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AFGHANISTAN ACCESS TO JUSTICE (AA2J) Q2 and Q3 2016 PROJECT PROGRESS REPORT



UNITED NATIONS DEVELOPMENT PROGRAMME

DONORS



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UNDP

PROJECT INFORMATION

Project ID: 00094291

Duration: April 2016 – March 2019

ANDS Component:

Contributing to NPP: 1. Legal reform and legislative effectiveness, 2. Enhancing efficiency of the Justice sector, 3. Increasing meaningful access to justice, 4. Building institutional capacity to strengthen justice delivery

CPAP Outcome: Trust in and access to fair, effective, and accountable Rule of Law (ROL) services is increased in accordance with applicable international human rights standards and the government's legal obligations

UNDP Strategic Plan Component: Functions, financing and capacity of rule of law institutions enabled, including to improve access to justice and redress

Annual Budget 2016: 2,265,843.07 USD

Implementing Partner: UNDP

Responsible Parties: Ministry of Justice, Afghanistan Independent Bar Association

Project Manager: Dragan Popovic

COVER PAGE PHOTO: Students from Nangarhar Law Clinic attending a trial session,
September 2016

ACRONYMS

AA2J	Afghanistan Access to Justice
AIBA	Afghanistan Independent Bar Association
CLRWG	Criminal Law Reforms Working Group
CSOs	Civil Society Organizations
DOJ	Department of Justice
EVAW	Elimination of Violence against Women
FRU	Family Response Unit
GIROA	Government of the Islamic Republic of Afghanistan
GIZ	Deutsche Gesellschaft für Internationale Zusammenarbeit
HACT	Harmonized Approach to Cash Transfers
HRSU	Human Rights Support Unit
IDLO	International Development Law Organisation
JHRA	Justice and Human Rights Afghanistan
JSI	Justice Sector Institutions
JSSP	Justice Sector Support Program
LAD	Legal Aid Department
LAGF	Legal Aid Grant Facility
LOA	Letter of Agreement
M&E	Monitoring and Evaluation
MOIA	Ministry of Interior Affairs
MOHE	Ministry of Higher Education
MOJ	Ministry of Justice
MOU	Memorandum of Understanding
MOWA	Ministry of Women Affairs
NLTC	National Legal Training Center
NTA	National Technical Assistance
PLAU	Public Legal Awareness Unit
ROL	Rule of Law
ROLIS	Rule of Law Indicators Study
SDC	Swiss Development Cooperation
SOP	Standard Operating Procedure
<i>Taqnin</i>	MOJ Institute for Legislative Drafting and Legal Research
<i>Taskheel</i>	Afghanistan Civil Service
TOR	Terms of Reference
TWG	Technical Working Group
UNAMA	United Nations Assistance Mission to Afghanistan
UNDP	United Nations Development Programme
UNFPA	United Nations Population Fund

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I. EXECUTIVE SUMMARY

The Afghanistan Access to Justice (AA2J) project was designed during the last months of 2015 and the first quarter of 2016 as the successor project to the Justice and Human Rights in Afghanistan (JHRA) project. During a consultative process with national counterparts and donor partners, it was decided that the focus of AA2J would be to increase access to justice for vulnerable groups, with women, children, detainees and prisoners as specific target groups. The AA2J project operates under three output areas, namely; Legal aid and legal awareness; Justice sector coordination with a focus on Elimination of Violence Against Women (EVAW); Capacity development on human rights and legislative drafting for the Ministry of Justice (MOJ) and Justice Sector Reform.

AA2J became operational on 1 April 2016. The first months were mainly a project inception period. These months were characterized by the recruitment of the project team, the development of detailed implementation plans as well as a Monitoring and Evaluation (M&E) framework. During this period, the project also laid the foundation for its key partnerships, and formalized the legal basis for the main activities. The project also initiated the process of establishing Technical Working Groups (TWGs).

With regards to legal aid and legal awareness (Output 1), the key achievements during the inception phase included the signing of a Memorandum of Understanding (MOU) between United Nations Development Programme (UNDP), MOJ and the Afghanistan Independent Bar Association (AIBA) on the implementation of the Legal Aid and Awareness activities. The MOU sets the framework for the work of the Legal Aid Grant Facility (LAGF). The LAGF facility started registering legal aid beneficiaries during the month of August 2016 and by the end of September 2016, 367 beneficiaries had been registered from eight provinces, including 48 (13%) women. The LAGF will have a clearer focus on female beneficiaries and indigent people from districts. Also, data collection and M&E systems for LAGF were improved with the introduction of a new database.

Legal training at the law clinics commenced with 45 students receiving training at the law clinic in Jalalabad. Planning has started for the implementation of legal awareness activities, which are to be conducted in the eight target provinces of the project. The project also started a process of identifying relevant Civil Society Organisations (CSOs) for joint legal awareness activities.

The key achievement under Output 2 (Justice sector coordination with a focus on EVAW) was the drafting of Standard Operational Procedures (SOPs) for the EVAW units of the Attorney General's Office (AGO), AIBA and Family Response Units (FRU) of the Ministry of Interior Affairs (MOIA). The SOPs were finalised during the third quarter of 2016 and they are to be used for trainings meant to build capacity of key staff in the respective institutions. Furthermore, the project established working relations with the pilot EVAW Court and the AGO EVAW Units. The Supreme Court reported that the EVAW Court has handled 107 cases at primary level and another 51 at appeal level, a total of 158 cases since its establishment. The project has started a needs assessment for the EVAW Court, which will form the basis for future cooperation and support.

Consultations were held with key stakeholders to discuss the way forward in the establishment of a National Legal Training Centre (NLTC) in Herat. To this end, AA2J staff members and representatives of the Ministry of Higher Education (MOHE) conducted a fact-finding mission to Herat. More

consultations still need to be conducted in relation to the NLTC, in order to take a decision on the feasibility of the NLTC as the central institutions for stage training.

With regards to the third output area of the project (Capacity development on human rights and legislative drafting for the MOJ and Justice Sector Reform), the Rule of Law Indicators Study (ROLIS) working group that will spearhead and monitor the follow up of ROLIS recommendations was established. The working group started holding meetings during the third quarter of 2016. The *Taqnin* (legislative drafting) department of the MOJ continued with the drafting process for the three legislations supported by the AA2J project. By the time of writing the report, the Law on Conciliation of Civil Disputes (Conciliation law) was under review by the Cabinet Legislative Board and the Criminal Law Reform Work Group (CLRWG) was finalizing the drafting of amendments to the Penal Code. Drafting of amendments to the Family Law had not yet commenced, as the MOJ is yet to outline its intentions with regards to this law.

The Human Rights Support Unit (HRSU), which was established in 2010 with the support from UNDP, continued to make important progress in relation to its role as a reputable human rights monitoring institution in the country. A proposal for the integration of the HRSU into the country's civil service (*Tashkeel*) was submitted to the Ministry of Finance. Although the HRSU had not yet been formally accepted into the *Tashkeel*, the MOJ has consistently underlined the importance of the HRSU within the ministry, which was also reiterated by the inter-ministerial Human Rights Task Force. In terms of fulfilling its mandate of monitoring the implementation of human rights conventions, the HRSU during this period produced a checklist of indicators to monitor the implementation of ratified international conventions. The document outlines each convention and lists a set of indicators to be used to assess the application of the laws by the Afghan government. In addition, the HRSU drafted a report responding to the recommendations made by the national recommendations action committee on international conventions. AA2J staff are working closely with the HRSU to develop monitoring plans and data collection tools and a methodology for the indicators' checklist the HRSU has developed.

Finally, the AA2J Project gives technical support to the Office of the Second Vice President to oversee the Justice Sector Reform Plan. The AA2J Project has conducted several meetings with the Office of the Second Vice President in order to mutually agree on what other technical assistance AA2J can offer to the office besides the existing technical assistance. The Office of the Second Vice President participates in the ROLIS working group meeting, where it was agreed that the ROLIS recommendations are to be incorporated into the Justice Sector Reform Plan.

II. INTRODUCTION

The following report presents the activities and achievements of the AA2J project during the period April-September 2016. The report combines Quarter 2 and Quarter 3 of the year 2016. The AA2J project commenced in April 2016. The first quarter of the project was mainly an inception phase dedicated to recruitment of the project staff and the planning of activities, concretely the development of detailed implementation plans per output. The project received its first donor contribution in August, when an agreement was signed with the Swiss Agency for Development and Cooperation (SDC). In this context, no separate quarterly progress report was prepared for the second quarter.

The key achievements that will be highlighted by this report are the resumption of the LAGF activities, the operationalization of the EAW court, progress made with regards to follow up on ROLIS recommendations and the operationalization of TWGs as part of the governance structure of the project. In spite of these achievements, challenges were encountered that are related to the security situation, initial financial constraints and poor coordination among stakeholders, and this report will explain how these challenges impacted the project implementation. The report will also highlight the mitigation measures that the AA2J project has put in place to address the observed risks and issues. The report also summarizes the progress made by the project in relation to its performance targets and indicators.

III. RESULTS

OUTPUT 1: LEGAL AID AND LEGAL AWARENESS

The objective of this output is to improve access to justice to the indigent members of the population by improving service delivery by the state institutions related to legal aid and awareness. The target groups for the activities on legal aid and legal awareness are indigent women, children, prisoners and detainees. In addition, the project seeks to strengthen the capacity of law clinics to deliver legal advisory services and provide law and sharia students with practical experience in the area of legal aid.

ACTIVITY RESULT 1.1: Legal aid services provided through the Legal Aid Grant Facility (LAGF) are more accessible, affordable, sustainable and credible

The majority of the activities under this activity result are a direct or indirect continuation from activities of JHRA. Between April and June 2016, the project held extensive negotiations with the MOJ and AIBA, which concluded with the signature of a new tripartite MOU in which the target groups were better defined and a strengthened data collection mechanism was agreed in order to improve the M&E function of the LAGF. The new MOU was signed in July and sets the overall framework of cooperation for the entire project duration. The project also set up more structured coordination with other actors such as the Asia Foundation, the International Development Law Organization (IDLO), the Justice Sector Support Program (JSSP) and the *Deutsche Gesellschaft für Internationale Zusammenarbeit* (GIZ).

Based on the new MOU, a Letter of Agreement (LOA) between UNDP and AIBA was signed in July 2016 for the period July-December 2016. This LOA introduces a stricter mechanism for financial

oversight in line with the recommendations from the micro-capacity assessment that had been undertaken prior to the start of the AA2J project in the framework of the United Nation’s Harmonized Approach to Cash Transfers (HACT). Also, the LOA sets a minimum threshold for how many female beneficiaries should be targeted by LAGF (at least 300 cases) and how many cases should come from districts instead of the provincial capitals (at least 50 per cent).

The AA2J project team, in consultation with AIBA’s Project Manager and M&E Officer revised and finalized the LAGF case data base. More parameters were included and the data entries were harmonized to make the data more consistent, which will also facilitate a more thorough impact analysis of the LAGF services to track LAGF’s performance indicators.

The LAGF started registering cases during the month of August 2016. At the end of September, a total of 367 beneficiaries (319 men and 48 women) had been registered to receive legal aid in 8 provinces, namely, Badghis, Balkh, Bamyan, Daikundi, Ghor Helmand, Herat and Nangarhar. The total number of beneficiaries registered represents 71% of the 2016 target of 514 cases.

In order to increase access to justice for people in districts where the MOJ’s Legal Aid Department (LAD) does not provide any legal aid services, the project intends to have more beneficiaries from districts instead of the provincial capitals, and coordinate the scope of LAGF activities at district level with the MOJ LAD. At the moment, out of the 367 beneficiaries, 122 (33%) are from the districts and 245 (67%) are from the urban areas. Figure 1 below shows the location of LAGF cases handled per province. The security situation in the districts in some of the provinces prevented the LAGF from accessing potential beneficiaries in remote areas. In Helmand, for instance, only one case was a district case. Nevertheless, due to the very low number of LAD lawyers in Helmand, even in the provincial capital, there is a very high demand for legal aid, which is attended through the LAGF. In relatively stable provinces like Balkh, Herat and Nangarhar, the proportion of beneficiaries from districts was significantly higher. As the table below shows, 71% (49 out of 69) of the beneficiaries in Balkh were registered in the districts. This is way beyond the LAGF target of 50%. Herat and Nangarhar had 43% (20 out of 47) and 50% (32 out of 64) respectively.

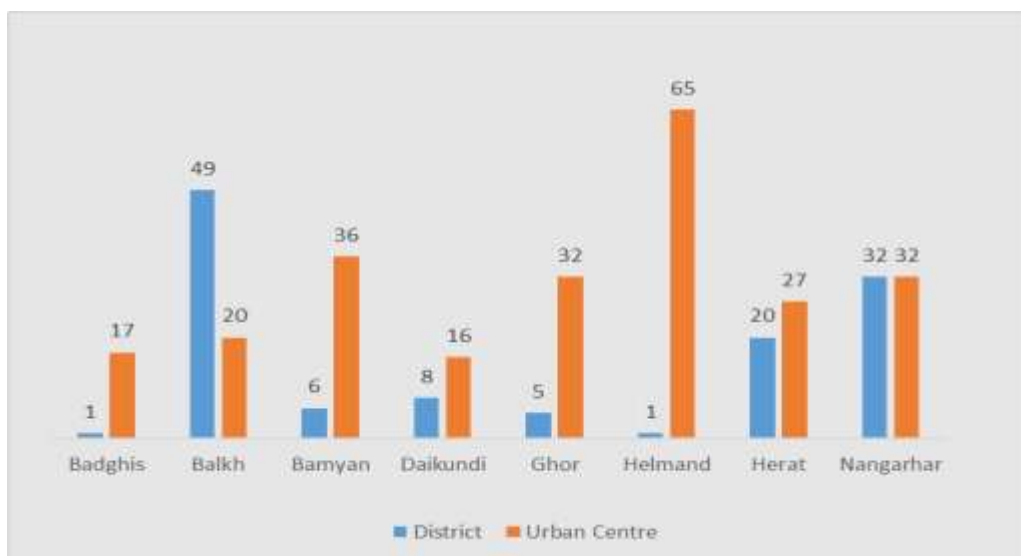


Fig. 1: LAGF beneficiaries by province and location-April-September 2016

As regards the gender of LAGF beneficiaries, the AA2J project intends to bring up the number of females using the services of the LAGF, as women tend to face more difficulties in getting access to justice. For that reason, the LAGF covers both civil and criminal cases for women, while only criminal cases are eligible for men. Figure 2 below shows the gender breakdown of LAGF beneficiaries for this reporting period. While the project managed to attend female beneficiaries in all of the eight provinces, the table below indicates that the number of female beneficiaries still remains low. Although it will not be possible to record a 50:50 ratio of female to male beneficiaries, due to the crime trends in the country in which most offenders are male, the LAGF still aims at achieving at least a 30% female beneficiaries. For this reporting period the percentage was 13%. This is no change from the percentage registered by the JHRA project. The implementation of legal awareness activities, and better coordination with Women Assistance Centres, shelters and the Departments of Women Affairs (DOWA) is expected to increase the number of female beneficiaries.

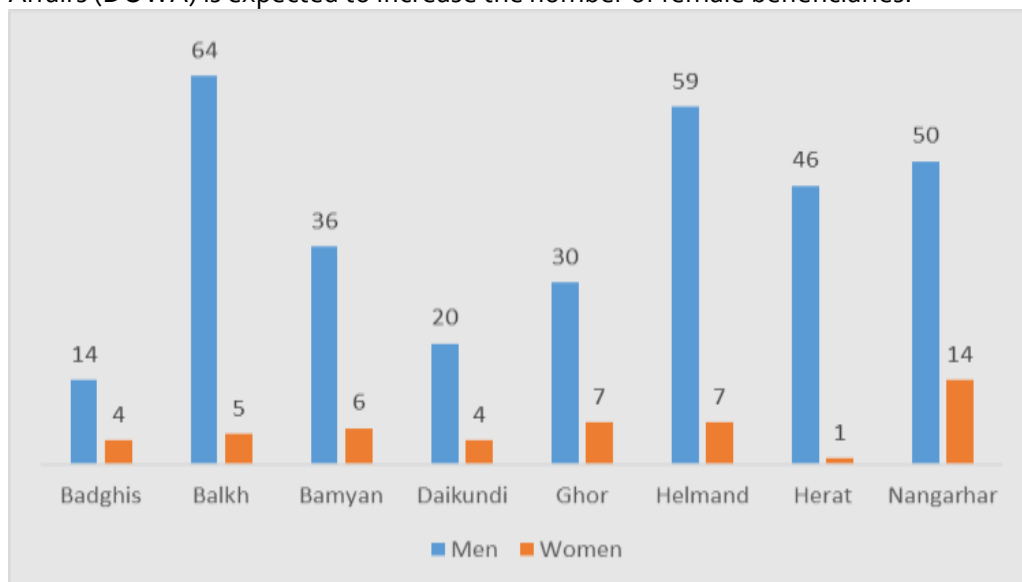


Fig. 2: Gender breakdown of LAGF Beneficiaries-April-September 2016

In the new database, AIBA started to track how the cases were being referred to LAGF, in order to optimize referral pathways to ensure the complementarity of LAGF compared to other legal aid providers. A total of nine different institutions referred cases to the LAGF during the first two quarters of the project. The Courts, DOWA, Huquq, Juvenile Centres, the LAD, Prosecution Offices, Police, Prisons and Women Assistance Centres all referred beneficiaries to the LAGF, which shows that the coordination function of the LAGF Committee is functional. In addition to the mentioned institutions, some beneficiaries approached the LAGF on their own through the regional AIBA offices. These self-referrals constituted 20% of the total cases handled, which indicates the LAGF's outreach capacity, which in its turn can also contribute to increased legal awareness. Figure 3 shows the referral sources of cases handled by the LAGF during this reporting period.

It is envisaged that continued operation of the LAGF and legal awareness activities will eventually lead to more awareness of the availability of free legal services, where LAGF remains a secondary option to the LAD, especially in urban areas. The increased awareness will eventually result in more people seeking LAGF services, even in the remote rural areas.

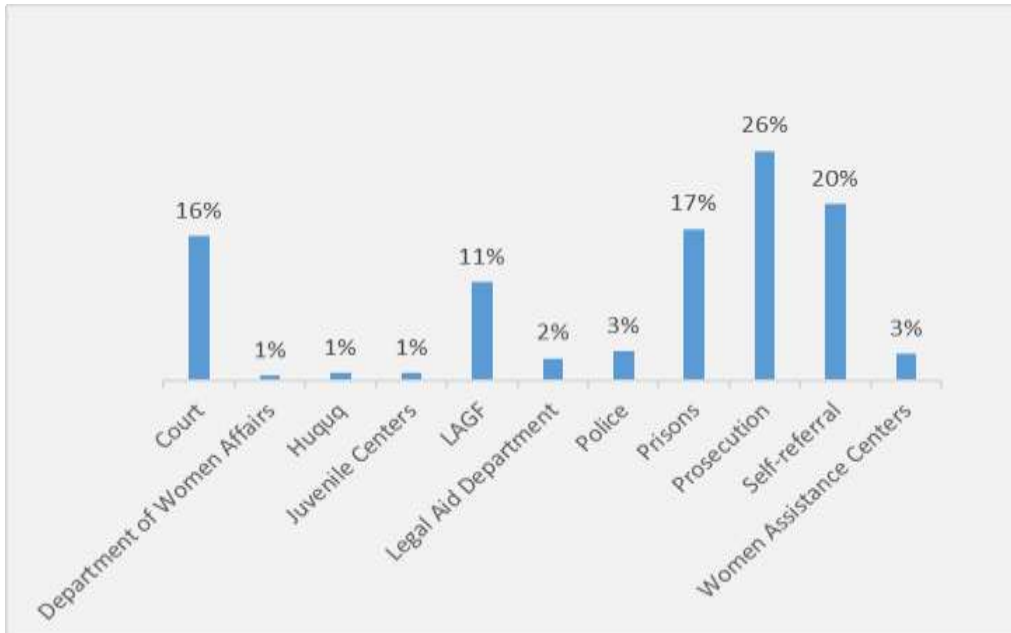


Fig. 3: Referrals to LAGF-April-September 2016

Efforts were made to strengthen the capacity of AIBA in various dimensions. As follow up to the micro-capacity assessment that had been undertaken prior to the start of the project to identify AIBA's strengths and weaknesses regarding financial management, AA2J conducted a financial and reporting training for LAGF staff on 30 July 2016. The workshop covered financial and narrative reporting. A number of follow up meetings were held with AIBA Programme Manager and M&E Officer and staff in the field. These trainings will increase AIBA's accountability and ability to meet the conditions of UNDP's Programme and Operations Policies and Procedures (POPP) for financial management.

Three LAGF case coordinators (all male) for Badghis, Daikundi and Ghor provinces and two supervisors (1 female) for Balkh and Nangarhar provinces were recruited to improve coordination and monitoring of LAGF cases at provincial level. The recruitment of the female case supervisor will have an important bearing on accessibility of LAGF services as it will improve access to LAGF services by the women, since women have been found to be reluctant to approach men on issues related to human rights and legal processes.

In order to improve coordination and strengthen national ownership, the Output One TWG held its first meeting in July 2016. In this meeting the terms of reference of the TWG were outlined. Participating members expressed optimism and their expectations for the TWG to be effective regarding reviewing the project's progress. Participants showed interest to actively participate in the TWG and discussed issues identified regarding the implementation of the activities of this Output.

In addition to the TWG meeting, a total of thirty-seven LAGF coordination meetings were conducted. Thirty-four of these meetings were held in the eight provinces while three were held in Kabul. The meetings served as a platform for case allocation, coordination and addressing of challenges, to ensure the smooth implementation of LAGF activities, as well as to validate that the procedures had been applied correctly for finalized cases. The meetings reviewed the applications and approved the provision of legal aid to the 367 beneficiaries registered during this reporting period.

ACTIVITY RESULT 1.2: Targeted ILAB-accredited university law clinics are capacitated to promote and provide legal aid services to indigent people

The project continued the support initiated by JHRA to the universities in Balkh and Nangarhar to develop law clinic programmes. Meetings were held with the law clinic administrators at the respective universities to facilitate the development of training and capacity building programmes. Funds were disbursed through AIBA to appoint lawyers to support law clinic activities in Helmand, where no other international partners are supporting the law clinics.

AA2J partnered with the Asia Foundation and provided substantive inputs to a law clinic conference on 13 and 14 August 2016. The conference covered issues related to standardization of operations at law clinics. The workshop was attended by officials from the Ministry of Higher Education (MOHE), MOJ, law clinics' staff, deans of law and sharia faculties and staff of development agencies. UNDP made a presentation on the UNDP/AIBA law clinic model. The workshop deliberations reached consensus that law clinics should be made a compulsory component of law and sharia education and recognized within the academic curriculum. The workshop also agreed that there is a need to develop a standard framework for all law clinics across the country. Based on the conclusions from the abovementioned conference, the project intends to take the lead in the development of a harmonized law clinic framework for Afghanistan through a participatory process involving the law clinics, students and civil society. Preparations for this process have started and with the recruitment of a consultant in the next quarter, this process is expected to initiate.

In parallel, through its Regional Coordinator in Nangarhar, the project started conducting trainings to students at the law clinic in Jalalabad in September. The trainings cover investigation skills, evidence gathering and arrest procedures. The programme also includes visits to the court in Jalalabad. The trainings are a mixture of practical and theory session and one of the major objectives is to impart practical skills to the students. These trainings mark the beginning of several capacity building activities that are aimed at increasing the capacity of law students to provide legal services. By the close of September, 45 students (all male) had started attending trainings. An all-female class is expected to start a similar training programme during the coming quarter, while discussions with the universities has started on ways to engage the law clinics for concrete outreach activities in the respective districts, such as mock courts and role plays.

ACTIVITY RESULT 1.3: The public, in particular women, children, prisoners and pre-trial detainees in targeted provinces are better informed of their legal rights, including the right to legal aid

Work to resume legal awareness activities started during the third quarter of the year. Four meetings, three in Kabul and one in Nangarhar, were held with the Public Legal Awareness Unit (PLAU) to discuss legal awareness messages. One of the planned legal awareness activities is the distribution of banners with legal messages to five provinces to be installed at the premises of the justice institutions.

The project started a process of identifying suitable Civil Society Organizations (CSOs) to conduct legal awareness activities. For this purpose, a roster with eligible CSOs will be created during the last quarter of 2016. Through this roster, the project gains flexibility to engage CSOs in its legal awareness activities. For example, this includes the dissemination of legal messages using different means of communication, which is expected to result in increased knowledge of legal rights among the people,

including the knowledge of available legal aid service providers. The legal awareness activities will be conducted to complement and to contribute towards an increase in beneficiaries accessing legal aid through the LAGF, but the legal awareness activities will also link to the objectives of component 2, concretely the elimination of violence against women.

EXPENSES FOR THE PERIOD MARCH-SEPTEMBER 2016

During the period March-September, the total expenditure under this output was USD 351,096.58. For more detailed information, see the Financial Reports in the Annexes at the end of this report.

Table 1: Progress for Output 1-Legal aid and legal awareness

Indicator	Baseline (As per the AWP)	Annual Targets (As per the AWP)	Q3 Planned	Q3 Actual	Comments
1.1: Percentage of surveyed women, children, prisoners and pre-trial detainees claiming awareness of their rights in target areas (Balkh, Herat, Nangarhar)	To be determined	Increase from baseline	No quarterly target for this indicator	N/A	Baseline survey developed but not yet conducted
1.2: Number of people who receive legal aid through the Legal Aid Grant Facility disaggregated for detainees, prisoners, women and children victims in civil cases	2248 (over 3 years period)	514	257	367	The Project surpassed its quarterly target by 43% and achieved 71% of its annual target
Indicator 1.1.1: Ratio of “number of cases for which defense lawyers are paid” over “the maximum number that LAGF budget allows”	1:3	2:3	2:3	N/A	No data was collected for these indicators, as cases were still ongoing.
Indicator 1.1.2: Cost of service delivery (including operating expenses) per case completed	\$220	\$250	\$250	N/A	
-Indicator 1.1.3: Percentage of LAGF total budget on actual delivery of legal aid services	TBD	10-15% Improvement	N/A	N/A	Cases are still ongoing.

Indicator	Baseline (As per the AWP)	Annual Targets (As per the AWP)	Q3 Planned	Q3 Actual	Comments
-Indicator 1.1.4: Conviction rate (disaggregated by types of cases, gender, and province) -Indicator 1.1.5: Acquittal rate per province (disaggregated by types of cases, gender, and province) -Indicator 1.1.6: Rate of reduced sentences (disaggregated by types of cases, gender, and province)					
Indicator 1.1.7: Percentage of legal aid cases referred to the local LAD or specialist NGO office before allocating to LAGF lawyers (by province)	0%	Increase over baseline	N/A	2%	Achieved. The project recorded an increase of 8 cases from the baseline
Indicator 1.1.8: Percentage of satisfied beneficiaries of LAGF	To be determined	60%	N/A	N/A	Baseline survey developed but not yet conducted
Indicator 1.2.1: Degree to which students of targeted ILAB-accredited university law clinics are able to implement primary legal aid services	1- Very Low	4-High	N/A	N/A	No assessment done yet, as the students had not yet completed the training. Assessment will be done at the conclusion of the trainings

Indicator	Baseline (As per the AWP)	Annual Targets (As per the AWP)	Q3 Planned	Q3 Actual	Comments
Indicator 1.3.1: Extent to which MOJ PLAU is able to implement measures for improvement of access and provision of legal aid	TBD	Increase over baseline	N/A	N/A	No training conducted
Indicator 1.3.2: Level of awareness among selected justice sector institutions of identified legal rights and legal aid provision	TBD	Increase over baseline	N/A	N/A	No survey conducted
Indicator 1.3.3: Percentage of surveyed women, children, prisoners and pre-trial detainees claiming awareness of their rights and legal aid provision in target areas (Balkh, Herat, Nangarhar)	TBD	Increase over baseline	N/A	N/A	No survey conducted

OUTPUT 2: JUSTICE SECTOR COORDINATION AND ELIMINATION OF VIOLENCE AGAINST WOMEN (EVAW)

The objective of Output 2 of the AA2J project is to increase the capacity of and coordination among targeted justice institutions in relation to EVAW. Work under this Output includes harmonizing working methods of the relevant institutions in the gender justice chain, capacity development for the pilot EVAW Court in Kabul and increased emphasis on gender issues in the Stage training of the NLTC.

During the first six months of the project, intense consultations were held with all relevant stakeholders, which resulted in several new informal partnerships. Given the high number of actors that work on EVAW, it was essential to identify concrete elements of the overall EVAW objectives that are currently not sufficiently covered, while at the same time designing joint activities that could have a multiplier effect, and increase coordination. The pilot EVAW Court is the central institution for this Output, while coordination with the other relevant institutions is included as it is essential that the interests of victims are attended effectively throughout the justice chain.

Activity Result 2.1: EVAW justice institutions' procedures and systems streamlined for recording violence against women (VAW) cases and capturing progress through various agencies

In an attempt to improve the functioning of the Justice Sector Institutions (JSIs) working in the gender justice chain, AA2J has developed Standard Operating Procedures (SOPs) for these institutions, which should also lead to better coordination through the harmonization of their working methods. The SOPs for the Family Response Units (FRU) of the MOIA were developed jointly with the United Nations Population Fund (UNFPA) and have been shared with the MOIA leadership for approval. Similarly, the review of SOPs for AIBA and the EVAW units of the AGO is ongoing by the respective institutions.

The SOPs cover various topics including the legal framework, roles and responsibilities, procedures for case handling and data collection and reporting for the mentioned institutions. Topics like medical examinations and (referral to) psychosocial support for victims are also included in the SOPs, as is case referral between these institutions. The SOPs are to form the guiding framework in the development of detailed training manuals that are to be used to train the staff of the targeted institutions. Once the SOPs have been finalized and accepted by the respective institutions, AA2J will initiate trainings for the technical staff on how to apply the SOPs. These trainings are expected to commence during the coming quarter.

Activity Result 2.2: The pilot EVAW Court in Kabul is established and functional (and in other areas if the Supreme Court decides to expand the pilot)

The Pilot EVAW Court has been operational in Kabul since March 2016. Cases of violence against women are being handled at primary and appeal levels of the court, while a division at Supreme Court level is also established, which so far has not handled any cases though. The Supreme Court reported that the EVAW Court had handled a total of 158 cases between primary and appeal level during the reporting period. Figures 4 and 5 below present the status of cases handled by the primary and appeal levels of the EVAW court respectively during the period April to September 2016.

Primary court					
S/N	Type of crime	Received cases	Officially rejected	Verdict issued	Remaining
1	Violence against women (multiple crimes)	17	5	10	2
2	Sexual assault	6	1	5	0
3	Injury	5	1	4	0
4	Murder	9	4	5	0
5	Throwing acids	1	0	1	0
6	Beating	36	7	29	0
7	Forced suicide	7	0	7	0
8	Plan for assault	1	0	1	0
9	Lack of guardian	1	0	1	0
10	Second marriage	2	0	2	0
11	Forced prostitution	1	1	0	0
12	Other crimes	21	0	1	20
	Total	107	19	66	22

Fig. 4: Cases handled by the EAW Primary Court-April- September 2016

Appeal Court					
S/N	Type of crime	Received cases	Officially rejected	Verdict issued	Remaining
1	Murder	14	3	8	3
2	Sexual assault	6	1	4	1
3	Self-immolation	2	0	2	0
4	Forced suicide	4	0	4	0
5	Beating	13	5	6	2
6	Attempt of murder	5	0	3	2
7	Forced marriage	2	1	1	0
8	Harassment	1	0	1	0
9	Forced prostitution	1	0	1	0
10	Moral crimes	2	0	1	1
11	Plan for self - immolation	1	0	1	0
	Total	51	10	32	9

Fig. 5: Cases handled by the EAW Appeal Court-April- September 2016

Since the start of the project, the UNDP held intensive consultations with the Supreme Court to discuss the support to be provided by the AA2J project. Initially, the Supreme Court was reluctant to grant AA2J project staff access to the judges of the EAW Court and took a formal and institutional approach, where the engagement between the project and the judiciary would be through the Chief Justice and his direct administrative staff. Confidence building has taken some time, delaying the initiation of concrete support activities. At the end of the reporting period, the Supreme Court allowed direct interaction between project staff and the staff of the EAW Court, which in the fourth quarter is expected to result in direct cooperation.

UNDP started to conduct a needs assessment and finalize the proposed action plan based on current needs of the pilot EAW Court. For this reason, no monitoring of EAW Court indicators was done during this quarter yet, although trials at this Court have been going on since April.

Discussions with international players namely the IDLO and JSSP were conducted with the aim of identifying how UNDP can support efforts from these organizations to set up a case management system for the Supreme Court, with a focus on cases of violence against women. The project will not duplicate these efforts, but wants to promote the use of these systems wherever this is deemed appropriate.

Activity Result 2.3: The National Legal Training Centre (NLTC) in Herat is operational and provides Stage training to law and sharia graduates, with a particular focus on EAW

Technical meetings have been conducted with the MOHE and the NLTC in Kabul aiming to firstly clarify the legal basis for the NLTC, which should also cover the NLTC in Herat and secondly to validate that the same curriculum that is being used in the existing NLTC in Kabul will also be applied for the Herat Centre.

A fact-finding mission to Herat was conducted in the month of August. UNDP and the senior authorities from the MOHE had meetings with all respective NLTC beneficiaries namely AIBA, AGO and the Department of Justice (DOJ). While these main beneficiaries acknowledged the importance of the NLTC in Herat, as a means to provide Stage training, they indicated that they would like to play a more significant role, requesting to be involved in all levels of decision-making regarding the operationalization of the NLTC in Herat. Currently, there is general discontent among the main stakeholders about the NLTC in Kabul, which led to a stalemate regarding the operationalization of the NLTC in Herat.

This was indeed confirmed by the mission findings and discussions with stakeholders in Kabul. The poor involvement of key stakeholders in decision-making has raised challenges for the replication of the NLTC curriculum in Herat, as stakeholders are not yet agreeing on the content and methodology for the NLTC trainings. For example, at central level in Kabul, AIBA has announced that from the coming year they will not send any defence lawyers to either Kabul or future Herat NLTC until the above issues are addressed and the curriculum has been changed by including more practical training.

In addition to the above-mentioned challenges, the project is well aware of the training units that have been developed with support from IDLO within the JSIs in Herat for in-service training for justice practitioners and the project will not duplicate these trainings.

UNDP will conduct meetings with the NLTC stakeholders during the months of October and November 2016 to discuss the role the NLTC can play in organizing Stage courses to decide how the project can support the NLTC in the future.

EXPENSES FOR THE PERIOD MARCH-SEPTEMBER 2016

During the period March-September, the total expenditure under this output was USD 147,044.91. For more detailed information, see the Financial Reports in the Annexes at the end of this report.

Table 2: Progress for Output 2- Justice sector coordination and Elimination of Violence Against Women (EVAW)

Indicator	Baseline (As per the AWP)	Annual Targets (As per the AWP)	O3 Planned	O3 Actual	Comments
Indicator 2.1: Percentage of EVAW cases registered in target geographical areas that reach a final outcome through court judgment	No baseline	30%	N/A	N/A	No monitoring of this indicator was done during this quarter
Indicator 2.2: Percentage of those final outcomes that are deemed satisfactory by the complainant and are in accordance with (human rights) law	50%	70%	N/A	N/A	No monitoring of this indicator was done during this quarter
Indicator 2.1.1: Extent to which staff of MOIA (CID/FRU) are knowledgeable about the SOPs Indicator 2.1.2: Extent to which staff of AGO EVAW Units are knowledgeable about the SOPs Indicator 2.1.3: Extent to which staff/lawyers of AIBA are knowledgeable about the SOPs	To be determined at pre-training survey	Increase from baseline	N/A	N/A	No trainings were conducted during this quarter as the respective SOPs have not yet been endorsed by the MOIA, AGO and AIBA leadership
Indicator 2.1.4: Degree to which the development of case tracking/management systems is successfully implemented in targeted justice institutions	Very low	Very high	Very high	Very low	Discussions are ongoing with IDLO and JSSP regarding possible partnership in developing and rolling out an EVAW case management system
Indicator 2.2.1: Existence of a Special EVAW Court in Kabul	No	Yes	Yes	Yes	Achieved during previous reporting period

Indicator	Baseline (As per the AWP)	Annual Targets (As per the AWP)	Q3 Planned	Q3 Actual	Comments
Indicator 2.2.2: Extent to which the Kabul EVAW court is functional	Not functional	Nearly fully functional	Nearly fully functional	Partly functional	Partly achieved as the court is handling cases. No monitoring of other functionality indicators was conducted during this quarter.
Indicator 2.3.1: Extent to which the National Legal Training Centre (NLTC) in Herat is operational	Not functional	Fully operational	N/A	Not functional	Discussions still going on with regards to operationalization of the NLTC
Indicator 2.3.2: Number of trainees supported by NLTC training programmes in Herat, disaggregated for Stage (graduates) and training for practitioners (trainees)	0	TBA	N/A	0	The Herat NLTC is not yet operational and does not provide Stage training or training to practitioners

OUTPUT 3: LEGISLATIVE DRAFTING AND HUMAN RIGHTS

Output 3 of the AA2J project focuses on strengthening the capacity of the MOJ for legislative drafting and human rights and justice sector reform. The key partners for this output are the *Taqnin* and the HRSU of the MOJ, and the Office of the Second Vice President. Through its human rights based approach, this Output looks at the incorporation of human rights into the Afghan legal framework, while developing the capacity of other institutions to implement the human rights obligations within their respective institutions. By following up to the ROLIS, the project also supports the broader justice sector reform initiative.

Following an inception period, which was used to define an implementation plan for the project, as well as for the HRSU, the project established the TWG, chaired by the Deputy Minister of Justice. The TWG is composed of representatives of the stakeholders for Output 3 and serves as the formal consultative body for Output 3.

Activity Result 3.1: The legislative drafting capacity of MOJ *Taqnin* is strengthened

Under this activity result, the project supports the *Taqnin*, both by developing *Taqnin's* capacity as well as by providing inputs to the drafting and amending process of laws with an important human rights dimension, including advocacy efforts to accelerate the adoption of these laws. Furthermore, the project provides financial and technical advice to the Criminal Law Reform Working Group (CLRWG) for the revision of the Penal Code. Finally, the project provides funding for the Translation Board of MOJ.

As regards capacity development, the project supports the *Taqnin* stage course, which was initiated in May as a pilot. So far, the stage course has been a useful tool for capacity building. A total of 32 participants were enrolled at end of September 2016. Out of these 32, 13 (41%) are women while 19 (59%) are men. The project facilitated the stage course by furnishing a training room within the MOJ premises and by providing substantive inputs to the curriculum. Furthermore, the project intends to recruit a consultant to undertake a needs assessment and draft manuals for the stage programme. The TOR has been finalised and agreed upon by AA2J and MOJ and is under processing. By engaging this consultant, the project will support the MOJ to streamline the ongoing *Taqnin* stage course according to the needs of the MOJ, and make recommendations for next year's stage course for *Taqnin* and develop improved training materials.

In terms of legislative drafting, the targeted laws for 2016 are the Family Law, the Law on Conciliation of Civil Disputes (Conciliation Law) and the Penal Code. At the moment, none of the targeted laws had yet been submitted to the Council of Ministers for final approval. However, progress was made as two of the three targeted laws had passed the first stage of the process, which is the completion of the review of drafts by the *Taqnin* department. The Conciliation Law was, by the time of reporting, under review by the Cabinet's Legislative Board. Drafting of amendments to the Family Law had not yet commenced, but the project undertook a comparative analysis of family laws in other Islamic countries, to provide inputs how Islamic concepts are interpreted in the family law of other states. The review of the Penal Code was finalized by the CLRWG during the third quarter of 2016. Figure 6 below shows the status of the three laws that the *Taqnin* is working on with the support from AA2J.

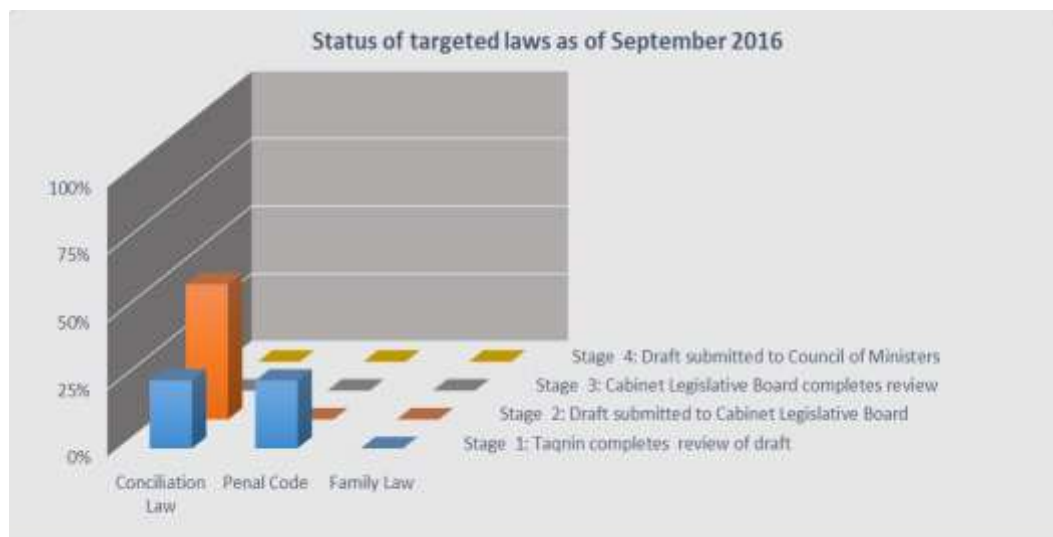


Fig. 6: Progress in legislative drafting by Taqin

The translation board, established in 2012 with the help of the AA2J predecessor project JHRA, continued to give significant support to the *Taqin* department and other departments of MOJ. Since the inception of AA2J, the Translation Board had completed the translation of:

- 8 completed laws
- 6 agreements
- 2 reports and work plans
- 4 MOU's
- 225 pages of miscellaneous documents for the *Taqin* department and MOJ
- 2 conventions
- 1 proposal
- 1 agreement
- 1 guideline document
- 2 resolutions

ACTIVITY RESULT 3.2: A sustainable and strengthened Human Rights Support Unit (HRSU) contributes to improved compliance with international human rights standards

The HRSU reviewed five draft legislative documents during this reporting period. One of these five legislations is the Juvenile Law that deals with the rights of children. The HRSU compiled the information on Afghanistan's implementation of the Convention on the Rights of the Child and the data collected in the framework of the Human Rights Recommendation Action Plan. The HRSU recommendations on this piece of legislation were sent to the *Taqin* for consideration. The HRSU also continued to participate in the Penal Code review process through its representative in the *Taqin*. The unit also completed the process of developing a data collection plan meant to facilitate the monitoring of implementation of the Recommendation Action Plan emanating from the United Nations Human Rights Council's recommendations. HRSU conducted a two-day workshop on the International Covenant on Economic, Social and Cultural Rights to 35 members of the Senate (Meshrani Gerga). In addition, the HRSU drafted an indicators' checklist for all the international conventions ratified by the government of Afghanistan. These indicators are to facilitate the monitoring and reporting on implementation of ratified laws.

The HRSU prepared an action plan to obtain the status of a directorate, which would be a prerequisite for Capacity Building for Results (CBR) funding for the current NTAs. However, as the

HRSU has not yet been integrated into the *Tashkeel*, the project will continue to lobby for the integration of HRSU into the *Tashkeel*.

ACTIVITY RESULTS 3.3: Office of Second Vice President supported with technical capacity to oversee the justice sector reform process

The legal advisors supported by the project for the Office of the Second Vice President continued to play a key role in the development of the Justice and Judicial Reform Programme. After completing the draft of this strategic document, it was shared with the JSIs and the international community through the Rule of Law Board of Donors. After receiving input from the various institutions, the advisors produced a revised plan and submitted it to Vice President Danish.

The legal advisors attended five cabinet's justice and judicial and legislation committee meetings during the reporting period. They then prepared and presented recommendations based on the agenda of the justice and judicial committee and legislation committee meetings. They studied, analysed and scrutinized the approvals of the Justice and Judicial Committees, and crosschecked compliance with the Afghanistan Constitution and other existing Laws. They established and maintained good working relationships with other international institutions in the Justice and Judicial Sector, including European Union Special Representative, UNAMA, and IDLO. Furthermore, they provided technical support to the media unit of the Office of the Second Vice President in publishing news and events and established small library for legal research in the Office of the Second Vice President.

In addition to holding the first TWG, the ROLIS Working Group was activated and held two meetings to prepare an action plan for the implementation of ROLIS recommendations. The ROLIS committee was established by the Minister of Justice, who issued a letter to all JSIs inviting them to appoint a member for the ROLIS Working Group. The first ROLIS meeting was chaired by the Deputy Minister of Justice and attended by representatives from MOIA, AIBA and Second Vice President's Office, HRSU, UNAMA and AA2J. The Working Group will develop action plans specific for each recommendation so that it would be easy to implement and follow up. The ROLIS Working Group also agreed that the ROLIS recommendations are to be linked with the Justice and Judicial Reform Programme. Implementation of the action plans from the ROLIS Workgroup is expected to result in improvement in the performance of the justice sector institutions.

Representatives from 4 of the 5 targeted institutions attended the ROLIS meetings which resolved to develop detailed action plans for each institution in implementation of ROLIS recommendations. The institutions that attended the ROLIS working group meetings are AIBA, MOJ and MOIA. The resolution of the ROLIS workgroup meetings was to develop detailed action plans based on ROLIS recommendations. The action plans are to detail the actions to be taken by each justice sector institution in implementation of the recommendations.

EXPENSES FOR THE PERIOD MARCH-SEPTEMBER 2016

During the period March-September, the total expenditure under this output was USD 248,281.57. For more detailed information, see the Financial Reports in the Annexes at the end of this report.

Table 3: Progress for Output 3- Legislative drafting and human rights

Indicator	Baseline (As per the AWP)	Annual Targets (As per the AWP)	Q3 Planned	Q3 Actual	Comments
Indicator 3.1: Percentage of fulfilment by the Taqin Department of its annual legislative work plan	TBD	70%	No quarterly target	25%	1/3 targeted laws documents at 25% 1/3 targeted laws at 50%
Indicator 3.2: Percentage fulfilment by the Criminal Law Reform Working Group of its annual work plan	TBD	80%	No quarterly target	90%	20 out of 22 chapters of the penal code reviewed
Indicator 3.3: Percentage fulfilment by the Human Rights Support Unit (HRSU) of its annual work plan	TBD	80%	No quarterly target	44%	8 out of a planned annual target of 18 Legal documents reviewed
Indicator 3.1.1: Development of legislative drafting manuals	no	yes	No quarterly target	no	Process for recruiting consultant was suspended due to financial constraints
Indicator 3.1.2: Capacity rating of Taqin in legislative drafting	TBD	To be determined	No quarterly target	N/A	No capacity assessment done during this quarter
Indicator 3.1.3: Percentage of targeted laws finalized and submitted to Council of Ministers	TBD	Increase from baseline	No quarterly target	0%	3 laws were under ongoing drafting process by the Taqin. Nil submitted to council of ministers so far
Indicator 3.2.1: Approval of tashkeel for HRSU	no	yes	partially	Partially	Integration plan was submitted to the Ministry of finance

Indicator	Baseline (As per the AWP)	Annual Targets (As per the AWP)	Q3 Planned	Q3 Actual	Comments
Indicator 3.2.2: Existence of annotated checklists or indicators to review laws' compliance with the core international human rights treaties signed/ratified by Afghanistan	no	yes	partially	partially	HRSU draft was shared with AA2J team and is under their review
Indicator 3.2.3: Extent to which HRSU staff are able to use the checklists in reviewing existing/draft laws	TBD	81-100%	N/A	N/A	Not trainings conducted yet
Indicator 3.3.1: Number of justice institutions (Judiciary power, MOJ, MOIA, AGO, and AIBA) that have successfully developed strategic plans which incorporate the use of ROLIS indicators and baseline information	0	5	N/A	This has not been conducted	It will be discussed with ROLIS Work Group
Indicator 3.3.2: Successful completion of follow-up ROLIS	no	yes	Partially	Partially	ROLIS Work Group established and had its first 2 meetings.

OUTPUT 4: PROJECT MANAGEMENT

As discussed in the sections on the substantive outputs, the project introduced a governance structure that will allow for improved monitoring of project progress, enhanced national ownership and a continuous dialogue with all project stakeholders regarding issues and risks encountered in the implementation of project activities, with the aim to jointly identify mitigation measures. To this end, the TWGs were activated and have so far been successful, both in terms of participation leading to better coordination and the provision of guidance to the project activities.

In line with UNDP's desire to address one of the weaknesses of the predecessor project JHRA; namely the low M&E quality, the project recruited a dedicated Planning, Monitoring and Reporting Specialist, based on the lessons learned from JHRA about weaknesses in data collection and reporting. This way, the project improved its planning ability; and each Output elaborated a detailed implementation plan to ensure that all activities are aligned with the results and resources frame (RRF). Furthermore, the project has a detailed M&E plan, with a well-defined methodology for data collection.

The project operates in compliance with UNDP's Programme and Operations Policies and Procedures (POPP) and the SOPs for UNDP Afghanistan, ensuring an effective management style. The Annual Work Plan has been approved at the first Project Board meeting of the project, while the detailed implementation plans per Output are continuously being discussed with the relevant stakeholders through the TWG meetings.

EXPENSES FOR THE PERIOD MARCH-SEPTEMBER 2016

During the period March-September, the total expenditure under this output was USD 338,500.82. For more detailed information, see the Financial Reports in the Annexes at the end of this report.

Table 4: Progress for Output 4- The Project is implemented in accordance with the project document and in a timely, efficient, accountable and effective manner

Indicator	Baseline (As per the AWP)	Annual Targets (As per the AWP)	Q2-3 Planned	Q3 Actual	Comments
Indicator 4.1: Percentage of progress towards annual activity results	0	85%	66%	N/A	Delivery is expected to increase in Q4 due to acceleration of project activities
Indicator 4.2: Number of Project Board and Technical Working Group meetings led by Project Management	0	2 (Project Board) 3 (TWG)	1 (Project Board) 3 (TWG)	1 (Project Board) 3 (TWG)	On track
Indicator 4.3: Quality and timeliness of donor reporting by Project Management Team	No baseline	Quarterly reports distributed on time; positive response on reporting from donors	Quarterly reports distributed on time; positive response on reporting from donors	N/A	Combined report produced for Q2 and Q3.

IV. GENDER SPECIFIC RESULTS

- ✓ A total of 48 (13%) of beneficiaries registered for LAGF were women.
- ✓ Women Assistance Centers and the Departments of Women Affairs referred cases to LAGF. Continued participation of these institutions would ensure that LAGF provides legal aid to GBV victims.
- ✓ The handling of cases by the EAW Court is expected to ease the backlog in prosecuting EAW and GBV cases. This will improve women's access to justice.
- ✓ The recruitment of a female case supervisor for AIBA marks a step forward by AIBA on balancing its staff and also a positive development in relation to women's access to justice. Presence of female staff in LAGF offices will improve women's confidence to approach the LAGF centres for help.

V. PARTNERSHIPS

Partnership with the Ministry of Justice

As the Ministry that is directly or indirectly responsible for all the thematic areas in which AA2J is engaged, the MOJ is the key partner of the project and as such oversees all the project activities. The AA2J signed agreements up to the end of 2016 with MOJ for outputs 1 and 3 of the project and meetings with both the Minister and Deputy Minister and technical staff of the MOJ are being held regularly. The partnership with the MOJ remained positive and the MOJ has played a coordination role in the convening and co-chairing of TWG meetings, project events and all other related forums.

Partnership with AIBA

As responsible party for the implementation of the LAGF, AIBA is a key partner for the project, especially regarding output 1. A LOA was signed with AIBA that provides the legal basis for the funding of the LAGF activities, formalizing the partnership with AIBA. The partnership was found to be working well as evidenced by the surpassing of the quarterly target of LAGF beneficiaries. The AIBA and LAGF committee remain dedicated to scrutinize the LAGF activities. Capacity building on M&E is necessary for the respective AIBA staff, especially the staff in provinces, to ensure that the data collection and reporting standards match the standards defined in the LOA.

Partnership with the Office of the Second Vice President

The Office of the Second Vice President remained supportive of all the AA2J activities and has been attending and giving technical advice during TWGs, and the ROLIS working Group meetings. AA2J continued to give technical support to the Office of the Second Vice President through two National Technical Advisors as per the implementation plan.

Partnerships with international organisations

Discussions were held with the IDLO and JSSP in relation to the use of the database and case management system developed by these two organizations, in an attempt to also improve data gathering for the EAW Court. As the JSSP and IDLO have been consistently working in this area, there is a need to avoid duplication of efforts, while the AA2J project in its overall support to the EAW Court aims to multiply the impact of these databases. There is a potential for collaboration with the JSSP that will aim at incorporating the EAW court in the already existing JSSP case management system that covers all justice institutions. The AA2J project collaborated with the Asia Foundation to deliver a law clinic conference in August 2016. The partnership with the Asia Foundation will be expanded to identify more areas of collaboration. It is considered desirable to deepen the relations with GIZ, which will be a priority during the next quarter.

VI. ISSUES

The following issues were identified during project implementation for this reporting period:

Weak coordination between the various legal aid services providers: This has affected especially the LAGF activities as the LAD referred fewer cases to the LAGF than expected, despite its role as the custodian of legal aid issues all over Afghanistan. More coordination with LAD and other related organisations is required to ensure that LAGF really functions as a complementary system to LAD's work, targeting in particular the most vulnerable groups. Another challenge resulting from poor coordination had been the lack of information on the operations of other organisations. Therefore, the project has conducted numerous consultation meetings with other organisations in order to identify gaps, potential areas of cooperation and risks of duplication of efforts. The TWG meetings have resulted a platform to address these concerns, while the bilateral partnerships will help to multiply the impact of activities wherever possible.

Weak data collection by the project: This was affecting the project as it resulted in challenges in reporting for results, as had been the case during the JHRA project. As a mitigation measure, the project recruited a Planning, Monitoring and Reporting Specialist and rolled out a more elaborated system of data collection and M&E tools.

Incoherent interpretation of the concept of law clinics among stakeholders: As demonstrated at the conference on law clinics as well as the TWG meeting for Output 1, there are different interpretations of the concept of law clinics among the relevant stakeholders. This poses a threat of poorly formulated law clinic programmes by some universities. To address this issue, AA2J is planning to develop a national harmonized framework for law clinics through a participative process with the relevant universities. The AA2J also included this on the agenda of the TWG discussions, aiming to clarify the legal framework and expectations from stakeholders.

Weak coordination between PLAU and civil society organizations carrying out legal awareness activities: Lack of coordination poses the threat of duplication of efforts and uncoordinated messages. The PLAU lacks the capacity to effectively oversee and partner with the legal awareness raising activities from civil society. To deal with this challenge, AA2J is in the process of conducting a mapping exercise that would result in a matrix outlining the work of various stakeholders and the related geographical coverage. In doing so, AA2J will also support the PLAU to improve its coordination with CSOs, which in practice are often more effective in legal awareness raising.

Non-integration of HRSU into the Tashkeel: This has resulted in concerns about the sustainability of the HRSU, and puts at risk the funding for NTAs, which in its turn can impact heavily on the work undertaken by HRSU. The continued failure by the government to realize an integration of the HRSU into the *Tashkeel*, results in a reducing interest from the project's key donor to support HRSU through the NTA modality. Discussions continued that were aimed at facilitating integration of the HRSU into the directorate of *Tashkeel*, which ultimately remains a decision by the Government.

VII. RISKS

The following section presents a narrative of the risks that were experienced during the reporting period. The detailed project Risk Matrix is attached in Annex 5.

Security risks related to the ongoing conflict in Afghanistan: The security situation continued to negatively impact the implementation of project activities. Some meetings had to be cancelled following the occurrence of security incidents. In certain provinces, particularly in Helmand, outreach of the LAGF has been limited to urban areas as rural areas are not accessible due to the deteriorating security situation in districts under control of the Taliban. UNDP staff is not able to visit Helmand, and the project had thus

to resort to email and telephone discussions with partners for the activities in Helmand. Since the start of the project, the JSIs have been permanently under an increased security threat level within the UN's security classification, which implies that explicit security clearance is required for every meeting the project holds at the premises of MOJ, SC and AGO.

The function and legal basis for the National Legal Training Centre (NLTC) is interpreted differently by several stakeholders: Divergent interpretations of the role and legal status of the NLTC has undermined the potential of the NLTC to provide effective training to staff from relevant partner institutions. The NLTC in Herat could not be operationalized as planned as stakeholders are not in agreement on the framework and methodology. Consultations are to continue to find an alternative approach to the NLTC.

VIII. LESSONS LEARNED

The importance of continuous stakeholder analysis was the key lesson learnt by the project. During the inception phase of the project, AA2J invested time in building partnerships in order to identify effective ways of cooperation, to avoid duplication and attempt to promote the efforts from other organizations wherever possible.

IX. FUTURE PLANS

For Output 1 (Legal aid and legal awareness), the implementation of legal awareness activities will be accelerated during the next quarter, with workshops and the publication of some materials on human rights and legal aid. The project plans to contract suitable CSOs to conduct the legal awareness activities, for which preparations have started in order to set up a roster of eligible CSOs. A legal awareness survey is to be conducted to establish a baseline in terms of level of knowledge of human rights among the project's beneficiaries. The project is also to resume trainings and legal awareness activities through law clinics. In an attempt to strengthen the capacity of LAGF, the LAGF M&E framework is to be revised. A briefing will then be given to the LAGF committee after which AIBA staff will be trained.

For Output 2, the project will continue consultations with the Supreme Court with regards to modalities for monitoring the functioning of the EVAW court. Discussions will also continue regarding the establishment of an NLTC in Herat or propose an exit strategy in case there is insufficient political will to centralize stage training at the NLTC. The project expects to get approval of the EVAW SOPs and proceed with the training of JSI staff, where also the referral between several stakeholders will be emphasized. Discussions with IDLO and JSSP with regards to the case management system will continue, to contribute to the usage of existing systems that have been developed by JSSP and IDLO, respectively.

For Output 3 the project will give technical support to the HRSU in development of a monitoring plan and a methodology to monitor implementation of ratified international human rights treaties. The project will also continue to lobby for the integration of HRSU into the *Tashkeel* and to upgrade its status to a directorate and help the MOJ to define an exit strategy for the NTA modality.

With the finalization of the results log frame and the M&E plan and development of monitoring tools, AA2J will start using the various data collection and reporting tools more proactively. This will address the challenge of poor monitoring and reporting that was experienced during the project's predecessor project.

ANNEXES

ANNEX 1: FINANCIAL TABLE

The Donor Interim Report for the period April - September 2016 for AA2J (00094291)

Donor-ID Description	COMMITMENT/ PAST YEARS RECORD			CURRENT YEAR					FUTURE EXPENSES		TOTAL RECEIVABLE		
	Commitment (a)	Revenue Collected 31/03/2016 (b)	Expenses 31/03/2016 (c)	Opening Balance start project D=(b - c)	Contribution Revenue (e)	Other Revenue (f)	Expenses (g)	Closing Balance H=(d+e+f - g)	Commitments (Unliquidated Obligations) (i)	Undepreciated of fixed Assets and Inventory (j)	(Future Due) K=(a-b-e)	(Past Due) (l)	Available Resources M=(h - i - j-l)
SDC	4.004.643,63	N/A	N/A	0	822.199,38	-	100.848,60	721.350,78	50,632.98	-	3.182.444,25	-	670.717,80
UNDP - Core Fund	1.761.875,67	N/A	N/A	0	1.761.875,67	-	984.075,28	777.800,39	56,414.56	591.544,42	-	-	129.841,41
UNDP – Interest Fund	400.000,00	N/A	N/A	0	250.000,00	-		250.000,00			-	-	250.000,00
Grand Total	6.016.519,30	-	-	0	2.834.075,05	-	1.084.923,88	1.749.151,17	107,047.54	591.544,42	3.182.444,25	-	1.050.559,21

Notes:

- i) Data contained in this report is an extract of UNDP financial records. The accounting period for the report is an open period and data from some accounting processes may not have been processed.
- ii) Financial data provided above may not be complete, and it is provisional.
- iii) Income received in currency other than USD is approximated to USD based on UN- Operational Rate of Exchange applied.

ANNEX 2: EXPENSES BY OUTPUT

The Donor Interim Report for the period April - September 2016 for AA2J (00094291)

Project Output ID and Description	2016 Budget (AWP)	Expenses (Apr - June 2016)	Expenses (Jul - Sep 2016)	Cumulative Expenses (Apr - Sep 2016)	Delivery Rate
Output 1 (00098431): Afghans, in particular women, children, prisoners and pre-trial detainees, are increasingly aware of their rights and receive legal aid.	861,470.84	146,324.62	204,771.96	351,096.58	41%
Sub-total Output 1	861,470.84	146,324.62	204,771.96	351,096.58	41%
Output 2 (00099700): Targeted Rule of Law institutions increase capacity and coordination among themselves and with other sectors to increase access to justice in particular in relation to Elimination of Violence Against Women (EVAW).	309,163.67	80,303.94	66,740.97	147,044.91	48%
Sub-total Output 2	309,163.67	80,303.94	66,740.97	147,044.91	48%
Output 3 (00099701): The Ministry of Justice strengthens its legislative drafting and human rights capacities.	528,738.16	129,977.27	118,304.30	248,281.57	47%
Sub-total Output 3	528,738.16	129,977.27	118,304.30	248,281.57	47%
Output 4 (00099703): Project is implemented in accordance with the project document and in a timely, efficient, accountable and effective manner.	566,470.40	137,610.10	200,890.72	338,500.82	60%
Sub-total Output 4	566,470.40	137,610.10	200,890.72	338,500.82	60%
Grand Total	2,265,843.07	494,215.93	590,707.95	1,084,923.88	48%

ANNEX 3: EXPENSES BY DONOR

The Donor Interim Report for the period April - September 2016 for AA2J (00094291)

Donor Name	Project Output ID and Description	2016 Budget (AWP)	Expenses (Apr - June 2016)	Expenses (Jul - Sep 2016)	Cumulative Expenses (Apr - Sep 2016)	Delivery Rate
SDC	Output 1 (00098431)	140,451.84	-	-	-	0%
	Output 2 (00099700)	21,600.00	-	6,480.00	6,480.00	30%
	Output 3 (00099701)	27,812.16	-	10,075.43	10,075.43	36%
	Output 4 (00099703)	64,103.40	-	84,293.17	84,293.17	131%
Sub-Total		253,967.40		100,848.60	100,848.60	40%
UNDP - Core Fund	Output 1 (00098431)	577,019.00	146,324.62	204,771.96	351,096.58	61%
	Output 2 (00099700)	223,563.67	80,303.94	60,260.97	140,564.91	63%
	Output 3 (00099701)	458,926.00	129,977.27	108,228.87	238,206.14	52%
	Output 4 (00099703)	502,367.00	137,610.10	116,597.55	254,207.65	51%
Sub-Total		1,761,875.67	494,215.93	489,859.35	984,075.28	56%
UNDP – Interest Fund	Output 1 (00098431)	144,000.00	-	-	-	0%
	Output 2 (00099700)	64,000.00	-	-	-	0%
	Output 3 (00099701)	42,000.00	-	-	-	0%
Sub-Total		250,000.00				0%
Grand Total		2,265,843.07	494,215.93	590,707.95	1,084,923.88	48%

ANNEX 4: ISSUE LOG

#	DESCRIPTION	DATE IDENTIFIED	IMPACT/PRIORITY	COUNTERMEASURE/MNGT RESPONSE	OWNER	STATUS
1	Data collection for project reporting is still weak		This affects the project's ability to track its achievements and effectively report on them Impact-3 Priority-4	A Project Planning, Monitoring and Evaluation Specialist joined the AA2J team in July 2016 and started developing M&E framework and data collection and reporting tools		Reducing
2	Weak coordination between the various legal aid services providers		Lack of coordination among stakeholders poses a threat of causing confusion and duplication of efforts. Weak coordination has also affected the LAGF especially referral of cases Impact- 3 Priority- 4	In efforts to mitigate this risk, the AA2J continued to hold meetings with International Development Law Organization (IDLO), Asia Foundation to discuss coordination strategy. The project also continued to hold meetings with the LAD to ensure the LAD gets more involved in the LAGF and also takes the lead in coordination of legal aid	Component 1 and Component 2 Managers	Reducing
3	Incoherent interpretation of the concept of law clinics among stakeholders		This can lead to ad hoc implementation of law clinics' work. Impact- 3	A law clinic conference was held which focused on standardization of law clinic operations	Component 1 manager	Reducing

#	DESCRIPTION	DATE IDENTIFIED	IMPACT/PRIORITY	COUNTERMEASURE/MNGT RESPONSE	OWNER	STATUS
			Priority- 4			
4	Weak coordination between PLAU and civil society organizations carrying out legal awareness raising.		Lack of coordination poses the threat of duplication of efforts and uncoordinated messages Impact-4 Priority-4	To deal with this challenge, the AA2J is in the process of conducting a mapping exercise the result of which would be a matrix outlining the various stakeholders and their work and geographical coverage. The MOU between the ministry of Justice and UNDP further requires PLAU to take the lead in legal awareness raising and to collaborate with non-governmental organizations working in this area.		reducing
5	Non-integration of HRSU into the Tashkeel		This poses sustainability challenges as well as job insecurity among the NTAs at the HRSU Impact- 3 Priority- 4	Discussions underway aimed at facilitating integration of the HRSU into the directorate of civil service and having salaries funded by the World Bank		

ANNEX 5: RISK LOG

#	DESCRIPTION	DATE IDENTIFIED	TYPE	IMPACT & PROBABILITY	COUNTERMEASURES/MN GT. RESPONSE	OWNER	SUBMITTED/ UPDATED BY	LAST UPDATE	STATUS
1	Security risks related to the ongoing conflict in Afghanistan, including worsening stability of the Unity Government	April 2016	Other: Security	A worsening security context may inhibit or delay project implementation, particularly at district level P = 3 I = 4	Project contingency planning and ensure M&E				No change
2	Insufficient political will to sufficiently prioritize human rights issues in institutional structures	April 2016	Political	Failure to incorporate the Human Rights Support Unit (HRSU) as a Directorate within the Ministry of Justice would have a negative impact on the sustainability of the work that has been done by the HRSU and could lead to less commitment from the Government to implement its human rights obligations P = 3 I = 4	An integration plan for the HRSU was developed				Reducing

3	Laws enacted or decreed by the Government sometimes violate international human rights obligations	April 2016	Political	Inconsistency between international human rights obligations and laws allows for confusion among stakeholders on definitions and actual human rights that should be defended by the Government P= 3 I = 2	Through capacity development for the Taqin (Legislative drafting department) and the HRSU, the project will promote compliance of laws with international human rights obligations				No change
4	Insufficient commitment from relevant institutions to strengthen coordination in gender justice chain	April 2016	Political	The targets related to the EVAW Court can only be met if all relevant stakeholders remain committed to improve inter-institutional coordination and cooperation. P =4 I = 3	Technical working group will support inter-institutional coordination and cooperation				No change
5	Rejection of EVAW Law by parliament	June 2016	Regulatory	This would adversely affect the operations of the EVAW courts and any work under the EVAW as there will no longer be a legal base for them P =4 I = 4	UN agencies working on this thematic area are to discuss and find a unified approach to mitigating this risk.				No change

6	Lack of coordination between and within justice sector institutions	April 2016	Political	The project priorities require commitment from all justice sector institutions to strengthen inter and internal institutional coordination. P = 3 I = 3	Technical working group will support inter-institutional coordination and cooperation and the implementation of the Justice Sector Reform plan which includes steps to improve sector coordination				Reducing
7	Changes in leadership within the partner institutions can lead to abrupt changes in priorities and policies or to stalled decision-making processes	April 2016	Organizational	Lack of appointed leadership within justice sector institutions impedes decision making required for project implementation P = 3 I = 3	Project continues to provide capacity development for existing staff at political and operational level within the partner institutions				No change
8	Lack of ownership within the Ministry of Justice to effectively develop alternatives for NTAs	April 2016	Organizational	Without a feasible exit strategy for the NTAs, the Government risks losing qualified staff which will impede project implementation P = 2 I = 4	Support the Government to develop a transition strategy for NTAs Establishment of TWGs				Reducing

9	Partner institutions have weak Monitoring and Evaluation mechanisms and the availability and reliability of statistics is insufficient	April 2016	Organizational	<p>For various elements, project M&E depends on data collected and provided by partner institutions, which do not always have the required data available, or the reliability of data is not always accurate</p> <p>P = 3 I = 2</p>	<p>Through the Rule of Law Indicators Study (ROLIS), the predecessor project JHRA has developed a baseline which provides tools to improve M&E across the justice sector. The project will promote the use of the ROLIS to improve M&E within partner institutions</p> <p>Established the ROLIS working group</p>					Reducing
10	The function and legal basis for the National Legal Training Center (NLTC) is interpreted differently by several stakeholders	April 2016	Strategic	<p>Divergent interpretations of the role and legal status of the NLTC can undermine the potential of the NLTC to provide effective training to staff from relevant partner institutions</p> <p>P = 2 I = 3</p>	<p>The project will facilitate discussions between stakeholders to ensure consistency in the understanding of the mandate and potential of the NLTC</p>					No change