



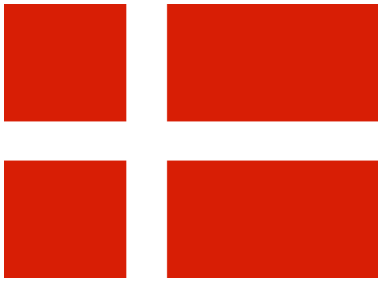
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# JUSTICE AND HUMAN RIGHTS IN AFGHANISTAN

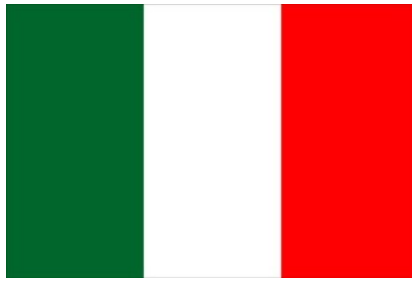
QUARTER 1 2014 PROGRESS REPORT



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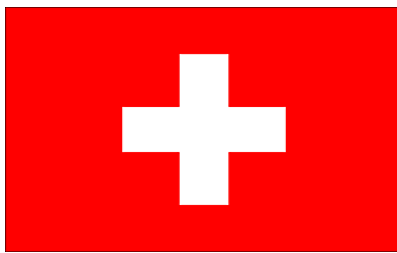
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## PROJECT INFORMATION

**Project ID:** 00068012

**Duration:** January 2013 – December 2015

**Strategic Plan Component:** Rule of Law

**CPAP Component:** Access to Justice, Human Rights

**ANDS Component:** Governance, Rule of Law, Human Rights

**Total Project Budget:** USD 34,402,039

**Annual Budget 2014:** USD 7,215,899

**Unfunded Budget:** USD 626,074

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

**Responsible Agency:** UNDP

**Project Manager:** Khalil Rahman

**Chief Technical Advisor:** Dr. Doel Mukerjee

**Responsible Assistant Country Director:** Hedayatullah Mohammadi

**COVER PAGE:** Coordination and knowledge sharing conference ERAW Units in Herat on 27-28 January 2014.

## ACRONYMS

|              |                                                                            |
|--------------|----------------------------------------------------------------------------|
| AGO          | Attorney General's Office                                                  |
| AIBA         | Afghanistan Independent Bar Association                                    |
| AIHRC        | Afghanistan Independent Human Rights Commission                            |
| AWP          | Annual Work Plan                                                           |
| BCPR         | Bureau of Crisis Prevention and Recovery                                   |
| CBDR         | Community-based dispute resolution                                         |
| CDC          | Community Development Council                                              |
| CEDAW        | Convention on the Elimination of All Forms of Discrimination against Women |
| CRC          | Convention on the Rights of the Child                                      |
| CSO          | Civil Society Organization                                                 |
| DDA          | District Development Assembly                                              |
| DoJ          | Department of Justice                                                      |
| EUPOL        | European Police Mission in Afghanistan                                     |
| EVAW         | Elimination of Violence against Women                                      |
| FGDs         | Focus Group Discussions                                                    |
| FRU          | Family Response Unit                                                       |
| GIZ          | Gesellschaft für Internationale Zusammenarbeit                             |
| HRSU         | Human Rights Support Unit                                                  |
| <i>Huquq</i> | MoJ Legal Affairs Department                                               |
| IARCSC       | Independent Administrative Reform and Civil Service Commission             |
| ICESCR       | International Covenant on Economic, Social and Cultural Rights             |
| IDLG         | Independent Directorate of Local Governance                                |
| ILAB         | Independent Legal Aid Board                                                |
| LAGF         | Legal Aid Grant Facility                                                   |
| LoA          | Letter of Agreement                                                        |
| LOTFA        | Law and Order Trust Fund of Afghanistan                                    |
| M&E          | Monitoring and Evaluation                                                  |
| MoFA         | Ministry of Foreign Affairs                                                |
| Mol          | Ministry of Interior                                                       |
| MoJ          | Ministry of Justice                                                        |
| MoLSAMD      | Ministry of Labour, Social Affairs, Martyrs and Disabled                   |
| MoU          | Memorandum of Understanding                                                |
| MoWA         | Ministry of Women's Affairs                                                |
| NAPWA        | National Action Plan for Women in Afghanistan                              |
| NDS          | National Directorate of Security                                           |
| NLTC         | National Legal Training Center                                             |
| NPP          | National Priority Programme                                                |
| NTA          | National Technical Assistance                                              |
| PLAU         | Public Legal Awareness Unit                                                |
| PPD          | MoJ Planning and Policy Department                                         |

|               |                                                                                    |
|---------------|------------------------------------------------------------------------------------|
| RAP           | National Action Plan for the Implementation of UPR, ICESCR and CRC Recommendations |
| RoLIS         | Rule of Law Indicators Study                                                       |
| <i>Taqnin</i> | MoJ Institute for Legislative Drafting and Legal Research                          |
| TCC           | Technical Coordination Committee                                                   |
| ToR           | Terms of Reference                                                                 |
| UNAMA         | United Nations Assistance Mission to Afghanistan                                   |
| UNCAT         | United Nations Convention against Torture                                          |
| UNDP          | United Nations Development Programme                                               |
| UNODC         | United Nations Office on Drugs and Crime                                           |
| UPR           | Universal Periodic Review                                                          |

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## I. EXECUTIVE SUMMARY

United Nations Development Programme (UNDP) Justice and Human Rights in Afghanistan Project Phase II (JHRA) aims to increase the public's trust in Afghan justice institutions to create the necessary foundation for the re-establishment of State legitimacy. JHRA Phase II was initiated in 2013.

JHRA provides important support to:

1. Establish functional high-level coordination mechanisms for developing policy and legislation in accordance with international and national standards with the Ministry of Justice (MoJ);
2. Establish functional mechanisms to provide quality justice services to vulnerable groups through Afghan counterparts; and
3. Establish public participation processes and knowledge base for improving access to justice and human rights compliance through government institutions, Afghanistan Independent Human Rights Commission (AIHRC) and civil society organizations (CSOs).

The following is an overview of the achievements and challenges for Q1 2014:

### **Output 1**

- JHRA is providing support to the MoJ through the Policy and Planning Department (PPD) to assist the ministry in realizing its development commitments. In Q1, the PPD completed the MoJ Five-Year Strategy, which formally links the institutional strategy with NPP5. This strategy also informs the Rule of Law Indicators Study (RoLIS) process. Working group with members from the MoJ, Attorney General's Office (AGO), Supreme Court and the Ministry of Interior (MoI) have developed indicators based on the strategic planning processes in their institutions.
- JHRA supported improvements in the quality of legislation through a three-week tailored training on legislative drafting, facilitated by professors from Jindal Global Law School. These trainings worked directly with Taqin and Human Rights Support Unit (HRSU) staff to ensure national legislation is properly harmonized and reflects international best practices and human rights. These trainings produced a legislative gap analysis, and recommendations for necessary legislation to facilitate the legislative drafting process.
- As a result of constant advocacy with the leadership of the MoJ, a Ministerial Order has been issued that formalizes the business processes between HRSU and the Taqin, requiring close collaboration on all new legislative drafts to ensure compliance with international human rights conventions.
- JHRA has provided technical support to HRSU for the tracking of the Government of Afghanistan's National Action Plan on the Implementation of Recommendations for the Universal Periodic Review (UPR); the International Covenant on Economic, Social and Cultural Rights (ICESCR); and the Convention on the Rights of the Child (CRC) (Recommendation Action Plan - RAP). The constant follow-up with the key government institutions responsible for implementing these international recommendations has strengthened HRSU's relationship with the human rights focal points in line ministries, and led to more insightful engagement to support human rights work throughout the government.
- JHRA has fostered stronger professional ties between HRSU and Ministry of Foreign Affairs (MoFA) through technical support to the UNCAT State reporting process. The international and national experts assisting MoFA

with the UNCAT State report have initiated coordination between the two institutions, and the value of this partnership has been evidenced through self-driven coordination between MoFA and HRSU for the UPR State report, data collection and coordination with government human rights focal points.

## **Output 2**

- The Legal Aid Grant Facility (LAGF) has initiated outreach through AIBA to key justice officials in Herat, Nangarhar and Kabul. This mechanism provides a channel for training and case support which will bring the State in closer contact with Afghanistan's most vulnerable groups. To ensure that this engagement is effective in building the public's trust and the State's relationship with the public, a National Committee has been established to identify the definition of who can access this facility, establish training standards and develop monitoring frameworks.
- JHRA has supported large coordination meetings between community leaders in the target districts of Herat, Nangarhar and Balkh and the provincial State representatives to discuss State responsibilities in the justice process. These sessions also mapped the current institutions being accessed by community leaders and the types of cases they are being asked to adjudicate. This process was the first interaction of this kind between these groups, and has strengthened the authority of the State/non-State platforms as well as informed the informal justice and alternative dispute resolution (ADR) research being conducted under output 3.
- To improve service delivery JHRA is providing inter-institutional and peer-to-peer trainings to foster a better understanding between justice service providers on issues concerning Elimination of Violence against Women (EVAW) and case reporting. These trainings will be linked into support provided to the National Legal Training Centers (NLTC) which JHRA is developing.

## **Output 3**

- The mapping of the types of cases and institutional interactions undertaken by community leaders is being developed into a larger policy document on boundaries within which the State can interact with communities on civil cases. To have an impact, this work will generate a policy paper for the government to use in reforms to the Jirga Law, policies on case management, and systematized interaction with communities.
- Guidance for channeling information between State and non-State institutions and to the public is being planned through the MoJ Public Legal Awareness Unit (PLAU). JHRA is supporting the development of a practical communication strategy through tailored sessions informed by a Detailed Assessment of Media Service Providers and the Public Perception Survey. In addition, JHRA is providing advisory support for the formulation of a regulation aimed at institutionalizing the Public Legal Awareness Coordination Committee. This will help ensure consistency of messaging by government to affect longer-term behavioral and opinion change.
- JHRA's street vendors' initiative provides practical lessons on the provision of legal protection to vulnerable groups. The technical coordination committees (TCC) established in Herat and Kabul are being expanded throughout the country, and are developing municipal legislation to protect the rights of workers in the informal sector. As the State extends its protection to a broader swath of the public, trust in the State will increase.
- In order to ensure that a strong watchdog is present to oversee the progress of the government's work, JHRA is supporting the development of the 2014-2018 Strategic Plan and Action Plan of AIHRC, to ensure that its priorities and growth over the coming four years reflect both its institutional needs and the needs of rights

holders in engaging the State and seeking redress for human rights violations. To promote a better technical understanding of the development of activities that fall under this strategy, JHRA provided key AIHRC personnel with a training on human rights-based approach (HRBA) to development coordination. JHRA has also supported activities to build a network of 54 NGOs that are coordinating with AIHRC to expand the watchdog mechanism.

#### **Output 4**

- To activate the various components of the project to ensure the outcome statement of JHRA of building trust between the public and State justice providers, JHRA held a Project Steering Committee Meeting on 4 March in which the 2014 Annual Work Plan (AWP) and supporting Procurement, Human Resource and Monitoring and Evaluation (M&E) Plans were approved.



## II. RESULTS:

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

Output 1 focuses on increasing the capacity of the Government of Afghanistan to produce informed and compliant high-level policy documents and legislation by strengthening key departments of the MoJ, including their coordination with line ministries and institutions. This output is aligned with NPP 5: Law and Justice for All, particularly Component 1 on “Improving the Legislative Process”, and NPP 6: Human Rights and Civic Responsibilities. It is expected that at the end of the project period, the results of this output will provide the MoJ with mechanisms, such as the Legislation Committee, for coordinating the development of policy and legislative documents with other ministries, and improve coordination between the PPD, *Taqnin* (including Translation Board) and HRSU.

#### 1.1. Increase capacity of the Legislation Committee to enable sector-wide coordination and strengthen policy making.

*Indicator 1.1: Mechanism established for activating Legislation Committee meetings.*

The annual target for this Activity Result is “five directions of legislative review provided by the Legislation Committee in a formal legislative review tool.” Discussions are currently ongoing for the preparation of the legislative calendar and templates for legislative review and analysis have been shared. At present, these have not been adopted; however, JHRA is continuing to engage with this office to advocate for the incorporation of these tools once the political situation following the election is clear.

#### 1.2. Strengthen MOJ policy-making capacity through the Policy and Planning Department.

*Indicator 1.2: Two strategic documents developed for MoJ and justice sector institutions.*

Activity Result 1.2 has two annual targets: 1) “MoJ Strategic Plan finalized” and 2) “1393 RoLIS conducted.” The first target has been realized, and JHRA will continue work to ensure the Five-Year Strategy receives implementation support. The second target is on track, as all experts are now on board and the initial set of indicators has been developed by government. Both of these initiatives are founded upon the priorities put forward in NPP 5 and formalize the ministry’s commitment to fulfill the priorities in the NPP for the coming three years, and build upon these for the remainder of the five-year strategy.

The PPD is responsible for the overall strategic vision and internal planning of the MoJ. The department received two additional UNDP-supported staff in the second half of 2013, and was immediately tasked with capacity assessments of key departments within the ministry. In Q1, the PPD completed capacity assessments of the *Taqnin* Department; Department of Governmental Cases; Department of Registration, Coordination and Monitoring of Political Parties; Huquq Department; and Juvenile Rehabilitation Department. The assessments focused particularly on MoJ policy and strategy; scope of institutional and individual capacity building; efficiency and effectiveness of staff against their ToRs; inter-department communications; attitude and behavior of

employees; working procedures; and law and regulations. The results of these assessments were shared with the Minister of Justice for approval and incorporation into a capacity development plan to address specific needs within the MoJ. With the change in MoJ leadership at the end of Q1<sup>1</sup>, some delays are expected in the development of the capacity development plans.

These capacity assessments were conducted in parallel with and to inform the MoJ Five-Year Strategy, which the PPD also finalized in Q1 2014. The institutional recommendations stemming from the capacity assessments were largely incorporated into the MoJ Five-Year Strategy, which outlines the specific goals of the MoJ based on the targets outlined in the National Priority Programme 5: Law and Justice for All, and the phased priorities from complementary NPPs of other rule of law institutions. This strategy expands upon previous drafts from 2013 to include more details on specific activities and a time-bound action plan, which will allow for better implementation and internal monitoring of progress.

The national working group on RoLIS in Afghanistan has developed 94 indicators to measure developments in the rule of law sector. Led by the head of the MoJ Policy and Planning Department, the working group consists of the Supreme Court, AGO, MoI, AIBA and the MoJ and the indicators form the basis of an administrative data framework for rule of law and justice sector institutions of Afghanistan. The framework was developed and reviewed by rule of law experts from UNDP, UNAMA and government institutions, and will be shared for review and endorsement at the national working group meeting at the end of April. The draft qualitative indicators gauge people's perception of the quality, accessibility and adequacy of rule of law services, materials and human resources available to them.

The leadership provided by PPD in this process has been paramount to the progress of the RoLIS and commitment of its working group members. PPD are well respected among the technical personnel appointed by other RoL institutions, and their ability to manage discussions and mitigate issues as they arise has supported the development of smooth and balanced indicators. The working group has developed a powerful platform for coordination between the rule of law institutions of Afghanistan, as it has encouraged particularly in-depth discussions on cross-cutting issues and concerns related to the rule of law. These sessions gave working group members a more holistic scope of reference for the rule of law issues and concerns of Afghanistan.

### **1.3. Increase the MOJ's capacity to effectively reform law through the Taqin (including the Translation Board).**

*Indicator 1.3: 20% of documents listed on the legislative calendar are supported with translated resources and international best practices.*

The annual target for Activity Result 1.3 is "Two laws drafted/reviewed and translated by the Taqin reflecting international best practices." The legislative training provided in Q1 provided hands-on assistance to the Taqin concerning legislation currently under review, and provided recommendations for enhancement and harmonization with international best practices, including a gap analysis of legislation required to facilitate the

---

<sup>1</sup> His Excellency the Minister of Justice Habibullah Ghalib passed away suddenly on 20 March 2014. He has been replaced temporarily by Deputy Minister for Legal Affairs Said Yusuf Halem.

legislative drafting process. This activity is therefore on target, as JHRA is well positioned to continue support in this area throughout the rest of the year.

JHRA continued its support for the ongoing capacity development of Taqin staff by supporting a three-week, hands-on training on legislative drafting, facilitated by five professors from Jindal Global Law School in India. The training was broadly focused on legislative drafting, including samples of global best practices on legislative procedures from different jurisdictions. Specific topics include legal research methodologies; developing a consultative process; language, grammar and syntax for law drafting; identification and use of international best practices; and harmonization with existing laws. This training aimed not only to impart fundamental legislative drafting skills to Taqin staff, but also to provide a basis from which standardized procedures for legislative drafting – including formal policy on the drafting process, a standardized glossary of legal terms, and accepted reference and harmonization practices – would be developed. Interactive sessions focused on the practical approaches and resources required to enrich drafts of the Law on Cultural Property and Law on Protection of Consumer Rights that are currently under revision by the Taqin. The trainers referred to international best practices for analysis and harmonization of laws, as well as guiding the participants on proper research channels and techniques. This training has positioned the Taqin with hands-on guidance and training resources to improve the standards of national legislation produced.

The trainers met with MoJ leadership at the end of each one-week module to discuss their recommendations for further improvement to the legislative drafting process, which included institutionalized templates outlined above, as well as further, consistent and in-depth training for the Taqin officials. Specifically, the Taqin is urged to develop Legislative Guidelines and a General Clauses Act (Statute of Interpretation Act), engage in more intensive legal and English trainings, and introduce guidelines for State-wide public consultations to encourage discussions between broader civil society and the line ministries thematically responsible for legislation.

The Translation Unit provided interpretation during the legislative training sessions, and was involved in the sessions to ensure that a link was made between the Taqin's need for resources and the Translation Unit's ability to find and translate them. The Unit therefore was involved in producing resources on international best practices during the training and will continue to work with the Taqin to ensure the legislative drafting process continues to be supported with information as required. In addition, the Unit continued to provide translation and interpretation services across the MoJ, a detailed account of which is included in the Output 1 matrix.

#### **1.4 Strengthen the MOJ's capacity to produce human rights compliant Government policies and laws through HRSU.**

*Indicator 1.4: 25% of laws and regulations received or drafted by the Taqin that are reviewed by HRSU for human rights compliance.*

The annual target for Activity Result 1.4 is "25% of laws drafted by the Taqin are reviewed by HRSU." With the Ministerial Order for all legislation reviewed by the Taqin to be shared with HRSU, this activity is on target and has a legal basis to remain so. The Kindergarten Law, which was reviewed by HRSU in 1392 in its comparative study for national compliance with the ICESCR, was enacted in the last quarter of 1392 (Q1 2014).

The Unit continued its tracking of State progress against the National Action Plan for the Implementation of UPR, ICESCR and CRC Recommendations (Recommendation Action Plan – RAP) released by HRSU in 1392. In Q1, HRSU finalized an initial analysis of progress. The report provides an overview of steps taken under each thematic area of the RAP, as well as concrete initiatives that have not yet been implemented. The findings of the first round of data collection for the RAP were shared with representatives from government institutions responsible for the action points included among the recommendations, and the required follow up was discussed. Additional recommendations were also prioritised for the 1393 RAP, which is to include prioritized CEDAW recommendations. These discussions foster communication between government agencies that otherwise have little to no coordination on these issues, and have produced further opportunities for cooperation.

To increase the sustainable impact of HRSU's engagement with government, HRSU initiated a six-month training programme with MoJ in Q1 based on prioritized recommendations in the RAP. Twenty dedicated participants were assigned to the training from the Policy and Planning Department, Criminal Investigation Department, Family Response Unit, and the Gender and Human Rights Unit. HRSU conducted a needs assessment on their human rights knowledge. These assessments produced twenty-five recommended training subjects on human rights and State obligations, which will be refined in early Q2 once specific target recommendations are chosen.

In Q1, HRSU continued its regular trainings to government officials, including monthly trainings for government officials hosted in the MoJ, and regular trainings at the NDS Academy to provincial officials. These general trainings focus on the basic definition, concept and importance of human rights, State obligations, and rights of suspects and the accused (only for NDS). The NDS Academy trainings are tailored to ensure that new and/or untrained NDS staff in the provincial and district offices understand the national obligations of NDS as mandated through the international conventions and recommendations, as well as the steps NDS has already taken towards addressing these (such as the decree against child recruitment).

In addition, HRSU held two specialised trainings at the request of national and international partners. The MoJ Gender Unit requested HRSU's support in facilitating a training on NAPWA obligations and reporting systems, to increase the accuracy and quantity of information generated by the MoJ departments for reporting to MoWA, making use of the HRSU tracking system, NAPWA indicators, and State obligations related to gender and human rights. At the request of GiZ, HRSU facilitated a training to the Ministry of Education (MoE) and MoWA on "Human Rights and the Human Rights Based Approach (HRBA) in the MoE Policy and Strategy", which focused on the prioritization of vulnerable groups in the planning processes for MoE's strategic plan with emphasis on the principles of participation, accountability, non-discrimination, transparency, human dignity, empowerment and the rule of law.

HRSU's role in the legislative drafting and review process was formally increased in March, with the issuance of a letter from the Office of the Minister requiring all legislation received by the Taqin for review be shared with HRSU, and for HRSU to be included in Executive Committee discussions. This had previously not been the case, and coordination between the Taqin and HRSU was done largely on an immediate need or response basis. This Ministerial Order formally addresses the need for this coordination in the absence of the HRSU Regulation, which was submitted by the MoJ to the Council of Ministers in January, and is currently under review by the Legislation Committee.

This quarter, agreement was reached between the MoJ and UNICEF to recruit a team of experts who would work within the MoJ to develop a Child Act reflective of the priorities put forward in the CRC and its recommendations, and ensure compliance of national laws. The Child Act is itself a recommendation from the CRC Report. In Q1, the Project Lead and Finance Officer for this team were recruited, and the process to recruit two legal experts and two outreach experts for legal consultations was commenced. The team is financially supported by UNICEF, and will be working closely with HRSU, which will provide the team with existing legislative analysis on the CRC and assist with coordination with other ministries where necessary.

HRSU increased its coordination with the MoFA Directorate on Human Rights and Women's International Affairs (DHRWIA) in Q1, working with the Directorate to announce the recommendations received for the CEDAW report submitted by the Government of Afghanistan in July 2012. Participants were invited from all affected government institutions, and the DHRWIA (re)introduced participants to the general obligation the State has to implement and report on the CEDAW, presented the recommendations received, and began working groups to prioritize recommendations for implementation. The prioritized CEDAW recommendations will be included in the 1393 National Action Plan on the Implementation of UPR, ICESCR, CRC and CEDAW Recommendations to be released in early Q3.

MoFA requested HRSU's support for follow-up on the UPR report submitted by the State in October 2013. MoFA received 50 possible questions the delegation could be asked during its defense. HRSU provided responses to 35 questions which largely focused on legislation and implementation of past UPR recommendations. The Unit continued its review of national laws for compliance with the ICCPR, which is scheduled for submission by MoFA in late 2014.

In January MoFA held a mission to Herat to engage provincial-level officials on State reporting and the importance of data collection, led by Dr. Malek Sitez from the Danish Institute of Human Rights (DIHR). This was the first time the Directorate of Human Rights and Women's International Affairs (DHRWIA) engaged directly with sub-national officials on State reporting, and are extremely positive about the potential this provides to get better data on the application of human rights commitments. The Directorate has now replicated this method of engagement for other State reporting initiatives, including 1325.

## **EXPENSES FOR THE YEAR**

During Q1 2014, a total of USD 264,351 was spent for this output. For more details, please see Annex 2.

**Table 1: Q1 2014 Progress for Output 1**

| 2014 Baseline                                                                                 | 2014 Annual Targets                                                                                                  | Q1 2014 Planned                                                                                                                                                                | Q1 2014 Actual                                                                                                                                                                                                                                                                                                                                                                                                                                                  | Comments                                                                                              |
|-----------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------|
| 1.1 Legislation Committee meetings are not producing clear directives for legislative review. | 1.1 Five directions of legislative review provided by the Legislation Committee in a formal legislative review tool. | Support Legislation Committee in the preparation, coordination and distribution of relevant information and analysis for policy discussions.                                   |                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | This will be furthered after elections. Require clarity on the VP1 and Minister of Justice's offices. |
| 1.2 MOJ Strategic Plan not yet finalised.                                                     | 1.2.1 MoJ Strategic Plan finalized.                                                                                  | Assess the capacity of MoJ systems, procedures and individual staff competency to analyse justice issues and provide policy recommendations.                                   | <ul style="list-style-type: none"> <li>• PPD completed a report on the capacity assessments conducted with: <ul style="list-style-type: none"> <li>○ General Department of Taqin</li> <li>○ Department of Governmental Cases</li> <li>○ Department of Registration, Coordination and Monitoring of Political Parties</li> <li>○ Department of Huquq</li> <li>○ Juvenile Rehabilitation Department</li> </ul> </li> </ul>                                        |                                                                                                       |
|                                                                                               | 1.2.2 1393 RoL indicators study conducted.                                                                           |                                                                                                                                                                                | <ul style="list-style-type: none"> <li>• The capacity assessments for five MoJ Departments were completed and submitted to the Minister's Office for approval and development of a capacity development plan.</li> </ul>                                                                                                                                                                                                                                        |                                                                                                       |
|                                                                                               |                                                                                                                      | Design and implement a capacity development plan based on the assessment, including professional development of staff through educational exposure to international expertise. | <ul style="list-style-type: none"> <li>• An international RoLIS expert has been recruited and will start on 2 April. The expert will finalize share and train government officials on the indicators and ensure the RoLIS process can be continued.</li> <li>• Recruitment of a national legal researcher for RoLIS is ongoing.</li> <li>• The ToR for an external party to organize FGDs in six provinces has been endorsed by the national working</li> </ul> |                                                                                                       |
|                                                                                               |                                                                                                                      | Support MOJ PPD in the initiation and facilitation of an annual baseline/RoL Indicators study conducted to inform policy and planning.                                         |                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |                                                                                                       |

| 2014 Baseline                                                                                                                                                                                                | 2014 Annual Targets                                                                                | Q1 2014 Planned                                                                                                                                                                                   | Q1 2014 Actual                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | Comments |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------|
|                                                                                                                                                                                                              |                                                                                                    |                                                                                                                                                                                                   | group on RoLIS and submitted to UNDP for advertisement.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |          |
|                                                                                                                                                                                                              |                                                                                                    | Train implementing partners in the UNDP global RoL Indicators Assessment tool.                                                                                                                    | •                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |          |
|                                                                                                                                                                                                              |                                                                                                    | Facilitate commitment to provide data and collaborate on the annual baseline/RoL indicators study from key Government institutions (SC, AGO, MoI, MoJ, MoWA, MoLSAMD) and international partners. | <ul style="list-style-type: none"> <li>The National RoLIS Working Group is led by the head of the MoJ Policy and Planning Department, and includes representatives from the Supreme Court, AGO, MoI, AIBA and the MoJ. This WG held eight meetings in Q1 to discuss, develop and refine 94 indicators for RoLIS administrative data framework.</li> <li>UNDP and UNAMA held meetings with senior government officials from the Supreme Court, AGO and MoJ to engage justice institution leaderships on the process and outcome of RoLIS.</li> </ul> |          |
|                                                                                                                                                                                                              |                                                                                                    | Facilitate inclusion of Baseline/RoL indicators study and NPP 5 coordination in the Legislation Committee agenda.                                                                                 | • An international NPP5 consultant has been recruited and will start on 8 April. This consultant will work with the Senior Minister's Office and support the RoLIS work.                                                                                                                                                                                                                                                                                                                                                                            |          |
| 1.3 The MOJ Taqin has an annual legislative calendar for 1392. Two documents from the legislative calendar have been translated by the Translation Board and reviewed based on international best practices. | 1.3 Two laws drafted/reviewed and translated by the Taqin reflecting international best practices. | Support the <i>Taqin</i> and the TU in the establishment and implementation of an annual legislative and translation calendar to plan law-making.                                                 | <ul style="list-style-type: none"> <li>Head of Translation Unit recruited and on board.</li> <li>Annual legislative calendar is currently being finalized by the Taqin – based on the remainder of 1392 commitments and new priorities in 1393.</li> </ul>                                                                                                                                                                                                                                                                                          |          |
|                                                                                                                                                                                                              |                                                                                                    | Support the Taqin on global legislative best practices during law making process.                                                                                                                 | <ul style="list-style-type: none"> <li>A three-week training on legislative drafting was held for 45 Taqin staff from 18 January-12 February. Five trainers from Jindal Global Law School provided training on legislative drafting, legal research methodologies and international best practices.</li> <li>The Translation Unit supported the Taqin and the MoJ with the translation of legal drafts, resources and institutional contracts:</li> </ul>                                                                                           |          |

| 2014 Baseline | 2014 Annual Targets | Q1 2014 Planned | Q1 2014 Actual                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | Comments |
|---------------|---------------------|-----------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------|
|               |                     |                 | <p><b>Translations:</b></p> <p><b>Draft Laws:</b></p> <ul style="list-style-type: none"> <li>• Draft Law on Minimum Wage</li> <li>• Draft Administrative Law</li> <li>• Draft Law on Historical Monuments</li> <li>• Draft Law on Protection of Consumer Rights</li> <li>• Draft Law on Tobacco</li> <li>• Draft Law on Historical Antiquities and Artistic Treasures</li> <li>• Draft Law on Maintenance of Historical and Cultural Relics</li> <li>• Draft Law on Legal and Legislative Treaties</li> </ul> <p><b>Laws:</b></p> <ul style="list-style-type: none"> <li>• Law on Access to Information</li> <li>• Law on Duties and Obligations of Electoral Complaints Commission</li> <li>• Inter-American Mode Law on Access to Information</li> <li>• Law on Rallies, Strikes and Demonstrations</li> <li>• Law on Associations</li> <li>• Law on Afghan National Standards</li> <li>• Law on Administrative Taxation</li> <li>• Law on Kyoto Protocol</li> <li>• Some parts of the Law on Class Activities of Nigeria</li> <li>• Law on Crime Accomplice and Spreading Rumors between Armed Forces</li> <li>• Some parts of the Law on Medical Insurance and Provision of Sound Working Environment for Workers in Egypt</li> <li>• Law on Association of Police Union in Advanced Countries</li> </ul> |          |



| 2014 Baseline | 2014 Annual Targets | Q1 2014 Planned | Q1 2014 Actual                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | Comments |
|---------------|---------------------|-----------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------|
|               |                     |                 | <p><b><i>Presentations:</i></b></p> <ul style="list-style-type: none"> <li>• Presentation of Developing Projects in Afghanistan</li> <li>• Presentation on Juveniles Marriage Rights</li> <li>• Presentation on Analysis of Gender Impacts</li> <li>• Presentation on Law drafting Procedure</li> </ul> <p><b><i>Regulations:</i></b></p> <ul style="list-style-type: none"> <li>• Regulation on Legal Aid</li> <li>• Legislation Dominant on Regulations</li> <li>• Regulation on Registration of Associations</li> <li>• Regulation on amendments and repeals of some articles of civil servants' pension rights</li> </ul> <p><b><i>Agreements:</i></b></p> <ul style="list-style-type: none"> <li>• Cooperative Agreement between Afghanistan and Malaysia</li> <li>• Strategic Agreement between Afghanistan and Denmark</li> <li>• 30 miscellaneous documents</li> </ul> <p><b><i>Interpretation:</i></b></p> <ul style="list-style-type: none"> <li>• Inauguration of Taqin Library of his Excellency Minister of Justice</li> <li>• Discussion on CPC Article 26 between ambassadors and the deputy minister</li> <li>• Discussion on CPC with MoJ Deputy Minister, Directors and officials and UNAMA representative</li> <li>• Discussion on CPC with MoJ Minister, Directors and officials and UN/Embassy representatives</li> <li>• Fifteen full-day trainings on legislative drafting processes</li> <li>• International treaties</li> </ul> |          |

| 2014 Baseline                                                           | 2014 Annual Targets                                        | Q1 2014 Planned                                                                                                                                                              | Q1 2014 Actual                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | Comments |
|-------------------------------------------------------------------------|------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------|
|                                                                         |                                                            | Establish business process to ensure laws entering Taqin are reviewed by HRSU on human rights compliance when relevant to human rights.                                      | <ul style="list-style-type: none"> <li>The Minister of Justice issued a letter of instruction requiring the Taqin to provide all new legislation to HRSU for review for comments.</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |          |
| 1.4 HRSU reviewed 10% of documents in the legislative calendar in 1392. | 1.4 25% of laws drafted by the Taqin are reviewed by HRSU. | Increase coordination between HRSU and the Taqin through engagement on the Executive Committee and trainings to ministerial legal focal points.                              | <ul style="list-style-type: none"> <li>The unit reviewed the following legislation for compliance with the ICCPR: <ul style="list-style-type: none"> <li>Targets 1 and 4 of the Strategy on Culture, Media and Youth</li> <li>Law on Populations</li> <li>Law on the Rights of Inventor and Discoverer</li> <li>Law on Women's Shelters</li> <li>Strategy on Commerce and Industry</li> <li>Law on Authorities of the AGO</li> <li>Law on Rights of the Artist</li> <li>Law on Interim Criminal Procedure Code</li> <li>Law on Education</li> </ul> </li> <li>HRSU is supporting the expert team drafting the Child Act, which will coordinate with Taqin on legal issues when necessary.</li> <li>New legislative drafting and analysis template developed for uniform adoption between HRSU and Taqin (neither currently use a standard template).</li> </ul> |          |
|                                                                         |                                                            | Support Taqin and HRSU in the organization of trainings in law-making and law-making processes for Government officials and legislators as relevant to legislative calendar. | <ul style="list-style-type: none"> <li>Two HRSU Legal Affairs staff attended the three-week training on legislative drafting held at the MoJ, facilitated by JHRA and conducted by Jindal Global Law School.</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |          |
|                                                                         |                                                            | Facilitate the adoption of the Regulation on HRSU and sensitisation of Ministries.                                                                                           | <ul style="list-style-type: none"> <li>The HRSU Regulation has been submitted to the Council of Ministers and referred to the Legislation Committee for review.</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |          |

| 2014 Baseline | 2014 Annual Targets | Q1 2014 Planned                                                                                                                     | Q1 2014 Actual                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | Comments |
|---------------|---------------------|-------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------|
|               |                     | Support the HRSU in provision of technical support to MoFA to develop and submit State Reports on the UNCAT/ICCPR and UN Res. 1325. | <ul style="list-style-type: none"> <li>• HRSU coordinated with MoFA to process the UPR 178 recommendations, and lead discussions on the 34 recommendations requiring a State response.</li> <li>• HRSU conducted a conference with MoFA to introduce and prioritize the CEDAW recommendations with 0 government officials (30 M, 20 F) on 5 February.</li> <li>• HRSU provided MoFA with responses to 35 questions of 50 UPR questions in preparation for their defense.</li> <li>• HRSU finalized its analysis of national legislation and UNCAT obligations in response to UNCAT Committee questions for MoFA.</li> <li>• HRSU released an analysis of initial progress by the State towards recommendations included in the RAP, and discussed these in an inter-ministerial meeting on human rights recommendations.</li> </ul> |          |
|               |                     | Human rights trainings held through key focal points, with particular focus on MoI, AGO, NDS.                                       | <ul style="list-style-type: none"> <li>• HRSU conducted a three-day workshop on NAPWA reporting for 23 MoJ staff (14 M, 9 F) from 27-29 January.</li> <li>• HRSU facilitated two full-day human rights workshops conducted for 32 NDS staff (32 M) 22 January and 17 February.</li> <li>• HRSU facilitated a training on "Human Rights and the HRBA in the MoE Policy and Strategy" for 25 MoE and MoWA (3 M, 22 F) on 3 January at the request of GiZ.</li> <li>• HRSU initiated an evaluation of the impact of its human rights workshop conducted for 20 IARCSC staff, which was held on 1-2 October 2013.</li> <li>• HRSU conducted a two-day initiation session with 18 MoI staff (10 M, 1 F) on to kick off a long-term training to follow up on international recommendations.</li> </ul>                                    |          |

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

Output 2 aims to enhance the Afghan public's access to quality justice services through the improvement and provision of legal representation, strengthening of coordination between State and non-State justice providers, and increasing the number and capacity of trained justice officials at the sub-national level. This output supports NPP 5 component 3 ("Increasing meaningful access to justice") and component 4 ("Building institutional capacity to strengthen justice delivery"), and includes working with the service providers of the justice institutions – courts, prosecutors' offices, ERAW Units, *Huquq* Departments, Family Response Units, AIBA chapters, and NLTCs.

Overall this component is mandated to provide services to vulnerable people. In 2013, the key procedures and mechanisms for expanding the services of State justice providers to communities were identified and established through the LAGF, and the State and traditional justice platforms. It is expected that in 2014 these mechanisms will provide actual services to the Afghan people through expanded and expedited legal services.

### 2.1. Establish independent Legal Aid Grant Facility and supporting mechanisms.

*Indicator 2.1: Number of cases supported through the Legal Aid Grant Facility disaggregated by criminal, civil, detention and women's cases.*

The annual target for Activity Result 2.1 is "400 cases and instances of legal advice provided through the Legal Aid Grant Facility." In Q1, the Committee was established with membership from AIBA, Legal Aid Department, civil society (Da Qanoon Gushtonky), which has defined eligibility for legal aid subsidy, identified the payment process, and developed training procedures. This committee has also set the targets for 2014 at 400, which has been included in the work plan and communicated within their institutions.

The LAGF has initiated outreach through AIBA to key justice officials in Herat, Nangarhar and Kabul. This mechanism provides a channel for training and case support which will bring the State in closer contact with Afghanistan's most vulnerable groups. To ensure that this engagement is effective in building the public's trust, and the State's relationship with the public, trainings have commenced to educate prosecutors, lawyers, judges and police on a common understanding of criminal procedures and the implications of ERAW policies.

As the project awaits the signing of the LoA for the LAGF in Q1, which is under final review by AIBA and the MoJ, it has nonetheless proceeded with capacity development initiatives for AIBA-registered lawyers. In Q1, JHRA and the regional AIBA office in Herat conducted a workshop for all interested AIBA-registered lawyers on basic legal skills. The workshop was opened with a half-day introduction to the LAGF and procedures for initiating casework under the facility, followed by training on the Interim Criminal Procedure Code, Skills of Advocacy and Defense Ethics. These topics were recommended by the Education Unit of the AIBA, which had conducted a needs assessment on the lawyers and requested specific skills-building trainings. The training provided an excellent opportunity for the technical development of lawyers in Herat, as 25 percent of attendees were within their first year of work, while almost 70 percent had been professional lawyers for less than five years. They indicated that trainings in fundamental knowledge and skills was important for them to build their ability to represent clients.

JHRA facilitated three orientation meetings on LAGF with AIBA lawyers together with representatives from FRUs, CPD, MoWA and GEP in Nangarhar, Herat and Balkh. As the primary focus of support through the LAGF is for women and children in civil cases, and all vulnerable groups in criminal cases, attention needs to be paid to fostering a common understanding among government agencies most involved in receiving complaints and cases. Encouraging coordination between frontline government institutions, particularly the FRUs, which are the first to receive complaints concerning domestic violence affecting women and children through the police, and CPD, which can refer cases of prolonged pre-trial detention, is essential to ensuring the LAGF meets its purpose. These orientations will be followed up with similar sessions that present the LAGF priorities, and provide ongoing skills trainings to participants with an aim to build a stronger sense of unity among rule of law officials in each region.

## **2.2. Consolidate communication and coordination between State and non-State justice providers at provincial and district levels.**

*Indicator 2.2: District-level mechanisms held that include State and traditional justice providers.*

The annual target for Activity Result 2.2 is “mechanisms for coordination of cases between State and non-State justice providers at district levels established in 10 districts”. Coordination was fostered between State and non-State justice providers through orientation sessions in which the State’s obligations in the field of justice were explained and the requirements expected from community leaders explored. This provides a factual basis from which a proper method to filter types of cases can be established. The evidences from the communities generated through these sessions were discussed with Dr. Ali Wardak (further referenced in 3.1.2 below), and will also inform his study on the boundaries for engagement with the informal sector. This study should be released in Q3, and will then be used to support policy reform and the establishment of mechanisms. This activity result is therefore on track.

In 2013, JHRA worked with the provincial governor’s office to identify districts and hold initial introductions with community leaders in the target provinces. Through these sessions, key community influencers were identified and invited in January to a JHRA-supported workshop for State and non-State actors in Herat, with representatives joining from Badghis and Ghor. The workshop broke participants into groups to discuss the guidance they would need to create solid systems for the delivery of justice through both formal and informal systems, or either. The participants discussed how to ensure shuras/jirgas are fully in line with both Sharia, human rights, and the law; how they could then be fully recognized, what sort of legislation could be developed to provide appropriate guidance; and how jurisdiction could be split. The workshop was hosted by Dr. Ali Wardak, a JHRA consultant, who will factor the discussions into his broader research on boundaries within which traditional justice mechanisms can be utilized for civil matters.

Further data collection on existing systems and current transfer of cases between informal and State justice providers in Herat is pending due to restricted security leading up to the Presidential elections and the resignation of Herat Regional coordinator. Many districts have become unreachable over the last few months, and project oversight has been difficult. To counter this challenge, JHRA staff based in Kabul have made regular trips to Herat to ensure programming continues until the new Regional Coordinator comes on board in Q2.

### **2.3. Enhance the professional capacity of State Justice service providers (including respect for due process).**

*Indicator 2.3: No. of National Legal Training Center (NLTC) chapters.*

Activity Result 2.3 has two annual targets: 1) "One report on existing curricula for judges, prosecutors and Huquq officials mapped," and 2) "One MoU on NLTC signed and one NLTC in Herat established." Both remain on track for completion within 2014.

Based on trainings provided to prosecutors, Criminal Investigation Department and ERAW officials in 2013, JHRA, in partnership with the AGO and the ERAW Unit in Kabul, organized a peer-to-peer learning and information sharing workshop hosted by the Herat ERAW Unit/Prosecutors' Office. The workshop brought together ERAW prosecutors from Balkh, Nangarhar and Kabul ERAW Units to share experiences and discuss best practices exhibited by the Herat ERAW Unit. This workshop followed up on findings in the ERAW needs and performance assessment supported by JHRA in 2013, which indicated that the Herat ERAW Unit demonstrated many practices for investigation and case management that could be replicated in other provinces. Participating ERAW prosecutors were able to explore ways of improving their performance using the Herat ERAW Unit experience.

The report resulting from the ERAW assessment conducted by JHRA in July 2013, has been reviewed by the government, and key recommendations put forward in that report have been endorsed. In particular, the AGO has identified mediation as the best tool for addressing gender-based violence, and should be incorporated by ERAW Units in coordination with civil society and other government actors. The second is the creation of special courts, which will have specially trained judges to preside over all cases involving violence against women. These will be established through coordination between the AGO and the Supreme Court.

JHRA is working with the Ministry of Higher Education and the law faculty in Herat on a pilot basis to support the expansion of the Kabul NLTC model, and to ultimately increase the number of qualified officials available to justice institutions. One lead consultant and one national consultant are being recruited to develop the MoU for the establishment of the NLTC in Herat University. The lead consultant will undertake a study of the NLTC in Kabul, design a plan for the establishment of an NLTC in Herat, develop a detailed curriculum for short-term courses for justice officials, a detailed schedule of trainings to be undertaken, and a list of potential partners to start the regional NLTC. These consultants should be on board in Q2.

JHRA reorganized its training curriculum with UNODC to include sessions on the Criminal Procedure Code once the Official Gazette is released. These trainings will be provided in mixed sessions to judges, prosecutors and *Huquq* officials within an expanded geographic scope to include Balkh, Herat, Nangarhar, Badghis, Farah and Helmand provinces.

### **EXPENSES FOR THE YEAR**

During Q1 2014, a total of USD 139,788 was spent for this output. For more details, please see Annex 2.

**Table 2: 2013 Progress for Output 2**

| 2014 Baseline                                                                                                       | 2014 Annual Targets                                                                         | Q1 2014 Planned                                                                                                                                                                                                                                                                    | Q1 2014 Actual                                                                                                                                                                                                                                                                                                                                                                                     | Comments                                                                                                           |
|---------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------|
| 2.1 Legal Aid Grant<br>Facility procedures are in place, but no cases have yet been processed through the facility. | 2.1. 400 cases and instances of legal advice provided through the Legal Aid Grant Facility. | Design capacity development plan and implement together with AIBA to initiate taking up legal aid cases by the AIBA registered lawyers.                                                                                                                                            | <ul style="list-style-type: none"> <li>Initiated development of capacity development plan with the AIBA Education Committee.</li> <li>Parameters for prioritization of legal aid cases under the LAGF finalized and endorsed by the Minister of Justice, AIBA President and UNDP/JHRA CTA in February.</li> </ul>                                                                                  | <ul style="list-style-type: none"> <li>Will commence after the extension of the existing LoA with AIBA.</li> </ul> |
|                                                                                                                     |                                                                                             | Training and workshop s for AIBA Lawyers in Herat, Badghis, Ghor on due process.                                                                                                                                                                                                   | <ul style="list-style-type: none"> <li>AIBA Herat conducted a five-day training on Criminal Procedure Code, Skills of Advocacy and Defense Ethics from 19-23 January 2014 in Herat province. Twenty-eight registered lawyers (11 M, 17 F) attended, eight from the LAD and 20 independent lawyers from legal clinics and NGOs (Da Qanoon Gushtonkey, Modical Mondial, WASA, Neday Zan).</li> </ul> | <ul style="list-style-type: none"> <li></li> </ul>                                                                 |
|                                                                                                                     |                                                                                             | Training and workshops for AIBA Lawyers in Ghor and Badghis on due process.                                                                                                                                                                                                        | <ul style="list-style-type: none"> <li></li> </ul>                                                                                                                                                                                                                                                                                                                                                 | <ul style="list-style-type: none"> <li>Will commence after the extension of the existing LoA with AIBA.</li> </ul> |
|                                                                                                                     |                                                                                             | Support AIBA in registration of cases taken up by AIBA Herat Lawyers provides (Honoraria for legal aid cases registered with Lawyers).                                                                                                                                             | <ul style="list-style-type: none"> <li></li> </ul>                                                                                                                                                                                                                                                                                                                                                 | <ul style="list-style-type: none"> <li>Will commence after the extension of the existing LoA with AIBA.</li> </ul> |
|                                                                                                                     |                                                                                             | Establishment of Helmand AIBA office.                                                                                                                                                                                                                                              | <ul style="list-style-type: none"> <li>UNDP established an office in Helmand and hired a national coordinator for activities in the province. Discussions are ongoing with AIBA and LAGF stakeholders concerning the establishment of the AIBA office in Helmand.</li> </ul>                                                                                                                       | <ul style="list-style-type: none"> <li>Will commence after the extension of the existing LoA with AIBA.</li> </ul> |
|                                                                                                                     |                                                                                             | Support AIBA lawyers and legal aid providers in taking up and processing cases financed by the legal aid grant facility, including cases from Huquq and the labor commission, DoWA, DoJ, EVAW units, Health Centres, Legal Help centers, 119, Women's network, Shelters, detention | <ul style="list-style-type: none"> <li>Three orientation meetings held in Kabul (23 M, 5 F), Herat (10 M, 13 F) and Nangarhar (19 M, 9 F) for AIBA lawyers and Mol (CPD), MoWA and UNDP/GEP representatives. The orientation meetings introduced participants to the LAGF and the guidelines for applying for cases.</li> </ul>                                                                    | <ul style="list-style-type: none"> <li></li> </ul>                                                                 |

| 2014 Baseline                                                                             | 2014 Annual Targets                                                                                                                    | Q1 2014 Planned                                                                                                                                                                                                                        | Q1 2014 Actual                                                                                                                                                                                                                                                                                                                       | Comments                                                                                                                     |
|-------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------|
|                                                                                           |                                                                                                                                        | centers, prison and Ministry of Labour. (Capacity Development trainings & orientation meetings for Legal Aid Lawyers to be undertaken).                                                                                                |                                                                                                                                                                                                                                                                                                                                      |                                                                                                                              |
|                                                                                           |                                                                                                                                        | Facilitate establishment or enhancement of Legal Clinic at Herat University through Legal AID Grant Facility and Trainings.                                                                                                            | <ul style="list-style-type: none"> <li>Discussions with the Head of Legal Clinic Herat for the establishment of legal clinics at Herat University have been undertaken and agreement on additional trainings for law and Sharia students have been agreed upon.</li> </ul>                                                           | <ul style="list-style-type: none"> <li>Trainings will commence after the extension of the existing LoA with AIBA.</li> </ul> |
|                                                                                           |                                                                                                                                        | Facilitate establishment or enhancement of Legal Clinic at Helmand University through Legal AID Grant Facility and Trainings.                                                                                                          |                                                                                                                                                                                                                                                                                                                                      | <ul style="list-style-type: none"> <li>To be undertaken by new regional coordinator in Q2.</li> </ul>                        |
|                                                                                           |                                                                                                                                        | Facilitate communication flow from AIBA-MoJ-LAB on issues on policy and law-making processes.                                                                                                                                          |                                                                                                                                                                                                                                                                                                                                      | <ul style="list-style-type: none"> <li>Lessons from pilot will inform policy and law making processes.</li> </ul>            |
| 2.2 No mechanisms available that link State and traditional justice systems are in place. | 2.2 Mechanisms for coordination of cases between State and non-State justice providers at district levels established in 10 districts. | Identify provincial and district level consultation platforms, such as Police-e- Mardumi, DDA, CPANS that could serve as platforms to coordinate with State and non-State Justice providers on community justice and security matters. | <ul style="list-style-type: none"> <li></li> </ul>                                                                                                                                                                                                                                                                                   | <ul style="list-style-type: none"> <li>Attributed to the two-day coordination workshop on 29-30 January</li> </ul>           |
|                                                                                           |                                                                                                                                        | Facilitate mechanism to ensure coordination and enhanced flow of cases from State to non-State justice institutions and increased information flow between the justice and security sectors in Herat.                                  | <ul style="list-style-type: none"> <li>Data on case flow between State and non-State justice providers was collected in all 5 districts of Nangarhar.</li> </ul>                                                                                                                                                                     | <ul style="list-style-type: none"> <li></li> </ul>                                                                           |
|                                                                                           |                                                                                                                                        | Undertake 5 coordination meetings and 5 trainings with State and non-State actors at district level in Helmand & Herat province to identify local level disputes and provide necessary referral services (trainings and                | <ul style="list-style-type: none"> <li>JHRA conducted a two-day coordination meeting for 160 participants (156 M, 4 F) from the AGO, provincial/district courts, police, Huquq Department, DDAs, Ulema Shura and CDC from all 15 districts of Herat as well as DoJ officials from Badghis and Ghor held on 29-30 January.</li> </ul> | <ul style="list-style-type: none"> <li></li> </ul>                                                                           |



| 2014 Baseline                                    | 2014 Annual Targets                                                                                                                                                                         | Q1 2014 Planned                                                                                                                                                                                                                                        | Q1 2014 Actual                                                                                                                                                                                                                                | Comments                                                                                                                                                           |
|--------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|                                                  |                                                                                                                                                                                             | workshops).                                                                                                                                                                                                                                            |                                                                                                                                                                                                                                               |                                                                                                                                                                    |
| 2.3 One NLTC chapter exists in Kabul University. | 2.3.1 One report on existing curricula for judges, prosecutors and Huquq officials mapped.<br>2.3.2 One Memorandum of Understanding (MoU) on NLTC signed and one NLTC in Herat established. | Support the establishment of NLTC chapter in Herat Law Faculty. Under take assessment of training modules and develop MoU.                                                                                                                             | • Lead Consultant and the National Consultant for NLTC identified and both positions should start in Q2.                                                                                                                                      | •                                                                                                                                                                  |
|                                                  |                                                                                                                                                                                             | Undertake trainings for FRU and Prosecutors.                                                                                                                                                                                                           | • Discussions held with LOTFA on a new training for FRU and prosecutors to better address their needs. The training has been approved by JHRA and shared with LOTFA and EUPOL.                                                                | •                                                                                                                                                                  |
|                                                  |                                                                                                                                                                                             | Undertake joint trainings for prosecutors, police and Huquq, judges by UNODC in Herat, Ghor, Badghis.                                                                                                                                                  | • One three-day training on "Code of Conduct and Investigation Principles" (developed by UNODC) held on 10-12 March for 17 prosecutors, judges and legal aid providers (17 M) in Nangarhar Province in the Jalalabad city.                    | •                                                                                                                                                                  |
|                                                  |                                                                                                                                                                                             | Undertake joint trainings for prosecutors, police by EUPOL for Herat, Ghor, Badghis.                                                                                                                                                                   | • Discussions with LOTFA ongoing for a six-month police/prosecutor training package.                                                                                                                                                          | •                                                                                                                                                                  |
|                                                  |                                                                                                                                                                                             | Facilitate Afghan-delivered training for State and non-State justice providers on legal topics (ex. Human Rights, Fair Trial Standards, Police/Prosecutor/Judicial Corporation, Family Law, Land Law, Criminal Law and Procedure) in Helmand Province. |                                                                                                                                                                                                                                               | • This activity is reliant on the recruitment of Regional Coordinator for Helmand. The recruitment is at its final stage, the RC is expected to be on board in Q2. |
|                                                  |                                                                                                                                                                                             | Implement capacity development plan for to support the EVAW units & advocacy for Herat special court.                                                                                                                                                  | • Two-day peer-to-peer workshop held for 100 EVAW Unit representatives (60 M, 40 F) of Herat, Kabul, Balkh and Nangarhar on 27-28 January. Participants shared experiences from across the country, with emphasis on best practices in Herat. | •                                                                                                                                                                  |

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

Output 3 focuses on strengthening the ability of Afghan citizens to understand, engage with and influence the State justice system through the promotion of legal literacy, civic education, and policy development, largely through and for civil society. This output supports Components 1 and 3 of NPP 5, which focus on “improving the legislative process” and “increasing meaningful access to justice” respectively, and will work primarily with the MoJ PLAU, AIHRC, CSOs, media and think tanks.

#### **3.1 Facilitate national discussions and policy dialogues on socio-economic rights and community dispute resolution mechanisms.**

The annual target for this Activity Result is “policy paper adopted by TCC.” As the initial draft of a policy paper has already been submitted to the TCC for review and feedback, this activity is well on track to meet this target.

*Indicator 3.1.1: Number of policy documents on business and labour rights adopted by Technical Coordination Committees for municipal coordination.*

JHRA provided technical and advisory support to the Kabul Municipality to convene a technical coordination committee (TCC) on street vendors. The meeting was attended by State and non-State officials, including representatives from MoWA; Ministry of Labor, Social Affairs, Martyrs and the Disabled (MoLSAMD); General Directorate of Municipal Affairs; Afghan National Labor Union; Kabul Municipality Legal Department and Office of Markets Control; and MoJ. To build the capacity of street vendors, a half-day meeting was held to analyse the issues faced by street vendors, and provide a forum to give street vendors a voice in discussions focused on increasing the legal protection provided to them. JHRA also released an informational brochure which highlights the key rights and responsibilities of street vendors and the authorities they encounter, to ensure that complaints are justified and can be properly processed. This was endorsed in the second TCC meeting.

JHRA provided technical and advisory support for the finalization of a policy paper on street vendors based on feedback collected from representatives of Kabul Municipality, MoLSAMD, MoWA, General Directorate of Municipal Affairs, Afghan National Labor Union, and Kabul Municipality Legal Department and Office of Markets Control. The Deputy Mayor of Kabul chaired two TCCs to discuss the content of the policy paper, which includes best practices and experiences from other countries on street vendor-related policies. This forum agreed that the policy paper will be presented at a National Consultation on Street Vendors with mayors in Q2.

JHRA has also advocated for the improvement of the legal framework to provide street vendors with better legal guarantees. The project met with the Director of the Taqnin Department to encourage the inclusion of street vendor-related laws in the 2014 legislative calendar. It is expected that the calendar will be finalized after the elections at the end of Q2.

*Indicator 3.1.2: Availability of research-based advocacy report.*

Following a series of Community-Based Dispute Resolution (CBDR) workshops undertaken in 2013, and to respond to needs raised by relevant formal and traditional justice actors, in Q1 JHRA supported a study on the

boundaries within which traditional justice mechanisms can be utilized for civil matters, conducted by Dr. Ali Wardak, and done in coordination with the MoJ Huquq Department. The research consists of a literature review on the linkages between State and non-State actors, including the 2009 draft Policy and Law on Shuras and Jirgas, as well as other relevant materials on the subject.

The study also includes quantitative and qualitative data collected through a series of bilateral interviews with formal and traditional justice actors in Nangarhar, Herat, Balkh and Kandahar. During the field missions, Dr. Wardak spoke with justice officials on existing mechanisms for cooperation to connect State with non-State justice actors, and possible legal or policy options that could enhance coordination between the two systems. In addition, a two-day workshop on ADR mechanisms, including CBDR, was conducted in Herat. This workshop boosted participant's knowledge about the role and mandate of the formal justice sector, as well as referral mechanisms to traditional justice actors for the mediation, arbitration and resolution of civil disputes. Furthermore, it proved an important forum to gather participants' views and opinions on the formulation of policy and legal options aiming at the strengthening of cooperation between the two justice systems.

The final report resulting from this study will be shared with government through a National Workshop, to be held after the election period. The goal is to invite representatives from the new government to ensure national ownership of the research recommendations to be implemented, as well as political will to develop cooperation mechanisms between the two justice systems.

### **3.2 Increase advocacy and monitoring capacity of CSOs, media, think-tanks and the AIHRC**

*Indicator 3.2: AIHRC Strategic Plan 2014-2019 developed.*

The annual target for Activity Result 3.2 is "AIHRC Strategic Plan 2014-2019 finalised."<sup>2</sup> As the initial draft of the plan has already been completed and submitted to UNDP and AIHRC for feedback, this annual target is likely to be achieved early.

To strengthen AIHRC's strategic positioning, JHRA supported the recruitment of a consultant to assist the Commission in developing its 2014-2018 Strategic Plan. The JHRA-funded consultant is also taking active part in the identification of the main outcomes and priority areas that the Strategic Plan will address during the next four years, and consulting with those involved in the promotion, protection and fulfillment of human rights in Afghanistan. The initial targets of the Strategic Plan were shared in a Strategic Plan Consultation Workshop on 4 March, which was attended by representatives from the national government, international community, media, youth groups and NGOs from Kabul and central region provinces.

TO support the Commission's ability to provide substantive inputs to this process, JHRA delivered a two-day training on HRBA for development cooperation. This training included participants from the MoJ, AIHRC, and NGOs representatives, and focused on human rights protection mechanisms, international law, human rights-based assessments, rights-based monitoring and evaluation techniques, and results-based management. As a result of this training, all participants committed to align their development interventions with the realization

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<sup>2</sup> Please note that AIHRC has changed the timeline for this Strategic Plan from five years to four. This change will be reflected in the AWP when revised.

of human rights, as laid out in the national legal framework, the principles in Islamic jurisprudence and the international human rights instruments ratified by Afghanistan. The takeaways from this session will be incorporated into the Strategic Plan.

To encourage inputs from stakeholders outside of Central Region, JHRA also supported a field mission to Kandahar to consult with local stakeholders, including the provincial AIHRC office, members of the provincial council, community leaders, NGOs, women's and youth groups, and local government officials from Kandahar, Helmand, Uruzgan and Zabul provinces.

In Q1, JHRA facilitated discussions between the AIHRC and the Philippines Human Rights Commission on possible collaboration in different but inter-related areas such as human rights monitoring, human rights reporting, investigation techniques, strategic planning process, and development of human rights training curricula. Possible options for coordination are being finalized and are included in a concept note for partnership which was shared with both Commissions for their comments and finalization.

As an additional watchdog mechanism, JHRA has been developing a network of CSOs to promote learning and coordination on human rights. Trainings on HRBA and public legal awareness have been provided to 54 NGOs, and a network has been established to coordinate with AIHRC on key issues. Specific areas for this engagement are being identified through the 2014-2018 Strategic Plan.

### **3.3 Strengthen the public's awareness of human rights and the role of the justice system through the MoJ Legal Awareness Unit and media institutions.**

*Indicator 3.3: Number of products produced that inform the communication strategy for MoJ PLAU.*

The annual target for Activity Result 3.3 is "Communications strategy for MOJ developed and implemented by MoJ PLAU." All background research to support the development of this strategy has been collected (some collection will be continued on an ongoing basis), and facilitated sessions to develop the communications strategy with the PLAU and Lapis have commenced. This activity is on target.

With JHRA technical and financial support, a Detailed Assessment of Media Service Providers has been undertaken in the provinces of Kabul, Herat, Nangarhar and Balkh to assist with the formulation of the MoJ Communication Strategy. The assessment focuses on how justice and human rights messages are conveyed in the target provinces by the media, and analyzes the type of human rights issues predominant in the media as well as challenges faced by the media in reporting on these topics. A draft of the assessment was presented to the Director of the MoJ LAD and former Head of the PLAU. The comments provided by them have also contributed to the finalization of this report, which will be presented and discussed at the next Public Legal Awareness Coordination Committee scheduled for Q2. The insights generated by this survey will also be incorporated into the RoLIS as guiding information for indicators.

Based on the results of the Media Assessment and Public Perception Survey, JHRA provided technical support to the PLAU in the formulation of the MoJ Communication Strategy. This strategy is meant to be a practical tool to guide the MoJ in the implementation of its Legal Awareness Strategy and in its engagement with other State institutions, NGOs and media actors. A series of working groups with State and non-State partners – including

representatives of the MoJ, Ministry of Information and Culture, Ministry of Higher Education, MoI, AGO, Supreme Court, and selected NGOs – took place between January and February to develop a SWOT (Strengths / Weaknesses / Opportunities / Threats) analysis for the formulation of the strategy.

Following the request by the late Minister of Justice, JHRA provided advisory support to the MoJ PLAU and Taqin Department in January for the formulation of a regulation aiming at institutionalizing the Public Legal Awareness Coordination Committee. In the same month, JHRA supported the MoJ in collecting and analyzing data and inputs received by line ministries proposed for membership on the Committee. To ensure the Committee also reflects the voice and expectations of non-State actors, JHRA facilitated a training (mentioned in 3.2) on public legal awareness for both PLAU and NGO representatives. During this meeting, NGOs provided nine main recommendations and inputs to be reflected in the finalization of the Public Legal Awareness Coordination Committee regulation. The key issues include ensuring that the State allocates sufficient budget for PLA interventions, developing a robust M&E system to assess impact, including CSO representatives and international partners on the Committee, selecting CSO representatives from umbrella organizations and ensuring they have relevant knowledge and programme and policy experience. A report of the meeting with these findings was prepared by PLAU with JHRA support and submitted to the late Minister and the MoJ Taqin Department for their consideration.

#### **EXPENSES FOR THE YEAR**

During Q1 2014, a total of USD 178,307 was spent for this output. For more details, please see Annex 2.

**Table 3: Q1 2014 Progress for Output 3**

| 2014 Baseline                                                                                                                                                                                               | 2014 Annual Targets                                                                                                             | Q1 2014 Planned                                                                                                                                                                                                                                                                            | Q1 2014 Actual                                                                                                                                                                                                                                                                                    | Comments |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------|
| <p>3.1.1 Technical Coordination Committee established in Kabul. No policy on street vendor rights.</p> <p>3.1.2 No national policy or legislation on State/non-State cooperation in the justice sector.</p> | <p>3.1.1 Policy paper adopted by Technical Coordination Committee.</p>                                                          | Assess boundaries within which traditional dispute resolution mechanisms can be utilized for civil matters.                                                                                                                                                                                | <ul style="list-style-type: none"> <li>Literature review on TDR mechanisms completed and bilateral interviews with undertaken in Nangarhar, Herat, Balkh, Kandahar and Kabul.</li> <li>Data collected from the interviews are being analyzed to inform a preliminary report due in Q2.</li> </ul> |          |
|                                                                                                                                                                                                             |                                                                                                                                 | Channel experiences and lessons learned on dispute resolution mechanisms from the Helmand CBDR workshops and DCC/JSC model into national level policy discussions.                                                                                                                         | <ul style="list-style-type: none"> <li>A field mission in Kandahar was undertaken on 15-20 March to gather inputs and views from formal and traditional justice officials for the formulation of policy and legal options to enhance cooperation between the two justice systems.</li> </ul>      |          |
|                                                                                                                                                                                                             | <p>3.1.2 One research based advocacy report on alternative dispute resolution mechanisms focusing on civil cases finalised.</p> | Provide technical and advisory support to relevant stakeholders (Municipalities, representatives of line ministries, street vendors associations) in the strengthening of the national legal framework and formulation of policies to improve socio-economic conditions of street vendors. | <ul style="list-style-type: none"> <li>A draft policy paper on street vendors has been finalized with inputs received by relevant stakeholders.</li> </ul>                                                                                                                                        |          |
|                                                                                                                                                                                                             |                                                                                                                                 | Support Kabul Municipality in the organization of a National Discussion Workshop on draft National Policy for Street Vendors including stakeholders from all urban areas in Afghanistan.                                                                                                   | <ul style="list-style-type: none"> <li>All technical and logistical arrangements were made for the National Discussion Workshop, however the event had to be postponed until after elections due to the perceived volatility of the security environment by national counterparts.</li> </ul>     |          |
|                                                                                                                                                                                                             |                                                                                                                                 | Support Taqin Department in the inclusion of street vendors related laws in the 2014 legislative calendar and engagement with relevant MPs in preparation for having a national legislation on street vendors.                                                                             | <ul style="list-style-type: none"> <li>Regular discussions with the Taqin Department have taken place to advocate for the inclusion of street vendor-related laws in the 1393 legislative calendar.</li> </ul>                                                                                    |          |
|                                                                                                                                                                                                             |                                                                                                                                 | Ensure regular assistance for the organizations of regular TCC meetings for street vendors, anchored to the Municipalities of Kabul and Herat.                                                                                                                                             | <ul style="list-style-type: none"> <li>JHRA supported two TCC meetings convened by the Kabul Municipality on 2 February for 8 participants (7 M, 1 F) and 19 February for 10 participants (9 M, 1 F).</li> </ul>                                                                                  |          |

| 2014 Baseline                                                                                   | 2014 Annual Targets                           | Q1 2014 Planned                                                                                                                                                                                                      | Q1 2014 Actual                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | Comments |
|-------------------------------------------------------------------------------------------------|-----------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------|
|                                                                                                 |                                               |                                                                                                                                                                                                                      | <ul style="list-style-type: none"> <li>JHRA published 300 copies of a brochure on street vendor rights and responsibilities.</li> </ul>                                                                                                                                                                                                                                                                                                                                                                 |          |
|                                                                                                 |                                               | Undertake survey for generating further statistical data on street vendors in Kabul.                                                                                                                                 |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |          |
| 3.2 Capacity Assessment conducted in 2011, Action Plan finalized in 2013. No strategy in place. | 3.2 AIHRC Strategic Plan 2014-2019 finalised. | Facilitate AIHRC partnerships with other NHRIs in the Asia-Pacific region, such as Philippines, on knowledge transfer on human rights education.                                                                     | <ul style="list-style-type: none"> <li>Contact with the Philippines Human Rights Commission established with JHRA support.</li> <li>A concept note for a study tour to Manila prepared by AIHRC and JHRA.</li> </ul>                                                                                                                                                                                                                                                                                    |          |
|                                                                                                 |                                               | Provide technical and advisory support for the formulation of the AIHRC Strategic Plan.                                                                                                                              | <ul style="list-style-type: none"> <li>National consultant to support the formulation of the AIHRC Strategic Plan recruited.</li> <li>Strategic Plan Consultation Workshop held by AIHRC on 4 March and attended by more than 120 participants</li> <li>AIHRC field mission to Kandahar to consult local authorities and human rights actors in the formulation of the Strategic Plan on 15-17 March.</li> <li>Main Strategic Plan outcomes identified with JHRA technical advisory support.</li> </ul> |          |
|                                                                                                 |                                               | Provide technical and financial support to AIHRC to engage with targeted community radio stations and broadcast relevant human rights messages on right to vote.                                                     | <ul style="list-style-type: none"> <li>Initial list of local radio stations working in Kabul, Nangarhar, Balkh and Kandahar developed for further engagement with AIHRC in broadcasting human rights messages.</li> </ul>                                                                                                                                                                                                                                                                               |          |
|                                                                                                 |                                               | Provide technical and financial assistance to AIHRC to attend UPR review.                                                                                                                                            |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |          |
|                                                                                                 |                                               | Provide technical and advisory support to AIHRC in the establishment of a Human Rights Training Centre to serve as a centre of excellence in developing human rights knowledge among justice officials and students. |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |          |

| 2014 Baseline                                                                                                     | 2014 Annual Targets                                                        | Q1 2014 Planned                                                                                                                                                                                                                         | Q1 2014 Actual                                                                                                                                                                                                                                                                                                                                                               | Comments |
|-------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------|
|                                                                                                                   |                                                                            | Finalize mapping of CSOs engaged in human rights and legal awareness and organize workshop with relevant stakeholders to present findings.                                                                                              | <ul style="list-style-type: none"> <li>Mapping of CSOs working on human rights and legal awareness interventions at central and provincial levels finalized and shared with the MoJ and AIHRC.</li> </ul>                                                                                                                                                                    |          |
|                                                                                                                   |                                                                            | Formulate and implement targeted training programmes to selected CSOs, including community radio stations, as well as line Ministries, including the Ministry of Education, on human rights awareness and social accountability issues. | <ul style="list-style-type: none"> <li>4 MoJ officials, 6 AIHRC representatives and 30 NGOs participants (29 M, 11 F) trained in applying HRBA in development programming on 16 and 17 March, facilitated by an Asia Pacific Regional Center expert. A further HRBA training was held for UN staff to encourage HRBA programming and monitoring.</li> </ul>                  |          |
|                                                                                                                   |                                                                            | Engage CSOs and AIHRC in assessing human rights compliance with traditional justice resolution mechanisms.                                                                                                                              | <ul style="list-style-type: none"> <li>JHRA consulted with AIHRC and over 150 civil society representatives, including CSOs, religious and community leaders, and academics, in Kabul, Herat and Nangarhar for inputs into the assessment on ADR mechanisms.</li> </ul>                                                                                                      |          |
|                                                                                                                   |                                                                            | Support AIHRC in developing training tools and strengthening staff knowledge on business rights related issue.                                                                                                                          | <ul style="list-style-type: none"> <li>ToR for a business rights consultant developed by JHRA to support AIHRC in the formulation of business rights training curricula and inclusion of business rights-related issues in the Action Plan of the 2014-2017 Strategic Plan.</li> </ul>                                                                                       |          |
| 3.3 National Public Legal Awareness Institutional Strategy launched in 2011. No communications strategy in place. | 3.3 Communications strategy for MOJ developed and implemented by MoJ PLAU. | Socialize to MoJ representatives' assessment report of media service providers.                                                                                                                                                         | <ul style="list-style-type: none"> <li>Detailed Assessment of Media Service Providers has been undertaken in the provinces of Kabul, Herat, Nangarhar and Balkh to support the formulation of an informed communications strategy for the MoJ PLAU.</li> </ul>                                                                                                               |          |
|                                                                                                                   |                                                                            | Provide advisory support for the formulation of the MoJ Communication Strategy.                                                                                                                                                         | <ul style="list-style-type: none"> <li>Six working group meetings for the formulation of the MoJ Communication Strategy convened.</li> <li>Engagement with relevant state and non-state partners to the PLAU undertaken and their feedback collected for the drafting of the strategy.</li> <li>First draft strategy developed but requires substantive revision.</li> </ul> |          |



| 2014 Baseline | 2014 Annual Targets | Q1 2014 Planned                                                                                                                                                                                           | Q1 2014 Actual                                                                                                                                                                                                                                                                                                                                                                                                | Comments                                   |
|---------------|---------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------|
|               |                     | Translate and disseminate Communication Strategy report.                                                                                                                                                  |                                                                                                                                                                                                                                                                                                                                                                                                               | Requires completed Communication Strategy. |
|               |                     | Initiate media campaign for public legal awareness activities. Legal issues for mobile media development identified; develop mechanisms for dissemination; production of media materials on legal issues. |                                                                                                                                                                                                                                                                                                                                                                                                               |                                            |
|               |                     | Facilitate partnerships between PLAU and media companies to raise public legal awareness.                                                                                                                 |                                                                                                                                                                                                                                                                                                                                                                                                               |                                            |
|               |                     | Provide technical and advisory support to PLAU management in the formulation of the 2014 Action Plan.                                                                                                     | <ul style="list-style-type: none"> <li>JHRA engaged with PLAU for the formulation of its 1393 Action Plan. JHRA inputs to the plan focused on the finalization and implementation of the Communication Strategy, and on MoJ coordination with other State and non-State actors in the production and dissemination of legal outreach materials.</li> </ul>                                                    |                                            |
|               |                     | Assist in the PLAU in engaging with Religious leaders of Kabul, Nangarhar, Herat and Balkh provinces to raise legal awareness on legal issues, including inheritance, gender equality and land issues.    | <ul style="list-style-type: none"> <li>JHRA worked with PLAU to organize a national conference with religious scholars from Kabul, Nangarhar, Herat and Balkh to raise legal awareness among religious scholars and ensure consistency in legal awareness messages.</li> <li>JHRA produced a concept note and tentative agenda for this event in March, which is now expected to take place in Q2.</li> </ul> |                                            |
|               |                     | Technical and advisory support for institutionalization and regular meetings of Public Legal Awareness Coordination Committee linking line Ministries, AIHRC and targeted CSOs.                           | <ul style="list-style-type: none"> <li>JHRA supported the drafting of a regulation for the institutionalization of the PLACC, which was submitted to the Minister of Justice.</li> <li>Meeting with 50 NGO representatives (42 M, 8 F) to collect feedback on the formulation of the PLACC regulation conducted on 5 February.</li> </ul>                                                                     |                                            |
|               |                     | Support printing of relevant PLAU outreach                                                                                                                                                                | <ul style="list-style-type: none"> <li>PLAU and Taqin consulted on the brochure for street</li> </ul>                                                                                                                                                                                                                                                                                                         |                                            |

| 2014 Baseline | 2014 Annual Targets | Q1 2014 Planned                                                                                                                                                                        | Q1 2014 Actual                                                                                                                                                                                                                                                                                                                                           | Comments |
|---------------|---------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------|
|               |                     | materials.                                                                                                                                                                             | vendors, which is printed in both Dari and English.                                                                                                                                                                                                                                                                                                      |          |
|               |                     | Technical and advisory support to PLAU in developing and disseminating relevant outreach products on economic, social and cultural rights with focus on legal empowerment of citizens. | <ul style="list-style-type: none"> <li>• In March, JHRA recruited of a Communication Officer to provide full-time support to PLAU in the formulation, printing and dissemination of its outreach products.</li> <li>• A capacity needs assessment of the PLAU is being conducted to advise the PLAU in the development of materials for 2014.</li> </ul> |          |

## OUTPUT 4: Monitoring and evaluation capacity in place

Monitoring and evaluation is an embedded concept and an essential requirement of every project or programme design. More particularly, in a situation where resources are increasingly limited, M&E is of paramount importance. JHRA emphasizes the importance of M&E in the second phase of the project to compile lessons learned, establish best practices, increase internal and external accountability of resources used and results obtained, and make informed decisions on the future of the project. The evaluations, based on the data gathered from monitoring, inform strategic decisions which, in turn, improve the relevance, effectiveness, efficiency, impact and sustainability of the JHRA project.

### 4.1. Ensure project support is conducted in a timely and compliant manner.

*Indicator 4.1.a: Approved project budget in Atlas.*

The annual target for this activity is “project plans (AWP, HR, Procurement, M&E) and budgets are prepared, reviewed and revised on a timely basis.” JHRA’s AWP and supporting Procurement, Human Resource and M&E Plans were approved by NDP senior management in March 2014 and are fully operational. Review will be done on a monthly basis, and revisions will be proposed should changes in funding or programming necessitate this.

*Indicator 4.1.b: Evaluation reports.*

The annual target for this activity is “mid-term evaluation conducted.” In Q1 the ToR for the mid-term evaluator was developed and shared with UNDP Country Office for posting. The mid-term evaluation is planned to take place in July, which puts this activity on track.

*Indicator 4.1.c: No. of Project Steering Committee meetings convened during the year*

The annual target for this activity is “two Project Board meetings held.” JHRA has already held one Project Steering Committee meeting. Any changes to the AWP that could be needed as a result of programmatic or funding changes will be endorsed through a second Project Board meeting, which puts this activity on track.

JHRA convened a Project Steering Committee meeting on 4 March to discuss results achieved in 2013 and secure approval from all stakeholders on the proposed AWP and programme objectives for 2014 (*a copy of the PSC Minutes is attached*). The AWP presented at this meeting reflected inputs from both government counterparts and donor partners provided over three months from November 2013, and was accepted at the meeting. The main financial concern conveyed during the meeting was that with USD 7,215,899 available for the 2014 budget, the project still had a shortfall of USD 626,074. Further, the project management emphasized that with planned implementation for 2014, this means that no funds will be available for project implementation in 2015.

The Deputy Minister of Justice chaired the meeting and informed PSC members that it was the responsibility of all criminal justice institutions to provide quality justice and judicial services to citizens. The primary work of the MoJ includes drafting laws, providing legal aid and legal awareness services to citizens, registering associations and political parties, and coordinating human rights work with other government institutions. NPPs 5 (Law and Justice for All) and 6 (Human Rights and Civic Responsibilities) have contributed to the MoJ’s Five-Year Strategy, which

was completed with JHRA project assistance and which provides donors with clear programming and budget priorities for support.

The Deputy Minister of Justice shared that the MoJ's work with UNDP in 2013 was successful, and included the following achievements with JHRA:

- 2,536 persons representing State justice institutions and traditional leaders were trained on justice and human rights issues in 2013. Of these 606 (24%) were women.
- Tripartite agreement with MoJ, AIBA and UNDP on legal aid was signed, which would allow legal aid services to be extended across the country.
- HRSU conducted at least 1-2 trainings per month to government agencies on human rights standards. In addition they have reviewed national laws and supported MoFA in the UNCAT State reporting process.
- Trainings on legislative drafting were gauged to be positive.

In addition, five of six project LoAs were extended with JHRA partners for 2014, with the sixth project LoA anticipated to be extended in Q2. These cover activities carried out by JHRA with the MoJ for general support and specific Taqnin/HRSU/PLAU-related support, MoFA for its UNCAT State reporting activities, Danish Institute of Human Rights for support to MoFA State reporting systems, MoJ and AIBA for the LAGF, UNODC for the continuation of joint police/prosecutor trainings, and AIHRC for support to the execution of its current action plan and development of its 2014-2017 Strategic Plan.

In coordination with the Ministry of Finance and JHRA's government counterparts, all staff working on government contracts with UNDP financial support were shifted to the National Technical Assistance (NTA) salary scales, as initially requested by the Government of Afghanistan in April 2013. The NTA migration is the first step taken by the government to shift externally-funded expertise in the government to a harmonized and manageable salary scale in order to incorporate these staff fully into the government *tashkeel*.

#### **4.2. Develop comprehensive monitoring, evaluation and reporting systems.**

##### *Indicator 4.2.1 Percentage of AWP, HR, Procurement and M&E plan implementation.*

In addition to internal project monitoring systems, JHRA has recruited an M&E specialist to support the Senior Minister's Office in the development of M&E systems for NPP 5. Due to the shuffle of leadership in the Senior Minister's Office, which oversees the development and implementation of all NPPs, concern was raised that these key sectoral documents would be lost from government priorities and strategies if not properly followed up. Therefore, at the request of the Senior Minister's Office, a comprehensive M&E plan for NPP 5 is being developed, which reflects the indicators included in RoLIS and priorities of the MoJ Five-Year Strategy.

##### *Indicator 4.2b: Quality and timeliness of project progress reports.*

JHRA's Reporting Officer resigned in January 2014, and JHRA has experienced delays in recruiting a successor. Initially, an M&E and Reporting Officer was identified for recruitment, but budget constraints stopped recruitment. To overcome these constraints, JHRA advertised a UNV position for Reporting and Communications, identified a qualified candidate, but the offer of employment was ultimately rejected. In early Q2, a second round

of interviews will be held to select a new candidate. Despite this, JHRA will continue to produce regular quarterly reports to update donors and government on project activities and achievements, though staffing and elections slightly affected the timeliness of the Q1 2014 Report.

#### **EXPENSES FOR THE YEAR**

During Q1 2014, a total of USD 302,170 was spent for this output. For more details, please see Annex 2.

**Table 4: Q1 2014 Progress for Output 4**

| 2014 Baseline                                                             | 2014 Annual Targets                                                                                                       | 2014 Planned                                                                                                                            | 2014 Actual                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | Comments |
|---------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------|
| 4.1.a 2014 project budget not yet approved in Atlas.                      | 4.1.a 2014 project budget not yet approved in Atlas                                                                       | Undertake annual review of project progress.                                                                                            | <ul style="list-style-type: none"> <li>• The first PSC meeting for 2014 was convened on 4 March in the MoJ.</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                |          |
| 4.1.b No project evaluations conducted.                                   | 4.1.b No project evaluations conducted.                                                                                   | Undertake 2 review and analyse project progress through regular internal assessments, UNDP monthly team meetings, and cluster meetings. | <ul style="list-style-type: none"> <li>• JHRA conducted a thorough review of its progress in 2013, which is reflected in the indicators, baselines and targets of the 2014 AWP.</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                            |          |
| 4.1.c 2013 Project Steering Committee meeting held.                       | 4.1.c 2013 Project Steering Committee meeting held.                                                                       | Provide management support to the project components.                                                                                   | <ul style="list-style-type: none"> <li>• Weekly internal update meetings held.</li> <li>• Two monthly all-staff meetings held.</li> <li>• One donor meeting held.</li> <li>• Annual report finalized and distributed on time.</li> <li>• One Planning and Reporting Officer (UNV) recruited. Offer was rejected by applicant due to security concerns.</li> <li>• JHRA provides technical support to the M&amp;E of NPP 5 by recruiting a senior international consultant.</li> <li>• Recruitment of M&amp;E officer completed, but offer not made due to budget shortage.</li> </ul> |          |
| 4.2.a 2014 AWP, HR, Procurement and M&E plans not yet implemented.        | 4.2.a Compliance with UNDP rules and regulations in carrying out project activities                                       | Project operation support.                                                                                                              | <ul style="list-style-type: none"> <li>• AWP package developed for 2014.</li> <li>• Regular one-stop-shop meetings undertaken with all operations units of UNDP.</li> <li>• Monthly coordination meetings held with all project components.</li> <li>• Weekly project disbursement &amp; tracking undertaken.</li> </ul>                                                                                                                                                                                                                                                              |          |
| 4.2.b Project progress reports delivered in a timely and quality fashion. | 4.2.b Effective and Efficient management and reporting of resources (receivables, budgets, expense, personnel and assets) |                                                                                                                                         |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |          |

### III. GENDER-SPECIFIC RESULTS

JHRA works hard to ensure that gender priorities are not only included in all project programming, but that they are implemented in a way that takes into account the fundamental differences in the way women and men function within society, receive information, and are able to transfer skills through each unique network. Therefore, many gender considerations have been integrated into the activities reported in other programmatic areas of this report. In addition to integrated gender mainstreaming, often separate programming is required to address the particular needs of women that stretch beyond JHRA's standard activities. The project works hard with other units within UNDP and its government counterparts to address any new or exceptional needs for women as they arise.

In 2013, JHRA conducted a workshop with the female employees of the MoJ, which led to a number of recommendations for special engagement for women both by JHRA and by MoJ leadership to encourage their capacity and professional advancement. Many follow-on activities were conducted in Q1 2014 to support the realization of these recommendations:

JHRA hosted a three-day Leadership Training for female officials in the MoJ on 6-8 January. The training was facilitated by trainers from Afghanistan Women's Network (AWN), and examined causal factors for limited leadership among female civil servants, as well as possible remedies. The main challenges the participants cited as impediments for their growth as leaders within the MoJ were strongly related to a general lack of self-confidence, caused by the particular 1) effects of war and insecurity on women, 2) cultural perception of the role of women maintained by families and leadership, 3) limited access to higher education, 4) corruption within the government and its linkages to recruitment or promotion, and 5) the lack of willingness among men to work under the supervision of women. The women requested more in-depth and frequent trainings on leadership skills and socio-political affairs, with activities for their application in the workplace, as well as increased opportunities to pursue higher education. MoJ leadership will need to be engaged in these sessions, as well as their takeaways, in order for any real change in professional culture to be realized in the long term.

JHRA is also supporting English and Computer Literacy classes for female MoJ employees, as their basic skills in these areas are quite low, which impacts their ability to continue self-study if desired. In Q1, JHRA recruited a computer trainer and began weekly sessions for 24 female MoJ officials.

### IV. PARTNERSHIPS

JHRA is a comprehensive capacity development project for the justice sector in Afghanistan, including the MoJ, Supreme Court, and AGO. National ownership over JHRA's strategic interventions has been enhanced due to the project's inclusion of government partners in the formulation of the project's strategies and work plans.

JHRA has renewed four of six LoAs (the remaining LoAs are expected to be signed in Q2) with key partners to continue programming in 2014:

## **Ministry of Justice**

The main recipient of JHRA technical and financial support is the MoJ, which, as the lead government counterpart, endorsed JHRA's 2014 AWP during the PSC held on 4 March. The LoA with the MoJ covers the majority of technical and financial assistance provided by the project to the ministry. This includes:

- Financial and technical support to provide one staff to the Minister's office to increase coordination of the Legislation Committee;
- Operational and technical support to the PPD, including payment of two of three staff salaries, technical expertise for the development of strategic and oversight systems, financial and technical support for the development and implementation of the RoLIS;
- All capacity development programming and technical support to the Taqin to strengthen its legislative drafting and coordination abilities;
- Operational and technical support to HRSU, including payment for 13 of 20 staff salaries, rent and office expenses, basic costs associated with trainings for government officials, and in-house technical capacity development assistance.

## **Ministry of Foreign Affairs**

JHRA is extending two institutional LoAs to continue its support for the development of the UNCAT State report, led by the Ministry of Foreign Affairs. UNDP has provided a no-cost extension for its 2013 LoA with MoFA to provide financial and technical support for one National Coordinator, provincial and national conferences and data collection trainings, defense preparation, and informational publications. The LoA is with MoFA and expected to be signed in early Q2.

## **Danish Institute of Human Rights**

JHRA has also provided a no-cost extension of its LoA with DIHR to continue technical support to MoFA for the development of the UNCAT State report. DIHR provides one international expert onsite through regular missions, as well as back up expertise through its Denmark-based experts.

## **Ministry of Justice and Afghanistan Independent Bar Association**

JHRA has finalized the LoA for the LAGF, which is a tripartite agreement between MoJ, AIBA and UNDP. This LoA outlines financial and technical support that JHRA will provide the grant facility through the facilitation of skills trainings to AIBA members and related government officials, financial support for individual cases, and operational support for the AIBA office in Herat. In 2014, this support will extend to programming in Helmand, Herat, Balkh, Nangarhar, Ghor and Badghis.

## **United Nations Office on Drugs and Crime**

JHRA has renewed its LoA with UNODC to extend the provision of technical trainings to police and prosecutors. In the updated LoA, the training modality has been changed to a longer-term engagement with parallel mentoring



structures that will build off of UNODC's existing training and technical expertise. This LoA will be executed in Q2 due to additional negotiations between JHRA and UNODC.

### **Afghanistan Independent Human Rights Commission**

JHRA renewed its LoA with AIHRC for 2014, building on the financial and technical support for the execution of its Action Plan provided in 2013. In 2014, the LoA with AIHRC will provide technical expertise for the development of its 2014-2017 Strategic Plan, development of key rights priorities identified by the Commission, financial support to increase South-South coordination and the transfer of knowledge and systems, as well as financial and technical support for regular capacity development activities.

Outside of LoA partnerships, JHRA also worked closely with Jindal Global Law School for the legislative drafting trainings for the Taqin and HRSU, EUPOL and LOTFA for integrated RoL trainings, municipal governments and ASGP for its street vendor activities in support of broader legal empowerment of the poor programming, AWN and MoWA for gender-specific and gender-complementary programming, MoHE and law faculties in Herat and Nangarhar for its NLTC programming, and UNICEF on the Child Act.

## **V. ISSUES**

- **Uncertain financial sustainability**

Over the past year, financial limitations in member countries and uncertainty surrounding the political vision following the Presidential elections have led to a decrease in funding, which has affected JHRA's ability to fund its project document plan and implement activities. Efforts to mobilize additional financial resources have been undertaken in Q1, and positive indications will be pursued in Q2 to ensure project continuity in 2015.

- **Security and the Elections**

In general, security surrounding the upcoming Presidential elections has greatly limited movement both within Kabul and in the provinces. Previous limitations on movement to several districts in Herat and Nangarhar that affected JHRA's district-level coordination have been further exacerbated by an increase in security incidents in both provinces related to the elections. Implementation of some JHRA interventions at the central and particularly provincial levels as well as the level of engagement with key policy-makers have been undermined by a fragile security environment in view of the upcoming presidential elections scheduled on 5 April 2014. Frequent attacks against civilians and state officials and the hazardous movements from the provinces to the capital have also resulted in the postponement of a National Conference with Mayors and government officials to the 2<sup>nd</sup> quarter of the year.

- **Change in MoJ leadership**

Continued government support and buy-in for JHRA's activities is a continuous priority for projects, as it determines the ultimate success and impact of project activities. JHRA has therefore always involved government counterparts in planning, execution and monitoring processes to ensure that their vision is captured in the design and implementation of activities. In Q1, however, the political support for JHRA has faced changes that need to be addressed fully to avoid any detriment to the project's relationship with the MOJ. First, it is with great dismay that JHRA received the news that H.E. Minister of Justice passed away on 20 March. This was an unexpected and

extremely unfortunate turn of events that will inevitably impact the direction of the Ministry in the near term. Former Deputy Minister – Technical, Mr. Yusuf Halim, has assumed the responsibilities of the Minister’s Office, which should provide some continuity to MOJ leadership and JHRA’s activities.

Further to this immediate and unforeseen change in leadership, the Presidential elections may bring with them larger changes to the Cabinet, and senior-level officials throughout the government. Without clear knowledge of how the political landscape will change, JHRA will continue to work closely with current RoL leadership, as well as non-diplomatic officials, to maintain as much strategic continuity and leverage from capacity development initiatives as possible.

## **VI. RISKS**

- **Security**

Security continues to remain an issue affecting the extent to which JHRA can deliver programming, particularly in more remote areas of the country. While ongoing monitoring of the security situation is required, JHRA has mitigated many movement restrictions by using multiple contracting and engagement strategies to deliver programming. Through its National Regional Coordinators, JHRA has increased the coordination and oversight the project is able to maintain with counterparts in the regions, and NTA or external contracts provide for fewer restrictions on movement due to UNDP security advisories. The project maintains a high level of responsibility for its staff and partners, which has led to some delays in delivery in Q1 due to particularly high security threats in certain districts.

- **GIRoA support for all components of the project**

The extent to which GIRoA supports the development efforts of UNDP varies depending on the focus area where stakeholders are involved. JHRA’s first mitigation strategy is to further involve governmental counterparts in the PSC to promote ownership and ensure the project meets the priorities of the Afghan Government. The project’s second mitigation strategy consists of establishing working groups for all major activities, including the RoLIS, HRSU, LAGF and PLA Coordination Board, to ensure greater programmatic outputs.

- **Recruitment of qualified women candidates and retaining regional coordinators**

Recruitment of qualified women candidates continues to be a challenge, particularly outside of the capital. In order to address this issue, the project has been proactively shortlisting women to give more opportunities to female candidates to be hired.

## **VII. LESSONS LEARNED**

- **Coordinating with similar projects**

JHRA has facilitated a number of strategic programmatic assessments of key thematic areas within the Afghan RoL sector in order to develop informed, measurable priorities for engagement with its partners. Over the past year, JHRA has conducted assessments of the EVAW Units, legal aid, HRSU and the Taqin. Many of the recommendations stemming from these assessments go beyond the current financial capacity of JHRA, but remain nonetheless important areas for growth within the government. JHRA has therefore been active in sharing all lessons from its assessments with a broad spectrum of national and international partners in order to promote

the uptake of positive recommendations by those already working on complementary initiatives or with the technical expertise to do so. This coordination helps avoid duplication or overlap between projects and institutions, and maximizes the impact of initiatives.

- **Facilitating consultations and creating dialogue**

Often the biggest impediment to growth in a sector, particularly in a conflict zone where movement and communication can be limited, is the ability of those working within one institution or toward one objective to meet and discuss their work. Though it is a simple concept, facilitating coordinated discussions and workshops that bring together multiple stakeholders from district, provincial, and national offices, as well as State and non-State institutions or groups, has proven to serve as excellent planning fora and has led to greater implementation of plans. As well, creating this type of dialogue ensures that those charged with carrying out activities are directly involved in the planning and receive the authority to drive initiatives.

## **VIII. FUTURE PLANS**

JHRA continues to build upon its current activities to achieve the outcomes expected from the project. In Q2, JHRA-supported activities include:

- Issuance of ToR for the ROLIS focus group discussions, which has been agreed upon by the RoLIS working Group and will guide the contracted partner in its survey work and data collection across six provinces.
- Continued building upon its capacity development plan with the Taqnin, which provides in-house and external technical support on legislative drafting with the Taqnin and focal points across line ministries.
- HRSU development of a six-month training schedule based on the specific requirements to achieve MoI international human rights mechanism recommendations and engagement with NDS in prioritizing recommendations for training.
- HRSU completion of review of national legislation against the ICCPR.
- HRSU review of all recommendations, reprioritization of points of action, and redevelopment of an updated RAP, which will be shared with line ministries and finalized.
- LAGF management of a preliminary case intake system, and engagement with ILF-A to develop and lead the M&E and quality control over cases by the end of May. This will ensure accountability in case allocation and that lessons are properly extracted from the pilot process.
- Development of an MoU with Herat University on NLTC, including institutional assessment and curriculum design.
- Finalization of a policy paper on street vendor rights with TCC and submission to General Directorate of Municipal Affairs, MoLSAMD and Kabul Municipality for formal submission to the Taqnin.
- Provision of support to the General Directorate of Municipal Affairs in the organization of a National Conference on street vendors, to be attended by Afghan Mayors.
- Facilitation of relationships between MoJ and the Ministry of Haj and Religious Affairs for the organization of a national Conference with religious leaders.
- Sharing of a draft version of the study on boundaries within which civil cases can be transferred between State and non-State justice providers developed by Ali Wardak.

- Support for an exchange of a team from AIHRC to the Philippines to discuss human rights investigation and monitoring systems as well as strategic planning with the Philippines National Human Rights Commission.
- Submission of the draft 2013-2017 Strategic Plan to AIHRC national and provincial staff for review.
- Development of a draft Communications Strategy with PLAU.

## IX. ANNEXES

### A. ANNEX 1: FINANCIAL TABLE

#### The Interim Donor Report for the Period Ended 31 Mar 2014 for (JHRA II)

Annex 1. Financial Table

| Donor Name  | COMMITMENT/ PAST YEARS RECORD |                                  |                         | CURRENT YEAR         |                             |                          |                   |              |                               | FUTURE EXPENSES                            |                                                 | TOTAL RECEIVABLE       |                |                                   |
|-------------|-------------------------------|----------------------------------|-------------------------|----------------------|-----------------------------|--------------------------|-------------------|--------------|-------------------------------|--------------------------------------------|-------------------------------------------------|------------------------|----------------|-----------------------------------|
|             | Commitment (a)                | Revenue Collected 31/12/2013 (b) | Expenses 31/12/2013 (c) | IPSAS Adjustment (d) | Opening Balance E=(b - c+d) | Contribution Revenue (f) | Other Revenue (g) | Expenses (h) | Closing Balance I=(e+f+g - h) | Commitments (Unliquidated Obligations) (j) | Undepreciated of fixed Assets and Inventory (k) | (Future Due) L=(a-b-f) | (Past Due) (m) | Available Resources N=( i- j-k-m) |
| DENMARK     | 759,688                       | 759,688                          | 428,207                 |                      | 331,481                     | -                        | -                 | 15,208       | 316,273                       | 2,150                                      | 6,634                                           | -                      | -              | 307,489                           |
| DFAIT       | 320,224                       | 122,071                          | 18,081                  |                      | 103,990                     | 198,153                  | -                 | 298,849      | 3,294                         | -                                          | -                                               | -                      | -              | 3,294                             |
| ITALY       | 2,010,871                     | 2,010,871                        | 836,726                 |                      | 1,174,145                   | -                        | -                 | 155,711      | 1,018,434                     | 21,753                                     | 6,634                                           | -                      | -              | 990,047                           |
| NETHERLAND  | 249,223                       | 249,223                          | 213,798                 |                      | 35,425                      | -                        | -                 | -            | 35,425                        | 13                                         | -                                               | -                      | -              | 35,412                            |
| NORWAY      | 13,372                        | 13,372                           | 13,371                  |                      | 1                           | -                        | -                 | -            | 1                             | -                                          | -                                               | -                      | -              | 1                                 |
| SDC         | 769,991                       | 769,991                          | 577,638                 |                      | 192,353                     | -                        | -                 | 15,173       | 177,180                       | 4,088                                      | -                                               | -                      | -              | 173,092                           |
| SDC         | 3,000,000                     | 1,800,000                        | 345,305                 |                      | 1,454,695                   | -                        | -                 | 176,171      | 1,278,524                     | 195                                        | -                                               | 1,200,000              | -              | 1,278,329                         |
| NETHERLAND  | 2,490,000                     | 1,083,899                        | 360,995                 | -                    | 722,904                     | -                        | -                 | 132,552      | 590,352                       | 36,220                                     | -                                               | 1,406,101              | -              | 554,131                           |
| UNDP        | 2,819,591                     | 2,519,591                        | 2,460,278               |                      | 59,314                      | 300,000                  | -                 | 90,951       | 268,362                       | 14,114                                     | 45,200                                          | -                      | -              | 209,049                           |
| UNDP BCPR   | 450,000                       | -                                | -                       |                      | -                           | 450,000                  | -                 | -            | 450,000                       | -                                          | -                                               | -                      | -              | 450,000                           |
| Grand Total | 12,882,960                    | 9,328,706                        | 5,254,399               | -                    | 4,074,307                   | 948,153                  | -                 | 884,615      | 4,137,845                     | 78,534                                     | 58,467                                          | 2,606,101              | -              | 4,000,844                         |

Note:

ii) Income received in currency other than USD is approximated to USD based on UN- Operational Rate of Exchange applied.

## B. ANNEX 2: EXPENSES BY OUTPUT

### The Interim Donor Report for the Period Ended 31 Mar 2014 for (JHRA II)

#### Annex 2. Expenses by Output

| Project Output ID and Description                                                                                                                                                                                   | 2013 Budget (AWP) | Cumulative Expenses (Jan - Mar 2014) | Delivery Rate | Remarks |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------|--------------------------------------|---------------|---------|
| Output 1: (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. | 2,389,322         | 264,351                              | 11%           |         |
| <b>Sub-total Output 1</b>                                                                                                                                                                                           | <b>2,389,322</b>  | <b>264,351</b>                       | <b>11%</b>    |         |
| Output 2: (00085459) Mechanisms to provide quality justice services to vulnerable groups are established and functional (NPP 5, component 1)                                                                        | 1,421,263         | 139,788                              | 10%           |         |
| <b>Sub-total Output 2</b>                                                                                                                                                                                           | <b>1,421,263</b>  | <b>139,788</b>                       | <b>10%</b>    |         |
| Output 3: (00085460) Public participation processes and knowledge base for improving access to justice and human rights compliance established.                                                                     | 2,396,235         | 178,307                              | 7%            |         |
| <b>Sub-total Output 3</b>                                                                                                                                                                                           | <b>2,396,235</b>  | <b>178,307</b>                       | <b>7%</b>     |         |
| Output 4: (00085461) Project Support Unit: Internal oversight, monitoring and evaluation capacity in place.                                                                                                         | 1,009,079         | 302,170                              | 30%           |         |
| <b>Sub-total Output 4</b>                                                                                                                                                                                           | <b>1,009,079</b>  | <b>302,170</b>                       | <b>30%</b>    |         |
| <b>Grand Total</b>                                                                                                                                                                                                  | <b>7,215,899</b>  | <b>884,615</b>                       | <b>12%</b>    |         |

### C. ANNEX 3: EXPENSES BY DONOR

#### The Interim Donor Report for the Period Ended 31 Mar 2014 for (JHRA II)

##### Annex 3. Expenses by Donor

| Donor Name       | Project Output ID and Description                                                                                                                                                                                   | 2013 Budget (AWP) | Cumulative Expenses (Jan-Mar-2014) | Delivery Rates |
|------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------|------------------------------------|----------------|
| DENMARK          | Output 1: (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. | 66,340            | 14,337                             | 22%            |
|                  | Output 2: (00085459) Mechanisms to provide quality justice services to vulnerable groups are established and functional (NPP 5, component 1)                                                                        | 204,550           | 871                                | 0%             |
|                  | Output 3: (00085460) Public participation processes and knowledge base for improving access to justice and human rights compliance established.                                                                     | 37,450            | -                                  | 0%             |
| <b>Sub-Total</b> |                                                                                                                                                                                                                     | <b>308,340</b>    | <b>15,208</b>                      | <b>5%</b>      |
| ITALY            | Output 1: (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. | 135,000           | 23,466                             | 17%            |
|                  | Output 2: (00085459) Mechanisms to provide quality justice services to vulnerable groups are established and functional (NPP 5, component 1)                                                                        | 889,961           | 132,246                            | 15%            |
|                  | Output 4: (00085461) Project Support Unit: Internal oversight, monitoring and evaluation capacity in place.                                                                                                         | 50,000            | -                                  | 0%             |
| <b>Sub-Total</b> |                                                                                                                                                                                                                     | <b>1,074,961</b>  | <b>155,711</b>                     | <b>14%</b>     |
| NETHERLANDS      | Output 1: (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. | 1,864,129         | 105,559                            | 6%             |
|                  | Output 2: (00085459) Mechanisms to provide quality justice services to vulnerable groups are established and functional (NPP 5, component 1)                                                                        | 237,752           | 6,450                              | 3%             |
|                  | Output 4: (00085461) Project Support Unit: Internal oversight, monitoring and evaluation capacity in place.                                                                                                         | 224,926           | 20,543                             | 9%             |
| <b>Sub-Total</b> |                                                                                                                                                                                                                     | <b>2,326,807</b>  | <b>132,552</b>                     | <b>6%</b>      |



|                    |                                                                                                                                                                                                                    |                  |                |            |
|--------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------|----------------|------------|
| SDC                | Output 1: (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. | 219,862          | 15,173         | 7%         |
|                    | Output 3: (00085460) Public participation processes and knowledge base for improving access to justice and human rights compliance established.                                                                    | 2,358,785        | 175,574        | 7%         |
|                    | Output 4: (00085461) Project Support Unit: Internal oversight, monitoring and evaluation capacity in place.                                                                                                        | 200,000          | 597            | 0%         |
| <b>Sub-Total</b>   |                                                                                                                                                                                                                    | <b>2,778,648</b> | <b>191,343</b> | <b>7%</b>  |
| DFAIT              | Output 1: (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. | 103,991          | 103,991        | 1          |
|                    | Output 4: (00085461) Project Support Unit: Internal oversight, monitoring and evaluation capacity in place.                                                                                                        | 198,153          | 194,858        | 1          |
|                    |                                                                                                                                                                                                                    | <b>302,144</b>   | <b>298,849</b> | <b>1</b>   |
| UNDP               | Output 1: (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. | -                | 1,825          | -          |
|                    | Output 2: (00085459) Mechanisms to provide quality justice services to vulnerable groups are established and functional (NPP 5, component 1)                                                                       | 89,000           | 221            | 0%         |
|                    | Output 3: (00085460) Public participation processes and knowledge base for improving access to justice and human rights compliance established.                                                                    | -                | 2,733          | 0%         |
|                    | Output 4: (00085461) Project Support Unit: Internal oversight, monitoring and evaluation capacity in place.                                                                                                        | 335,999          | 86,172         | 26%        |
| <b>Sub-Total</b>   |                                                                                                                                                                                                                    | <b>424,999</b>   | <b>90,951</b>  | <b>21%</b> |
| <b>Grand Total</b> |                                                                                                                                                                                                                    | <b>7,215,899</b> | <b>884,615</b> | <b>12%</b> |



## D. ANNEX 4: RISK LOG

| # | DESCRIPTION                                                      | DATE IDENTIFIED | TYPE                    | IMPACT & PROBABILITY                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | COUNTERMEASURES/MNGT. RESPONSE                                                                                                                                                                                                                                                                                                                        | OWNER                                             | SUBMITTED BY                   | STATUS                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
|---|------------------------------------------------------------------|-----------------|-------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------|--------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 1 | Lack of security                                                 | ongoing         | Environmental Political | <ul style="list-style-type: none"> <li>• Potential risk of injury or death to project staff and contractors</li> <li>• Potential impact on activities – delayed or rescheduled activities</li> <li>• Lack of security in provinces and districts in which UNDP-JHRA will carry out programming continues to impede project implementation.</li> <li>• Subsequently, in addition to implementation, the security situation has also particular impact on the project's ability to monitor activities through field assessments.</li> </ul> <p>I: 2<br/>P: 5</p> | <ul style="list-style-type: none"> <li>• Comply with UNDSS security arrangements</li> <li>• Contract security services for physical security.</li> <li>• Obtain security clearances for internal travel</li> <li>• Conduct conflict assessment as part of selection of districts</li> <li>• Contract external organizations where required</li> </ul> | National Project Manager, CTA                     | Staff                          | <ul style="list-style-type: none"> <li>• JHRA worked closely with UNDSS to monitor the security situation in Kabul and the provinces for all missions.</li> <li>• JHRA used ANP armed escorts for road missions and additional security for large events.</li> <li>• Security did affect programming as Mission planning consumes large amounts of time and coordination between various agencies.</li> <li>• Workshops at the district level have been postponed due to security advisory. Data collection on State and non-State cooperation in the justice sector could not take place in Herat.</li> </ul> |
| 2 | Extent of GIRoA support for all components of the Project        | ongoing         | Political               | <ul style="list-style-type: none"> <li>• Project will require political support and coordination with several GIRoA institutions</li> </ul> <p>I: 4<br/>P: 4</p>                                                                                                                                                                                                                                                                                                                                                                                               | GIRoA counterparts involved in the Project Steering Committee (PSC) to promote ownership and ensure the project meets GIRoA priorities                                                                                                                                                                                                                | CTA, Project Manager and RoL Unit Program Officer | Staff                          | <ul style="list-style-type: none"> <li>• Project Steering Committee (PSC) convened in November 2013.</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| 3 | Recruitments/ Risk of delays in recruitment of key project staff | ongoing         | Ops                     | <ul style="list-style-type: none"> <li>• Delays in appointment of key staff will delay the implementation of technical activities, and limit project oversight of other activities</li> </ul> <p>I: 3</p>                                                                                                                                                                                                                                                                                                                                                      | Project recruitment plan listing planned recruitments and target dates will be followed up closely.                                                                                                                                                                                                                                                   | CTA, Project Manager/ Human Resources             | CTA/ Human Resources Assistant | <ul style="list-style-type: none"> <li>• The Project is currently almost fully staffed. Much of this was the result of lengthy internal processes.</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                  |

| # | DESCRIPTION                                                                                                                                                 | DATE IDENTIFIED                               | TYPE      | IMPACT & PROBABILITY                                                                                                                                              | COUNTERMEASURES/MNGT. RESPONSE                                                                                                                                                       | OWNER                                                        | SUBMITTED BY            | STATUS                                                                                                                                                                                                                                                                                                     |
|---|-------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------|-----------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------|-------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|   |                                                                                                                                                             |                                               |           | P: 3                                                                                                                                                              |                                                                                                                                                                                      | Assistant                                                    |                         |                                                                                                                                                                                                                                                                                                            |
| 4 | High LoA staff turnover: 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"> <li>Losing staff at the Translation Board and the HRSU will risk the achievements of annual targets.</li> </ul> I : 3<br>P : 3 | There is no mitigating strategy, especially for the Translation Board, because it lacks leadership. JHRA strives to foster ownership and thus help to develop a mitigation strategy. | National Project Manager/ Human Resources Assistant          | HRSU/ Translation Board | <ul style="list-style-type: none"> <li>Foster leadership both at HRSU, Translation Board and PPD.</li> <li>Delays in implementation of NTA salary scale</li> </ul>                                                                                                                                         |
| 5 | Sensitivity surrounding Gender Mainstreaming                                                                                                                | Q2                                            | Political | <ul style="list-style-type: none"> <li>Limited gender programming</li> </ul> I : 3<br>P : 4                                                                       | Project implementation is based on national priorities such as the NAPWA.                                                                                                            | CTA, National Project Manager, component managers, key staff | staff                   | <ul style="list-style-type: none"> <li>Workshop for female staff at the MoJ was followed up on with the recruitment of trainers in fields where capacity development is required (English language, computer literacy). Gender mainstreaming is ensured in all activities under each component.</li> </ul> |

E. ANNEX 5: ISSUE LOG

| # | DESCRIPTION                             | DATE IDENTIFIED | IMPACT/PRIORITY            | COUNTERMEASURE/MNGT RESPONSE                           | OWNER                 | STATUS     |
|---|-----------------------------------------|-----------------|----------------------------|--------------------------------------------------------|-----------------------|------------|
| 1 | Financial Sustainability                | 2013            | Impact = 5<br>Priority = 5 | Increase ownership and thus efficiency                 | CTA & Program Officer | Unresolved |
| 2 | Security Incidents due to the Elections | September 2013  | Impact = 4<br>Priority = 3 | Cooperation with UNDSS                                 | All JHRA staff        | Unresolved |
| 3 | Change in MoJ Leadership                | January 2014    | Impact = 5<br>Priority = 5 | Increased and ongoing coordination with MoJ leadership | CTA & Program Officer | Unresolved |