



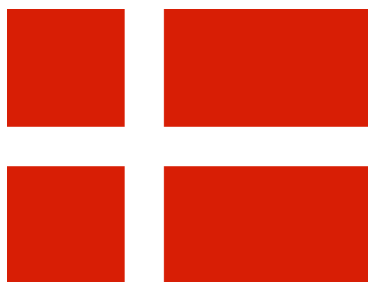
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JUSTICE AND HUMAN RIGHTS IN AFGHANISTAN (JHRA) PROJECT

2013 SECOND QUARTERLY PROJECT
PROGRESS REPORT



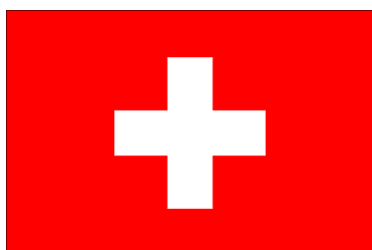
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PROJECT INFORMATION

Project ID:	00068012
Duration:	2013-2015
ANDS Component:	Governance, Rule of Law, Human Rights
Contributing to NPP:	5, Law and Justice for All; 6, Human Rights and Civic Responsibilities
CPAP Outcome:	: Access to Justice, Human Rights
UNDP Strategic Plan Component:	Rule of Law
Total Budget:	USD 34,402,039
Implementing Partner:	Ministry of Justice, Supreme Court, Attorney General's Office, Afghanistan Independent Human Rights Commission, Afghanistan Independent Bar Association, UNDP Afghanistan
Responsible Parties:	UNDP
Project Manager:	Khalil Rahman
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Responsible Assistant Country Director:	Hedayatullah Mohammadi

COVER PAGE PHOTO: Forging partnerships for cooperation between State and non-State justice providers, Meeting with Primary Court Judge, Kama District, Nangarhar Province, May 7 – 9, 2013

ACRONYMS

AGO	Attorney General's Office
AIBA	Afghanistan Independent Bar Association
AIHRC	Afghanistan Independent Human Rights Commission
APRC	Asia Pacific Regional Centre
ASGP	Afghanistan Sub-national Governance Project
AWP	Annual Work Plan
BCPR	Bureau of Crisis Prevention and Recovery
CBDR	Community-based dispute resolution
CRC	Convention on the Rights of the Child
CSC	Independent Administrative Reform and Civil Service Commission
CSHRN	Civil Society and Human Rights Network
DIHR	Danish Institute of Human Rights
EVAW	Elimination of Violence against Women
FAIDA	Financial Access for Investing in the Development of Afghanistan
FGDs	focus group discussions
FRU	Family Response Unit
GiZ	Gesellschaft für Internationale Zusammenarbeit
GIRoA	Government of the Islamic Republic of Afghanistan
HRSU	Human Rights Support Unit
ICCPR	International Covenant on Civil and Political Rights
ICESCR	International Covenant on Economic, Social and Cultural Rights
LAGF	Legal Aid Grant Facility
M&E	Monitoring and evaluation
MoComm	Ministry of Commerce
MoD	Ministry of Defense
MoE	Ministry of Education
MoF	Ministry of Finance
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
NHRC	National Human Rights Commission
NIBP	National Institution Building Project
NLTC	National Legal Training Centers
NPP	National Priority Programme
NSGP	National State Governance Project
NTA	National Technical Assistance
OHCHR	Office for the High Commission on Human Rights
PLAU	Public Legal Awareness Unit
PPD	Planning and Policy Department
PTA	Play Therapy Africa
RoLIS	Rule of Law Indicators Study
<i>Taqnin</i>	Legislative Department
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
WASH	Water, Sanitation and Hygiene

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I. EXECUTIVE SUMMARY

In the second quarter of 2013, JHRA has set a solid foundation to measure change through JHRA's interventions in Afghanistan's justice sector. A number of needs and capacity assessments across the project were accomplished. Baseline information will be collected. Based on the assessments, gaps are identified and capacity development plan will be conducted in the third quarter.

Under Output 1, aiming to increase the capacity of the Government of Afghanistan to produce informed and compliant legislation, JHRA reviewed the findings of a capacity needs assessment of the Office of the President to identify the key challenges for the Legislation Committee. JHRA also supported the Planning and Policy Department (PPD) in the preparation for its leading role in the Rule of Law Indicator Study (RoLIS), which serves to establish a baseline on justice in Afghanistan. In order to assess the capacity of the Translation Board and the *Taqnin*, JHRA has started to administer a questionnaire for each unit. JHRA then facilitated the first of a series of workshops to enhance the *Taqnin's* technical capacity and legal expertise. A workshop for female MoJ employees resulted in a list of priority actions to increase career potential of the participants. These priority actions will serve as a basis for capacity development activities in the third quarter. JHRA also conducted a strategic review to clarify the MoJ's strategic vision for the Human Rights Support Unit (HRSU).

Under Output 2, aiming to provide quality justice services to vulnerable groups, a tripartite memorandum of understanding (MoU) has been developed for the Legal Aid Grant Facility (LAGF) to provide legal representation to vulnerable groups. JHRA also conducted a capacity assessment with the implementing partner of LAGF, the Afghan Independent Bar Association (AIBA). Part of the LAGF funds will be used to bolster the access of women to legal aid services. These cases often come from the specialized Violence against Women (VAW) units, where JHRA is currently conducting a capacity assessment. In order to understand how cases are referred between non-State and State justice providers, JHRA drafted a template for case flow documentation. Thus, case-referrals can be tracked. JHRA also continued its trainings to increase the number of qualified justice officials through cooperation with EUPOL, the expansion of the National Legal Training Centres (NLTC) to the provincial level, and a newly signed agreement with UNODC.

Under Output 3, aiming to engage with the Afghan public, JHRA held two joint stakeholder meetings for the improvement of the legal situation of street vendors, resulting in the consent over establishing technical committees to implement recommendations. JHRA further formulated a plan of action to support the MoJ in organizing a series of Community-Based Dispute Resolution (CBDR) workshops to enhance cooperation between State and non-State justice providers. The first Community-Based Dispute Resolution (CBDR) workshop

was held in Jalalabad, Nangarhar. The Project also supported the MoJ Public Legal Awareness Unit in conducting a public participation survey.

To achieve lasting and significant change, JHRA diligently seeks to carry out project implementation in a results-oriented manner. JHRA continued to support the revision of the National Priority Program on “Law and Justice for All” (NPP₅). The endorsed National Priority Program provided a foundation for future programming in the justice sector and helped identify gaps in engagement and collaboration. The Project was further supported by an M&E mission from the Bureau of Crisis Prevention and Recovery (BCPR). Thus, Q₂ not only laid a foundation for Q₃, but for the entire project.

II. RESULTS

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

In Q₂, JHRA continued to support the revision of the National Priority Program (NPP 5) through the provision of an international consultant to the Senior Minister’s office to finalize the draft of the NPP in coordination with Government justice officials and donors. The English draft of NPP 5 was approved by donors and translated into Dari for presentation and approval by the Government of Afghanistan. The subsequent endorsement of NPP 5 on 29 June provides a foundation for Government and donors to be able to coordinate and prioritize future programming in the justice sector as well as design a road map to identify gaps in engagement and collaboration.

Output 1 of JHRA project focuses on increasing the capacity of the Government of Afghanistan to produce informed and compliant legislation by strengthening key areas of the MoJ. This component supports Component 1 of the NPP₅, which focuses on “Improving the legislative process”. This output considers the development needs of the MoJ General Directorate of the Institute for Legislative Drafting and Legal Research (*Taqnin*), the Planning and Policy Department, and the Human Rights Support Unit (HRSU), as well as the Permanent Legislation Committee of the Council of Ministers (Legislation Committee).

1.1. Mechanisms established for activating Cabinet Board meetings on legislation

The Permanent Legislation Committee is chaired by the First Vice President and its secretariat is headed by the Minister of Justice and Director General of the Office of Administrative Affairs (OAA). It is an expert committee that provides final review and revision of legislative drafts.

In the second quarter, JHRA reviewed the findings of a capacity needs assessment undertaken in 2011 by UNDP's National State Governance Project (NSGP) in the Office of the President of Afghanistan (Office of the Chief of Staff of the President, Office of the Administrative Affairs (OAA), Office of the First Vice President [VP1], and Office of the Second Vice President). As a result, the key challenges facing the Permanent Legislations Committee in the Office of the First Vice President have been identified: under Presidential Decree number 62, the Permanent Legislations Committee, which is working under the supervision of the First Vice President, is composed of relevant ministries. However, there is no unit in the VP1, which can efficiently and effectively coordinate and follow up, track and disseminate the decisions reached at the meetings. Further, the secretariats (in the MoJ and OAA, are primarily engaged in preparing the agenda. Neither the composition of the secretariat nor the current working procedure allows the committee to engage in the much needed substantial work of following up on and implementing decisions taken in the meetings of the Permanent Legislations Committee.

In light of the above findings, three consultation meetings on how to address the aforesaid challenges were held with UNDP's National State Governance Project (NSGP) and the Office of the First Vice President, including the Senior Legislative Advisor to H.E the First Vice President of Afghanistan. As a result, JHRA will draft a concept note on how to enhance the functionality of the committee, given the consultations received from the NSGP) and the Office of the First Vice President. It is expected that the concept note will be drafted and finalized by the Office of the First Vice President, NSGP, and the MoJ in the third quarter of this year.

1.2. Rule of Law Indicators Study implemented

The Planning and Policy Department (PPD) is responsible for undertaking the Rule of Law Indicator Study (RoLIS). PPD is meant to function as the primary Department within the MoJ through which data and information on the performance of the MoJ across Afghanistan is reviewed, analyzed, and translated into recommendations on both internal policy and national legislation. Due to a shortage in human resources, a lack of baseline data and systems with which to track progress, at present PPD has limited capacity to conceptualize, provide expert advice and inform the Ministry's policy and law-making initiatives. At present, the Government of Afghanistan lacks a robust M&E framework to monitor the progress of national level activities implemented by international agencies and national institutions in the justice sector. NPP 5 articulates that establishing national baselines is essential for implementation and measurement of progress.

To enable PPD to function in accordance with its mandate, JHRA is increasing PPD's capacity through the addition of four national experts to oversee and process data channeled through the MoJ. These researchers will provide the analysis on which recommendations on both internal policy and national legislation are based. Two of these

four experts were successfully recruited through the MoJ and joined PPD in Q2.¹ Given the high level of strategic and legal expertise required for these positions, the MoJ did not select more than two candidates from those interviewed. Therefore, the position was re-advertised and the shortlisting process for the remaining two positions is ongoing.

An international consultant will join mid-August to work with PPD to conduct capacity assessments, bring forth a capacity development plan, and assist the Department in generating monitoring and evaluation (M&E) tools it will require to collect and analyze information from the sub-national and national levels on an ongoing basis. This will afford PPD officials the ability to adequately respond to the Government's need for an efficient M&E framework to monitor the progress of national level activities.

PPD will be responsible for leading the RoLIS, supported by an international expert in Rule of Law and an international legal researcher (UNV). The Rule of Law Indicator Study (RoLIS) is undertaken to establish a baseline and thus generate proper M&E mechanisms through which monitoring and justice sector gaps, challenges and achievements can be measured. These experts will support the Department in identifying a basket of indicators, designing focus group discussions (FGDs) for both experts and the general public in addition to providing technical support for desk reviews and administrative data collection. JHRA is cooperating on the RoLIS with the United Nations Assistance Mission to Afghanistan (UNAMA)'s Rule of Law Unit and the UN Department for Peace Keeping Operations. JHRA will conduct FGDs for Rule of Law indicators by partnering with NGOs to study justice institutions in eight provinces: Kabul, Herat, Balkh, Nangarhar, Kunduz, Parwan, Kapisa and Panjshir. As UNAMA has offices in all eight of the targeted provinces, the regional offices of UNAMA will support JHRA in the coordination of the FGDs with experts in civil society and justice sector institutions. JHRA has drafted the TOR for the recruitment of a company for the FGDs. This will contribute to the establishment of indicators for the RoLIS proper. Further observation studies will also be undertaken.

As mentioned above, an international rule of law expert will be recruited to coordinate the RoLIS. JHRA conducted the recruitment process in coordination with UNAMA and the United Nation's Office on Drugs and Crime (UNODC). Unfortunately, the successful candidate declined the offer in lieu of being appointed to a full-time senior position in Afghanistan. UNDP has re-advertised the position but the aforementioned circumstances have delayed the recruitment process by two months. Recruitment for the international UNV Legal Researcher position was started in Q2. However, no suitable candidate had been identified at the time of writing. The shortlisting process therefore remains ongoing.

¹ As part of other tasks, the researchers have done an analytical review of NPP5.

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

JHRA seeks to increase the MoJ's capacity to effectively reform law through the *Taqnin* Department. The *Taqnin* is responsible for drafting and reviewing all national legislation against Afghanistan's legal framework, the Constitution, the tenets of Sharia and Islamic Law, and the State's international legal commitments. The Translation Board supports the work of the *Taqnin* through translations of laws and international best practices to be used as references in the review of legislations. The annual target for this activity is that 20% of documents listed on the legislative and translation calendar are translated in accordance with the calendar. In Q2, the Translation Board translated 36² legislative and policy documents mainly from English to Dari and vice-versa, but also a few of them from Dari to Arabic, Dari to Pashtu and vice-versa. Altogether, 70% of the documents reviewed by the *Taqnin* were translated. Starting in Q3, the Translation Board will translate legal documents in accordance to the translation calendar drafted at the end of June based on the legislative calendar approved in mid-June. JHRA has circulated a questionnaire for the staff members of the Translation Board in order to assess the capacity of the Board. The analysis of the results will take place in July.

The legislative calendar formalizes legislative priorities for the year 1392. A draft legislative calendar was developed in Q1 of 2013, and received several rounds of feedback from related ministries in Q2. At the end of the quarter, the Council of Ministers approved the draft calendar, and requested additional prioritized laws or policies from line ministries before finalization. Once finalized, the legislative calendar will provide the basis from which the *Taqnin* can schedule the review of laws, which will allow for planned translation and accrument of resource documents, as well as coordination for external input by HRSU, line ministries, and representatives of civil society. JHRA will conduct consultative workshops on key legislations of the 1392 legislative calendar.

JHRA conducted a capacity assessment for the *Taqnin*, in Q2, focusing on the human capacity, organizational structure, legislative drafting process, approval process for laws and regulations, and nature of coordination with other governmental institutions. The findings of the capacity assessment will guide JHRA's engagement with the *Taqnin* for the duration of the Project. In immediate follow up to the capacity assessment, JHRA organized the first in a series of workshops to enhance the *Taqnin's* technical capacity and legal expertise on 3-5 June. The workshop focused on key areas of policy formulation, including comprehensive mechanisms for legislative drafting and legal procedures, and critical review, harmonizing and scrutinizing of laws. The workshop sessions were facilitated by two legal experts from Kabul University, Professor of Sharia Dr. Abdul Badi Sayad and Professor of Law and International Law Dr. Mohammad Taher Hashimi, as well as the former Head of the *Taqnin* and Deputy Minister of Justice, currently working as the Legal

² Since the translation calendar is still in a draft stage, the number of translations cannot yet be measured against a benchmark.

and Legislative Adviser to the First Vice President, Mr. M. Ashraf Rasooli.³ Recommendations from the workshop include the establishment of a committee to work on the improvement of the law drafting procedure and to the promotion of greater cooperation and a unified approach to enhance the efficiency of the legislative drafting process. All professional staff of the Taqin are scheduled to participate in legal trainings by the end of 1392 which will enhance efficiencies in the legislative drafting process. Furthermore, a working group will be established to make recommendations for the inclusion of civil society stakeholders in legislative deliberations.

Further capacity development workshops for the *Taqin* are planned in July. This series of trainings is expected to increase the *Taqin's* ability to draft and revise laws, thus increasing the MoJ's capacity as a highly productive government institution with the expected outcome of increasing the Afghan people's trust towards government.

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

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

The annual target for this activity is that 10% of laws and regulations received or drafted by the Taqin are reviewed by HRSU for human rights compliance. In Q2, HRSU continued its review of national legislations for compliance with the International Covenant on Civil and Political Rights (ICCPR), reviewing 14 laws on various issues. Once the review is completed, specific recommendations for the amendment of certain laws will be submitted to the Taqin. This progress will contribute to the Government of Afghanistan's State Report on the ICCPR, due to be initiated by the Ministry of Foreign Affairs (MoFA) in October. Review of national legislations against the ICCPR decelerated this quarter due to additional involvement of the HRSU Legal, Technical and Strategic Studies Unit officials in several State Reporting processes currently being led by MoFA. Through this involvement, HRSU

³ Over 57% of participants believed the training session fulfilled their expectations and rated it as "very good", while 68% of participants said they were able to "apply the skills learned in the workshop in their work" with the *Taqin*; and 71% of participants said the workshop helped them develop an "advanced understanding" of the Afghan Constitution, contradictory and overlapping laws, and legislative drafting techniques.

reviewed relevant laws and the laws deemed to be inconsistent with international human rights standards were identified and accompanied by recommendations for amendments.

MoFA Directorate for Human Rights and International Women's Affairs started preliminary work on the United Nations Convention against Torture (UNCAT) State Report, which it aims to submit in June 2014. To support the UNCAT State report process, JHRA signed an institutional letter of agreement with the Danish Institute of Human Rights (DIHR) for the provision on one State reporting and human rights expert to work with MoFA and HRSU over the coming 12 months. The expert will be facilitating coordination of the State reporting team, supporting data collection and analysis at the national and sub-national levels, and will conduct trainings for both the State report team and officials in line ministries and assemble and compile information for the final submission of the report. The expert began work with MoFA and HRSU on the UNCAT State Report on 1 June, and has identified the UNCAT steering committee, a technical working group, and a coordination team, as well as areas of priority for capacity development and an action plan for report development.

MoFA received a new round of questions for the Universal Periodic Review (UPR) in May, which are due for submission in November of this year. Special Adviser to the Minister of Justice, Dr. Qasem Hashimzai, and Head of HRSU Legal, Technical and Strategic Studies Unit, Sakhidad Abrar, have been appointed by the MoJ to support the UPR reporting process. HRSU will provide MoFA with information based on the preliminary results produced in response to the National Action Plan for the International Covenant on Economic, Social and Cultural Rights (ICESCR), Convention on the Rights of the Child (CRC) and the Universal Periodic Review (UPR) Recommendations, which tracks the Government's implementation of each committee's recommendations. To support this heightened cooperation with MoFA, and to pave way for future intensive interaction, HRSU held a half-day information session with MoFA Directorate Human Rights and International Women Affairs on the implementation of the National Action Plan for the International Covenant on Economic, Social and Cultural Rights (ICESCR), the Convention on the Rights of the Child (CRC) and the Universal Periodic Review (UPR) Recommendations, to review upcoming needs in data collection and review.

JHRA also supported two members of the Afghan team selected to defend the Convention to Eliminate All Forms of Discrimination against Women (CEDAW) report in Geneva. These two members travelled in early June for preparatory briefings on how to review the state report on the Convention to Eliminate All Forms of Discrimination against Women (CEDAW), to inform the team of areas for clarification upon their return. Responses to questions by the CEDAW Committee will be required for presentation to the Committee in July.

HRSU's Education Unit has developed a basic package of core human rights trainings to be a source for capacity building of state officials. The core modules include the Concept of Human Rights, the Cairo Declaration, the Universal Declaration of Human Rights (UDHR), State Obligations and UN Human Rights Monitoring Mechanisms. The Education Unit has developed a Human Rights Manual, which provides a comprehensive overview on human rights treaties to which Afghanistan is party, as well as specialized training handouts on more focused training topics. In Q2, HRSU updated its training handouts on UN Human Rights Monitoring Mechanisms and State Obligations, and drafted a handout on the Rights of Suspects and the Accused. This will be used to build the capacity of state officials so they can effectively work for the implementation of human rights.

This basic training package is tailored to each State institution through the addition of specialized trainings focused on participants' specific sectors. In Q2, HRSU continued its regular trainings to enhance the capacity of the National Directorate of Security (NDS) staff at the NDS Academy with two three-day sessions on its basic human rights modules⁴, as well as focused modules on UNCAT and the Rights of Suspects and the Accused. Out of six completed trainings for NDS, three (out of five required in 2013 by the AWP) have been held on the implementation of treaty recommendations. On 5-8 May, HRSU provided trainings to the Ministry of Labor, Social Affairs, Martyrs and Disabled (MoLSAMD), with targeted trainings on CEDAW, Convention on the Rights of the Child (CRC), the Convention on the Rights of Persons with Disabilities (CRPD) and human rights monitoring mechanisms.⁵ Though the drafting of the Child Act stalled temporarily in Q2 as MoJ officials and Play Therapy Africa (PTA) representatives met to recalibrate expectations and work plans, HRSU and UNICEF organized two half-day sessions for MoLSAMD to review the Convention on the Rights of the Child (CRC) and national initiatives currently undertaken for support, including the Child Act.

At the end of April, through the facilitation by JHRA, HRSU invited trainers from the Afghanistan Independent Human Rights Commission (AIHRC) to hold an internal collaborative training session to review each institution's training materials on international conventions and rights based on international human rights standards. The participants, which included the Training Unit staff from both institutions, provided constructive

⁴ A training evaluation exists from the training from 08-10 April 2013. As the pre-test and the post-test of the training have demonstrated, the participants improved their knowledge 44.86% in average. 12 out of 30 participants said that the relevancy of the training to their TOR was "excellent", 15 out of 30 participants said that the relevancy of the training to their TOR was "very good", 13 out of 30 participants said that the effectiveness of the training in enabling them to apply human rights issues on the ground was "excellent", 12 out of 30 participants said that the effectiveness of the training in enabling them to apply human rights issues on the ground was "very good", and 17 out of 30 participants said that the training enabled them in an "excellent" way to implement human rights in their activities.

⁵ As the pre-test and the post-test of the training have demonstrated, the participants improved their knowledge 57.46% in average. 12 out of 26 participants said that the relevancy of the training to their TOR was "excellent", 17 out of 26 participants said that the effectiveness of the training in enabling them to apply human rights issues on the ground was "very good", and 16 out of 26 participants said that the training enabled them in an "excellent" way to implement human rights in their activities.

feedback on all materials, exchanged resources and curricula, and discussed insights from personal experiences in training Government officials to strengthen future delivery. HRSU and the Afghanistan Independent Human Rights Commission (AIHRC) have agreed to increase their collaboration in future, providing complementary sessions and acting as guest speakers in human rights trainings provided to the Government.

JHRA organized a strategic review of the HRSU on 6-17 May to clarify the strategic vision of the MoJ for the Unit, ensure that UNDP support to the Unit is aligned with the MoJ's vision over the next three years, and identify the systemic and coordination opportunities available across institutions most connected with the delivery of human rights. The review was carried out by a Rule of Law and Human Rights Expert from the UNDP Asia Pacific Regional Centre, who conducted interviews with key officials in the MoJ, line ministries, the AGO, HRSU, the Afghanistan Independent Human Rights Commission (AIHRC) and civil society. HRSU held a consultative meeting on the HRSU Strategic Plan with the Minister of Justice on 4 June to be submitted to the Inter-Ministerial Human Rights Taskforce in Q3 for approval and endorsement. The Plan outlines the working arrangements of HRSU and line ministries in the delivery of human rights commitments, establishes roles for key focal points in line ministries to support the implementation of human rights obligations, and outlines the responsibilities of HRSU in tracking the Government's implementation of international human rights recommendations through legislation and policy.

Institutional and individual capacity assessments were conducted by UNDP Country Office capacity development experts to support the development of the HRSU Strategic Plan which will be augmented by a deeper review of the institutional capacity by a human rights expert in Q3.

EXPENSES FOR THE QUARTER

During Q2, a total of USD 300,519 was spent for this output. For more details, please see Annex 2 on page 23.

Table 1: Quarter 2 Progress for Output 1

2013 Baseline	2013 Annual Targets	Q2 Planned	Q2 Actual	Comments (on target/delayed)
1.1 Cabinet Board meetings do not have access to sufficient information to make informed policy recommendations.	1.1 TOR for capacity development assessment of Cabinet Boards finalized with the support of an expert who will help in convening regular Cabinet Board meetings.	Recruit capacity assessment consultant for three months.	<ul style="list-style-type: none"> The capacity assessment report has been developed by NSGP project. Therefore, no new capacity assessment report is required to be prepared by JHRA. 	On target
		Support CB Secretariats in strengthening and approval of their Terms of Reference.	<ul style="list-style-type: none"> Concept note for initiating Cabinet Board meetings on legislation in development with Vice President's Office and MoJ. 	Ongoing
1.2 MOJ political decision making and policy and law-making processes are not informed by data or analysis of bottlenecks on justice service delivery.	1.2 RoLIS completed.	Support MoJ PPD in the initiation and facilitation of an annual baseline/RoL indicators study conducted by qualified independent statistics and public opinion institutes to inform policy and planning.	<ul style="list-style-type: none"> One international consultant position and one UN Volunteer position were advertised for the RoLIS. UNV is expected to join by August. RoLIS consultant selected, but did not accept the offer, and the post has been re-advertised. 	Consultancy was re-advertised.
		Recruit National Policy, Legislations and Human Rights Coordinator (SB5).	<ul style="list-style-type: none"> National Policy, Legislation and Human Rights Coordinator recruited and joined on 1 April. 	Achieved
1.3 The MOJ Taqin does not have an annual legislative or translation calendar for prioritization and planning of legislative drafting and review.	1.3 20% documents listed on the legislative and translation calendar are translated in accordance with calendar	Support the Taqin and the Translation Unit in the establishment and implementation of an annual legislative and translation calendar to plan law-making.	<ul style="list-style-type: none"> The legislative calendar approved by the Council of Ministers and distributed to line ministries for additional legislative and policy priorities. Translation Board translated 36 documents based on MoJ requests and independently of the draft translation calendar. The translation calendar is currently under review and will be adjusted to the legislative calendar approved in mid-June. 	

2013 Baseline	2013 Annual Targets	Q2 Planned	Q2 Actual	Comments (on target/delayed)
		Recruit Lead Translator	<ul style="list-style-type: none"> Lead Translator joined on 2 April. Recruitment of two translators completed to replace outgoing staff. 	On target
		Support the Taqin in the updating and maintenance of a physical and digital archive of legislative documents in Dari, Pashto, Arabic and English.	<ul style="list-style-type: none"> Updating and maintenance of the archive will be linked to the results of the capacity assessment for the Translation Board and started once the capacity assessment is completed. 	Postponed
		Continue to pay 6 national translators on LoA contract	<ul style="list-style-type: none"> All six staff continued in their positions with the Translation Unit in Q2. 	Achieved
		Support the Taqin on global legislative best practices during law making process.	<ul style="list-style-type: none"> MoU with Turkey under preparation for capacity building on drafting of specific laws: economic, financial and banking. 	On target
		Undertake one conference/workshop inside Afghanistan.	<ul style="list-style-type: none"> Three-day workshop for staff of the <i>Taqin</i> conducted on legislative techniques and legislative drafting in June 2013. 	On target
1.4 HRSU established in 2010, integrated in the Tashkeel in 2011 but no formal regulation and inter-ministerial business-processes.	1.4 10% of laws and regulations received or drafted by the Taqin are reviewed by HRSU for human rights compliance	2 consultative workshops on HRSU regulation with state institutions held	<ul style="list-style-type: none"> A Strategic Plan for HRSU was developed in May and June, in consultation with senior officials of the MoJ, MoWA, AGO, MoLSAMD, AIHRC and CSHRN. This Plan includes a clarification of working arrangements and responsibilities, which will be used to revise the Human Rights Support Regulation for presentation to the Human Rights Taskforce in Q3. 	Ongoing
		Support the HRSU to establish regular liaison with ministries	<ul style="list-style-type: none"> HRSU identified five initial ministries to establish focal points: AGO, MoD, Mol, MOWA and NDS. These are in line with the priorities put forward on Presidential Decree 129 on torture and general Rule of Law strategies. 	On target
		Recruit one Database Consultant to upload	<ul style="list-style-type: none"> Database consultant selected to begin 	On target

2013 Baseline	2013 Annual Targets	Q2 Planned	Q2 Actual	Comments (on target/delayed)
		M&E toolkit on Right to Education.	work in Q3.	
		Transfer information on development of other M&E mechanisms.	<ul style="list-style-type: none"> Internal session on database development and management for international conventions held with HRSU Tracking Unit and Heads of Units. 	On target
		Undertake 3-4 workshops on UNCAT/ICCPR to provide technical support to MoFA to develop State Reports.	<ul style="list-style-type: none"> DIHR International Consultant started contract with HRSU and MoFA for the development of the UNCAT State Report on 1 June. Two planning meetings were held, one to establish the parameters for the Steering Committee, Technical Working Group and Coordination Team, one to discuss and approve an action plan for activities over the coming 12 months. 	On target
		Recruit one international and one national consultant for UNCAT.	<ul style="list-style-type: none"> One international consultant recruited through Letter of Agreement with DIHR. Work to extend over 12 months. 	Ongoing
		2 workshops conducted on CEDAW and UN 1325 for MoFA officials.	<ul style="list-style-type: none"> Support provided for training of two persons in Geneva prior to discussion on State report on CEDAW. One training expected in September on comments on the CEDAW report from Human Rights Committee. 	ongoing
		Two trainings held on human rights and gender perspectives with line ministries.	<ul style="list-style-type: none"> Four-day training held to MoLSAMD on the Concept of Human Rights, UDHR, CEDAW, CRC, CEPD and human rights monitoring mechanisms. 	Achieved
		Support <i>Taqnin</i> and HRSU in the organization of trainings or workshops with focal points in line ministries on specific laws.	<ul style="list-style-type: none"> International expert recruited to conduct training and discussions over two days to focal points of Ministries in August. 	Planned for Q3. Consultant recruited

2013 Baseline	2013 Annual Targets	Q2 Planned	Q2 Actual	Comments (on target/delayed)
		Support the HRSU in the organization of regular training, sensitization and information sessions for State institutions on the implementation of treaty recommendations.	<ul style="list-style-type: none"> • Two half-day information sessions held with MoLSAMD and UNICEF on recommendations related of children. • Half-day session held with MoFA Directorate Human Rights and International Women Affairs on the implementation of the National Action Plan for ICESCR, CCRC and UPR Recommendations. 	On target
		Two trainings held for NDS on the implementation of treaty recommendations.	<ul style="list-style-type: none"> • Two trainings (8-10 April and 6 May) held for NDS on the Concept of Human Rights, UNCAT and the rights of suspects and the accused in light of international obligations. 	Achieved
		Development of handout materials, ToT Manual, 100 posters printed.	<ul style="list-style-type: none"> • Handouts on UN Human Rights Monitoring Mechanisms, State Obligations, and Rights of Suspects and the Accused drafted. 	On target
		Other activities to report:	<ul style="list-style-type: none"> • HRSU reviewed the following laws for compliance with ICCPR: <ul style="list-style-type: none"> ○ Law on Education ○ Law on Mines ○ Law on Juvenile Rehabilitation Centers ○ Law on Forensic ○ Law on Private Investment ○ Law on Criminal Procedure Code for Military Courts ○ Labor Law ○ Law on Rights and Benefits of Disabled Persons ○ Law on Structure and Authorities of Attorney General's Office ○ Mining Materials Law 	Ongoing activity, on track

2013 Baseline	2013 Annual Targets	Q2 Planned	Q2 Actual	Comments (on target/delayed)
			<ul style="list-style-type: none"> ○ Law on Death Penalty Verdicts Limitation ○ Law on Supporting the rights of Authors, Composers, Artists and Researchers ○ Interim Criminal Procedure Code ○ Military Court Law ● The unit had follow-up meetings with Curriculum Department and Scientific Council of MoE to assess the impact of a workshop conducted for their staff. ● Presentation on the establishment of HRSU, its mandate, activities, achievements and challenges with particular focus on recommendations at Civil Society and Human Rights Network (CSHRN)'s Spring School on Human Rights. ● Three-day collaborative TOT workshop with AIHRC trainers. ● HRSU hosted a team of two national and one international (APRC) UNDP experts to conduct institutional and individual capacity assessments, and strategic review of HRSU to enrich the MoJ Three-Year Strategic Plan. The team held meetings with HRSU staff, MoWA, AGO, AIHRC, CSHRN, Mol, MoFA, and MoJ officials, including the Head of Taqin, Deputy Minister of Programmes, and the Minister. ● The Child Act process postponed to re-establish agreement between the 	

2013 Baseline	2013 Annual Targets	Q2 Planned	Q2 Actual	Comments (on target/delayed)
			contracted partner, Play Therapy Africa (PTA), and MoJ. The Director of PTA met with HRSU, H.E. the Minister of Justice and UNICEF. Agreed PTA would deliver progress report on the drafting process of the Child Act.	

B. 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. It supports component 3 ("Increasing meaningful access to justice") and component 4 ("Building institutional capacity to strengthen justice delivery") of NPP 5, and will work primarily with the Afghan Independent Bar Association (AIBA), the National Legal Training Centers (NLTCs), the Attorney General's Office (AGO) specialized Violence against Women (VAW) units and the MoJ Legal Affairs (*Huquq*) Department.

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

JHRA is establishing the Legal Aid Grant Facility (LAGF) in cooperation with the Afghan Independent Bar Association (AIBA), the MoJ Legal Aid Department and the Independent Legal Aid Board to create a mechanism through which legal aid service providers can access necessary funds to provide legal representation to vulnerable groups across Afghanistan, who would otherwise not have access to the justice system or formal legal recourse. Afghanistan suffers from a dearth of legal aid providers: the 1,600 lawyers registered with AIBA are insufficient to address the vast needs of the Afghan people, who often settle disputes outside of the justice system and within their own communities. Furthermore, financial restrictions limit the mobility of defense lawyers, leaving remote communities completely unsupported by legal aid services.

The LAGF will be established to increase both the reach and the quality of legal aid services available across the country. Through the LAGF, lawyers will have access to subsidies for the provision of legal aid services and professional development trainings through AIBA, the MoJ, and legal aid organizations.

In Q2, JHRA conducted a capacity assessment of AIBA offices in Jalalabad, Herat, Mazar-i-Sharif and Kabul to examine strengths and identify gaps of AIBA's organizational structure, financial management, human resource management, and M&E capacities. This assessment of AIBA's capacities seeks to identify whether AIBA currently has sufficient capacity to implement a LAGF. It also assesses whether or not AIBA will be able to systematically build its capacity and enhance its ability to deliver improved access to justice through the provision of legal aid to the most vulnerable segments of Afghan society, especially indigent, women and children through a rights-based approach. A draft report of the findings is currently being reviewed by UNDP, MOJ Legal Aid Department, and AIBA,

and will inform disbursement mechanisms and eventual capacity development plans to be provided by AIBA moving forward. JHRA has also identified a senior legal aid expert, who will assist the MoJ and AIBA to establish M&E, quality control and grievance redress mechanisms starting in Q 3⁶.

In the first half of 2013, AIBA, the MoJ Legal Aid Department and the Independent Legal Aid Board developed a set of criteria for establishing the LAGF which covers the systems for selection of cases, allocation of funds based on type of case, and priorities for cases affecting women and children, and people in remote areas. Legal aid service providers will submit requests for case subsidy to AIBA, where prioritized cases will be identified and channeled to the Legal Aid Department for approval. Ultimately, the MoJ will assume responsibility over the disbursement of funds through the LAGF, with UNDP administering all funds until the proper mechanisms are in place for the MoJ to do so (i.e., establishment of a formal registration of a dedicated bank account).

A tripartite memorandum of understanding (MoU) has been developed, which outlines each party's roles and responsibilities concerning the LAGF, and provides a standard legal framework for the coordination and working arrangements for any matters pertaining to the LAGF. The MoU is currently being reviewed by UNDP's Legal Services Office in New York, and, upon approval, will provide the legal basis from which the LAGF can be established and become active.

To increase the effectiveness of the LAGF, and general legal aid service provision in Afghanistan, JHRA is working with the World Bank to ensure that all legal aid activities planned by both institutions are discussed and carried out in a coordinated manner. As both MoJ legal aid officials in the Legal Aid Department and independent lawyers registered through AIBA will be eligible for LAGF funds, both World Bank and UNDP activities will be bolstered through this initiative. Coordination with the World Bank will further increase synergies and avoid overlap or duplication of activities. UNDP will also coordinate with the World Bank in the drafting of the Legal Aid Road Map for the Legal Aid Department and to further refine legislation governing legal aid to ensure all lessons learned from both initiatives are shared regularly.

Part of the LAGF funds will be used to bolster the access of women to legal aid services. AIBA lawyers and legal aid providers received prioritized subsidies for cases involving women, including cases channeled through specialized Violence against Women (VAW) units, women's networks, and shelters. JHRA will also support capacity expansion and presence of the specialized Violence against Women (VAW) units, housed under the Prosecutor's Offices at the provincial level.

⁶ The recruitment of this expert will be effectuated after the signing of the MoU to establish the LAGF.

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

Afghanistan's traditional justice system plays a large role in resolving conflicts within communities. This is largely due to a lack of knowledge about the formal justice system and challenges, both financial and security wise, in accessing the State justice system at the district level where it exists. JHRA is working to foster cooperation between State and non-State justice providers by establishing district-level platforms through which justice providers and community elders can meet to discuss cases and systems they are encountering, with the aim of increasing the number of cases transferred from community *shuras* to the State. Nine districts have been identified in coordination with the Governors' Offices in Herat and Nangarhar (4 in Herat and 5 in Nangarhar) to pilot these community platforms.

The annual target for this activity is to undertake 9 meetings per province with State and independent justice providers. In Q2, JHRA technically and financially supported the Department of Justice (DoJ) to host introductory sessions in six of the nine target districts: 5 of the sessions took place in the province of Nangarhar in the districts Surkhroad, Kama, Kuz Kunar, Behsood, and Ghani Khel, one of the sessions took place in the province of Herat in the district Karokh. These introductory sessions were bringing together *shura* leaders from Community Development Councils and District Development Assemblies with State justice and Government officials at the provincial and district levels. These initial meetings aimed to introduce the goals of the JHRA project and explore existing systems for transferring cases from communities to the State justice system where and if they existed. In the districts of Surkhroad, Kama, Kuz Kunar, Behsood, and Ghani Khel in the province of Nangarhar, this was the first time community leaders had met with Government officials.⁷ They expressed their gratitude for the opportunity to meet with their district and provincial representatives to discuss myriad issues affecting their communities. These meetings will lead to a monthly coordination meeting between State and non-State actors and also will result in the establishment of a case referral mechanism from non-State to State actors.

JHRA drafted a template for case flow documentation between State and non-State actors which establishes uniform systems for documentation of case referrals. This will be introduced to State and non-State justice provider, who will be trained on data collection and recording. Information collected through these forms will comprise the baseline and provide tracking for case-referrals and cooperation between State and non-State actors. In

⁷ In each district, 20 community leaders at minimum participated in the sessions, coming from the District Development Assemblies (DDAs), the District Development Councils (DDCs), the *shuras* (consultative council) and the *ulemas* (Muslim legal scholars).

addition to identifying gaps, the baseline will provide data to measure the project's progress in the final evaluation.

In Q2, JHRA recruited a Regional Coordinator in Balkh, who will expand JHRA sub-national programming to the third province targeted for 2013. All activities currently carried out in Nangarhar and Herat will be expanded in full to Balkh province in Q3.

2.3. Number of functional and staffed NLTC established

In order to increase the number of qualified officials in justice institutions across Afghanistan, JHRA will increase the availability of professional training to prosecutors and Huquq officials at the provincial level through the expansion of the National Legal Training Centers (NLTC) program. The NLTC, currently operated through Kabul University, provides professional training and certification for State justice service providers with emphasis on respect for due process. To increase the overall student intake and geographic reach of the NLTC, JHRA will expand the training center by establishing campuses attached to Herat, Nangarhar and Balkh law faculties. The annual target for this activity is to establish one functional NLTC in Herat. In Q2, JHRA developed a concept paper for three new NLTC chapters based on the NLTC Kabul Model, and met with the Ministry of Higher Education and law faculties in each of the target provinces in April to discuss opportunities for expanding the NLTC outside of Kabul. Discussions with the educational facilities will continue into Q3, as will coordination with the MoJ and the AGO to develop a detailed terms of reference and curriculum design for the NLTC in Herat. Initial explorations of different models of NLTC have taken place and as a result, a concept note has been developed.

JHRA has extended its cooperation with UNODC through a MoU for joint trainings in Nangarhar, Herat, Balkh, and Helmand. In the short term, these trainings will develop better coordination and communications between the security sector and justice institutions, which will result in better public services. In the long term, these joint trainings will engage law professors in target provinces through training of trainers and joint facilitation to ultimately hand over responsibility of curriculum delivery to academic institutions housed in the regional NLTC chapters. Trainings will focus on investigation skills development for civil and criminal cases, legal application of law and law enforcement processes, and code of conduct of duty bearers.

JHRA deepened its cooperation with UNDP/LOTFA and EUPOL by contributing to a series of trainings on crime scene investigation and Elimination of Violence against Women (EVAW) standards for provincial-level Family Response Unit (FRU) officers, prosecutors and law professors. Six batches of one-month trainings are planned for 2013. In Q2, 20 participants were brought in from Nangarhar, Balkh, Herat and Helmand to attend the

intensive training. Six of the 20 participants were female, either prosecutors or FRU officers. To assess the impact of these trainings, a one-day workshop will be held in Herat at the end of August. The assessment will also cover increased cooperation between police and prosecutors. Based on the assessment, a compilation of lessons learned will be developed as well as Standard Operating Procedures (SOP) for cooperation between police and prosecutors.

Further to assess the exact needs of the Attorney General's Office (AGO) in strengthening the service provision of specialized Violence against Women (VAW) units, JHRA has recruited one international consultant, who joined on 10 June, to conduct a capacity assessment of three of the eight existing specialized Violence against Women (VAW) units nationwide in Nangarhar, Herat and Balkh. At the end of August, upon the completion of the assessment, a capacity development plan will be developed. The specialized Violence against Women (VAW) units plan will be presented to the AGO and other stakeholders as a basis for planning JHRA's activities for specialized Violence against Women (VAW) units in 2013 and 2014.

Altogether, increasing the number of qualified officials in justice institutions available to deliver services to the population is an important element in increasing the number of Afghan citizens able to access justice services. By this means, the trainings contribute to achieving the increase in quality access to justice.

EXPENSES FOR THE QUARTER

During Q2, a total of USD 158,533 was spent for this output. For more details, please see Annex 2 on page 23.

Table 2: Quarter 2 Progress for Output 2

2013 Baseline	2013 Annual Targets	Q2 Planned	Q2 Actual	Comments (on target/delayed)
2.1 LAGF does not exist.	2.1 UNDP and AIBA will sign letter of agreement on LAGF	Recruit one International Expert to Establish Legal Aid Grant Facility/Legal Clinic	<ul style="list-style-type: none"> International Expert to Establish Legal Aid Grant Facility/Legal Clinic to develop M&E mechanisms, quality control and grievance redress mechanism recruitment is ongoing the expert is expected to join 29 August. 	On target
		Recruit one Associate Finance Officer to be placed at AIBA to support LAGF	<ul style="list-style-type: none"> Based on the assessment report on AIBA, it is expected that this recruitment will be undertaken in Q3. 	Reliant on the signing of MoU with AIBA and MoJ
		Undertake capacity assessments in LAB and AIBA on requirements for adequate functioning of Legal Aid Grant Facility (LAGF).	<ul style="list-style-type: none"> UNDP BCPR Legal Aid Expert conducted an assessment of AIBA offices in Jalalabad, Herat, Mazar-i-Sharif and Kabul in June. 	Achieved
		Establish parameters for prioritization of legal aid cases that are to be subsidized by the Legal Aid Grant Facility	<ul style="list-style-type: none"> MoU between UNDP, AIBA and MoJ, detailing roles and responsibilities for the implementation of LAGF, drafted and awaiting approval from Legal Support Office in New York UNDP. Definition of cases and pricing based on the type of case has been established by MoJ and AIBA. 	On target
		Support the LAB to undertake meetings in the provision of policy direction on activation and use of LAGF.	<ul style="list-style-type: none"> Discussions conducted with GIZ and WB to explore areas for coordination in legal aid activities. 	On target
		Provide training/workshops / for AIBA lawyers.	<ul style="list-style-type: none"> Initial follow up of training needs based on the capacity assessment conducted. 	On target
2.2 No mechanism that links non-State and state justice systems.	2.2 Nine meetings per province undertaken with State and independent justice providers.	Recruit one Access to Justice Specialist (P4)	<ul style="list-style-type: none"> Recruited and joined 7 May. 	Achieved
		Recruit one National Access to Justice Coordinator (SB5)	<ul style="list-style-type: none"> Recruited and joined 3 April. 	Achieved
		Identify provincial and district level consultation platforms, such as Police-e-Mardumi, DDAs, Child Protection Action Networks (CPANS) that could serve as platforms to coordinate with State and non-State justice providers on community justice and security matters.	<ul style="list-style-type: none"> Partners identified in coordination with the DoJ. Platforms have been identified for district level interventions in nine districts of Nangarhar and Herat. Further engagement at the district level was impeded due to the delayed delivery of vehicles for Regional Coordinators in Herat and Nangarhar. 	On target

2013 Baseline	2013 Annual Targets	Q2 Planned	Q2 Actual	Comments (on target/delayed)
			Vehicles were delivered in June, and interaction with representatives in target districts is projected to increase significantly in Q3.	
		Facilitate mechanisms 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.	<ul style="list-style-type: none"> Data collection form developed to document the case flow which is expected to improve with the coordination meetings. 	On target
		Facilitate information flow of cases from provincial and district platforms to the MoJ Policy and Planning Department to inform policy making.	<ul style="list-style-type: none"> New JHRA-recruited PPD staff are working within national-level Units of the Department to examine the existing (or defunct) mechanisms for transferring cases from non-State to State, and documenting flow of cases. 	Initiated
		Undertake coordination meetings with State and non-State actors at the district level across three provinces to identify local level disputes and provide necessary referral services.	<ul style="list-style-type: none"> Introductory meetings with state justice institutions and traditional leaders conducted in 6 districts in Herat and Nangarhar to initiate coordination between State and non-State justice providers and establish common goals for the duration of JHRA's engagement. 	On target
2.3 No NLTC chapters exist in Herat or Nangarhar	2.3 One functional and staffed NLTC established in Herat	Support the establishment of NLTC chapter in Law Faculty of law in Herat.	<ul style="list-style-type: none"> Concept paper developed for three regional NLTC chapters in Herat, Balkh and Nangarhar and shared with MoJ for endorsement. 	On target
		Undertake needs assessment of specialized Violence against Women (VAW) units in the AGO with recommendations on pilot in Herat.	<ul style="list-style-type: none"> Needs assessment of specialized Violence against Women (VAW) units at the national and provincial levels initiated by an international legal expert in June. 	On target
		Develop SOP for the prosecutors on corruption, sexual/gender based violence and domestic violence.	<ul style="list-style-type: none"> Signed MoU on joint trainings on crime scene investigation and elimination of violence against women standards for prosecutors, FRU officers and law professors between EUPOL, UNDP and MoI modified to six trainings instead of three. <ul style="list-style-type: none"> Third one-month training for 20 participants completed in June. 	On target
		Establishment of JHRA Phase II office at national and provincial levels.	<ul style="list-style-type: none"> Regional Coordinator for Balkh recruited in June. Balkh Regional Office to be established in Q2. 	On target

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

While increasing the availability and quality of justice services is integral to increasing overall trust in the justice sector, the Afghan public must be able to both understand and feel involved in the justice system to increase actual demand in justice services. Output 3 focuses on strengthening the ability of the Afghan public 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, and will work primarily with AIHRC, CSOs, media and think tanks.

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

Economic disenfranchisement has been identified as a driver of both political conflict and extreme levels of crime and violence. Therefore, JHRA seeks to empower the most vulnerable groups within the Afghan society to raise their voices and address their concerns. Integrating the concerns of marginalized people into the policy-making process results in pro-poor amendments to national and municipal legislations and thus improves working conditions, enhances livelihoods and furthers economic empowerment. By inclusively addressing the rights of all Afghan citizens, trust in the government will increase.

The annual target for this activity is to undertake two discussions on Legal Empowerment for the Poor (LEP) and community dispute resolutions with policy makers. This sub-output is far ahead of target. On 12 April, JHRA hosted a Focus Group Discussion (FGD) to capture the opinions and concerns of 14 disabled street vendors regarding the working conditions and challenges they faced. The FGD uncovered that the main issues affecting street vendors include violence and harassment by local officials, lack of clearly designated areas in which to operate, and a lack of availability of vocational and business trainings. These findings will contribute to future, more in-depth discussions with street vendor unions and municipal representatives, as well as informing future policy discussions on socio-economic and labor rights.

Two joint stakeholder meetings were organized at the central and provincial levels on Labor Rights, the Informal Economy and Working Conditions of Street Vendors. On 7 May, over 30 participants attended the national dialogue, including representatives from Kabul Municipality, the Ministry of Justice, the Ministry of Labor and Social Affairs, the Ministry of Commerce, the National Afghan Labor Union, the Kabul Chamber of Commerce as well as relevant CSOs and NGOs. On 29 May, in partnership with UNDP's Afghanistan Sub-national Governance Project (ASGP), a similar meeting was replicated at the municipality office in Herat. This meeting was chaired by the Mayor of Herat and was attended by

representatives from Herat Municipality, Herat Justice Directorate, the Herat Commerce Directorate, the Afghan Labor Union, Herat University and the Municipal Advisory Board. Final Reports from both meetings have been produced and translated, outlining key issues, recommendations and points of action. The outcome of these meetings resulted in consent over establishing technical committees mandated to meet regularly to implement recommendations on designating an urban area dedicated to street vendors; issuing operating licenses to vendors; establishing a model market with shelter, water and sanitation; strengthening and legitimizing street vendor unions and associations; and advocating the street vendor issue in Parliament and the Council of Ministers.



Joint Stakeholder Meeting on Labor Rights, the Informal Economy and Working Conditions of Street Vendors in Herat City, 29 May 2013

JHRA is to support the formulation and implementation of vocational, income generating, training programs to develop the business capacity of street vendors. These interventions are expected to provide basic business skills for street vendors to improve their livelihood by learning how to streamline their operations, increase their incomes above subsistence levels and expand their businesses. Currently, JHRA coordination meetings are being undertaken to explore partnerships with USAID's Financial Access for Investing in the Development of Afghanistan (FAIDA) Program and UNICEF's Water, Sanitation and Hygiene (WASH) Project. Three meetings have already been conducted and 2-3 more will take place.

Preliminary meetings with the Dean of the Law Faculty from Herat University were held in May to discuss a Research Project to be undertaken with law students from the Rule of Law and Human Rights Center at Herat University. The proposed project will be conducted in cooperation with UNDP counterparts from the Afghanistan Sub-national Governance Project (ASGP) in Herat. It seeks to have law students deliver questionnaires to approximately 75 street vendors as a means of gathering statistical evidence on demands and challenges of street vendors. The results will assist JHRA in providing the municipality with relevant information to shape future policies on improving the working conditions of street vendors and providing them with legal protection. The terms of contract and questionnaire are being finalized and will be approved during Q3.

In Q2, JHRA formulated a plan of action to support the Ministry of Justice in organizing a series of Community-Based Dispute Resolution (CBDR) workshops at the central and provincial levels to enhance cooperation between State and non-State justice providers. These interventions also complement the efforts of NPP5 in promoting peace-building processes through enhanced synergies between the two justice sectors.



Community Based Dispute Resolution Workshop in Nangarhar, Jalalabad, 17-19 June 2013.

On 17-19 June, the first CBDR workshop was held in Jalalabad, Nangarhar. Led by the Directorate of Justice of Nangarhar, the workshop raised legal awareness among 80 participants from State and non-State justice on the role and mandate of the *Huquq* in facilitating the adjudication of disputes and civil right cases. It further shed light on the relationship between State justice and traditional modes of dispute resolution and negotiation through *shuras*. This event also served as a forum to further public knowledge on the linkages between Sharia Law and the Afghan Constitution in resolving, mediating and addressing civil cases and their compliance with national and international human rights standards. During Q2, the Project prepared a second CBDR workshop scheduled to take place on 13-16 July 2013 in Herat. It is expected that the discussions stemming from the provincial CBDR workshops will contribute to the organization of a national workshop in Kabul where State and non-State justice providers will generate recommendations to further systematize cooperation methods on dispute resolution mechanisms.

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

In Q2, the Afghanistan Independent Human Rights Commission (AIHRC) approved its Capacity Development Action Plan, which was formulated with JHRA's technical support. The Action Plan will guide the development of the AIHRC Strategic Plan, which is expected to begin in Q4. JHRA has worked with AIHRC to outline a two-year action plan, which forms the basis of an institutional letter of agreement between UNDP and AIHRC identifying concrete areas for cooperation for 2013 and 2014. The current draft is under review by the AIHRC, but due to the appointment of new commissioners this quarter, approval has been delayed. JHRA is in close co-ordination with AIHRC senior management on this issue.

In follow up to the 10-day training provided to AIHRC by the National Human Rights Commission (NHRC) in India, JHRA is working with AIHRC to invite two NHRC officials for an extended mission to assist the Commission in developing a training program on investigation techniques. The mission will seek to streamline AIHRC's current investigation practices, making them easier to document, analyze and access. This mission is expected to take place at the beginning of Q3, and will enhance the technical capacity of the AIHRC staff and further strengthen South-South cooperation in the area of human rights.

3.3. Functional Public Legal Awareness Coordination Board in Place

In Afghanistan, knowledge and awareness on legal rights have been scarce. Limited public legal awareness has contributed to a lack of trust in institutions responsible for the legal protection of Afghan people. In this regard, JHRA provides technical support to the MoJ Public Legal Awareness Unit in sharpening its ability to increase public legal awareness through the provision of clear and consistent messages on legal rights.

In Q2, the Project supported the MoJ Public Legal Awareness Unit in conducting a public participation survey through implementing partner Lapis, with research support from ATR.

Both are private companies. The public perception survey has a twofold objective of assessing citizens' knowledge of the roles and mandates of State justice institutions, and evaluating their level of confidence and trust in the State justice system. Within this framework, JHRA worked with ATR and the Public Legal Awareness Unit staff to formulate a comprehensive survey, which was endorsed by the MoJ at a workshop, held on 18 May 2013.

Following approval of the survey questionnaire, a team of 16 national surveyors were trained on data collection, and the survey was launched in Kabul, Herat, Nangarhar and Balkh on 26 May. The findings uncovered from the qualitative and quantitative data gathered during the survey will be presented to MoJ officials in mid-July. Also, the findings of the survey, along with media monitoring reports (RFP's are currently under technical evaluation) will together feed the formulation of a National MoJ Communication Strategy, which will operationalize the National Legal Awareness Strategy developed in 2011. With technical and financial support from JHRA, the Communication Strategy is expected to be rolled out by the MoJ in the first quarter of 2014.

To support the implementation of both the MoJ Communication Strategy and the Legal Awareness Strategy, JHRA has provided advisory support to the Public Legal Awareness Unit by establishing a Public Legal Awareness Coordination Committee. This Committee is expected to oversee the formulation and implementation of public legal awareness interventions at the central, provincial and district levels. JHRA's support resulted in the formulation of a draft terms of reference for the Committee, which is currently being considered by the MoJ. It is envisaged that the Committee will serve as a forum for dialogue and exchange between Government and civil society representatives to coordinate public legal awareness activities in order to maximize their impact and minimize risk of overlap.

To strengthen the skills of media officers and communication focal points within different ministries, JHRA will organize training on media and communication techniques, to be provided by an international media school. The training will focus on strategic communications and responsible journalism, and promote consistent implementation of the national communication strategy on justice-related issues.

EXPENSES FOR THE QUARTER

During Q2, a total of USD 113,497 was spent for this output. For more details, please see Annex 2 on page 23.

Table 3: Quarter 2 Progress for Output 3

2013 Baseline	2013 Annual Targets	Q2 Planned	Q2 Actual	Comments (on target/delayed)
3.1 Limited discussion in parliament or in Government on land and labor rights/ Community dispute resolution mechanisms.	3.1 2 Discussions undertaken on Legal Empowerment for the Poor and community dispute resolutions with policy makers.	One background note on legal empowerment of the poor or community dispute resolution mechanisms.	<ul style="list-style-type: none"> • Condensed concept note completed, translated into Dari and disseminated. • Primer meetings held with MoJ, MoLSAMD, MoComm, Kabul Municipality and NGOs. • Mapping document produced and evolving. • FGDs with 14 disabled street vendors on 12 April. Findings to inform stakeholder meetings. • Press release on street vendor engagement developed and published on UNDP website. • CBDR workshop conducted in Jalalabad on 18-19 June. • Agenda for CBDR workshop on 6-8 July drafted and discussed with national counterparts in Herat. • Initial discussions with Herat University for a research project to gather statistical evidence for shaping municipal policy decisions about street vendors to start in Q3. 	On target
		Two national discussions and pilot implementation identified on legal empowerment for the poor.	<ul style="list-style-type: none"> • Two Joint Stakeholder Meetings on Labour Rights, Informal Economy and Working Conditions of Street Vendors conducted in Kabul and Herat. • Commitment received from stakeholders to establish a Technical Committee. • Potential amendments to municipal and labour legislation discussed with MoJ Municipal Policy Dept and at Joint Stakeholder Meetings in Kabul and Herat. Requires further work by technical committee, <i>Taqnin</i> and MoLSAMD. 	On target
3.2 Limited investigative capacity in	3.2 3-5 coordinated fora with CSOs, AIHRC	Develop capacity assessment action plan for AIHRC based on capacity assessment strategy supported by UNDP in 2011.	<ul style="list-style-type: none"> • Capacity Assessment Action Plan developed. Awaiting endorsement by commissioners. • LoA with AIHRC detailing strategic interventions 	Achieved

2013 Baseline	2013 Annual Targets	Q2 Planned	Q2 Actual	Comments (on target/delayed)
particular on VAW.	conducted on VAW.		for JHRA support developed and awaiting comments from AIHRC leadership.	
		Activate in collaboration with NIBP the MOU on knowledge transfer on complaints mechanism, investigations between AIHRC and the National Human Rights Commission (NHRC), India.	<ul style="list-style-type: none"> Discussions with AIHRC leadership to facilitate South-South cooperation with NHRC India. 	On target. Training planned for Q3.
3.3 A Public Legal Awareness Strategy from the MOJ PLAU exists, but no plan for strategic and coordinated implementation of public legal awareness activities.	3.3 Communications strategy for MOJ developed by building partnerships for coordination and dissemination of information, tools for messaging developed and approved.	Undertake perception survey and media monitoring.	<ul style="list-style-type: none"> Questionnaire developed and endorsed by PLAU at an explanatory workshop organized by JHRA and the implementing partner Lapis on 18 May. 16 surveyors trained by ATR from 21-23 May. Public perception survey launched in Kabul, Herat, Mazar and Nangarhar from 26 May-14 June. RfP for media monitoring re-advertised. 	On target
		Facilitate a coordination to activate Public Legal Awareness Coordination Board at MoJ with the AGO, SCt, MoE, MoM&C, MoWA, MoHajj and AIHRC at the national level.	<ul style="list-style-type: none"> Support to PLAU in drafting the ToR for the function and mandate of the Board. Agenda for the first Coordination Board meeting drafted and disseminated to Board members. First PLA Coordination Board meeting scheduled for 16 June, but postponed due to other MoJ commitments. 	Ongoing. PLA Coordination Board meeting postponed to Q3.
		Recruitment of Public Participation and Knowledge Management Specialist (P3).	<ul style="list-style-type: none"> Recruitment completed and specialist on board on 10 May. 	Achieved
		Recruitment of national Public Participation & Knowledge Management Coordinator (SB5).	<ul style="list-style-type: none"> Recruitment completed in June. 	Achieved
		Recruitment of Admin/Translator (SB3).	<ul style="list-style-type: none"> Recruitment completed in June. 	Achieved

D. OUTPUT 4: Monitoring and Evaluation Capacity in Place

4.1. Number of Project Steering Committee meetings conducted

A joint letter has been drafted by UNDP Country Director and the Minister of Justice to request justice sector institutions to appoint participants to serve on the JHRA Phase II project steering committee. The first project steering committee meeting is expected in August 2013.

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

In Q2, JHRA reviewed and revised its 2013 Annual Work Plan (AWP) to reflect the expansion of activities related to additional funding provided by the Embassy of the Netherlands. The revised AWP is expected to be signed off by members of the Project Steering Committee in early Q3. This will allow planned JHRA activities to be activated in the second half of 2013.

The Project was supported by an M&E mission from the Bureau of Crisis Prevention and Recovery (BCPR) from 17-31 May 2013. This mission provided inputs on several areas of JHRA programming: LAGF and its indicators for progress, next steps for the RoL Strategy, and the Global Focal Point joint plan for supporting the RoL in Afghanistan.

The mission further looked into indicators for progress in the AWP. With the current indicators and targets, the project has predominantly service/progress indicators for measurement but no output or outcome indicators. A clear distinction between output indicators and key activity results indicators will allow for better tracking of the overall impact of programming over the duration of the Project. A first round of revisions of indicators has taken place in Q2, the final approval of revised indicators will take place in July 2013.

4.2. b.) Approved project budget in Atlas

See annex 1-3

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

See annex 1-3

EXPENSES FOR THE QUARTER

During Q2, a total of USD 276,110 was spent for this output. For more details, please see Annex 2 on page 23.

Table 4: Quarter 2 Progress for Output 4

2013 Baseline	2013 Annual Targets	Q2 Planned	Q2 Actual (April/May)	Comments (on target/delayed)
4.1 One Project Steering Committee meeting	4.1 Two Project Steering Committee meetings to be convened.	Undertake two reviews and analyze project progress through regular internal assessments, UNDP monthly team meetings, and cluster meetings.	<ul style="list-style-type: none"> • AWP arrived expected to be signed off on by members of the Project Steering Committee in Q3. 	Postponed
		Provide management support to the project components.	<ul style="list-style-type: none"> • Redrafting of NPP 5. Government endorsement secured on 29 June. • Weekly internal update meetings held. • Monthly all staff meetings held. 	On target
4.2 No of plans submitted on time	4.2 Project Plans (AWP, HR, Procurement, M&E) and budgets are prepared, reviewed and revised on a timely basis.	Support the design and implementation of M&E systems used under the project programmatic components or establish new ones to inform programmatic and policy priorities for National Partners and UNDP, as follows: quarterly report developed.	<ul style="list-style-type: none"> • Q2 report finalized. • AWP revised to reflect the expansion of activities related to additional funding. • M&E mission from the BCPR from 17-31 May. 	On target
		Project operation support.	<ul style="list-style-type: none"> • Regular one stop shop meetings undertaken with all operations units of UNDP; • Monthly coordination meetings held with all project components. • Weekly project disbursement & tracking undertaken. 	On target

III. GENDER-SPECIFIC RESULTS

The MoJ requested JHRA to provide technical and financial support to conduct a workshop for female MoJ employees on 20-21 April, as a follow up to the International Women’s Day celebration in Afghanistan. The workshop focused on the National Action Plan for Women in Afghanistan (NAPWA), the Afghan Constitution and NPP5. The workshop also provided female officials with a platform to discuss the challenges, internal regulations and career progression practices of the MoJ present for women.⁸ Participants shared their experiences on issues such as education, discrimination, security and other aspects of their work which affects their motivation to remain in the justice sector. The participants developed a list of priority actions requested from the Ministry to increase their capacity and career potential in the MoJ, which was later endorsed by the deputy minister and submitted to the minister. JHRA shared the findings of the workshop with the consultant drafting the National Priority Program on NPP5 for inclusion in the Government’s programming, and will utilize the workshop recommendations to develop its capacity building strategy for female employees of the MoJ.



Group discussion at the workshop for female employees in the Ministry of Justice, 20-21 April

⁸ Out of 2,652 employees at the MoJ, only 216 are women (8%). As the questionnaire for the workshop revealed, the majority of the women (57%) are aged between 30 and 49 and 64% have worked at the MoJ for over ten years. 45% of women within the ministry have 21-30 years of work experience. However, very few of them occupied leadership positions. Participants experienced their gender as an obstacle during the recruitment process. Moreover, as perceived by the participants, the MoJ does not take advantage of experienced female employees for directorial level positions. The lack of proper training seems to be the contributing factor to the underrepresentation of women within the Ministry. 88% of the women believe that the MoJ should support them in career development.

In Q2, JHRA began working with a consultant to conduct a needs assessment of the specialized Violence against Women (VAW) units in provincial prosecutor's offices. These Units were established within the AGO in March 2010 to prosecute violence against women and to respond to Afghanistan's commitments under the CEDAW. Specialized Violence against Women (VAW) units have been established in Kabul, Herat, Balkh, Kapisa, Kunduz, Parwan, Paktia, Nangarhar, Bamyan and Badakhshan provinces. However, ongoing capacity constraints coupled with cultural norms and sensitivities continue to impact the effectiveness of the specialized Violence against Women (VAW) units in the provinces. The consultant has initiated work to identify gaps and areas of engagement for the Project.

IV. PARTNERSHIPS

With an increasing number of international actors investing in Afghanistan's development, fragmentation and inefficiency must be avoided by creating more inclusive and broader partnerships. The key role of each actor must be emphasized to enhance complementarity and coherence of development cooperation. Several of JHRA's multiple partnerships had a significant role in Q2.

The partnership with UNAMA for the implementation of the RoLIS is essential, especially for the perception survey which will feed into the Rule of Law indicators. In order to hold FGDs and thus establish a baseline, JHRA must work through UNAMA's regional offices, which have regular contact with local authorities and can engage communities to carry out the survey.

The partnership between JHRA and UNODC promotes coordination in areas of common interest for the betterment of justice services in Afghanistan at the provincial level. A MoU will be signed in Q3 for the provision of joint trainings between UNODC and JHRA on investigation skills development for civil and criminal cases, legal application of law and law enforcement processes, and code of conduct of duty bearers.

The partnership with UNDP's Afghanistan Sub-national Governance Project (ASGP) was continued and expanded through the organization of a Joint Stakeholder Meeting on Labor Rights, the Informal Economy and Working Conditions of Street Vendors. JHRA will continue to partner with ASGP Herat through establishment of a technical committee on street vendors and carrying out a research project in partnership with the Law Faculty at Herat University.

JHRA's partnership with MoFA, the leading Ministry for State reporting on international conventions, has strengthened through the development of a prioritized plan of action for State reporting in 2013-2014. A letter of agreement to strengthen this partnership through support for trainings, provincial workshops on data collection and analysis, and

international workshops will be signed with MoFA in Q3. JHRA signed a letter of agreement with the Danish Institute of Human Rights in Q2 for the provision of expert counsel in the UNCAT State reporting process, and this partnership has extended the expertise of an international consultant to lead MoFA in the development of the UNCAT State report.

JHRA has worked with AIHRC to develop an institutional letter of agreement to identify concrete areas for cooperation for 2013 and 2014, based on the Capacity Development Action Plan.

A tripartite MoU has been developed between UNDP, AIBA and MoJ for the establishment and management of the LAGF. The MoU is currently being reviewed by the UNDP Legal Services Office in New York, and, upon approval, will provide the legal basis for the LAGF.

V. ISSUES

- Coordination between LAGF stakeholders

The coordination between LAGF stakeholders remains challenging due to the unprecedented nature of this cooperation. JHRA continued its previous strategy consisting of facilitating discussions between stakeholders. Change of office premises for security reasons

- Uncertain financial sustainability

Uncertain financial sustainability has impacted JHRA's ability to implement its activities in a timely fashion. To increase the likelihood of financial sustainability, JHRA considerably emphasized the importance of assessment tools and evaluations in Q2. The results gathered from the data will inform strategic decisions which in turn improve relevance, effectiveness, efficiency, impact and sustainability of the JHRA project.

- Change of office premises for security reasons

The volatile security situation also affected staff and regular office functions. On several occasions, the office staff has had to operate from home or stagger arrival timings to office, as the current JHRA office is situated in a high target area. JHRA is considering relocating its premises to an area close to the MoJ but outside the target area. Security assessment is ongoing. A decision by UNDP Senior Management is expected in Q3. To increase security at the JHRA premises in Kabul, JHRA will upgrade its security measures until further decisions are taken on office relocation by UNDP Senior management.

VI. RISKS

- Lack of security

The volatile security situation greatly affected project implementation in Q2. Lack of security in provinces and districts where UNDP-JHRA carries out programming continues to impede project implementation. In addition to implementation, the security situation continues to hinder the project's ability to monitor activities through field assessments. The Joint Stakeholder Meeting on Labor Rights, the Informal Economy and Working Conditions of Street Vendors in Herat City, was postponed to 29 May because of the attack against the International Organization for Migration (IOM) in Kabul on 24 May. On 17-19 June, the Project supported the organization of a CBDR workshop in Nangarhar aiming at strengthening cooperation mechanisms between formal and informal justice actors. Due to heightened security threats, JHRA staff in Kabul was not able to attend the workshop. JHRA's mitigation strategy is to considerably upgrade collaboration with all regional coordinators and local stakeholders. JHRA further works closely with UNDSS to monitor the security situation in Kabul and the provinces for all missions. JHRA uses ANP armed escorts for road missions and additional security for large events.

- Extent of Government of the Islamic Republic of Afghanistan (GIRoA) support for all components of the Project

The extent to which the Government of the Islamic Republic of Afghanistan (GIRoA) supports the development efforts of UNDP-JHRA is variable depending on the focus area where stakeholders are involved. The Project's mitigation strategy is to further involve governmental counterparts in the Project Steering Committee to promote ownership and ensure the Project meets the priorities of the Afghan government.

- Understaffing/ Risk of delays in recruitment of key project staff

Recruitment of qualified staff remained challenging throughout Q2 and has only been nearly completed at the end of the quarter. JHRA's general mitigation strategy remains to follow up closely with all stakeholders involved to quickly identify problems in the recruitment process. Recruitment of national female staff has been a challenge as on several occasions, invitations to qualified female candidates to attend interviews were not possible. As a mitigation measure, female candidates are being proactively shortlisted to give opportunities to the candidates.

- High LOA staff turn-over

Based on the Presidential Decree No. 635, dated 1388, 10, 13, the National Technical Assistance (NTA) Remuneration Policy was developed to harmonize the salary scales of national staff who work for the Islamic Republic of Afghanistan (GIRoA) within and outside of the *Tashkeel*, including those funded by international donors. With the implementation

of the NTA salary scale, JHRA expects to lose qualified staff both at HRSU and the Translation Board. The implementation of the salary scale was delayed, which is why this risk continues. The Project's mitigation strategy is to foster ownership both at HRSU and the Translation Board, and provide greater learning opportunities to LOA staff to ensure their enthusiasm towards assignments.

- Sensitivity surrounding gender-mainstreaming

Gender mainstreaming is at risk in JHRA's project implementation and most likely, gender programming can only be conducted in a limited manner due to the heightened sensitivity of the topic in the context of current political developments. JHRA's mitigation response is to implement projects based on national priorities, such as the National Action Plan for Women in Afghanistan (NAPWA).

VII. LESSONS LEARNED

- Assessing needs and capacity

In the aim of providing a solid foundation for JHRA's interventions, the Project has conducted a number of needs assessments and capacity assessments in Q2. By this means, JHRA can identify gaps and efficiently direct interventions. Needs and capacity assessments were conducted with HRSU, the *Taqnin*, the Translation Board, AIBA offices and the specialized Violence against Women (VAW) units.

- Coordinating with similar projects

Taking LAGF as an example, coordination with actors working on similar projects has proven to be very beneficial for creating synergies and enhancing efficiency. The main actors in the field are giz and the World Bank. Coordination meetings have taken place with both organizations.

- Evaluating trainings

Training evaluation is part of the accountability of every actor investing in development of human resources. Through training evaluation, it is possible to find out not only what trainees learn, but also to ensure on the long run that trainees transfer their knowledge to their work performance. For example, the training with female staff at the MoJ was evaluated to feed future interventions. HRSU also conducted a number of training evaluations.

- Coordinating with local leaders

The public perception survey was launched from 26 May to 14 June and 16 surveyors were deployed to administer the questionnaire in Kabul, Herat, Balkh and Nangarhar. Several incidents occurred in provinces where the physical security of surveyors was threatened. From this, JHRA learned coordination with local leaders must be increased to assure the security of personnel operating in provinces.

- Facilitating consultations

The consultative process between diverse stakeholders such as government representatives, street vendor unions and street vendors is possible provided an external actor such as JHRA facilitates the process and creates an environment conducive to consultations. This has been proven by the success of the joint stakeholder meetings conducted in Kabul and Herat.

VIII. FUTURE PLANS

In Output 1, the Project will upgrade its support for the *Taqnin* in Q3 through legal training workshops. The Project will further develop its capacity development strategy for the female staff of MoJ based on the demands outlined by female employees at the workshop in April. Capacity building will also enable new LOA staff in the Policy and Planning Department (PPD) to assist the Cabinet Board.

JHRA will provide technical support in the development of the translation calendar and provide trainings based on the capacity assessment. The project endeavours to bring the lead consultant and UNV for RoLIS on board. To ensure continuity of discussions, a justice sector coordination meeting will be undertaken in Q3 to initiate the process of administrative data collection. The ToR for the FGDs in 8 provinces will be finalized and advertised.

In Output 2, a consultant on legal aid will design the model for the LAGF in Q3 and assist the MoJ and AIBA to establish M&E, quality control and grievance redress mechanisms. It is expected that the disbursements of funds will start in Q3. The capacity development of the AIBA lawyers in Herat, Nangarhar, Balkh and Helmand will be conducted simultaneously through training workshops for lawyers at three provinces. A capacity development plan for the specialized Violence against Women (VAW) units will be established based on capacity assessments. A National Legal Trainer will be hired based on a MoU between UNDP-JHRA and UNODC to design the curriculum of the legal capacity building training, conduct needs assessment of provincial justice sector institutions, and organize trainings. The fourth FRU-prosecutor training will be held in September. In Q3, the Project will also collect lessons learned for workshops with EUPOL trainees. Two coordination meetings between State and non-State justice providers in Herat and Nangarhar in each district will be conducted.

In Output 3, the Project will provide technical assistance for the establishment of a pilot project on street vendors in Kabul and Herat. A research project with the support of law students from the Rule of Law and Human Rights Center at Herat University will feed into the consultations of the technical committees. JHRA will further support the formulation and implementation of vocational, income generating, training programs to develop the

business capacity of street vendors. The CBDR workshop held in Nangarhar will be replicated in Herat and Mazar, aiming at strengthening cooperation mechanisms between formal and informal justice actors. A policy paper on traditional dispute resolution mechanisms will provide further understanding on CBDR. With the aim of strengthening cooperation mechanisms among State and non-State human rights institutions, JHRA will facilitate technical meetings between HRSU, AIHRC, and CSOs. JHRA will further provide technical and financial support to enhance the technical capacity of the AIHRC staff through cooperation with NHRC and the Commission on Human Rights in the Philippines. JHRA will help to formulate the AIHRC Strategic Plan 2014-2019 and provide technical, financial and advisory support for the implementation of recommendations regarding the CEDAW shadow report. Based on the assessment of the public perception survey, JHRA will provide support for the formulation of the MoJ communication strategy and help enhance capacities of selected community radio stations to formulate and broadcast radio programs aiming at raising public legal awareness. Capacity development training programs on communication and media techniques will be conducted simultaneously.

IX. ANNEXES

ANNEX 1: FINANCIAL TABLE

Donor Name	COMMITMENT/ PAST YEARS RECORD				CURRENT YEAR					FUTURE EXPENSES		TOTAL RECEIVABLE		
	Commitment (a)	Revenue Collected 31/12/2012 (b)	Expenses 31/12/2012 (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	517,688	517,688	249,667		268,021		-	108,929	159,092	-	-	-	-	159,092
DFAIT	21,377	21,377	18,080		3,297	-	-	-	3,297	-	-	-	-	3,297
ITALY	2,010,871	2,000,000	354,618		1,645,382	10,871	-	163,420	1,492,833	-	-	-	-	1,492,833
NETHERLANDS	249,223	249,223	202,428		46,795	-	-	14,970	31,825	-	-	-	-	31,825
NORWAY	13,372	13,372	13,371		1	-	-	-	1	-	-	-	-	1
SDC	769,991	769,991	70,704		699,287	-	-	190,597	508,690	-	-	-	-	508,690
NETHERLAND	2,490,000	-	-	-	-	1,083,899	-	-	1,083,899	-	-	1,406,101	-	1,083,899
UNDP	2,845,824	345,824	345,824		-	2,500,000	-	985,106	1,514,894	-	2,176	-	-	1,512,718
Grand Total	8,918,346	3,917,475	1,254,692	-	2,662,783	3,594,770	-	1,463,022	4,794,531	-	2,176	1,406,101	-	4,792,355

Note:

- i) The figures provided in the above statement are provisional; the final figures will be known once the 2013 mid-year closure exercise has been completed by end of August 2013.
- ii) Income received in currency other than USD is approximated to USD based on UN- Operational Rate of Exchange applied.

ANNEX 2: EXPENSES BY OUTPUT

Project Output ID and Description	2013 Budget (AWP)	Expenses (Jan-Mar-2013)	Expenses (Apr-Jun-2013)	Cumulative Expenses (Jan - Jun 2013)	Delivery Rate
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.	1,592,578	132,248	311,175	443,423	28%
Output 1 PIP: (00083456) Comprehensive 42 month Project Document to support justice and human rights programming for MoJ and justice sector institutions	***	36,214	(294)	35,920	
Sub-total Output 1	1,592,578	168,462	310,881	479,343	30%
Output 2: (00085459) Mechanisms to provide quality justice services to vulnerable groups are established and functional (NPP 5, component 1)	1,355,485	18,538	177,996	196,534	14%
Output 2 PIP: (00083458) Support to MoJ with programmatic inputs on Human Rights Support Unit (HRSU) and Translation Unit	***	14,533	16,337	30,870	
Sub-total Output 2	1,355,485	33,071	194,333	227,404	17%
Output 3: (00085460) Public participation processes and knowledge base for improving access to justice and human rights compliance established.	557,000	17,199	118,977	136,176	24%
Output 3 PIP: (00083464) Resource Mobilization & Monitoring (Knowledge Management)	***	387	4,378	4,765	
Sub-total Output 3	557,000	17,586	123,354	140,940	25%
Output 4: (00085461) Project Support Unit: Internal oversight, monitoring and evaluation capacity in place.	1,204,500	284,692	330,643	615,335	51%
Sub-total Output 4	1,204,500	284,692	330,643	615,335	51%
Grand Total	4,709,563	503,811	959,211	1,463,022	31%

*** The above expenses parked under JHRA-II Project Initiation Plan (PIP) outputs without allocated budget in 2013, is due to the liquidation of Commitments (OPEN PURCHASE ORDERS) issued in 2012- And the actual delivery of goods and services received in 2013 accounting period.

ANNEX 3: EXPENSES BY DONOR

Donor Name	Project Output ID and Description	2013 Budget (AWP)	Expenses (Jan-Mar-2013)	Expenses (Apr-Jun-2013)	Cumulative Expenses (Jan-Jun-2013)	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.	262,993	10,989	82,089	93,078	35%
	Output 2 PIP: (00083458) Support to MoJ with programmatic inputs on Human Rights Support Unit (HRSU) and Translation Unit	***	11,357	4,494	15,851	0%
Sub-Total		262,993	22,346	86,583	108,929	41%
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.	150,000	-	-	-	0%
	Output 2: (00085459) Mechanisms to provide quality justice services to vulnerable groups are established and functional (NPP 5, component 1)	1,101,485	18,538	134,536	153,074	14%
	Output 1 PIP: (00083456) Comprehensive 42 month Project Document to support justice and human rights programming for MoJ and justice sector institutions	***	6,332		6,332	
	Output 2 PIP: (00083458) Support to MoJ with programmatic inputs on Human Rights Support Unit (HRSU) and Translation Unit	***	51	(2)	49	
	Output 3 PIP: (00083464) Resource Mobilization & Monitoring (Knowledge Management)		3,985	(21)	3,965	
Sub-Total		1,251,485	28,906	134,514	163,420	13%
NETHERLANDS	Output 2 PIP: (00083458) Support to MoJ with programmatic inputs on Human Rights Support Unit (HRSU) and Translation Unit	***	3,125	11,845	14,970	0%
Sub-Total		-	3,125	11,845	14,970	-
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.	695,085	68,707	121,890	190,597	27%
Sub-Total		695,085	68,707	121,890	190,597	27%
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.	484,500	52,552	107,196	159,748	33%
	Output 2: (00085459) Mechanisms to provide quality justice services to vulnerable groups are established and functional (NPP 5, component 1)	254,000	-	43,460	43,460	17%
	Output 3: (00085460) Public participation processes and knowledge base for improving access to justice and human rights compliance established.	557,000	17,199	118,977	136,176	24%
	Output 4: (00085461) Project Support Unit: Internal oversight, monitoring and evaluation capacity in place.	1,204,500	284,692	330,643	615,335	51%
	Output 1 PIP: (00083456) Comprehensive 42 month Project Document to support justice and human rights programming for MoJ and justice sector institutions	***	29,882	(294)	29,588	0%
	Output 3 PIP: (00083464) Resource Mobilization & Monitoring (Knowledge Management)	***	(3,598)	4,398	800	0%
Sub-Total		2,500,000	380,727	604,379	985,106	39%
Grand Total		4,709,563	503,811	959,211	1,463,022	31%

*** The above expenses parked under JHRA-II Project Initiation Plan (PIP) outputs without allocated budget in 2013, is due to the liquidation of Commitments (OPEN PURCHASE ORDERS) issued in 2012- And the actual delivery of goods and services received in 2013 accounting period.

ANNEX 4: ISSUE LOG

#	DESCRIPTION	DATE IDENTIFIED	IMPACT/PRIORITY	COUNTERMEASURE/MNGT RESPONSE	OWNER	STATUS
1	Financial Sustainability	2013	Impact = 5 Priority = 5	Increase ownership and thus efficiency	CTA & Program Officer	Partly resolved
2	Coordination between LAGF stakeholders	Q 2	Impact = 3 Priority = 4	Facilitate discussions between stakeholders.	CTA & Access to Justice Coordinator	Not resolved
3	Change of office premises for security reasons	Q 2	Impact = 5 Priority = 5	Swift coordination with all actors involved, Cooperate closely with UNDP country office.	National project manager,	Not resolved

ANNEX 5: RISK LOG

#	DESCRIPTION	DATE IDENTIFIED	TYPE	IMPACT & PROBABILITY	COUNTERMEASURES/MNGT. RESPONSE	OWNER	SUBMITTED/UPDATED BY	LAST UPDATE	STATUS
1	Lack of security	ongoing	Environmental Political	<ul style="list-style-type: none"> • Potential risk of injury or death to project staff and contractors • Potential impact on activities – delayed or rescheduled activities • Lack of security in provinces and districts in which UNDP-JHRA will carry out programming continues to impede project implementation. • Subsequently, in addition to implementation, the security situation has also particular impact on the project's ability to monitor activities through field assessments. <p>I: 2 P: 5</p>	<ul style="list-style-type: none"> • Comply with UNDSS security arrangements • Contract security services for physical security. • Obtain security clearances for internal travel • Conduct conflict assessment as part of selection of districts • Contract external organizations where required 	National Project Manager, CTA	Staff	Ongoing	<ul style="list-style-type: none"> • Security remains an issue at the close of the project. • JHRA worked closely with UNDSS to monitor the security situation in Kabul and the provinces for all missions. • JHRA used ANP armed escorts for road missions and additional security for large events. • Security did affect programming as Mission planning takes up time and huge amounts of coordination between various agencies. • Workshops at the district level have been postponed due to security advisory.
2	Extent of GIRoA support for all components of the Project	ongoing	Political	<ul style="list-style-type: none"> • Project will require political support and coordination with several GIRoA institutions <p>I: 4 P: 4</p>	GIRoA counterparts involved in the Project Steering Committee to promote ownership and ensure the project meets GIRoA priorities	CTA, Project Manager and RoL Unit Program Officer	Staff	ongoing	<ul style="list-style-type: none"> • First Project Steering Committee is expected to be scheduled in August 2013.

#	DESCRIPTION	DATE IDENTIFIED	TYPE	IMPACT & PROBABILITY	COUNTERMEASURES/MNGT. RESPONSE	OWNER	SUBMITTED/UPDATED BY	LAST UPDATE	STATUS
3	Understaffing/ Risk of delays in recruitment of key project staff	ongoing	Ops	<ul style="list-style-type: none"> Delays in appointment of key staff will delay the implementation of technical activities, and limit project oversight of other activities I: 3 P: 3	Project recruitment plan listing planned recruitments and target dates will be followed up closely.	CTA, Project Manager/ Human Resources Assistant	Project Manager/ Human Resources Assistant	ongoing	<ul style="list-style-type: none"> The Project is currently almost fully staffed. Much of this was the result of lengthy internal processes.
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"> Losing staff at the Translation Board and the HRSU will risk the achievements of annual targets. I: 3 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	ongoing	<ul style="list-style-type: none"> Foster leadership both at HRSU/ Translation Board Delays in implementation of NTA salary scale
5	Sensitivity surrounding Gender Mainstreaming	Q2	Political	<ul style="list-style-type: none"> Limited gender programming I: 3 P: 4	Project implementation is based on national priorities such as the NAPWA.	CTA, National Project Manager, component managers, key staff	staff	ongoing	<ul style="list-style-type: none"> One workshop for female staff at the MoJ conducted. Follow up meetings expected.