations have been devised to serve as short-term evaluation exercises. This has limited the scope and depth of the evaluation in comparison to a more standard evaluation exercise that would take much longer time and resources to be conducted. Yet it is clearly focusing on the utility and use of the evaluation as a learning tool to improve the joint programs and widely disseminating lessons learnt.

This exercise is both a first opportunity to constitute an independent "snapshot" of progress made and the challenges posed by initiatives of this nature as regards the 3 objectives being pursued by the MDG-F; the change in living conditions for the various populations vis-à-vis the Millennium Development Goals, the improved quality in terms of assistance provided in line with the terms and conditions outlined by the Declaration of Paris as well as progress made regarding the reform of the United Nations system following the "Delivering as One" initiative.

As a direct result of such mid-term evaluation processes, plans aimed at improving each joint program have been drafted and as such, the recommendations contained in the report have now become specific initiatives, seeking to improve upon implementation of all joint programs evaluated, which are closely monitored by the MDG-F Secretariat.

Conscious of the individual and collective efforts deployed to successfully perform this mid-term evaluation, we would like to thank all partners involved and to dedicate this current document to all those who have contributed to the drafting of the same and who have helped it become a reality (members of the reference group, the teams comprising the governmental agencies, the joint program team, consultants, beneficiaries, local authorities, the team from the Secretariat as well as a wide range of institutions and individuals from the public and private sectors). Once again, our heartfelt thanks.

The analysis and recommendations of this evaluation report do not necessarily reflect the views of the MDG-F Secretariat.

Peace through Justice (PtJ) Programme in Afghanistan

Mid Term Evaluation

Prepared for:

**United Nations Development Programme (UNDP)/
MDG Achievement Fund (MDG-F)**

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15 October 2011

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List of Acronyms Used

| | |
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| AGO | Attorney General's Office |
| ANDS | Afghan National Development Strategy |
| CO | Country Office |
| CPAN | Child Protection Action Network |
| DGU | Democratic Governance Unit |
| JHRA | Justice and Human Rights in Afghanistan |
| JP | Joint Programme |
| LA | Legal Aid |
| MDG | Millennium Development Goals |
| MDG-F | Millennium Development Goals Achievement Fund |
| MoJ | Ministry of Justice |
| MTE | Mid Term Evaluation |
| NSC | National Steering Committee |
| PLA | Public Legal Awareness |
| PMC | Programme Management Committee |
| PtJ | Peace through Justice |
| RC | Resident Coordinator |
| RCO | Resident Coordinator's Office |
| SC | Supreme Court |
| TWC | Technical Working Committee |
| UNDAF | UN Development Assistance Framework |
| UNDP | United National Development Programme |
| UNICEF | United Nations Children's Fund |
| UNODC | UN Office on Drugs and Crime |
| UNW | UN Women |

Executive Summary

The Peace through Justice (PtJ) programme is a two-and-a-half-year, multi-agency project that is funded through the Millennium Development Goals Achievement Fund (MDG-F). Its primary aim is to strengthen the formal justice sector at the district level in Afghanistan, by rehabilitating relevant infrastructure, developing capacities of justice sector actors and community leaders, and increasing community awareness of their rights' and how to access the justice mechanisms required to uphold them.

This mid-term evaluation was conducted in September-October 2011, with an in-country mission from 10-20 September, covering the first 18 months of implementation from January 2010-June 2011. A variety of factors combined to make project progress more modest than anticipated during this period, although delivery is increasing through early 2011 through to the time of writing. However, several areas have been identified that are of very significant concern and are explained in detail in this report. In summary, these group around the following areas:

- 1) **Coherence of Project Interventions:** Activities are conducted in isolation from each other (in terms of geography and timing), calling into question the degree of impact that can be hoped for.
- 2) **Management Arrangements:** There have been substantive changes to the management structure of the project which have been taken without clear PMC approval and/or sufficient consultation with partner agencies
- 3) **Operational Issues:** Procurement processes utilized by the project have been cumbersome and inefficient, and a 3 month delay (still outstanding at the time of writing) in evaluating an infrastructure ITB has caused significant set backs. The project is inadequately staffed and this has impacted quantitative and qualitative progress of the JP.
- 4) **Interagency Coordination:** Authentic joint programming is not practiced; UN agencies meet to report on individual activities. There is not a clear sense of how (if at all) the activities fit together.
- 5) **Government Ownership:** Government ministries are not being engaged and consulted to a desirable level, and are largely unaware of current/planned PtJ activities.

A summary of conclusions and recommendations are as follows:

| | Conclusions | Recommendations |
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| 1. | Most of the recommendations agreed to during the MDG-F mission in early 2011 have not been implemented. A genuine commitment to make the necessary changes (staffing, level of consultation of partners, etc) is not evident. | Early termination of the JP should be given due consideration, as many agencies expressed the point that the low level of funding does not warrant the attention needed to make the project thrive. |
| 2. | Fund transfers to agencies are currently not possible due to the limited funds available under the first tranche, and UNDP rules typically preclude approving contracts for which funding is not available ‘in hand’. This could lead to further delays in several aspects of the project | Depending on the recommendation above, a request for the second tranche of funding should be requested from the MDG-F as soon as possible if the project is to continue. |
| 3. | There is a lack of clarity at agency and project level about expenditures and specific achievements as they relate to the PtJ, as agency activities are tied in with larger, separate projects. | Agencies should be requested to provide specific reporting (including financial) about concrete deliverables under the PtJ. Joint monitoring missions would be very useful to help clarify the work of each agency and identify areas of potential collaboration. |
| 4. | Content of PLA and trainings activities has been developed without sufficient input from beneficiaries (via consultations, needs assessments, etc), government counterparts or partner agencies. Implementing Partners were largely left to develop content with limited guidance (beyond general topics) without clear input or feedback. | Key content (messages and modules) should be developed in close partnership with the IP’s, with more effort made to bring in perspectives and expertise of agencies, and priorities and messages from government counterparts. Content should not necessarily be pulled directly from the prodoc as was the case for the first round; topics should reflect emerging issues that are responsive to the evolving nature of the sector. |
| 5 | PLA and training of justice officials have been conducted without any | A review or joint assessment on the reception and impact of the trainings should be considered before awarding further |

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| | monitoring or feedback on their effectiveness. | contracts. |
| 6. | The infrastructure component is behind schedule and is unlikely to be completed given the current status and impediments. Currently, only 2 of the planned 14 (originally 18) works have been completed, and these took 11 months from start to handover. | The second ITB, which has been awaiting evaluation by the UNDP procurement unit, should be completed and contracted with utmost priority. This will initiate work in 4 of the 6 provinces. |
| 7. | For the 2 provinces for which the SC technical department has not done assessments for infrastructure works, it is highly unlikely that these will be completed on time. The SC staff has a heavy workload with a variety of projects and is reluctant to travel to Bagdis or Ghor due to security concerns. | A decision should be taken to 1) sit down at a senior level with the SC to find a way to have the assessments carried out very soon, or 2) consider moving this funding to other PtJ activities/locations. (Infrastructure in more accessible target areas, or a collective decision to reallocate some of the funding to expand another PtJ component.) |
| 8. | There is no communication or advocacy strategy for the project, despite this being a clear requirement and priority of the Fund. An almost complete absence of identity (use of logo on communication material, visibility materials, etc) reduces the visibility of the project and the opportunity for advocacy for the MDG's and the UN reform agenda. | A clear communication strategy should be adopted based on the MDG-F guidance note, and implemented immediately. |
| 9. | Despite its importance throughout the lifecycle of the project cycle, particularly in a volatile operating environment such as Afghanistan, risk management does not seem to be done in a clear and regular manner. | A risk management plan should be developed/updated looking forward at the final months of the project. The updated risk matrix should be supplied to the PMC prior to meetings to ensure management is fully informed of current risks and proposed mitigation steps. |
| 10. | Little to no baseline information is available or has been collected, making it very difficult to monitor behavioral change, capacity development or increased utilization of the formal justice sector by | Although conducting a full baseline is untenable at this point, RFP's should include a requirement to conduct a pre-training assessment of participants to accurately gauge their |

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| | community members. | knowledge on a range of relevant topics. It may assist facilitators in guiding their sessions, as well as providing valuable information for upcoming programming. Conducting select post-session assessments 30-60 days after the event would give some indication of the effectiveness of the training/event. |
| 11. | Monitoring of UNDP implemented-activities is currently limited to collecting progress reports from the IP's engaged to do the trainings or PLA. This does not provide a satisfactory level of quality control or oversight over IP's. (an exception to this is infrastructure, where a monitoring agent is utilized) | Feasibility of utilizing a qualified CSO with established field presence and capacity, and/or a national research organization, to conduct field level monitoring should be explored. A level of direct project monitoring should be done, where project staff observe/participate in PLA or training activities at the district level. This could also be done by a PtJ field staff if they are recruited. |
| 12. | Agencies were not (or did not feel) adequately consulted in the decision not to renew the contract of the international Programme Coordinator, or in the decision to shift that function on a time-sharing basis with the JHRA project. Mention of it was made at the September 2011 PMC, the first time the decision was discussed at the PtJs management body. | Decisions made regarding key management structures should be presented at the PMC for discussion and approval. The next PMC should address the issue and the currently unanswered question if a programme coordinator will be hired. |
| 13. | The PMC has been convened so infrequently that the project lacks direction and accountability. | The PMC should be convened on a regular basis with clear dates and timelines set, to facilitate genuine partnership in the JP. In the absence of an NSC in Afghanistan, representation would be at HOA level. |
| 14. | The lack of a dedicated coordinator for the PtJ has limited the project's success in genuine joint programming, visibility and effective integration. The high degree of staff/focal point turnover (most recently the JHRA | The project should seriously consider recruiting a national Programme Coordinator as soon as possible. If this is not done, the decision should be taken by the PMC with a strong |

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| | PM/Acting PtJ Programme Coordinator) points to the value of a strong national PC as a risk management measure. | rationale for why this key element of the staffing plan is deemed unnecessary. |
| 15. | The number of separate procurement processes for the PtJ is very high for the budget and timeframe of the project. This is especially true considering multiple processes are being conducted for the same type of activities (PLA, infrastructure, training), representing an onerous burden on project staff, CO procurement unit, and the potential IPs themselves. | Where possible, the remaining services to be procured should be combined to minimize transaction costs. This includes where the same services are being procured under the DLC of the JHRA. |
| 16. | The evaluation for the 2 nd lot of infrastructure component (5 facilities in Sari Pu and Lagman, est. budget of \$532,000) has not been done as of 3 months after the closing date. Given the time to complete construction under the first lot, this reduces the likelihood of these facilities being completed on time. | The UNDP Procurement Unit should complete the evaluation ASAP and commence with contracting. |
| 17. | A lack of PtJ field presence limits the ability of the project to engage communities and local partners, effectively monitor ongoing activities and identify areas of potential intervention and synergies. Given the exclusive district level focus of this project, this absence reduces the potential impact of all activities, and raises credibility issues. | Three regional coordinators are budgeted and in the staffing plan; one has recently been hired. Logistical arrangements have been made for two others in Herat and Jalalabad and these recruitments should take place as soon as possible through the most efficient contract modality. |
| 18. | The PtJ is not a joint programme in an authentic sense; there is an absence of joint planning and implementation of project components. Coordination has been primarily limited to meetings where each agency reports on its individual activities, and for ad hoc requirements such as reporting and approving a work plan. | At the technical level, opportunities for integrated planning and implementation were identified during the evaluation mission. Time should be set aside for PtJ focal points to come together and identify ways in which upcoming activities/areas of intervention might be approached collaboratively. |
| 19. | Engagement with several key government partners has been poor, with project activities being implemented with little or no involvement on their | RFP's currently under development should be completed in partnership with the relevant government departments to get |

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| | <p>part. This has implications for the sustainability and appropriate alignment of interventions.</p> | <p>their input and endorsement. (i.e. DPLA for community outreach, justice institutions for training programmes, etc). PMC should be used as a forum to review potential RFP's prior to tendering to allow for collective feedback and joint planning. Past IP's may present their experiences implementing the previous contracts in order to strengthen subsequent programming.</p> |
| 20. | <p>Project components are, to a degree, being implemented in isolation from one another, both geographically and temporally. This fragments the impact and runs the risk of conducting a series of one off trainings with less-than-desirable impact.</p> | <p>A mapping exercise should be done (with all agencies) to compile a clear picture of where and when activities are being (or have been) conducted. This could help targeting, clear up the ambiguity which exists about 'who is doing what, where' and identify opportunities for local level joint implementation.</p> |

Introduction

Programme Environment and Context

1. A lack of dependable mechanisms to administer justice and resolve conflict at the community level contribute to instability and insecurity, which in turn impede all other efforts towards achievement of the MDG's in Afghanistan.
2. The formal justice system at the district level in Afghanistan is under-resourced, disconnected from the central level, and suffers from a credibility deficit in many communities. Consequently, the more traditional justice mechanisms in Afghanistan are typically the default avenue for community members seeking resolution to a conflict or disagreement.
3. The Court system is perceived as the most corrupt of Afghan institutions, with 76% of people believing that corruption is high and only two thirds believe the courts to be fair. This, coupled with poor infrastructure, low penetration outside of major towns and a perceived lack of professionalism, leads community members to seek legal recourse outside of the formal legal system.
4. Justice reform efforts to date have largely targeted central government institutions and personnel, operate primarily in Kabul and prioritize “supply side” reforms—i.e. training of justice officials. This is likely due to security and logistical concerns of working in Afghanistan, and the immediate visibility associated with centrally focused projects.
5. However, the *vast* majority of Afghans interact (or don't) with the justice system at the district level. There is a low level of legal literacy; people do not know what their legal rights are under Afghan law or how to access justice around these issues.
6. Similarly, district level legal actors possess relatively low levels of education and legal training, and are working in facilities that are poorly equipped or maintained. They do not have access to regular trainings on evolving laws, with few having access to recent decisions of the Afghan Supreme Court and over 1/3 report not having access to fundamental government statutes and regulations.
7. There is a clear acknowledgement of the importance of traditional justice systems, which have a much longer history in Afghanistan than the formal sector, which can be viewed as foreign, confusing, expensive or otherwise inaccessible. The traditional justice mechanisms can be a very effective way of managing disputes and maintaining stability at the community level—particularly in cases where communities are more cohesive and share common values.
8. In some cases, people prefer to use the traditional systems to deal with issues such as family and personal statutes, while leaving criminal justice problems to the police. (i.e.

the formal sector). However, the intersections between formal and traditional systems are unclear, and the latter does not always reflect international rights/norms or even national laws.

9. Currently, little is being done to protect women's rights through any system, including traditional dispute resolution mechanisms, the Sharia justice system or the formal legal system. The Gender Development Index places Afghanistan as second to the last in the world. Women are frequently charged with things that are not actually crimes under Afghan law, and can be persecuted when they try to report crimes committed against them. There is limited awareness about rights protected within the Afghan legal system or of viable means to access them.
10. The Government of Afghanistan acknowledges the importance of improving the formal justice sector through its National Justice Programme, the basis for justice reform envisaged in the Afghan National Development Strategy, prioritizing local justice reform and improving infrastructure at all levels of the justice sector.

Afghanistan Peace through Justice Programme

11. The Peace through Justice (PtJ) programme reflects the broader UN commitment to strengthen the formal justice sector at all levels and improve community members' understanding of, and ability to demand, human rights. PtJ prioritizes the formal justice sector at the district level as it is the level at which the majority of Afghans could interact yet it is poorly resourced and comparatively under supported.
12. The project has identified five outputs under three outcomes, contributing to UNDAF outcome 4 which states that "More Afghans have increased access to a reformed, comprehensive and effective justice system". It also directly addresses two of the outcomes in the MDG-F Conflict Prevention and Peace Building (CPPB) window related to access to justice and to the role of justice/security sectors in promoting human rights and the rule of law.
13. Outcome 1 of the project seeks to improve the awareness of community members and leaders in their rights and how to access them, and enhance legal awareness around common areas of dispute. This outcome also has a protection component by building on work being done by UNICEF and UN Women (UNW) in establishing networks to protect women and children who are victims of violence.
14. Outcome 2 targets the professional capacity of justice system actors at the district level, through trainings in family and personal status law, protection of woman and children, land law and prisons legislation.
15. Outcome 3 looks to improve the physical and material condition of district level infrastructure, making it more accessible and focusing on works of high priority that can bring the building/site up to a functional state as quickly as possible.

16. The PtJ was approved on 10 March 2009 by the MDG-F Steering Committee and signed by all partner agencies by 19 May 2009. The project budget approved was \$6,500,000 over a period of two-and-a-half years, officially running from 4 December 2009 – 3 June 2012. The PtJ has UNDP as a lead agency partnering with UNICEF, UNIFEM and UNODC, with the Ministry of Justice as the main government counterpart.
17. The first tranche of funds was received in January 2010.

Mid Term Evaluation

Objectives

This mid-term evaluation has the following **specific objectives**:

18. To discover the programme's **design quality and internal coherence** (needs and problems it seeks to solve) and its external coherence with the UNDAF, the National Development Strategies and the **Millennium Development Goals**, and find out the degree of national ownership as defined by the Paris Declaration and the Accra Agenda for Action.
19. To understand how the joint programme **operates** and assess the **efficiency of its management model** in planning, coordinating, managing and executing resources allocated for its implementation, through an analysis of its procedures and institutional mechanisms. This analysis will seek to uncover the factors for success and limitations in inter-agency tasks within the **One UN** framework.
20. To identify the programme's **degree of effectiveness** among its participants, its contribution to the objectives of the **Conflict Prevention and Peace Building thematic window**, and the Millennium Development Goals at the local and/or country level.

Scope

21. This mid-term evaluation assesses progress of implementation of the JP from its inception until 75% through its approved period, though there is an expectation of a 12-month no-cost extension. The JP officially started in January 2010 when the first year funds were transferred to the UN agencies. The evaluation will include 6 quarters from the beginning of January 2010 to the end of June 2011.
22. The mid-term evaluation is an important opportunity in the programme cycle to review progress against initial project targets and identify challenges and opportunities moving ahead. The primary value of an MTE is as a forward-looking exercise...reorienting activities and approaches given the experience of the first half of project implementation. It should look at impact of programme activities (positive and negative) and not just report on activity level achievements.

Methodology

23. The first step in the MTE was a desk review of relevant documents, in this case including: Project Document, Technical Committee (TC) meeting minutes, project monitoring reports, implementing partner progress reports, MDG-F mission report,

“Justice Outcome Monitoring and Evaluation in Afghanistan: Review, analysis and recommendations”, and Field Visit Reports.

24. An in-country mission took place between 10-20 September 2011, where a combination of first hand observation, interviews and discussion groups were used. Interviews were held with project staff and focal points from all partner agencies, government counterparts at the Central and District level, beneficiaries to the degree possible, district level justice actors, implementing partners, the Resident Coordinator and the RCO, and the UNDP Country Office. Project locations were visited in 2 of the 5 target provinces, Daikundi and Panjshir.
25. Following the initial interviews and field visits, a briefing was held with UNDP management where initial findings were shared and discussed, and further clarifications and information required was received. An all partners meeting was requested by the consultant but this did not materialize.

Constraints and limitations on the study conducted

26. **Security:** The field visit was scheduled for 9 working days, two of which were lost due to being locked down for security reasons, forcing a cancellation of 9 confirmed meetings. This was largely made up through rescheduling but it impacted the number of people met and the time allocated with each.
27. **Access:** Due to cultural and security issues, access to direct target beneficiaries (incl women) of the project was extremely limited. Both field trips involved almost as much time in transit as ‘on the ground’, as security issues made it impossible to stay overnight or return to Kabul after dark. The evaluator was able to observe a regional workshop organized by the project, participate in two CPAN meetings, and participate in an infrastructure handover ceremony where local justice actors were met.
28. **Documentation:** Due to sporadic documentation of project activities and decision making processes, particularly in the initial year of the project, it was challenging and time consuming to attempt to gain a clear understanding of project progress and developments.
29. **Staff Turnover:** Related to the point above, high rates of staff turnover at all levels (project staff, agency focal points, and to a lesser degree government counterparts and focal points in the RCO) it was difficult to obtain definitive information about certain issues over the project’s first 18 months.

Main Substantive and Financial Progress of the Joint Programme

Findings

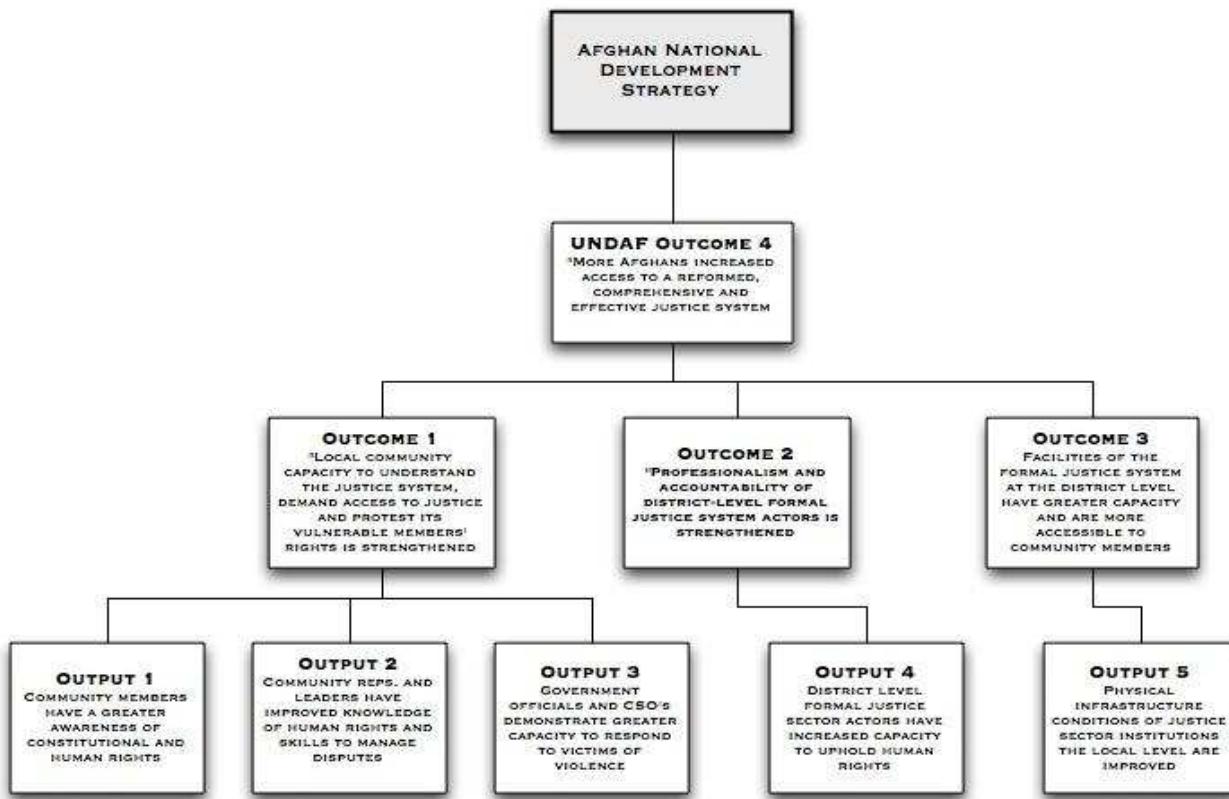
Design level

Relevance

30. The JP document makes a compelling case that it addresses a critical need in Afghanistan, making a clear link between a strong, credible justice system and promoting security in the country. The proposed holistic approach, namely working on both the ‘supply’ (training justice officials and providing physical infrastructure) and ‘demand side’ (increasing public awareness about their rights and how to access justice) concurrently is well justified. Finally, the decision to focus interventions at the most retail end of the justice system (district, village), where the vast majority of Afghans live yet there is the least engagement from the donor community, was a desirable if challenging route to take.
31. The design of the project allowed for a high degree of internal coherence. It leverages the experiences and comparative advantages of each of the participating agencies, and identifies many opportunities for synergies with other initiatives.
32. Further, proposed project activities tie in directly with existing projects/initiatives of each of the agencies; PtJ outputs closely mirror those of the District Level Component (DLC) of the larger Justice and Human Rights in Afghanistan (JHRA) of UNDP; UNICEF’s support to the Child Protection Action Networks (CPAN) in the provinces is an extension of its existing network under a wider child protection initiative, and activities proposed by UNW (e.g. paralegal training) and UNODC (capacity building of prison officials) are already on-going through other funding. This offers the possibility of more cost effective, integrated implementation at the individual agency level.
33. Monitoring indicators in the project document were of insufficient quality to effectively measure change or chart progress against outputs and outcomes. There is no baseline data provided for any of the indicators. Indicators are based on activity reporting (i.e. number of trainings provided) without any meaningful gauge of assessing change. (i.e. demonstrable knowledge pre and post training, behavioural change). This could be due in part to the fact that target provinces/districts had not been selected at the time the proposal was developed, and that there is a dearth of credible data on many development indicators in rural Afghanistan.
34. The proposal acknowledged this lack of baseline information and indicated an intention to recruit a consultant to help establish monitoring indicators at the start of the project. A consultant was hired to conduct a baseline survey, which took place between August-

November 2010. However, the end result of the survey was a suggestion of a methodological framework for a future baseline survey, and did little to provide usable baseline info for a robust monitoring framework. (i.e. it was not fit for purpose) No follow up has been done based on the recommendations in the report. However, an internal monitoring form has recently been developed to clarify progress against planned activities and identify gaps in implementation.

35. The project demonstrates external coherence by tying in well with the Afghan National Development Strategy (ANDS) and the UNDAF active at the time the project was developed. (UNDAF) It fills a gap in other actors' support to the justice sector by focusing on the district level, which receives comparatively lower levels of support than the provincial and central levels. It continues to be relevant in the current UNDAF 2010-2013 under the pillar "Governance, Peace and Security", as well as the emphasis put on sub-national service delivery in the UNDAF.



Scope

36. The intended geographical reach and the number of outputs is manageable, although limited field-based staff and monitoring capacity may have warranted a further

concentration of provinces/districts selected. Currently, target districts in two of the provinces (Ghor and Bagdis) are currently inaccessible to UN staff due to security constraints, and government partners (notably engineers from the Supreme Court (SC)) are reluctant/unwilling to go there to do assessments required for infrastructure works.

Time

37. Given the inherent challenges of managing projects in Afghanistan, the project did not allocate a realistic timeframe to implement the proposed activities.

Cost

38. Given the lack of preparation before the receipt of funds, the year 1 allocation (52.5%) was very ambitious and the JP has had difficulty in reaching its delivery target of 70%. Now that project activities are picking up, the project team will face further delays if the request and transfer of the 2nd tranche is not done in a timely manner. The request for the second tranche had not been made at the time of the evaluation mission although the delivery rate is well past the threshold.

Processes level

Efficiency

39. As of the end of the evaluation period (30 June 2011), delivery figures against the first tranche are as follows:

| Received | Disbursed | Commitment | Total | Delivery Rate-1 st Tranche | Delivery Rate-Total |
|-----------|-----------|------------|-----------|---------------------------------------|---------------------|
| 2,937,345 | 1,247,526 | 1,006,379 | 2,253,905 | 76.7% | 34.7% |

40. As mentioned previously, the project activities tie in directly with existing projects/initiatives of each of the agencies. This makes the task of reporting on the PtJ as a separate project challenging for some of the agencies, as well as to disaggregate achievements with clarity. (e.g. In some PtJ districts UNICEF already had a CPAN network prior to the project, but now partially provides technical and financial support to them through the PtJ.)

41. Against Outcome 1, a variety of activities have been undertaken in the areas of public legal awareness (PLA) and legal aid (LA) through CSO partners. These include: community theatre performances, video screenings with focused discussion groups

- (FGDs), poster distribution, child rights trainings, mass media campaigns (primarily radio), training of Legal Aid organizations, teacher trainings, human rights trainings, gender mainstreaming and technical assistance to involved government ministries.
42. Trainings have been conducted with a select group of district level justice officials and community leaders on human rights issues under Outcome 2, and CPAN's are active in 4 of the 6 target provinces. Cases of violence or exploitation of children are referred to CPAN for follow up.

43. Outcome 3 envisaged the construction or rehabilitation of 18 justice sector facilities. To date (September 2011), 2 have been completed and handed over, 3 are under construction and stand at 20-30% completion, and another 5 have been tendered and are at the evaluation stage. An additional 4 sites in the remaining 2 provinces have been tentatively identified, but the SC engineers have not done the initial assessment so designs or tendering have not yet been started.
44. Implementation to date has been slower than anticipated for all outputs, reasons for which are discussed in the sections below.

Communication and Advocacy

45. No coherent strategy for external communication currently exists, including visibility or other forms of outreach. Project identity and visibility is extremely limited. As PtJ activities are extensions of larger initiatives within the individual agencies, many partners are unaware of the PtJ as a unique initiative. Posters distributed bear individual agency logos as they were developed through other projects; support provided to local partners is perceived as single agency support (e.g. "UNICEF provides us with assistance"); the MDG-F logo does not appear on business cards, project offices or almost any other materials.
46. This lack of identity for the project is not entirely surprising, given the degree to which PtJ activities are an extension of ongoing (and typically much larger) projects of individual agencies. However, an opportunity to promote the MDGs and the harmonized UN delivery agenda (a stated goal of the MDG-F) has not been realized.

Risk Management

47. The project document has a detailed and intelligent risk analysis section and steps/ideas on how to mitigate them. However, no evidence of risk management as an on-going management tool was seen, leaving the project in jeopardy of reactive implementation as challenges emerge.

M&E Structures

48. Little to no baseline information is available or being collected, making it very difficult to monitor behavioral change, capacity development or increased utilization of the formal justice sector by community members.
49. Currently, little to no direct monitoring is done. For the infrastructure component, a monitoring agent has been contracted to oversee construction and provide feedback on progress and emerging issues. For the other components implemented by UNDP under the joint fund (PLA, justice sector trainings), all progress tracking is done based on the reports of the implementing partners with no other sources of verification. This is problematic from an accountability point of view as well as project reporting, as the quality of IP reports vary greatly and none go beyond straight activity reporting.
50. Given the difficulty in travelling to the target districts from Kabul, project monitoring suffers from a lack of field-based staff. PtJ staff have not visited most target districts, and those visited are often for a particular, limited purpose (i.e. Regional Workshop), which leaves very little time, or focus, on direct monitoring.

Project Management Arrangements

51. Between March 2010 and March 2011, the project employed an International Programme Coordinator (IPC) on a UNDP contract. Initially he was based in the RCO and there was a lack of clarity between his responsibilities as coordinator and as the main driver of delivery for the UNDP component. Operational support was limited during this period due to this lack of clarity of where he ‘belonged’.
52. Coordination and partner agency engagement increased in mid-2010 through meetings, although these are not documented so it is not possible to track the nature and depth of engagement.
53. In March 2011, the IPC’s contract was not extended, and responsibility for the PtJ was given to the Project Manager for the JHRA (implemented through the DLC team). While there is an operational rationale for this, it further subsumes the PtJ into the larger UNDP project, essentially making it an additional reporting responsibility rather than a project with its own unique opportunities based on its interagency composition.
54. That notwithstanding, coordination meetings have increased substantially since then, with 4 TWC meetings between April-August 2011, and the first PMC meeting in nine months was held in September 2011.

Operational Issues

55. As of September 2011, an ITB (infrastructure) has been closed and is awaiting evaluation by the CO procurement unit since June. This three-month delay means that it is highly unlikely that physical work will begin before winter. Depending on the bid validity requested in the ITB (typically 90 days), there is also the risk of the selected contractor not honouring its original price and requiring a re-launch of the ITB.
56. In a general sense, the project has not planned its procurement in an efficient manner. For example, activities under Outcome 1 will be awarded through at least three separate RFP processes, despite the fact that the bidding lots are very similar in each. (public awareness campaigns, community theatres, trainings, etc) The first RFP went to CACSS, as did the second; a third is currently under development where CACSS will likely be bidding again. Given the time and resources required from several parties (project team, CO, potential bidders, government stakeholders) to launch, evaluate and contract an RFP, this represents a substantial inefficiency.
57. Besides the resources required and the delays involved with doing contracting in this way, a residual outcome of any UN project is not being addressed...capacity building of national CSO's. A longer contract would then warrant more engagement by the project team in assisting the relevant CSOs in all aspects of their contract, leading to a stronger national organization and, in all probability, better results for the project than the piecemeal, transaction-heavy process utilized thus far.
58. For the second contract to CACSS, the project team is currently providing greater assistance and guidance in how CACSS is preparing materials, developing messages and planning activities.
59. For the infrastructure component, three separate ITB's have been used to contract construction in 6 locations. These (along with the PLA RFP's) are done separately from the JHRA procurement actions, despite the programmatic parallels. This represents a major use of time and resources to manage the procurement, contracting and monitoring processes, and does not allow for the economies of scale that may be possible by combining procurement actions.
60. Under current management arrangements, there are no dedicated staff working exclusively for the PtJ; all positions are cost shared with the JHRA project. In the combined staffing plan, many positions planned by the project remain vacant despite available funding and a clear need for additional human resources. No satisfactory response was provided by UNDP management for this issue.
61. Staff turnover in key positions represents a significant risk to the project. The IPC was with the PtJ for only one year, and the international JHRA Project Manager (and de facto IPC of the PtJ) announced his departure during the course of the evaluation mission.
62. Reluctance to recruit international staff was explained by management as having its roots in the Bakhtar guesthouse attack in 2009, where several UN staff lost their lives,

following which there was a freeze on recruitments and a general aversion to fielding internationals. In addition to this, there is also a more concerted effort to promote nationalization by decreasing dependence on international specialists.

63. However, the key programme positions of the PtJ remain unfilled and this affects project delivery in qualitative and quantitative terms. The PtJ's unique angle in working with the justice sector is that it focuses exclusively on the district level; however, the project has almost no field presence. A Regional Coordinator was recently placed in Bamyan (cost shared with JHRA), with responsibility over two of the six PtJ provinces. Preliminary arrangements have been made with UNAMA to support RC's in two other locations, which would provide some coverage over the remaining PtJ provinces. These three positions were part of the project plan and are on the current staffing plan.
64. The project has requested recruitment support from the CO for these two positions but this has not yet been forthcoming and the CO did not give a clear answer on when or if these would be recruited. No clear decision has yet been made about the Programme Coordinator position, other than it will not be international. (PMC, September 2011)

Inter-Agency Coordination

65. The PtJ is not a joint programme in an authentic sense; there is an absence of joint planning and implementation of project components. Coordination has been primarily limited to meetings where each agency reports on its individual activities, and for ad hoc requirements of the MDG-F such as reporting and approving a work plan.
66. Overall, the first half of the project was characterized by a lack of effective communication between agencies. No MDG-F Steering Committee exists in Afghanistan, and the three PMC meetings held in the first 21 months of the project have not allowed for the degree of joint decision-making and collective ownership envisaged in the project design.
67. The lack of a dedicated Programme Coordinator has negatively impacted the ability of the PtJ to realize the opportunities of joint programming and develop a coherent approach across partner agencies. This position/function could provide the institutional memory and project consistency needed, especially considering the regular turnover of staff and focal points appointed to the project by the agencies.
68. UNODC has not yet begun to implement activities under the project. In the project document it was responsible for training prison officials on the Prisons Act, but this became inappropriate and redundant as this was added to the standard curriculum of the Central Prisons Department since the project document was drafted. UNODC raised this in early 2010 and proposed a revised set of activities that it received agreement on, but the original activity (Prisons Act training) still remains in the AWP approved by the PMC in September 2011.

69. At a technical level, TWC meetings have increased in recent months to help the agencies address particular issues (interagency transfers, AWP approval, etc), which is a positive development.

Government Engagement

Government partners were consulted during the formulation of the project and are invited to, and participate in, the PMC meetings. Feedback given to the evaluator was as follows:

| Institution | Feedback |
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| MoJ (Deputy Minister) | During a brief meeting, the DM expressed concern over a lack of integration of activities and a propensity towards one-off trainings. |
| Department of Public Legal Awareness, MoJ | The PLA department conveyed that besides 3 workshops which they were invited to participate in, they were unaware of any activities underway under the PtJ project and were not consulted in developing messages, delivery mechanisms, etc. |
| Attorney General's Office | Expressed a general satisfaction of the support the AGO had received from UNDP/UN, and expressed concern over the degree to which trainings met the needs of the participants. (specifically, that given the capacity constraints of staff in remote offices, trainings should be focused on the basic fundamentals if they were going to have traction) |
| Supreme Court (Infrastructure Dept) | Expressed satisfaction with the partnerships to date, but mentioned that having the SC engineers do the assessments for infrastructure works in the remaining provinces (Bagdis and Ghor) would be difficult due to workload and security concerns. |

70. Notwithstanding the infrastructure component, which is based on assessments done by the SC, there is a lack of ownership of government partners over the design, delivery and direction of capacity development and communication activities.
71. The lack of genuine partnership with the Department of PLA in a key component of the project raises concerns about sustainability of project efforts, and represents a silo approach to outreach.
72. Trainings conducted with district level justice officials went ahead without the approval of the SC (for judges), as there were concerns that training content overlapped curriculum that the SC was responsible to deliver. This is troubling as it demonstrates a significant disconnect between the PtJ and one of its key partners.

Results level

Effectiveness

73. Most of the deliverables anticipated have not been achieved by the end of the first 6 quarters covered by this evaluation. Given the lack of baseline data or any training needs assessment, the late start of many activities and the lack of access to beneficiaries due to travel restrictions, it is not possible to comment on impact at this time.
74. Project momentum has picked up in recent months in quantitative terms, with delivery figures improving and a larger, more engaged and focused team within the DLC/JHRA. (note: During the revision process for this MTE, the Manager of the DLC has left Afghanistan)
75. Project interventions have been conducted in a less integrated manner than envisaged in the project strategy. PLA and LA activities, trainings for justice officials, infrastructures works are being contracted and implemented in isolation from each other with no coherent strategy to tie them together beyond one-off trainings. (i.e. addressing the supply and demand side simultaneously) Without this changing, impact will remain scattered and undefined.
76. Opportunities for enhanced impact through joint programming have not been realized to a desirable level. For example, UNICEF and UNODC both have mandates around juveniles in detention and alternatives to detention, which could be brought together in the context of the PtJ. UN Women, UNICEF and UNDP have not worked as closely as might be hoped in the development of trainings and advocacy initiatives; the RFP that is currently being drafted by UNDP presents a clear opportunity for this. To date, this has not been done effectively.
77. The scale of the PtJ (funding level), particularly spread out across as many districts as it is, represents a tiny amount of funding compared to the budgets of the agencies in Afghanistan. The JP's value is not in the financial reach of the project, but in the opportunity for innovation if the collective resources and expertise of the respective agencies is brought together. This has not yet materialized.
78. However, substantial interest was expressed from all agency focal points in using the PtJ as an opportunity to come together and try to find truly integrated means to work towards a common set of outcomes.
79. Lack of field-based staff has reduced project capacity to monitor activities, increase local engagement or to identify reasonable baseline information. Moving forward with the envisaged Regional Coordinator positions in the two field locations (Jalalabad and Heart) in addition to the RC in Bamyan, would help to improve this situation. Additionally,

identifying agency staff already present in the target provinces/districts that might be involved could be considered. (UNW, for example, has two staff based in Daikundi which it indicated could be used to help support the PtJ in monitoring, community liaison, etc, even for non-UNW activities)

80. There is a preference from the MoJ to focus on infrastructure activities (tangible outputs); however, this focus on facilities without trained staff is unsustainable and not part of a broader strategy that the donor community generally supports. However, the project should be putting more focus on the ‘integrated approach’ it aspires to, by ensuring that capacity development efforts with staff working in newly completed facilities are well timed and appropriate.

Conclusions and Recommendations

| | Conclusions | Recommendations |
|----|--|---|
| 1. | Most of the recommendations agreed to during the MDG-F mission in early 2011 have not been implemented. A genuine commitment to make the necessary changes (staffing, level of consultation of partners, etc) is not evident. | Early termination of the JP should be given due consideration, as many agencies expressed the point that the low level of funding does not warrant the attention needed to make the project thrive. |
| 2. | Fund transfers to agencies are currently not possible due to the limited funds available under the first tranche, and UNDP rules typically preclude approving contracts for which funding is not available 'in hand'. This could lead to further delays in several aspects of the project | Depending on the recommendation above, a request for the second tranche of funding should be requested from the MDG-F as soon as possible if the project is to continue. |
| 3. | There is a lack of clarity at agency and project level about expenditures and specific achievements as they relate to the PtJ, as agency activities are tied in with larger, separate projects. | Agencies should be requested to provide specific reporting (including financial) about concrete deliverables under the PtJ. Joint monitoring missions would be very useful to help clarify the work of each agency and identify areas of potential collaboration. |
| 4. | Content of PLA and trainings activities has been developed without sufficient input from beneficiaries (via consultations, needs assessments, etc), government counterparts or partner agencies. Implementing Partners were largely left to develop content with limited guidance (beyond general topics) without clear input or feedback. | Key content (messages and modules) should be developed in close partnership with the IP's, with more effort made to bring in perspectives and expertise of agencies, and priorities and messages from government counterparts. Content should not necessarily be pulled directly from the prodoc as was the case for the first round; topics should reflect emerging issues that are responsive to the evolving nature of |

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| | | the sector. |
| 5 | PLA and training of justice officials have been conducted without any monitoring or feedback on their effectiveness. | A review or joint assessment on the reception and impact of the trainings should be considered before awarding further contracts. |
| 6. | The infrastructure component is behind schedule and is unlikely to be completed given the current status and impediments. Currently, only 2 of the planned 14 (originally 18) works have been completed, and these took 11 months from start to handover. | The second ITB, which has been awaiting evaluation by the UNDP procurement unit, should be completed and contracted with utmost priority. This will initiate work in 4 of the 6 provinces. |
| 7. | For the 2 provinces for which the SC technical department has not done assessments for infrastructure works, it is highly unlikely that these will be completed on time. The SC staff has a heavy workload with a variety of projects and is reluctant to travel to Bagdis or Ghor due to security concerns. | A decision should be taken to 1) sit down at a senior level with the SC to find a way to have the assessments carried out very soon, or 2) consider moving this funding to other PtJ activities/locations. (Infrastructure in more accessible target areas, or a collective decision to reallocate some of the funding to expand another PtJ component.) |
| 8. | There is no communication or advocacy strategy for the project, despite this being a clear requirement and priority of the Fund. An almost complete absence of identity (use of logo on communication material, visibility materials, etc) reduces the visibility of the project and the opportunity for advocacy for the MDG's and the UN reform agenda. | A clear communication strategy should be adopted based on the MDG-F guidance note, and implemented immediately. |
| 9. | Despite its importance throughout the lifecycle of the project cycle, particularly in a volatile operating environment such as Afghanistan, risk management does not seem to be done in a clear and regular manner. | A risk management plan should be developed/updated looking forward at the final months of the project. The updated risk matrix should be supplied to the PMC prior to meetings to ensure management is fully informed of current |

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| | | risks and proposed mitigation steps. |
| 10. | Little to no baseline information is available or has been collected, making it very difficult to monitor behavioral change, capacity development or increased utilization of the formal justice sector by community members. | Although conducting a full baseline is untenable at this point, RFP's should include a requirement to conduct a pre-training assessment of participants to accurately gauge their knowledge on a range of relevant topics. It may assist facilitators in guiding their sessions, as well as providing valuable information for upcoming programming. Conducting select post-session assessments 30-60 days after the event would give some indication of the effectiveness of the training/event. |
| 11. | Monitoring of UNDP implemented-activities is currently limited to collecting progress reports from the IP's engaged to do the trainings or PLA. This does not provide a satisfactory level of quality control or oversight over IP's. (an exception to this is infrastructure, where a monitoring agent is utilized) | Feasibility of utilizing a qualified CSO with established field presence and capacity, and/or a national research organization, to conduct field level monitoring should be explored. A level of direct project monitoring should be done, where project staff observe/participate in PLA or training activities at the district level. This could also be done by a PtJ field staff if they are recruited. |
| 12. | Agencies were not (or did not feel) adequately consulted in the decision not to renew the contract of the international Programme Coordinator, or in the decision to shift that function on a time-sharing basis with the JHRA project. Mention of it was made at the September 2011 PMC, the first time the decision was discussed at the PtJs management body. | Decisions made regarding key management structures should be presented at the PMC for discussion and approval. The next PMC should address the issue and the currently unanswered question if a programme coordinator will be hired. |
| 13. | The PMC has been convened so infrequently that the project lacks direction and accountability. | The PMC should be convened on a regular basis with clear dates and timelines set, to facilitate genuine partnership in the JP. In the absence of an NSC in Afghanistan, |

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| | | representation would be at HOA level. |
| 14. | The lack of a dedicated coordinator for the PtJ has limited the project's success in genuine joint programming, visibility and effective integration. The high degree of staff/focal point turnover (most recently the JHRA PM/Acting PtJ Programme Coordinator) points to the value of a strong national PC as a risk management measure. | The project should seriously consider recruiting a national Programme Coordinator as soon as possible. If this is not done, the decision should be taken by the PMC with a strong rationale for why this key element of the staffing plan is deemed unnecessary. |
| 15. | The number of separate procurement processes for the PtJ is very high for the budget and timeframe of the project. This is especially true considering multiple processes are being conducted for the same type of activities (PLA, infrastructure, training), representing an onerous burden on project staff, CO procurement unit, and the potential IPs themselves. | Where possible, the remaining services to be procured should be combined to minimize transaction costs. This includes where the same services are being procured under the DLC of the JHRA. |
| 16. | The evaluation for the 2 nd lot of infrastructure component (5 facilities in Sari Pu and Lagman, est. budget of \$532,000) has not been done as of 3 months after the closing date. Given the time to complete construction under the first lot, this reduces the likelihood of these facilities being completed on time. | The UNDP Procurement Unit should complete the evaluation ASAP and commence with contracting. |
| 17. | A lack of PtJ field presence limits the ability of the project to engage communities and local partners, effectively monitor ongoing activities and identify areas of potential intervention and synergies. Given the exclusive district level focus of this project, this absence reduces the potential impact of all activities, and raises credibility issues. | Three regional coordinators are budgeted and in the staffing plan; one has recently been hired. Logistical arrangements have been made for two others in Herat and Jalalabad and these recruitments should take place as soon as possible through the most efficient contract modality. |
| 18. | The PtJ is not a joint programme in an authentic sense; there is an absence of joint planning and implementation of project components. Coordination has been primarily limited to meetings where each agency | At the technical level, opportunities for integrated planning and implementation were identified during the evaluation mission. Time should be set aside for PtJ focal points to come |

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| | reports on its individual activities, and for ad hoc requirements such as reporting and approving a work plan. | together and identify ways in which upcoming activities/areas of intervention might be approached collaboratively. |
| 19. | Engagement with several key government partners has been poor, with project activities being implemented with little or no involvement on their part. This has implications for the sustainability and appropriate alignment of interventions. | RFP's currently under development should be completed in partnership with the relevant government departments to get their input and endorsement. (i.e. DPLA for community outreach, justice institutions for training programmes, etc). PMC should be used as a forum to review potential RFP's prior to tendering to allow for collective feedback and joint planning. Past IP's may present their experiences implementing the previous contracts in order to strengthen subsequent programming. |
| 20. | Project components are, to a degree, being implemented in isolation from one another, both geographically and temporally. This fragments the impact and runs the risk of conducting a series of one off trainings with less-than-desirable impact. | A mapping exercise should be done (with all agencies) to compile a clear picture of where and when activities are being (or have been) conducted. This could help targeting, clear up the ambiguity which exists about 'who is doing what, where' and identify opportunities for local level joint implementation. |

Annex 1: List of People Interviewed

| Name | Position |
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| UN Staff | |
| Michael Keating | UN Resident Coordinator |
| David Joy | Head of the Resident Coordinator's Office |
| Marziya Baydulloeva | Coordination Officer, RCO |
| Jan-Jilles van der Hoeven | Senior DCD-Programme, UNDP |
| Ahmad Masood Amer | ACD, Democratic Governance Unit, UNDP |
| Arthur Graham | Project Manager, JHRA/Ptj Programme Coordinators, UNDP |
| Cornelius Nolan | DLC Manager, JHRA, UNDP |
| Ahmed Salari | Justice and Human Rights Specialist |
| Julie van Dassen | Justice and Human Rights Specialist |
| Naseem Pardis | Finance Office, JHRA/PtJ, UNDP |
| Zubair Qani | Monitoring and Evaluation Officer |
| Noor Rahman Noori | Engineer, JHRA/PtJ, UNDP |
| Abdul Saboor Patyal | Engineer, JHRA/PtJ, UNDP |
| Mini Bhaskar | Child Protection Specialist, UNICEF |
| Zihalirwa Nalwage Willy | Child Protection Specialist, UNICEF |
| Syed Sadiq A. J. | Deputy Country Director and OIC, UN Women |
| Collie Brown | International Coordinator, Prison Reform Project, UNODC |
| Government Staff | |
| Prof. Dr. Mohammad Qasim Hashimzai | Deputy Minister of Justice, Legal Affairs |

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| Mr Azimi | Head of Public Legal Awareness Department, MoJ |
| Eng M Anis Halim | Manager of the Construction Department, Supreme Court |
| Abdul Wakim Hamini | Deputy Attorney General, AGO |
| Implementing Partners | |
| CPAN Members, Panj and Daik | |
| Eng. Noorudin | Deputy Director of Afghan Contract Construction Company |
| Eng. Moahmmad Ayoob | Senior Monitoring Engineer of Afghan trust Construction Company (ATCC), Infrastructure Monitoring Company |
| Hayatullah Hayat | Executive Director, SDLR |
| CPAN Members | CPAN Members in Daikundi and Panjshir |

Annex 2

EVALUATION OF JOINT PROGRAMMES ON CONFLICT PREVENTION AND PEACE BUILDING

General Context: the MDG-F Conflict Prevention and peace Building Window

In December 2006, the UNDP and the Government of Spain signed a major partnership agreement for the amount of €528 million with the aim of contributing to progress on the MDGs and other development goals through the United Nations System. In addition, on 24 September 2008 Spain pledged €90 million towards the launch of a thematic window on Childhood and Nutrition. The MDGF supports countries in their progress towards the Millennium Development Goals and other development goals by funding innovative programmes that have an impact on the population and potential for duplication.

The MDGF operates through the UN teams in each country, promoting increased coherence and effectiveness in development interventions through collaboration among UN agencies. The Fund uses a joint programme mode of intervention and has currently approved 128 joint programmes in 49 countries. These reflect eight thematic windows that contribute in various ways towards progress on the MDGs.

The 11 programmes in this window seek to contribute to the achievement of 3 of main goals through interventions tackling conflict prevention and violence reduction, livelihood improvements against youth violence, and the fostering of dialog. These outcomes represent a variety of direct and indirect approaches to building peace and preventing conflicts. One common premise is ensuring that people know and exert their rights as an important component of a peace building and conflict prevention strategy, and appears as an outcome of many Joint Programs as well. Some joint programmes also pursue specific outcomes that are relevant in their context and situation, such as helping returnees and building public spaces.

Virtually all stakeholders in the joint programme within this window involve supporting the government, at the national and/or local levels. Many programs also engage civil society, community, and/or indigenous organizations and leaders.

The following points should be provided by the joint programme team

- Describe the joint programme, programme name and goals; include when it started, what outputs and outcomes are sought, its contribution to the MDGs at the local and national levels, its duration and current stage of implementation.
- Summarize the joint programme's scale of complexity, including its components, targeted participants (direct and indirect), geographical scope (regions) and the socio-economic context in which it operates.

- It is also useful to describe the human and financial resources that the joint programme has at its disposal, the number of programme implementation partners (UN, national and local governments and other stakeholders in programme implementation).
- Changes noted in the programme since implementation began, and how the programme fits in with the priorities of the UNDAF and the National Development Strategies.

2. OVERALL GOAL OF THE EVALUATION

One of the roles of the Secretariat is to monitor and evaluate the MDGF. This role is fulfilled in line with the instructions contained in the Monitoring and Evaluation Strategy and the Implementation Guide for Joint Programmes under the Millennium Development Goals Achievement Fund. These documents stipulate that all joint programmes lasting longer than two years will be subject to a mid-term evaluation.

Mid-term evaluations are highly formative in nature and seek to **improve implementation of the joint programmes during their second phase of implementation. They also seek and generate knowledge, identifying best practices and lessons learned** that could be transferred to other programmes. As a result, the conclusions and recommendations generated by this evaluation will be addressed to its main users: the Programme Management Committee, the National Steering Committee and the Secretariat of the Fund.

3. SCOPE OF THE EVALUATION AND SPECIFIC GOALS

The mid-term evaluation will use an expedited process to carry out a systematic, fast-paced analysis of the design, process and results or results trends of the **joint programme**, based on the scope and criteria included in these terms of reference. This will enable conclusions and recommendations for the joint programme to be formed within a period of approximately three months.

The unit of analysis or object of study for this interim evaluation is the joint programme, understood to be the set of components, outcomes, outputs, activities and inputs that were detailed in the joint programme document and in associated modifications made during implementation.

This mid-term evaluation has the following **specific objectives**:

81. To discover the programme's **design quality and internal coherence** (needs and problems it seeks to solve) and its external coherence with the UNDAF, the National Development Strategies and the **Millennium Development Goals**, and find out the degree of national ownership as defined by the Paris Declaration and the Accra Agenda for Action.
82. To understand how the joint programme **operates** and assess the **efficiency of its management model** in planning, coordinating, managing and executing resources allocated for its implementation, through an analysis of its procedures and institutional mechanisms. This analysis will seek to uncover the factors for success and limitations in inter-agency tasks within the **One UN** framework.

83. To identify the programme's **degree of effectiveness** among its participants, its contribution to the objectives of the **Economic Governance thematic window**, and the Millennium Development Goals at the local and/or country level.

4. EVALUATION QUESTIONS, LEVELS AND CRITERIA

The main users of the evaluation represented in the evaluation reference group (Section 8 of the TOR), and specifically the coordination and implementation unit of the joint programme, are responsible for contributing to this section. Evaluation questions and criteria may be added or modified up to a reasonable limit, bearing in mind the viability and the limitations (resources, time, etc.) of a quick mid-term evaluation exercise.

The evaluation questions define the information that must be generated as a result of the evaluation process. The questions are grouped according to the criteria to be used in assessing and answering them. These criteria are, in turn, grouped according to the three levels of the programme.

Design level:

- **Relevance: The extent to which the objectives of a development intervention are consistent with the needs and interest of the people, the needs of the country, the Millennium Development Goals and the policies of associates and donors.**
 - a) Is the identification of the problems, with their respective causes, clear in the joint programme?
 - b) Does the Joint Programme take into account the particularities and specific interests of women and men in the areas of intervention?
 - c) To what extent has the intervention strategy been adapted to the areas of intervention in which it is being implemented? What actions does the programme envisage, to respond to obstacles that may arise from the political and socio-cultural background?
 - d) Are the follow-up indicators relevant and do they meet the quality needed to measure the outputs and outcomes of the joint programme?
 - e) To what extent has the MDG-F Secretariat contributed to raising the quality of the design of the joint programmes?
- **Ownership in the design: Effective exercise of leadership by the country's social agents in development interventions**

- a) To what extent do the intervention objectives and strategies of the Joint Programme respond to national and regional plans and programmes, to identified needs, and to the operational context of national politics?
- b) To what extent have the country's national and local authorities and social agents been taken into consideration, participated, or have become involved, at the design stage of the development intervention?

Process level

- **Efficiency: Extent to which resources/inputs (funds, time, etc.) have been turned into results**

- a) To what extent does the joint programme's management model (i.e. instruments; economic, human and technical resources; organizational structure; information flows; decision-making in management) contribute to obtaining the predicted products and results?
- b) To what extent are the participating agencies coordinating with each other, with the government and with civil society? Is there a methodology underpinning the work and internal communications that contributes to the joint implementation?
- c) Are there efficient coordination mechanisms to avoid overloading the counterparts, participating population/actors?
- d) Is the pace of implementing the products of the programme ensuring the completeness of the results of the joint programme? How do the different components of the joint programme interrelate?
- e) Are work methodologies, financial instruments, etc. shared among agencies, institutions and Joint Programmes?
- f) Have more efficient (sensitive) and appropriate measures been adopted to respond to the political and socio-cultural problems identified?

- **Ownership in the process: Effective exercise of leadership by the country's social agents in development interventions**

- g) To what extent have the target population and participants made the programme their own, taking an active role in it? What modes of participation have taken place?
- h) To what extent have public/private national resources and/or counterparts been mobilized to contribute to the programme's objective and produce results and impacts?

Results level

- Effectiveness: Extent to which the objectives of the development intervention have been achieved or are expected to be achieved, bearing in mind their relative importance.

- a) Is the programme making progress towards achieving the stipulated results?
 - a. To what extent and in what ways is the joint programme contributing to the Millennium Development Goals at the local and national levels?
 - b. To what extent is the programme contributing to the goals set by the thematic window, and in what ways?
- b) Is the stipulated timeline of outputs being met? What factors are contributing to progress or delay in the achievement of the outputs and outcomes?
- c) Do the outputs produced meet the required high quality?
- d) Does the programme have follow-up mechanisms (to verify the quality of the products, punctuality of delivery, etc.) to measure progress in the achievement of the envisaged results?
- e) Does the programme have follow-up mechanisms (to verify the quality of the products, punctuality of delivery, etc.) to measure progress in the achievement of the envisaged results?
- f) Is the programme providing coverage to beneficiaries as planned?
- g) In what way has the programme come up with innovative measures for problem-solving?
- h) Have any good practices, success stories, or transferable examples been identified?
- i) In what ways has the joint programme contributed to the issue of fair youth employment?
- j) In what ways has the joint programme contributed to the issue of internal and/or external migration?
- k) What types of differentiated effects are resulting from the joint programme in accordance with the sex, race, ethnic group, rural or urban setting of the beneficiary population, and to what extent?

Sustainability: Probability of the benefits of the intervention continuing in the long term.

- a) Are the necessary premises occurring to ensure the sustainability of the effects of the joint programme?

At local and national level:

- i. Is the programme supported by national and/or local institutions?
 - ii. Are these institutions showing technical capacity and leadership commitment to keep working with the programme and to repeat it?
 - iii. Have operating capacities been created and/or reinforced in national partners?
 - iv. Do the partners have sufficient financial capacity to keep up the benefits produced by the programme?
 - v. Is the duration of the programme sufficient to ensure a cycle that will project the sustainability of the interventions?
- b) To what extent are the visions and actions of the partners consistent or divergent with regard to the joint programme?

- c) In what ways can the governance of the joint programme be improved so that it has greater likelihood of achieving future sustainability?

5. METHODOLOGICAL APPROACH

The mid-term evaluations will use methodologies and techniques as determined by the specific needs for information, the questions set out in the TOR, the availability of resources and the priorities of stakeholders. In all cases, consultants are expected to analyse all relevant information sources, such as annual reports, programme documents, internal review reports, programme files, strategic country development documents and any other documents that may provide evidence on which to form opinions. Consultants are also expected to use interviews as a means to collect relevant data for the evaluation.

The methodology and techniques to be used in the evaluation should be described in detail in the desk study report and the final evaluation report, and should contain, at minimum, information on the instruments used for data collection and analysis, whether these be documents, interviews, field visits, questionnaires or participatory techniques.

6. EVALUATION DELIVERABLES

The consultant is responsible for submitting the following deliverables to the Secretariat of the MDGF:

⌚ **Inception Report** (to be submitted within fifteen days of the submission of all programme documentation to the consultant)

This report will be 10 to 15 pages in length and will propose the methods, sources and procedures to be used for data collection. It will also include a proposed timeline of activities and submission of deliverables. The desk study report will propose initial lines of inquiry about the joint programme this report will be used as an initial point of agreement and understanding between the consultant and the evaluation managers. The report will follow this outline:

0. Introduction

1. Background to the evaluation: objectives and overall approach

2. Identification of main units and dimensions for analysis and possible areas for research

3. Main substantive and financial achievements of the joint programme

4. Methodology for the compilation and analysis of the information

5. Criteria to define the mission agenda, including “field visits”

⌚ **Draft Final Report** (to be submitted within 15 days of completion of the field visit)

The draft final report will contain the same sections as the final report (described in the next paragraph) and will be 20 to 30 pages in length. This report will be shared among the evaluation reference group. It will also contain an executive report of no more than 5 pages that includes a brief description of the joint programme, its context and current situation, the purpose of the evaluation, its methodology and its main findings, conclusions and recommendations. The final report will be shared with evaluation reference group to seek their comments and suggestions. This report will contain the same sections as the final report, described below.

 **Final Evaluation Report** (to be submitted within ten days of receipt of the draft final report with comments)

The final report will be 20 to 30 pages in length. It will also contain an executive report of no more than 5 pages that includes a brief description of the joint programme, its context and current situation, the purpose of the evaluation, its methodology and its major findings, conclusions and recommendations. The final report will be sent to the evaluation reference group. This report will contain the following sections at a minimum:

1. Cover Page
2. Introduction
 - Background, goal and methodological approach
 - Purpose of the evaluation
 - Methodology used in the evaluation
 - Constraints and limitations on the study conducted
3. Description of interventions carried out
 - - Initial concept
 - - Detailed description of its development: description of the hypothesis of change in the programme.
4. Levels of Analysis: Evaluation criteria and questions
5. Conclusions and lessons learned (prioritized, structured and clear)
6. Recommendations
7. Annexes

7. ETHICAL PRINCIPLES AND PREMISES OF THE EVALUATION

The mid-term evaluation of the joint programme is to be carried out according to ethical principles and standards established by the United Nations Evaluation Group (UNEG).

- **Anonymity and confidentiality.** The evaluation must respect the rights of individuals who provide information, ensuring their anonymity and confidentiality.

- **Responsibility.** The report must mention any dispute or difference of opinion that may have arisen among the consultants or between the consultant and the heads of the Joint Programme in connection with the findings and/or recommendations. The team must corroborate all assertions, or disagreement with them noted.
- **Integrity.** The evaluator will be responsible for highlighting issues not specifically mentioned in the TOR, if this is needed to obtain a more complete analysis of the intervention.
- **Independence.** The consultant should ensure his or her independence from the intervention under review, and he or she must not be associated with its management or any element thereof.
- **Incidents.** If problems arise during the fieldwork, or at any other stage of the evaluation, they must be reported immediately to the Secretariat of the MDGF. If this is not done, the existence of such problems may in no case be used to justify the failure to obtain the results stipulated by the Secretariat of the MDGF in these terms of reference.
- **Validation of information.** The consultant will be responsible for ensuring the accuracy of the information collected while preparing the reports and will be ultimately responsible for the information presented in the evaluation report.
- **Intellectual property.** In handling information sources, the consultant shall respect the intellectual property rights of the institutions and communities that are under review.
- **Delivery of reports.** If delivery of the reports is delayed, or in the event that the quality of the reports delivered is clearly lower than what was agreed, the penalties stipulated in these terms of reference will be applicable.

8. ROLES OF ACTORS IN THE EVALUATION

The main actors in the mid-term evaluation process are the MDGF Secretariat, the management team of the joint programme and the Programme Management Committee that could be expanded to accommodate additional relevant stakeholders. This group of institutions and individuals will serve as the evaluation reference group. The role of the evaluation reference group will extend to all phases of the evaluation, including:

- Facilitating the participation of those involved in the evaluation design.
- Identifying information needs, defining objectives and delimiting the scope of the evaluation.
- Providing input on the evaluation planning documents,(Work Plan and Communication, Dissemination and Improvement Plan).
- Providing input and participating in the drafting of the Terms of Reference.

- Facilitating the evaluation team's access to all information and documentation relevant to the intervention, as well as to key actors and informants who should participate in interviews, focus groups or other information-gathering methods.
- Monitoring the quality of the process and the documents and reports that are generated, so as to enrich these with their input and ensure that they address their interests and needs for information about the intervention.
- Disseminating the results of the evaluation, especially among the organizations and entities within their interest group.

The MDGF Secretariat shall promote and manage Joint Programme mid-term evaluation in its role as commissioner of the evaluation, fulfilling the mandate to conduct and finance the joint programme evaluation. As manager of the evaluation, the Secretariat will be responsible for ensuring that the evaluation process is conducted as stipulated, promoting and leading the evaluation design; coordinating and monitoring progress and development in the evaluation study and the quality of the process.

9. TIMELINE FOR THE EVALUATION PROCESS

84. Preparation of the evaluation (approximately 45-60 days before the date the programme reaches a year and a half of implementation). These preparatory activities are not part of the evaluation as they precede the evaluation exercise.

1. An official e-mail from the Secretariat is sent to the RC, coordination officers in the country and joint programme coordinator. This mail will include the official starting date of the evaluation, instructive on mid-term evaluation and generic TOR for the evaluation.
2. During this period the evaluation reference group is established, the TOR are adapted to the context and interest of stakeholders in the country and all relevant documents on the joint programme are sent to the evaluator.

This activity requires a dialogue between the Secretariat and the reference group of the evaluation (the body that comments on and reviews but does not interfere with the independent evaluation process). This dialogue should be aimed at rounding out and modifying some of the questions and dimensions of the study that the generic TOR do not cover, or which are inadequate or irrelevant to the joint programme.

3. The Secretariat's portfolios manager will discuss with the country an initial date for having the field visit.
4. From this point on, the evaluation specialists and the portfolio manager are responsible for managing the execution of the evaluation, with three main functions: to facilitate the work of the consultant, to serve as interlocutor between the parties (consultant, joint programme team in the country, etc.), and to review the deliverables that are produced.

85. Execution phase of the evaluation study (87-92 days total)

Desk study (23 days total)

1. Briefing with the consultant (**1 day**). A checklist of activities and documents to review will be submitted, and the evaluation process will be explained. Discussion will take place over what the evaluation should entail.
2. Review of documents according to the standard list (see TOR annexes; programme document, financial, monitoring reports etc.).
3. Submission of the inception report including the findings from the document review specifying how the evaluation will be conducted. The inception report is sent and shared with the evaluation reference group for comments and suggestions (**within fifteen days of delivery of all programme documentation to the consultant**).
4. The focal person for the evaluation (joint programme coordinator, resident coordinator office, etc) and the consultant prepare and agenda to conduct the field visit of the evaluation. (Interview with programme participants, stakeholders, focus groups, etc) (**Within seven days of delivery of the desk study report**).

Field visit (10-15 days)

1. The consultant will travel to the country to observe and contrast the preliminary conclusions reached through the study of the document revision. The planned agenda will be carried out. To accomplish this, the Secretariat's programme officer may need to facilitate the consultant's visit by means of phone calls and emails, making sure there is a focal person in the country who is his/her natural interlocutor by default.
2. The consultant will be responsible for conducting a debriefing with the key actors he or she has interacted with.

Final Report (54 days total)

1. The consultant will deliver a draft final report, which the Secretariat's programme officer shall be responsible for sharing with the evaluation reference group (**within fifteen days of the completion of the field visit**).
2. The Secretariat will assess the quality of the evaluation reports presented using the criteria stipulated by UNEG and DAC Evaluation Network (**within seven days of delivery of the draft final report**).

3. The evaluation reference group may ask that data or facts that it believes are incorrect be changed, as long as it provides data or evidence that supports its request. The evaluator will have the final say over whether to accept or reject such changes. For the sake of evaluation quality, the Secretariat can and should intervene so that erroneous data, and opinions based on erroneous data or not based on evidence, are changed (**within fifteen days of delivery of the draft final report**).

The evaluation reference group may also comment on the value judgements contained in the evaluation, but these may not affect the evaluator's freedom to express the conclusions and recommendations he or she deems appropriate, based on the evidence and criteria established.

All comments will be compiled in a matrix that the Secretariat will provide to the evaluation focal points.

4. On the completion of input from the reference group, the evaluator shall decide which input to incorporate and which to omit (**ten days**) and submit to the MDG-F Secretariat a final evaluation report.
 5. The Secretariat will review the final copy of the report, and this phase will conclude with the delivery of this report to the evaluation reference group in the country (**within seven days of delivery of the draft final report with comments**).

86. Phase of incorporating recommendations and improvement plan (within fifteen days of delivery of the final report**):**

1. The Secretariat's programme officer, as representative of the Secretariat, shall engage in a dialogue with the joint programme managers to establish an improvement plan that includes recommendations from the evaluation.
2. The Secretariat will publish the evaluation in its website.

10. ANNEXES

a) Document Review

This section must be completed and specified by the other users of the evaluation but mainly by the management team of the joint programme and by the Programme Management Committee. A

minimum of documents that must be reviewed before the field trip shall be established; in general terms the Secretariat estimates that these shall include, as a minimum:

MDG-F Context

- MDGF Framework Document
- Summary of the M&E frameworks and common indicators
- General thematic indicators
- M&E strategy
- Communication and Advocacy Strategy
- MDG-F Joint Implementation Guidelines

Specific Joint Programme Documents

- Joint Programme Document: results framework and monitoring and evaluation framework
- Mission reports from the Secretariat
- Quarterly reports
- Mini-monitoring reports
- Biannual monitoring reports
- Annual reports
- Annual work plan
- Financial information (MDTF)

Other in-country documents or information

- Evaluations, assessments or internal reports conducted by the joint programme
- Relevant documents or reports on the Millennium Development Goals at the local and national levels
- Relevant documents or reports on the implementation of the Paris Declaration and the Accra Agenda for Action in the country
- Relevant documents or reports on One UN, Delivering as One

c) File for the Joint Programme Improvement Plan

After the interim evaluation is complete, the phase of incorporating its recommendations shall begin. This file is to be used as the basis for establishing an improvement plan for the joint programme, which will bring together all the recommendations, actions to be carried out by programme management.

| Evaluation Recommendation No. 1 | | | |
|--|------------|--------------------|-----------|
| Response from the Joint Programme Management | | | |
| Key actions | Time frame | Person responsible | Follow-up |

| | | | Comments | Status |
|-----|--|--|-----------------|---------------|
| 1.1 | | | | |
| 1.2 | | | | |

Evaluation Recommendation No. 2

Response from the Joint Programme Management

| Key actions | Time frame | Person responsible | Follow-up | |
|--------------------|-------------------|---------------------------|------------------|--------|
| 2.1 | | | Comments | Status |
| 2.2 | | | | |
| 2.3 | | | | |

Evaluation Recommendation No. 3

Response from the Joint Programme Management

| Key actions | Time frame | Person responsible | Follow-up | |
|--------------------|-------------------|---------------------------|------------------|--------|
| 3.1 | | | Comments | Status |
| 3.2 | | | | |
| 3.3 | | | | |

