



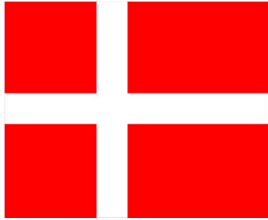
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JUSTICE AND HUMAN RIGHTS IN AFGHANISTAN (JHRA) PROJECT

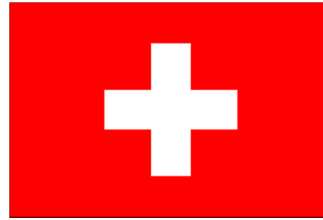
2013 FIRST QUARTERLY PROJECT PROGRESS REPORT



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PROJECT INFORMATION

Project ID: 00068012

Duration: 2013-2015

ANDS Component: Governance, Rule of Law, Human Rights

Contributing to NPP: 5, Justice for All

CPAP Component: Access to Justice, Human Rights

UNDP Strategic Plan Component: Rule of Law

Total Budget: USD 34,402,039

Implementing Partners: Ministry of Justice, Supreme Court, Attorney General's Office, Afghanistan Independent Human Rights Commission, Afghanistan Independent Bar Association, UNDP Afghanistan

Key Responsible Parties: UNDP

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Responsible Assistant Country Director: Abdul Basir Oria, a.i.

COVER PAGE PHOTO: Forging partnerships for cooperation between State and non-State justice providers, Karokh District, Herat Province on 31 March 2013

ACRONYMS

AGO	Attorney General's Office
AIBA	Afghanistan Independent Bar Association
AIHRC	Afghanistan Independent Human Rights Commission
AJO	Afghanistan Justice Organization
APF	Asia Peace Forum
APRC	Asia Pacific Regional Centre
AWP	Annual Work Plan
BCPR	Bureau of Crisis Prevention and Recovery
BCPR	Bureau for Crisis Prevention and Recovery
CRC	Convention on the Rights of the Child
CSC	Civil Service Commission
CSHRN	Civil Society and Human Rights Network
CSO	Central Statistics Office
DDA	District Development Assembly
DIHR	Danish Institute of Human Rights
DPKO	Department of Peace Keeping Operations
EVAW	Elimination of Violence against Women
FRU	Family Response Unit
GiZ	Gesellschaft für Internationale Zusammenarbeit
GIROA	Government of the Islamic Republic of Afghanistan
HOO	High Office of Oversight and Anti-Corruption
HRSU	Human Rights Support Unit
ICCPR	International Covenant on Economic, Social and Cultural Rights
ICESCR	International Covenant on Economic, Social and Cultural Rights
LAD	Legal Aid Department
LAGF	Legal Aid Grant Facility
MoAIL	Ministry of Agriculture Irrigation and Livestock
MoCN	Ministry of Counter Narcotics
MoComm	Ministry of Commerce
MoD	Ministry of Defense
MoE	Ministry of Education
MoF	Ministry of Finance
MoFA	Ministry of Foreign Affairs
MoHRA	Ministry of Hajj and Religious Affairs
MoI	Ministry of Interior
MoIC	Ministry of Information and Culture
MoJ	Ministry of Justice
MoLSAMD	Ministry of Labour, Social Affairs, Martyrs and Disabled
MoPA	Ministry of Parliamentary Affairs
MoPH	Ministry of Public Health
MoRR	Ministry of Refugees and Repatriations
MoU	Memorandum of Understanding
MoUD	Ministry of Urban Development
MoWA	Ministry of Women's Affairs
MRRD	Ministry of Rural Rehabilitation and Development
NDS	National Directorate of Security

NHRC	National Human Rights Commission
NIBP	National Institution Building Project
NLTC	National Legal Training Centres
NPP	National Priority Programme
NSGP	National State Governance Project
NTA	National Technical Assistance
OHCHR	Office for the High Commission on Human Rights
PLAU	Public Legal Awareness Unit
PPD	Planning and Policy Department
RoLIS	Rule of Law Indicators Study
SC	Supreme Court
<i>Taqnin</i>	Legislative Department
UNAMA	United Nations Assistance Mission to Afghanistan
UNCAT	United Nations Convention against Torture
UNDP	United Nations Development Programme
UPR	Universal Periodic Review

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I. EXECUTIVE SUMMARY

In quarter one (Q1), 2013, the JHRA project commenced phase II with an overall aim of strengthening public trust in Afghanistan's justice sector, achieving access to justice for all and enhancing the delivery of quality legal and judicial services in Afghanistan.

As part of an integrated approach to government engagement, the activation of the Policy and Planning Department (PPD) in the Ministry of Justice is nearing completion through successful recruitment of required staff. The Translation Board has translated numerous international legal documents to assist the Taqnin in drafting legislations. The Human Rights Support Unit (HRSU) has finalized the national action plan for the implementation of international human rights mechanisms. HRSU has also continued its monthly human rights training workshops with the National Directorate of Security (NDS). HRSU has further provided support to the Ministry of Foreign Affairs (MOFA) for the development of state reports on the UN Convention against Torture (UNCAT), and the International Covenant on Civil and Political Rights (ICCPR) by identifying mechanisms to take these tasks forward in 2013. Further to provide the necessary support on the state reporting process, UNDP is in the process of signing a letter of agreement with the Danish Institute of Human Rights (DIHR) to assist the MoFA in the state reporting process for UNCAT.

To achieve access to justice for vulnerable groups in Afghan provinces, the criteria for establishing a Legal Aid Grant Facility (LAGF) was developed and the responsibilities of the Afghan Independent Bar Association (AIBA) have been defined. Preparation for a subsequent needs assessment of provincial AIBA offices has also commenced. Furthermore, preliminary meetings have been conducted to foster cooperation between formal and informal judicial institutions at pilot districts in two provinces. Preparations for establishing National Legal Training Centres (NLTC) within selected provinces are also underway.

JHRA has also engaged with civil society, disadvantaged groups and the Afghan public. As part of the Legal Empowerment of the Poor initiative, consultations with both government representatives and street vendors in Kabul commenced to identify legal gaps which affect the businesses and livelihoods of actors in the informal economy. In terms of strengthening civil society in the justice sector, an action plan has been facilitated with the Afghan Independent Human Rights Commission (AIHRC). JHRA further provided coordination for training of AIHRC members by India's National Human Rights Commission. Through the Public Legal Awareness Unit (PLAU) in the Ministry of Justice (MoJ), JHRA conducted a mapping of actors, materials and programs on public legal awareness. A firm has been selected to carry out a public perception survey across four provinces.

JHRA diligently seeks to carry out project implementation in a results-oriented manner. JHRA has recruited an international consultant to work with line Ministries on the National Priority Program (NPP) 5 as a foundation for all of justice sector work in the country.

II. RESULTS

A. OUTPUT 1: High level coordination mechanism for developing policy and legislation in accordance with international and national standards are established and functional in State justice institutions

JHRA began the second phase of programming on 1 January 2013, with a revised and more integrated approach to government engagement and support. Output 1 focuses on increasing the capacity of the Ministry of Justice to produce well-informed and internationally compliant legislation by providing technical assistance.

1.1. Mechanisms established for activating Cabinet Board meetings on legislations

The activation of the Legislative Cabinet Board requires a functioning Policy and Planning Department (PPD) at the Ministry of Justice. The Policy and Planning Department is meant to function as the primary department within the Ministry through which data and information on the performance of the Ministry of Justice across Afghanistan is reviewed, analyzed, and translated into recommendations on both internal policy and national legislation, which are channeled to other departments, such as the Cabinet Boards.

Currently, the Department has only one staff, who is responsible for producing the strategic and work plans for the Ministry, as well as providing legislative inputs and data analysis. To enable Planning and Policy Department to function in accordance with its mandate, UNDP is expanding the Department with support for four expert technical staff. In Q1, these positions were advertised through the Ministry of Justice and UNDP, and interviews were held. The successful candidates are expected to join the Department in early Q2. The new National Technical Assistance¹ salary scale and grade will be applicable for the newly recruited staff under letter of agreement contracts with the Ministry of Justice.

The project has further initiated discussions with UNDP's National State Governance Project (NSGP) to support the reactivation of the Legislative Cabinet Board. Previous capacity assessments and strategic plans conducted with the Vice Presidents' Offices will be referenced during the structural planning with the Ministry of Justice for the Cabinet Board.

¹ MOF initiated the National Technical Assistance (NTA) Remuneration Policy to establish guidelines for salary payments to personnel who work for the line Ministries outside of Tashkeel that are funded by international donors

1.2. Rule of Law Indicator Study (RoLIS) implemented

Once properly staffed, the Policy and Planning Department will be able to take the lead role for the government in the implementation of the Rule of Law Indicators Study (RoLIS). The RoLIS was developed by the Department of Peacekeeping Operations (DPKO-UN) and the Office for the High Commission on Human Rights (OHCHR) between 2008-2011 in collaboration with UNDP and other UN agencies, and has been carried out in South Sudan, Haiti and Liberia. An initial assessment of the potential for the tool in the Afghan context was carried out by UNDP and UNAMA in Q4 2012, and the survey methodology is currently being developed with the Head of the Planning and Policy Department. The RoLIS will be conducted through the Policy and Planning Department in the second half of 2013, and provide baseline information on the existing gaps in the application of laws and justice services to the Afghan public, from which the Ministry of Justice can identify future needs for support, focus its activities, and identify needs for policy reform.

1.3. % of documents listed on the legislative and translation calendar that are translated in accordance with calendar

The Translation Board continued to support the *Taqnin* through the provision of translations on laws and international resources to inform national legislative drafting. The Translation Board, which formally united all translation capacity within the Ministry of Justice (supported by JSSP, UNDP and the MoJ) through Presidential Decree No. 45 in Q4 2012, has been established as the sole authority for legal translations within the Government of the Islamic Republic of Afghanistan (GIROA). In Q1 2013, the establishment of the Translation Board was reported to the President's Office, and its working procedures were formalized. Further, the Translation Unit held consultations with the *Taqnin* concerning the legislative calendar for 1392. A draft legislative calendar has been distributed to ministries, and the *Taqnin* is currently incorporating feedback into a final draft, which should be announced in April 2013. As to date, although the Translation Board has translated 33 documents in Q1, it is not following the calendar since the calendar is pending approval. As soon as the legislative calendar is finalized, the translation calendar will be finalized accordingly.

1.4. % of laws and regulations received or drafted by the Taqnin that are reviewed by the HRSU for human rights compliance

HRSU is part of UNDP's Justice and Human Rights in Afghanistan (JHRA) Program. Inaugurated in 2010, HRSU was officially acknowledged by the Council of Ministers as a ministerial unit in the organogram of the MoJ in March 2011. HRSU is now part of the MoJ tashkeel and JHRA continues to provide technical support to the Unit. The mandate of HRSU is to strengthen the Government's capacity to fulfill its international human rights obligations. The unit achieves this goal through human rights education within the unit and the line ministries, the legal review of the compatibility of national laws with international standards, as well as the monitoring and following up of recommendations to ensure the compatibility of national laws with international conventions.

In Q1 2013, HRSU finalized the National Action Plan for the Implementation of the Universal Periodic Review (UPR), Convention on the Rights of the Child (CRC), and the International Covenant on Economic, Social and Cultural Rights (ICESCR). The National Action Plan designates the obligations required of each State institution in order to properly implement the recommendations provided to Afghanistan by each of the treaty Committees. The draft has been distributed to line ministries and institutions, and has received positive feedback from all. The report has now been finalized, and will be printed in early Q2 for wide distribution to government institutions.

HRSU continued its trainings with the National Directorate of Security (NDS), which were started mid-2012. The HRSU supports the NDS by providing the human rights training component to national and provincial NDS staff at the Directorate's academy. Trainings focus on the concept of human rights, international human rights standards, and the application of human rights within the scope of NDS' work. In Q1 2013, HRSU received a formal request from NDS to expand its trainings through the Directorate, both with increased sessions at the national level, and in direct trainings at the provincial level. HRSU currently does not have sufficient human resources to accommodate the request for trainings at the provincial level; however it will work with NDS to train their in-house training staff to provide human rights trainings to all NDS staff. This is in line with the recent Presidential Decree No. 129, which requires NDS to increase the capacity building of its staff in the field of human rights.

The GIRoA is required to submit the State Reports for the United Nations Convention against Torture (UNCAT) and the International Covenant on Civil and Political Rights (ICCPR) to the international Committees. The Department for Human Rights and International Women's Affairs in the Ministry of Foreign Affairs (MoFA) is responsible for compiling data on the State's compliance with international conventions, through both policy and practice. HRSU has initiated coordination with MoFA to streamline data collection processes in order to support MoFA with the development of these reports.

Further, JHRA is working with the Danish Institute of Human Rights (DIHR) to provide an expert in Human Rights and State Reporting to MoFA to support the development of the UNCAT State report. The expert will work with MoFA and HRSU to develop monitoring systems for tracking the implementation of the UNCAT, provide trainings in state reporting standards, and assist in the final development of the report. JHRA is currently in discussions with DIHR and MoFA to finalize the letters of agreement with both institutions. Work is scheduled to start on 1 June 2013.

Q1 EXPENSES FOR OUTPUT 1

During Q1, a total of USD 132,248 was spent for this output. For more details, please see Annex 2 on page 29.

Table 1: Q1 Progress for Output 1

2013 Baseline	2013 Annual Targets	Q1 Planned	Q1 Actual	Comments
1.1. Cabinet Board meetings do not have access to sufficient information to make informed policy recommendations.	1.1. TOR for capacity development assessment of Cabinet Boards finalized with the support of an expert who will help in convening regular Cabinet Board meetings.	<ul style="list-style-type: none"> Undertake a capacity development assessment on systems, procedures and individual staff competencies in the Secretariats of the Cabinet Boards. One meeting to support CB Secretariats in strengthening and approval of their Terms of Reference. Support CB Secretariats in the preparation, coordination and distribution of relevant information and analysis for policy discussions by the Cabinet Boards. 	<ul style="list-style-type: none"> Reactivation of the Cabinet Boards requires a functioning PPD. Therefore, engagement with these Boards has been postponed until the PPD is staffed. The recruitment process is ongoing. Initial discussions undertaken between National State Governance Project (NSGP) and JHRA to support the Legislative Cabinet Board through the First Vice President's Office. 	<ul style="list-style-type: none"> Reactivation of the Cabinet Boards requires a functioning PPD. Therefore, the activation of Legislative Cabinet Boards will take place as soon as the PPD is staffed and functional.
1.2. MOJ Political decision making and policy and law-making processes are not informed by data or analysis of bottlenecks on justice service delivery.	1.2. RoLIS (Rule of Law Indicator Study) completed.	<ul style="list-style-type: none"> Assess the capacity of MoJ PPD systems, procedures and individual staff competency to analyze justice issues and provide policy recommendations. Recruit one Policy Legislations & Human Rights Specialist (P4) Parameters for the RoL Indicators study defined. ToRs for a qualified independent experts to inform policy and planning developed 	<ul style="list-style-type: none"> The recruitment process for PPD staff is ongoing. The Policy Legislation and Human Rights Specialist (P4) is recruited and expected to join in May 2013. Mechanism for baseline/Rule of Law Indicator Study (RoLIS) identified with UNAMA; ToR's for two lead experts to develop RoLIS also finalized. ToRs have been developed for PPD LoA staff and for an international consultant. Four positions have been advertised and interviews held. 	<ul style="list-style-type: none"> Capacity assessment will take place as soon as necessary staff has joined.
1.3. The MOJ Taqnin does not have an annual legislative or translation calendar for prioritization and planning of legislative drafting and review.	1.3. 20% documents listed on the legislative and translation calendar are translated in accordance with calendar.	<ul style="list-style-type: none"> Support the Taqnin and the Translation Unit in the establishment and implementation of an annual legislative and translation calendar to plan law-making. 	<ul style="list-style-type: none"> The capacity assessment of Taqnin is in process. A draft legislative calendar for 1392 has been developed and distributed by the Taqnin. Final feedback from ministries is being incorporated. MoU with the Ministry of Justice was signed to initiate capacity building through an expert on civil and penal law. Concept note was developed and shared with UNDP Malaysia to 	<ul style="list-style-type: none"> The draft legislative calendar is in the process of finalization. The translation calendar will be adjusted accordingly. So far, 33 documents have been translated

		<ul style="list-style-type: none"> Recruit Lead Translator. Support the Taqin in the updating and maintenance of a physical and digital archive of legislative documents in Dari, Pashto, Arabic and English. 	<ul style="list-style-type: none"> initiate capacity building on Islamic banking through an expert from Malaysia. Procedures for the Translation Board have been approved by the Steering Committee in the Ministry of Justice. Lead translator to join on 3 April 2013. All documents translated by the Translation Board² have been submitted to the Taqin for inclusion in the database. 	<p>independently of the calendar.</p> <ul style="list-style-type: none"> The Translation Board suffers from high fluctuation of staff. The situation is expected to improve after the Lead Translator has joined.
1.4. HRSU established in 2010, integrated in the Tashkeel in 2011 but no formal regulation and inter-ministerial business-processes.	1.4. 10% laws and regulations received or drafted by the Taqin are reviewed by HRSU for human rights compliance	<ul style="list-style-type: none"> Recruit one Capacity Development Specialist (P3) Support the HRSU to establish regular liaison with ministries 	<ul style="list-style-type: none"> International Capacity Development Specialist (P3) started in March 2013. HRSU will follow up on Presidential Decree 129 in Q2 to formalize human rights focal points in MoI, NDS and AGO. HRSU met with MoFA to establish parameters for coordination on the UNCAT State Report NDS submitted a formal request to HRSU to expand trainings to NDS officials to the provincial level LoA developed between JHRA, Danish Institute of Human Rights (DIHR) and MOFA. Senior Legal Expert identified from DIHR to work on the UNCAT State Report 	

² The documents (33) translated by the Translation Board are as follows: Official Gazette of the Ministry of Counter Narcotics and Drugs, Agreement between the Government of the Commonwealth of Australia and the Government of the United States of America concerning the Status of United States Forces in Australia, and Protocol, Agreement between the Government of South Korea and the Government of the United States of America concerning the Status of United States Forces in South Korea, Agreement between the Government of Japan and the Government of the United States of America concerning the status of United States Forces in Japan and the Government of United States of America concerning the Status of United States Forces in Japan, Agreement between the Government of Iraq and the Government of the United States of America concerning the status of United States Forces in Iraq, General Assembly, United Nations Principles and Guidelines on Access to Legal Aid in Criminal Justice systems, Documents on legislation in Germany, Rule of Law Indicators Used in Haiti, Migrant Workers Regulations, Translation, Extraction and comparison of the Expropriation Laws in Arab States, including Egypt, Tunisia, Qatar, Saudi Arabia, and Iraq, Civil Service Law of Egypt, Civil Service Law Procedures of Egypt, Policy related to the Planning and Policy Department of MoJ, Board meeting presentation, JHRA agenda for Nangarhar Province, Report on the travel of H.E Minister of Justice and high ranking officials to Egypt, Biography of H.E Minister of Justice, News, bulletins, newsletters for the Media Directorate of the MoJ, Official documents received from UNMACA, Embassy of Nepal in Islamabad, Counter Narcotics and Drugs, Job Announcements and official letters as required by MoJ, Proposed Methodology for the Participation of Children within the process of drafting of the Child Act, Document on Democracy and Administration Governance, Donor feedback on the third draft of NPP 5 "Law and Justice for All", Report on criminal issues in provinces, Annual Work Plan from the office of Minister of MoJ, Official letters, ToRs and vacancy announcements for the MoJ, Interpretation in Taqin and MOJ meetings, Letter related to IOM, Comments related to the Draft Strategy of Ministry of Justice, HRSU Training Manual, Job Description for the Egyptian Criminal Law Specialist, Regulation for the Preparation and Processing of Legislative Documents, Comments from Japanese and UK embassies, Translation of International Criminal Court letter and attachments.

			<p>starting on 1 June 2013.</p> <ul style="list-style-type: none"> • MoJ appointed a joint committee of Taqin, HRSU and JHRA on 19 March 2013 to finalize the HRSU Regulation. The Committee has provided recommendations for revision, which will be discussed by a peer review board in April 2013. • HRSU has continued its work with the Taqin for review and revision of the CEDAW Report and HRSU Regulation. • HRSU provided a presentation and held a joint workshop on the Child Act for Taqin Department. • The National Action Plan on UPR, CRC and ICESCR was reviewed by the Taqin Committee, approved by MoJ Deputy Minister Halim, and distributed to all ministries included in the action plan (34 in total).³ • LoAs drafted between JHRA and the Danish Institute of Human Rights (DIHR) and MoFA for a senior legal expert to work on the ICCPR. • HRSU has reviewed the following laws for compliance with ICCPR: <ul style="list-style-type: none"> ○ The Constitution ○ Law on Political Parties ○ Law on Countering Abduction and Human Trafficking ○ Mass Media Law ○ Law on Citizenship ○ Law on Elimination of Violence against Women ○ Law on Population Registration ○ Police Law ○ Commerce Law 	
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³ Office of the President, Ministry of Urban Development (MoUD), High Office of Oversight and Anti-Corruption (HOO), Norms and Standards Office, MoJ Taqin, NDS, Supreme Court, AIHRC, AGO, Ministry of Information and Culture (MoIC), MoFA, MoI, MoWA, Ministry of Refugees and Repatriations (MoRR), Ministry of Defense (MoD), Ministry of Agriculture Irrigation and Livestock (MoAIL), Ministry of Public Health (MoPH), Ministry of Labour, Social Affairs, Martyrs and Disabled (MoLSAMD), Ministry of Finance (MoF), Ministry of Counter Narcotics (MoCN), MoE, AIBA, MoJ LAD, Civil Service Commission (CSC), MoPA, Central Statistics Office (CSO), Ministry of Hajj and Religious Affairs (MoHRA), MoComm, Ministry of Rural Rehabilitation and Development (MRRD), The Civil Society and Human Rights Network (CSHRN), Red Crescent Society, Afghanistan Independent Journalist Association.

		<ul style="list-style-type: none"> Recruit one Database Consultant to upload M&E toolkit on Right to Education. One training held on human rights and gender perspectives in with line ministries. <ul style="list-style-type: none"> One training held for NDS on the implementation of treaty recommendations Handout materials, ToT manual developed 	<ul style="list-style-type: none"> Law on Protection of Rights of Inventors and Explorers Law on Military Service ToR developed for the Database and Website Consultant to make HRSU Website, including Human Rights Mechanisms Database, functional. Human Rights Monitoring Toolkit (HRMT) is currently being translated into Dari. One human rights training for MoE staff (22 M, 7 F) conducted⁴ HRSU's Training Manual on Human Rights Conventions was finalized with input from Taqin, endorsed by Deputy Minister, and shared with MoFA. Four trainings conducted for NDS staff (76 participants) on Human Rights and treaty recommendations, three in NDS Training Academy and 1 in NDS unit 40. NDS request three-day trainings be extended to five days. HRSU has initiated discussions with AIHRC to explore possibilities for coordination on ToTs. HRSU worked with the CSHRN to prepare a training session on "International Human Rights Mechanisms" for the CSHRN Spring School to CSOs. HRSU conducted a human rights training for MoE officials to provide entry points for the inclusion of human rights in public school curricula. 	
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⁴ The end-of-session survey conducted to acquire feedback on the training from the participants shows the following results:
55.17 % of the participants thought that the training was highly relevant to their TOR, while 34.48% thought that the training was very relevant to their TOR.
37.93% of the participants thought that the effectiveness of the training in enabling them to apply human rights issues on the ground was excellent, and 34.48% of the participants thought that the effectiveness of training in enabling them to apply human rights issues on the ground was very good.
62.07% of the participants thought that this particular training course enabled them in an excellent manner to implement human rights in their activities, while 17.24% of the participants thought that the training enabled them in a very good manner to implement human rights in their activities.

B. OUTPUT 2: Mechanisms for providing quality access to justice services to vulnerable groups are established and functional.

Many Afghans have limited access to or trust in formal justice services; hence JHRA has focused on improving avenues to mitigate this problem. One of the means of improving access to justice for vulnerable groups is the establishment of a Legal Aid Grant Facility (LAGF), which will provide subsidies for defense representation to remote or marginalized peoples; professional trainings to AIBA, MoJ Legal Aid Department (LAD) and CSO lawyers; and support the expansion of operations for AIBA provincial chapters. UNDP is working to bolster the credibility of the “formal” justice system, recognizing that Afghanistan’s traditional justice system plays a major role in resolving conflicts, yet does so at times in violation of national and international human rights obligations. Therefore, JHRA seeks to foster cooperation between state and non-state justice providers by increasing coordination between community-level councils and State justice providers to increase Afghan public’s trust in the formal justice system, and ultimately increase the flow of cases from the informal to the formal justice systems. JHRA will work with existing law faculties to establish National Legal Training Centre (NLTC) chapters to increase access, particularly for women, to trainings and formal certification as Legal Affairs Officers and prosecutors.

2.1. Letter of Agreement on arrangement between AIBA and UNDP for establishment for Legal Aid Grant Facility is in place

Currently, the availability of defense representation in remote areas is limited to non-existent. Most provinces have very few defense lawyers, and those who are working through the Department of Justice Legal Aid Offices and CSOs are overwhelmed with cases originating in the main urban centers. Financial, security and time constraints on legal aid providers has resulted in a dearth in service provision in rural areas. JHRA is establishing the Legal Aid Grant Facility (LAGF) in order to increase the overall capacity of defense lawyers and the legal aid institutions supporting them, and expand the availability of legal aid services to more remote areas of the country, placing priority on cases involving women and children, geographic remoteness and political sensitivity.

The Legal Aid Board (LAB), which is headed by the Dean of the Law Faculty at Kabul University and comprises representatives from the MoJ LAD, Afghanistan Independent Bar Association (AIBA), and civil society legal aid providers, finalized criteria for the UNDP-supported Legal Aid Grant Facility (LAGF) in Q1 2013. The discussions surrounding the clarification of these criteria were lengthy, as there was confusion between the LAD and AIBA concerning responsibility for monitoring the implementation of legal aid services and defense lawyers due to ambiguity in the legislation on legal aid regulations on the roles of responsibilities of the different institutions. The agreement that has been reached between AIBA and the MoJ LAD represents an unprecedented possibility for coordination between State and non-State legal aid providers, and has offered clarity in the delivery

and monitoring of legal aid services that can be used to remove the current ambiguity in the legislation on legal aid and advocates.

The following agreements were made concerning case selection and capacity building to be carried out through the LAGF:

Case subsidies:

AIBA will grade defense lawyers registered with them in accordance to level and relevance of education, length of professional service, and geographic base. According to this grading, defense lawyers will be able to apply for case subsidy through the LAD and AIBA, and will be granted funds for the handling of cases based on the nature of the case.

Training:

AIBA will be responsible for delivering national- and provincial-level trainings on defense representation to all 1749 lawyers registered with AIBA and all 89 LAD lawyers. Trainings will make use of AIBA's current materials as well as other resources currently employed in Afghanistan. The LAGF will support the expansion of training to defense lawyers by expanding the number and scope of legal clinics operating through law faculties, as well as the establishment of AIBA provincial offices where necessary. Currently, JHRA has plans of supporting three legal clinics at the law faculties of Herat University, Balkh University and Nangarhar University. The legal clinics in Herat, Balkh and Nangarhar have received international support in the past; however some specialized programmes within the clinics such as violence against women resources will be included for which JHRA will provide both financial and technical support to ensure that these clinics are able to continue and expand.

Monitoring:

AIBA will be responsible for monitoring the delivery of legal aid services by its members, and the LAD will monitor the cases undertaken by its staff. JHRA will enlist the services of an international legal aid expert to support both institutions with a formal mechanism for monitoring cases, ensuring quality control, and receiving complaints.

The option to develop a tripartite Memorandum of Understanding between AIBA, MoJ-LAD, and UNDP; based on the agreed upon criteria is being explored. Needs assessments of the AIBA provincial offices in Herat, Nangarhar and Balkh are underway. Once the Letter of Agreement is signed, JHRA will finalize the needs assessment for AIBA to determine its institutional capacity and identify operational gaps requiring support.

2.2. Number of meetings per province undertaken with state and independent justice providers

The JHRA Project initiated its activities at the regional level in Herat, Nangarhar and Balkh in coordination with provincial non-state and state justice providers and government officials. With regional coordinators based in both Herat and Jalalabad, the JHRA Project is involved at the centre of provincial initiatives to ensure Project activities support are integrated with existing programming and can identify and respond to gaps that could jeopardize the impact of JHRA engagement.

In January 2013, JHRA met with the Governors, Heads of the Departments of Justice, Attorney General's Office, and Advisors on District Affairs to the Provincial Governor to identify districts in Nangarhar and Herat for the first stage of coordination between State and non-State justice providers. Nine districts (5 in Nangarhar, 4 in Herat) were chosen by provincial officials according to the current level of quality of the State justice services and conducive security in the districts. JHRA met with the members of the District Development Assemblies (DDAs) in each district to discuss current coordination with non-State justice providers, largely performed through community *shuras*, and to explore existing examples of success districts have had in transferring cases from non-State to State actors. While some districts indicated a moderate flow of cases between non-State and State actors, there are no formal or uniform systems implemented for facilitating this process, and documentation of these cases remains incomplete. JHRA will work at the district and provincial levels to expand upon the current practices, and develop formal systems, supported by provincial government officials, for the transfer of cases to State justice institutions.

2.3. Number of functional and staffed NLTC established

JHRA also met with the deans and leadership of the Law Faculties at Herat and Nangarhar Universities to discuss their readiness and ability to establish National Legal Training Centres (NLTC) in each institution. Both universities were amenable to the possibility of expanding their academic programmes to include NLTC curricula, which provide post-graduate professional training to prosecutors and *Huquq* (MoJ Legal Affairs Office) officials. The expansion of the NLTCs to provinces in the eastern and western regions of the country will increase the number of qualified officials available to the justice institutions across Afghanistan, and are predicted to have a larger impact on more remote provinces within these regions. JHRA will follow up on its provincial-level consultations with the Ministry of Higher Education in April to formalize plans to expand the NLTC outside of Kabul.

Q1 EXPENSES FOR OUTPUT 2

During Q1, a total of USD 18,538 was spent for this output. For more details, please look at Annex 2 on page 29

Table 2: Q1 Progress for Output 2

2013 Baseline	2013 Annual Targets	Q1 Planned	Q1 Actual	Comments
2.1. Legal Aid Grant Facility (LAGF) does not exist.	2.1 UNDP and AIBA will sign letter of agreement on LAGF	<ul style="list-style-type: none"> Recruit one International Expert to Establish Legal Aid Grant Facility/ Legal Clinic and one associate finance officer to be placed at AIBA to support LAGF. Undertake capacity development assessments in LAB and AIBA on requirements for adequate functioning of Legal Aid Grant Facility (LAGF). Design capacity development plan and implement accordingly. Parameters for prioritization of legal aid cases to be subsidized by the LAGF established. Facilitate establishment or enhancement of legal clinics at Herat University through LAGF and trainings. 	<ul style="list-style-type: none"> One Legal Aid Officer recruited in January 2013. One Project Management Specialist (Access to Justice) recruited as component manager. To start in May 2013. Consultation conducted with GiZ and AJO in Kabul to identify the parameters of a capacity assessment for LAB and AIBA. The criteria and mechanism of the LAGF was defined and agreed to by the LAB in March 2013, and is being reviewed by JHRA. Agreement arrived with the leadership of the MOJ and AIBA to advertise for an international consultant to develop M&E mechanisms, quality control and grievance redressal mechanism. Some initial meetings conducted with Legal Clinics in Herat, Balkh and Nangarhar and meeting with the NLTC in Kabul. Both organizations are beneficiaries of LAGF. 	<ul style="list-style-type: none"> The coordination between LAGF stakeholders has been challenging and significantly delayed the implementation of this component. Subsequent to the completion of the AIBA capacity development assessment, the type of training/workshops / for AIBA lawyers can be identified. LAGF is in the process of being established
2.2. No mechanism that links non-State and state justice systems.	2.2. 9 meetings per province undertaken with State and independent justice providers.	<ul style="list-style-type: none"> Recruit one Access to Justice Specialist (p4) and one National Access to Justice Coordinator (SB5) Identify provincial and district level consultation platforms, such as Police-e-Mardumi, DDAs, Child Protection Action Networks (CPANS) that could serve as platforms to coordinate with State and non-State justice providers on community justice and security matters. Facilitate mechanisms to ensure coordination and enhanced flow 	<ul style="list-style-type: none"> One Access to Justice Specialist recruited. Recruitment process for National Access to Justice Coordinator underway. JHRA met with Governor's Office, AGO, DoJ, and Advisor on District Affairs to the Provincial Governor to introduce the project and identify target districts based on the current quality of the justice services available. Nangarhar: Kama, KuzKunar, GhaniKhil, Behsud, Surkh Rod ; Herat: Karokh, Qorion, Zinda Jan and KoshkeRobatSangi; Met with district governors, heads of 	<ul style="list-style-type: none"> Component manager will arrive at the end of May

2013 Baseline	2013 Annual Targets	Q1 Planned	Q1 Actual	Comments
		<p>of cases from State to non-State justice institutions and increased information flow between the justice and security sectors in Herat</p> <ul style="list-style-type: none"> Facilitate information flow of cases from provincial and district level platforms to the MoJ PPD to inform policy making in Herat Undertake 2 coordination meetings with State and non-State actors at district level across 3 provinces to identify local level disputes and provide necessary referral services. 	<p>DDAs, and district-level representatives of NDS, AGO, Huquq, DoWA to introduce the project.</p> <ul style="list-style-type: none"> District-level consultations with all DDA representatives in target districts to discuss existing and potential for coordination between State and non-State justice providers on community justice and security matters. One coordination meeting in each of the three target provinces has been undertaken between UNDP projects and UN agencies to identify opportunities for cooperation. 	
2.3. No NLTC chapter exists in Herat	2.3. One functional and staffed NLTC established in Herat	<ul style="list-style-type: none"> Support the establishment of NLTC chapter in Herat Law Faculty. Undertake needs assessment of EAW unit in the Attorney General's Office (AGO). Develop SOP for the prosecutors on corruption, sexual/ gender based violence and domestic violence. Establishment of JHRA Phase II office at national and provincial levels. 	<ul style="list-style-type: none"> Provincial assessments and follow-up consultations with DoJ officials, legal clinics, Governors Offices and universities organized in Herat, Balkh and Nangarhar to establish NLTCs in provincial universities. Agreement was reached. The TOR for one international consultant and one national consultant for the assessment of the EAW Units has been finalized and signed by UNDP and the AGO. Recruitment planned for mid-June 2013. MOU has been signed on joint trainings for prosecutors and Family Response Units (FRU) within the CID between EUPOL, UNDP-JHRA, and Mol. Trainings on Crime Scene Investigation, EAW and better cooperation between prosecutors and FRUs conducted for nine prosecutors and 41 FRU officials from Nangarhar, Balkh and Herat and two law professors from Herat University. JHRA regional offices established in Herat and Nangarhar. Procurement of office equipment and furniture should be complete by May 2013. 	<ul style="list-style-type: none"> Component manager will arrive at the end of May

C. OUTPUT 3: Public participation processes and knowledge base for improving access to justice and human rights compliance successfully established.

The provision of quality justice services by the GIRoA is integral to increasing the public's trust in the State and its role in protecting its citizens; however, this cannot be achieved through a solely top-down approach. The public must better understand the responsibility of the State and how to access the services available to them, and observe tangible results of improvements in the justice system in order to understand the role of the State in their daily lives.

To address the need for bottom-up understanding to build the public's trust in the justice system, Output 3 focuses on concrete areas of engagement with the public through Legal Empowerment of the Poor, civil society support through the Afghan Independent Human Rights Commission (AIHRC), and Public Legal Awareness outreach through the Ministry of Justice.

3.1. Number of discussions undertaken on Legal Empowerment for the Poor and community dispute resolutions with policymakers

Contributing to the overall promotion of peace in Afghanistan requires the "development results in the form of jobs, equal opportunities for all, and equity". Within the framework of the justice sector, JHRA is developing legislative initiatives that respond to the needs of people who live and work in the informal sector and suffer from the inability to rely upon law enforcement and justice institutions. In Q1 2013, JHRA recruited an international expert on economic, social and cultural rights to develop a pilot initiative based on the initial Legal Empowerment of Poor (LEP) analysis conducted by Asif Chida (UN expert based in Pacific Centre in Suva) for JHRA in 2012. This expert has localized the national engagement strategy to the Kabul context, and is focusing on street vendor merchants in Kabul for the pilot initiative. An initial mapping of the current programming and legal supports provided by both the GIRoA and national and international non-State actors has been conducted to understand the systemic and legal gaps that increase the vulnerability of street vendors when conducting their business, and increase their proclivity to poverty in times of hardship. This will be followed up with focus group discussions (FGD) with leaders within the street vendor community to gauge the real costs and risks of working in this sector, and examine possible legal remedies to protect this group. National discussions will occur in Q2 and Q3 to allow for proper preparation and robust stakeholder engagement.

3.2. Number of coordinated for a with CSOs, AIHRC conducted on VAW

JHRA is working with AIHRC to strengthen the strategic capacity of the Commission, and support its work in monitoring the extent to which human rights standards are upheld as

experienced by the public. The information collected through the Commission concerning the realities of rights holders is an important complement to the information collected by the State, particularly in the development of new legislation concerning rights. UNDP conducted an initial capacity assessment of the Commission in June 2011, and followed up with consultations to prioritize the recommendations provided in the initial assessment in November 2012.

In February 2013, a second mission was brought in with representatives from UNDP Asia Pacific Regional Centre (APRC) and the Asia Peace Forum (APF), who were involved in the 2011 capacity assessment. This team presented the updated draft of the Action Plan to AIHRC Commissioners, heads of office and provincial representatives to finalize the Action Plan. This workshop was followed by a coordination meeting with AIHRC donors, to inform them of the strategic priorities of the Commission, present the detailed Action Plan, and ensure that donor support, both through funding and technical assistance, were aligned with AIHRC's Action Plan. The Action Plan is yet to be endorsed by the Commissioners and it is expected to be approved by May 2013.

As per the JHRA Phase II Project Document and the Annual Work Plan (AWP) 2013, technical knowledge sharing and experiential learning on South-South cooperation are made available by JHRA for developing the capacity of AIHRC in specific areas. Based on the capacity assessment of the AIHRC and an MOU which was signed with India's National Human Rights Commission (NHRC) in 2012, a five-member AIHRC team was sent on a 10-day mission to India in March 2013. AIHRC members worked directly with India's NHRC to understand the systems and protocols employed for complaints registration procedures, use of technology in complaint registration, investigative techniques, and process for public hearings. These experiential sessions were augmented by targeted trainings with the AIHRC staff to ensure theoretical knowledge underpinned the practical transfer of skills. Visits were also undertaken to provincial offices of the Punjab and Haryana State Human Rights Commissions to understand the functioning of smaller offices of the NHRC.

3.3. Functional Public Legal Awareness Coordination Board in Place

JHRA has continued work started in 2012 with the Public Legal Awareness Unit (PLAU) of the Ministry of Justice in this quarter. The PLAU is responsible for implementing the National Public Legal Awareness Strategy and Action Plan, developed in partnership with UNAMA, UNDP, USAID and GiZ in 2011. The Strategy focuses on the PLAU's role in coordinating government, civil society and donor initiatives in public legal awareness to ensure messaging is streamlined from the government, and that all outreach materials support Afghan law and legal rights within the Afghan justice system. Upon initial engagement with the Unit in 2012, no coordination mechanisms were in place nor had mapping of the various actors working in this field been conducted. An initial Public Legal Awareness Conference in November 2012 was held by the Ministry of Justice with support from UNDP to position the PLAU as the hub for all public legal awareness materials. In Q1,

JHRA worked with PLAU to assign four Unit staff as civil society and government relations officers to map the actors, materials, and geographic scope of existing programs. The ToR for a Public Perception Survey, mapping the credibility of communication channels and spokespersons, was announced and a firm has been selected to carry out the survey in Herat, Balkh, Nangarhar and Kabul provinces. This will provide in-depth information to the PLAU to develop a comprehensive communications strategy needed to carry out its Action Plan.

Q1 EXPENSES FOR OUTPUT 3

During Q1, a total of USD 17,199 was spent for this output. For more details, please look at Annex 2 on page 29.

Table 3: Q1 Progress for Output 3

2013 Baseline	2013 Annual Targets	Q1 Planned	Q1 Actual	Comments
3.1. Limited discussion in parliament or in Government on land and labor rights/Community dispute resolution mechanisms.	3.2. 2 discussions undertaken on Legal Empowerment for the Poor and community dispute resolutions with policy makers.	<ul style="list-style-type: none"> One background note specifying the issue. 	<ul style="list-style-type: none"> An International Consultant on Economic, Social and Cultural Rights joined in early March. Six-month work plan developed. Localized concept note on Legal Empowerment of the Poor for a Street Market Vendor Licensing pilot program is completed (English and Dari) and disseminated to government. Meetings held and comprehensive mapping of government ministries, NGOs, aid agencies and relevant stakeholders developed to be used as coordinating platform for national discussions to be held at the end of April and early July. 	<ul style="list-style-type: none"> Background note is on target. National discussions will occur in 2nd and 3rd quarter to allow for proper preparation and robust stakeholder engagement. Component manager will arrive in mid-May
3.2. Limited investigative capacity in particular on VAW.	3.2. 3-5 coordinated fora with CSOs, AIHRC conducted on VAW.	<ul style="list-style-type: none"> Develop capacity assessment action plan for Afghan Independent Human Rights Commission (AIHRC) based on capacity assessment strategy supported by UNDP in 2011. Provide technical and financial assistance to AIHRC to undertake national enquiry on violence against women. Activate in collaboration with the National Institution Building Project (NIBP) the MOU on knowledge transfer on complaints mechanism, investigations between AIHRC and the National Human Rights Commission (NHRC) of India. Facilitate experiential learning tour on HRC response to violence against women and judicial coordination with other regional Human Rights Commissions. 	<ul style="list-style-type: none"> JHRA and UNDP-APRC finalized the Afghan Independent Human Rights Commission (AIHRC) action plan for 2013. JHRA and APCR-UNDP held consultations on National Inquiry of Honor Killings and rape of women Five-member AIHRC delegation were trained by India's NHRC in investigation, complaints handling, and use of technology in registration of complaints. Also, discussions were held on public hearings on VAW. 	<ul style="list-style-type: none"> Component manager will arrive in mid-May
3.3. A Public Legal Awareness Strategy	3.4. Communications	<ul style="list-style-type: none"> Undertake perception survey and media monitoring. 	<ul style="list-style-type: none"> Proposals from interested firms have been received for 	<ul style="list-style-type: none"> Component manager will

2013 Baseline	2013 Annual Targets	Q1 Planned	Q1 Actual	Comments
from the MOJ PLAU exists, but no plan for strategic and coordinated implementation of public legal awareness activities.	strategy for MOJ developed by building partnerships for coordination and dissemination of information, tools for messaging developed and approved.	<ul style="list-style-type: none"> Facilitate a coordination to activate Public Legal Awareness Coordination Board at MoJ with the Attorney General's Office (AGO), Supreme Court (SC), Ministry of Education (MoE), MoM&C, Ministry of Women's Affairs (MoWA), MoHajj and AIHRC at the national level includes recruitment of P3 specialist; national SB5; recruit one admin/translator. 	<p>media monitoring services and are under review for procurement.</p> <ul style="list-style-type: none"> A firm has been selected for the public perception survey, and is expected to be contracted in April 2013. Three year action plan for MoJ PLAU updated. JHRA together with MoJ PLAU, and other MoJ departments, developed a procedure for the stakeholder engagement including government institutions, CSOs and INGOs. International communication officer joined JHRA mid-February. 	arrive in mid-May

D. Monitoring and Evaluation (M&E) Capacity in Place

M&E is an embedded concept and constitutive part of every project or program design (“must be”). However, in a situation where resources are increasingly limited, M&E is of paramount importance. JHRA considerably emphasizes monitoring and evaluation in project phase II, in order to compile lessons learned, establish best practices, increase internal and external accountability of resources used and results obtained, and to take informed decisions on the future of the project. The evaluations based on the data gathered from monitoring inform strategic decisions which in turn improve relevance, effectiveness, efficiency, impact and sustainability of the JHRA project.

4.1. Number of Project Steering Committee meetings conducted

The Project Steering Committee is chaired by UNDP and the Ministry of Justice, and includes representatives from the justice institutions, civil society and donor agencies. The Project Steering Committee is responsible for the overall direction and management of the project, and is expected to be convened in May 2013, to monitor the initial progress of the Project, as well as reviewing any amendments to the AWP. So far, the ToR of the Project Steering Committee has been developed.

4.2. 1 a.) AWP, HR, Procurement and M&E plans approved as per established CO timeline and reviewed on a quarterly basis

The JHRA Phase II Annual Work Plan (AWP) was developed approved by UNDP Senior Management in February 2013. In light of the JHRA AWP, the project developed a human resources plan with relevant units, which was subsequently approved by UNDP Senior management. An initial M&E Plan has been approved by the Strategic Management Support Unit (SMSU). To further ensure all programming is monitored against the initial Project targets, and remains supportive of the priorities put forward by the national justice institutions and the GJRoA, JHRA will receive two M&E experts from BCPR to establish thorough monitoring systems within the Project. It is expected that soon the post for an M&E Officer will be advertised to maintain and update these systems for the duration of the Project.

1 b.) Approved project budget in Atlas

See annex 1-3

1 c.) Atlas budgets and expenses reviewed on a quarterly basis

See annex 1-3

Beyond the activities mentioned under the indicators in Output 4, the revision and finalization of NPP5 constitutes an important area of JHRA’s involvement. The National Priority Programme (NPP) 5 (Justice for All) provides the basis from which the JHRA project

document was developed. It further constitutes guidance for donor support. It has not been finalized after two years of development and review by national and international rule of law experts. In Q1 2013, JHRA received a request from the Governance Cluster of the Ministry of Finance to provide technical support for the redrafting of NPP 5. In response to this request, JHRA, with the support of the UNDP Bureau of Crisis Prevention and Recovery (BCPR) in New York, identified and recruited a senior international consultant, who will work with the Senior Minister's Office to complete the NPP. The funding support for the international consultant and one national translator is being provided by the Policy Unit of UNDP. The senior consultant started work in the last week of March 2013 with the assistance of a and is expected to continue providing assistance till the Joint Coordination Monitoring Board meeting which is expected to be held in June 2013. JHRA also attends the NPP 5 technical committee meetings. This will ensure that the Project remains in line with national priorities.

Q1 EXPENSES FOR OUTPUT 4

During Q1, a total of USD 284,692 was spent for this output. For more details, please look at Annex 2 on page 29.

Table 4: Q1 Progress for Output 4

2013 Baseline	2013 Annual Targets	Q1 Planned	Q1 Actual	Comments
4.1. One Project Steering Committee meeting	4.1. Two Project Steering Committee meetings to be convened.	<ul style="list-style-type: none"> Undertake two reviews and analyze project progress through regular internal assessments, UNDP monthly team meetings, and cluster meetings. Provide management support to the project components. 	<ul style="list-style-type: none"> ToR drafted for project steering committee. JHRA provides technical support to the NPP 5 by recruiting a senior international consultant for the revision of the NPP. JHRA is also attending the technical NPP 5. 	<ul style="list-style-type: none"> First Project Steering Committee is expected to take place in May.
4.2. No plans submitted on time	4.2. Project Plans (AWP, HR, Procurement, M&E) and budgets are prepared, reviewed and revised on a timely basis.	<ul style="list-style-type: none"> Support the design and implementation of M&E systems used under the project programmatic components or establish new ones to inform programmatic and policy priorities for National Partners and UNDP, as follows: quarterly report developed. Project operation support. 	<ul style="list-style-type: none"> AWP approved in February. One Planning and Reporting Officer was recruited in February. 	<ul style="list-style-type: none"> Revision of AWP is planned for May.

II. GENDER SPECIFIC RESULTS

The presence of the mission from UNDP-APRC to provide technical assistance to the Afghan Independent Human Rights Commission (AIHRC) was further used to discuss the nearly finalized National Inquiry of Honor Killings and rape of women. A Five-member AIHRC delegation was trained by the National Human Rights Commission of India in investigation, complaints handling, and use of technology in registration of complaints. JHRA anticipates an increasing number of public hearings on Violence against Women (VAW) from this exposure.

III. PARTNERSHIPS

JHRA specifically emphasized the building of partnerships with local, national and international organizations to increase the impact of their projects and nurture ownership of the national and local project partners. Already in the planning phase for phase II, existing initiatives and the possibilities to build on them were explored. Among multiple partnerships, several have been outstanding in quarter 1. In quarter 1, JHRA has maintained close relationships with its donors. The Italian Development Cooperation in particular supported the project to draft the TOR for the study on the EVAW Units at the Prosecutor's office.

Further, in Q1, JHRA has teamed up with the United Nations Assistance Mission to Afghanistan (UNAMA) Rule of Law Unit regarding the baseline/Rule of Law Indicator Study (RoLIS). Together with the European Police Mission to Afghanistan (EUPOL), Law and Order Trust Fund of Afghanistan (LOTFA) Project and the Ministry of Interior Affairs (MoI), JHRA initiated joint trainings of prosecutors and Family Response Units (FRU) for Crime Scene Investigation (CSI), the Elimination of Violence Against Women (EVAW), and better cooperation between prosecutors and Family Response Units (FRU). Each partner brings a specific expertise to the cooperation.

JHRA has also facilitated partnerships between national government entities and Afghan civil society, such as between the HRSU and the AIHRC. JHRA has further engaged in collaboration with the Danish Institute in Human Rights (DIHR) for the services of a senior legal expert to work with the Ministry of Foreign Affairs (MoFA) on the UN Convention against Torture (UNCAT). The National Human Rights Commission (NHRC) of India hosted a five-member delegation by AIHRC to attend training, facilitated by JHRA. JHRA newly engaged with traditional justice providers such as members of shura, and Muslim legal scholars (ulama) in the province of Herat, as part of forging partnerships between state and non-state justice providers. The Departments of Justice (DOJ) in Herat and Nangarhar are partners in this cooperation.

JHRA further explored possibilities to partner up with other UNDP programs. For component 2.2., ASGP (Afghan Sub-national Governance Project) is the natural partner of

JHRA. The National Institution Building Project (NIBP) project has provided JHRA with one capacity building officer who is currently working on the development of a questionnaire for capacity assessment of the Taqin. National Institution Building Project (NIBP) of UNDP has facilitated interactions with external partners in the aim of capacity building for Taqin.

Building strong partnerships especially with national partners not only is important to increase national ownership, it also increases security for the project and implementing partners. Therefore, JHRA will continue to establish strong partnerships with civil society and other partners on the ground.

Not all partnerships have been successful. The cooperation with the Supreme Court (SC) remains difficult.

IV. ISSUES

- **Moving from UNOCA to the MoJ annex building:** The moving of premises from UNOCA compound to the Annex building of the MoJ had effect on the project. It created significant challenges for JHRA, in terms of finding funding for moving before the budget was activated in the Atlas system, satisfying the needs of the security, and making sure that electricity was functioning. Solutions were identified in cooperation with UNDP Country Office, for example a generator was borrowed from UNDP Country Office. Further funds were made available before the budget was unblocked. The moving of premises impacted all output areas.
- **Security:** Security remains a permanent challenge, especially as the year 2014 when the elections will take place draws closer. The security situation is carefully monitored in cooperation with the Joint Operations Center (JOC) of the United Nations Afghanistan. Several improvements of the security of the JHRA office premises are envisaged. JHRA works closely with UNDSS to monitor the security situation in Kabul and the provinces for all missions. JHRA uses ANP armed escorts for road missions and additional security for large events.
- **Delay in approval of the AWP:** The delay in approval of the AWP has significantly impacted on the implementation of the projects because the budget can only be unlocked after approval of the AWP and without budget, no projects can be implemented.
- **Coordination between LAGF stakeholders:** The coordination between LAGF stakeholders has been challenging and significantly delayed the implementation of this component. The cooperation was finally made possible through internal discussions.

V. RISKS

- **Frequent staff turnover:** With the implementation of the National Technical Assistance (NTA) salary scale, there is a risk of losing qualified staff at the Translation Board and HRSU as a result of potential changes in salary. There is no mitigating strategy by the Translation board itself, because it lacks ownership. JHRA's mitigation strategy is therefore first and foremost to foster ownership and leadership both at HRSU and the Translation Board.
- **Lengthy and ongoing recruitment processes/lack of funding:** The risks identified in Q 4, 2012 report for full activation of JHRA Phase II consisted mainly in the timely recruitment of qualified staff and the leverage of funds to undertake the activities. To ensure that the project is able to start immediately with the information, resources and expertise required in the first quarter of 2013, the terms of reference for services and expert consultants were drafted in Q4. However, recruitment of qualified staff remained challenging and has not been fully completed at the end of quarter 1 such as the position of the Project Management Specialist on Policy Legislation and HR (P4), the Project Management Specialist on access to justice (P4), the Knowledge Management & Public Participation Specialist (P3), the Policy, Legislation and Human Rights Coordinator, and the Translation Associate. The position of a procurement officer, which had been re-advertised, was now successfully filled. Both United Nations Volunteers (Communication Officer and Planning and Reporting Officer) joined the project in early February as expected in Q4 report. Further, the international consultant on ESCR, the Coordinator for Access to Justice (SB5), the Translator/Interpreter (SB3), and the Capacity Development Specialist (P3) joined the project. The other staff is expected to join in April, May or June. JHRA's mitigation strategy is to follow up closely with all stakeholders involved to quickly identify problems in the recruitment process. Separate funding strategies will be developed for those project areas which are underfunded. To increase financial sustainability, JHRA strives to increase ownership of national partners and thus efficiency.
- **Security:** Lack of security in provinces and districts in which UNDP-JHRA will carry out programming continues to impede project implementation. Subsequently, in addition to implementation, the security situation has particular impact on the project's ability to monitor activities through field assessments. JHRA works closely with UNDSS to monitor the security situation in Kabul and the provinces for all missions. JHRA uses ANP armed escorts for road missions and additional security for large events. JHRA has two regional coordinators in Herat and Nangarhar. JHRA's mitigation strategy is further to considerably upgrade collaboration with all regional coordinators.

VI. LESSONS LEARNED

Partnerships: Forging strong partnerships with national and local stakeholders has been the key for success in the first quarter of phase II of JHRA project. This was particularly obvious when looking for solutions to problems through local partnerships. One example is the establishment of the LAGF and the difficulty in coordination between MoJ and AIBA. It became evident that no external actor would be able to provide a solution. The cooperation was finally made possible through internal discussions. Further, the cooperation between state and non-state justice providers is a prime example of the importance of partnership for JHRA's success. The coordination between formal and informal justice is imperative for the trust building in the formal justice amongst the population. The people just want justice, immaterial of who provides it. If formal and informal justice can join hands together, their work will become much more effective.

VII. FUTURE PLANS

In quarter 2, JHRA will focus on filling the gaps in the project implementation. A very important part of this is the revision of the AWP and also the continuing improvement of an M&E mechanism. For this aim, two experts are expected to join from BCPR in May 2013. An M&E officer will be recruited using the prospective funds from the Netherlands.

Based on the consultation with the provincial level coordinator, first steps will be defined to establish an M&E mechanism for component 2 (cooperation between state and non-state justice providers). In order to collect local/district level information to define the baseline, an overview of number and type of cases is required and information on which cases are dealt with by traditional justice as compared to state justice providers. Based on the above JHRA will develop a single window baseline for the pilot districts and provinces.

For baseline/Rule of Law Indicator study (RoLIS), focus group workshops will be organized across eight provinces (Kunduz, Balkh, Kabul, Herat, Kandahar/Helmand, Nangarhar, Badakshan, Parwan) where participants can express themselves freely to serve as a data pool for baseline study.

Need assessment with AIBA will be undertaken in April. To avoid any delay in project implementation of NLTC at district level, JHRA wants to start training of lawyers and legal clinics immediately. The public perception survey and the media monitoring will be put in place. At the district level, a joint workshop is to be conducted in June in partnership with Afghanistan Sub-national Governance Program (ASGP) and with co-ordination from JHRA Regional Coordinator Mr. Tahir Sakhi in Herat. The workshop will focus on labor rights and legal protection for workers in the informal economy. Consultations will be held on developing a strategy for conducting a street vendor pilot project in either Kabul or Herat. Students from the Rule of Law and Human Rights Centre at University of Herat may be engaged in collecting data on the situation of street vendors in Herat. The mapping of

organizations working in ESCR will be completed, including organizations, association, co-operatives and unions in Herat who represent local businesses and vendors.

Communication will be greatly enhanced through the development of a communication strategy.

VIII. ANNEXES

ANNEX 1: FINANCIAL TABLE

	COMMITMENT/ PAST YEARS RECORD			CURRENT YEAR					FUTURE EXPENSES		TOTAL RECEIVABLE		
Donor Name	Commitment (a)	Revenue Collected 31/12/2012 (b)	Expenses 31/12/2012 (c)	Opening Balance 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)
UNDP	2,845,824	2,845,824	345,824	2,500,000	-	-	354,443	2,145,557	32,284	-	-	-	2,113,273
DEN MARK	517,688	517,688	249,667	268,021		-	10,989	257,032	22,599	-	-	-	234,433
ITALY	2,000,000	2,000,000	354,618	1,645,382	-	10,871	18,538	1,637,715	42,987	-	-	-	1,594,728
NETHER LANDS	249,223	249,223	202,428	46,795	-	-	-	46,795	14,184	-	-	-	32,611
NOR WAY	13,372	13,372	13,371	1	-	-	-	1	-	-	-	-	1
DFAIT	21,377	21,377	18,080	3,297	-	-	-	3,297	-	-	-	-	3,297
SDC	769,991	769,991	70,704	699,287	-	-	68,707	630,580	-	-	-	-	630,580
Grand Total	6,417,475	6,417,475	1,254,692	5,162,783	-	10,871	452,677	4,720,977	112,054	-	-	-	4,608,923

ANNEX 2: EXPENSES BY OUTPUT

Project Output ID and Description	2013 Budget (AWP)	Expenses (Jan-Mar-2013)	Delivery Rate	Remarks
00085458 High-level coordination mechanisms for developing policy and legislation in accordance with international and national standards are established and functional in State justice institutions.	1,592,578	132,248	8%	
Sub-total Output 1	1,592,578	132,248	8%	
00085459 Mechanisms to provide quality justice services to vulnerable groups are established and functional (NPP 5, component 1)	1,355,485	18,538	1%	
Sub-total Output 2	1,355,485	18,538	1%	
00085460 Public participation processes and knowledge base for improving access to justice and human rights compliance established.	557,000	17,199	3%	
Sub-total Output 3	557,000	17,199	3%	
00085461 Project Support Unit: Internal oversight, monitoring and evaluation capacity in place.	1,204,500	284,692	24%	
Sub-total Output 4	1,204,500	284,692	24%	
Grand Total	4,709,563	452,677	10%	

ANNEX 3: EXPENSES BY DONOR

Donor Name	Project Output ID and Description	2013 Budget (AWP)	Expenses (Jan-Mar-2013)	Delivery Rates
UNDP	00085458 High-level coordination mechanisms for developing policy and legislation in accordance with international and national standards are established and functional in State justice institutions.	484,500	52,552	11%
	00085459 Mechanisms to provide quality justice services to vulnerable groups are established and functional	261,540	-	0%
	00085460 Public participation processes and knowledge base for improving access to justice and human rights compliance established.	557,000	17,199	3%
	00085461 Project Support Unit: Internal oversight, monitoring and evaluation capacity in place.	1,204,500	284,692	24%
Sub-Total		2,507,540	354,443	38%
DENMARK	00085458 High-level coordination mechanisms for developing policy and legislation in accordance with international and national standards are established and functional in State justice institutions.	262,993	10,989	4%
Sub-Total		262,993	10,989	4%
ITALY	00085458 High-level coordination mechanisms for developing policy and legislation in accordance with international and national standards are established and functional in State justice institutions.	150,000	-	0%
	00085459 Mechanisms to provide quality justice services to vulnerable groups are established and functional	1,093,945	18,538	2%
Sub-Total		1,243,945	18,538	1%
SDC	00085458 High-level coordination mechanisms for developing policy and legislation in accordance with international and national standards are established and functional in State justice institutions.	695,085	68,707	10%
Sub-Total		695,085	68,707	10%
Grand Total		4,709,563	452,677	10%

ANNEX 4: ISSUE LOG

#	DESCRIPTION	DATE IDENTIFIED	IMPACT/PRIORITY	COUNTERMEASURE/MNGT RESPONSE	OWNER	STATUS
1	Moving from UNOCA to the MoJ annex building	Feb 2013	Impact = 3 Priority = 5	Make funds available before the budget was unblocked.	JHRA project manager, CTA, engineer, security officer, finance officer	resolved
2	Security	Ongoing	Impact = 5 Priority = 5		security officer, JHRA project manager,	no change
3	Delay in approval of the AWP	Beginning of 2013	Impact = 4 Priority = 5	Cooperate closely with UNDP country office.	Rule of Law Programme Officer	resolved
4	Coordination between LAGF stakeholders	March 2013	Impact = 2 Priority = 3	Facilitate discussions between stakeholders.	JHRA CTA & Access to Justice Coordinator	resolved
5	Financial Sustainability	2013	Impact = 5 Priority = 5	Increase ownership and thus efficiency.	CTA & Programme Officer	unresolved

ANNEX 5: RISK LOG

#	DESCRIPTION	DATE IDENTIFIED	TYPE	IMPACT & PROBABILITY	COUNTERMEASURES/M NGT. RESPONSE	OWNER	SUBMITTED /UPDATED BY	LAST UPDATE	STATUS
1	General Insecurity in Afghanistan	ongoing	Environmental/ Political	<ul style="list-style-type: none"> • Potential risk of injury or death to project staff and contractors • Potential impact on activities – delayed or rescheduled activities • Lack of security in provinces and districts in which UNDP-JHRA will carry out programming continues to impede project implementation. • Subsequently, in addition to implementation, the security situation has also particular impact on the project's ability to monitor activities through field assessments. <p>I: 2 P: 5</p>	<ul style="list-style-type: none"> • Comply with UNDSS security arrangements • Contract security services for physical security. • Obtain security clearances for internal travel • Conduct conflict assessment as part of selection of districts • Contract external organizations where required 	Project Manager	Staff	Ongoing	<ul style="list-style-type: none"> • Security remains an issue at the close of the project. • JHRA worked closely with UNDSS to monitor the security situation in Kabul and the provinces for all missions. • JHRA used ANP armed escorts for road missions and additional security for large events. • Security did affect programming as Mission planning takes up time and huge amounts of coordination between various agencies.

#	DESCRIPTION	DATE IDENTIFIED	TYPE	IMPACT & PROBABILITY	COUNTERMEASURES/M NGT. RESPONSE	OWNER	SUBMITTED /UPDATED BY	LAST UPDATE	STATUS
2	Extent of GIRoA support for all components of the Project	ongoing	Political	<ul style="list-style-type: none"> Project will require political support and coordination with several GIRoA institutions I: 4 P: 4	GIRoA counterparts involved in the Project Steering Committee to promote ownership and ensure the project meets GIRoA priorities	CTA, Project Manager and RoL Unit Program Officer	Staff	ongoing	<ul style="list-style-type: none"> Procurement presented an obstacle for programming – lengthy processes resulted in delays in programming particularly establishing offices in Herat and Nangarhar.
3	Risk of delays in recruitment of key project staff	ongoing	Ops	<ul style="list-style-type: none"> Delays in appointment of key staff will delay the implementation of technical activities, and limit project oversight of other activities I: 3 P: 3	Project recruitment plan listing planned recruitments and target dates will be followed up closely.	CTA, Project Manager/ Human Resources Assistant	Project Manager/ Human Resources Assistant	ongoing	<ul style="list-style-type: none"> The Project is currently understaffed. Much of this was the result of lengthy internal processes.
4	With the implementation of the NTA salary scale, there is a huge risk of losing qualified staff at the Translation Board and HRSU.	After development of NTA salary scale started	Ops	<ul style="list-style-type: none"> Losing staff at the Translation Board and the HRSU will risk the achievements of annual targets. 	There is no mitigating strategy, especially for the Translation Board, because it lacks ownership and leadership. JHRA strives to foster ownership and thus help to develop a mitigation strategy.	Project Manager/ Human Resources Assistant	HRSU/ Translation Board	ongoing	<ul style="list-style-type: none"> Foster ownership and leadership both at HRSU/ Translation Board