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JUSTICE AND HUMAN RIGHTS IN AFGHANISTAN

2013 THIRD QUARTERLY PROJECT PROGRESS REPORT



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PROJECT INFORMATION

| | |
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| Project ID: | 00068012 |
| Duration: | January 2013 – December 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 |
| Chief Technical Advisor: | Dr. Doel Mukerjee |
| Responsible Assistant Country Director: | Hedayatullah Mohammadi |

COVER PAGE PHOTO: Coordination meeting between State and non-State justice providers on 10 September in Surkhrod, Nangarhar Province.

Acronyms

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

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I. EXECUTIVE SUMMARY

In the third quarter of 2013, JHRA activated capacity development plans based on the assessments conducted across the project in Q2. In total, JHRA has conducted more than 50 workshops, trainings, seminars, meetings and conferences since the beginning of JHRA Phase II. Through these activities, JHRA fostered cross-sectoral dialogue and cooperation between ministries and civil society representatives to increase overall cooperation and trust between the various levels of justice and rule of law providers.

Output 1 aims to increase the capacity of the Government of the Islamic Republic of Afghanistan (GIROA) in producing informed and compliant legislation. In Q3, JHRA supported the Planning and Policy Department (PPD) of the Ministry of Justice (MoJ) in establishing a working group for the Rule of Law Indicator Study (RoLIS), including the United Nations Assistance Mission to Afghanistan (UNAMA), United Nations Development Program (UNDP) and Afghan justice institutions, to identify rule of law indicators and conduct a series of focus group discussions (FGDs) based on these indicators.

A capacity development work plan was set up for the Institute for Legislative Drafting and Legal Research (*Taqnin*), based on a capacity assessment conducted in Q2, and all professional staff are scheduled to participate in legal trainings by the end of 1392 (March 2014).

The Human Rights Support Unit (HRSU) launched the National Action Plan on Implementation of the Universal Periodic Review (UPR), Convention on the Rights of the Child (CRC) and International Covenant on Economic, Social and Cultural Rights (ICESCR) Recommendations, which provides concrete human rights obligations for government institutions. A Letter of Agreement (LoA) was signed with the Ministry of Foreign Affairs (MoFA) to support work on the UN Convention Against Torture (UNCAT) State Report.

Output 2 aims to provide quality justice services to vulnerable groups. JHRA signed a tripartite Memorandum of Understanding (MoU) with the Afghanistan Independent Bar Association (AIBA) and the MoJ for the establishment of Legal Aid Grant Facility (LAGF), which will provide defense representation to vulnerable groups. These funds will bolster access to justice for women and children.

JHRA has conducted a capacity assessment of four Elimination of Violence against Women (EVAW) Units based in the Attorney General's Office (AGO), and is setting up a capacity development plan in cooperation with relevant stakeholders.

JHRA continued its trainings to increase the number of qualified justice officials through cooperation with the EUPOL, the expansion of the National Legal Training Centres (NLTCs) to Herat, the follow-up on an agreement signed with the United Nations Office on Drugs and Crime (UNODC) to provide trainings to justice and security officials.

Output 3 aims to strengthen ties with the Afghan public, through the promotion of socio-economic rights and support to civil society. JHRA established a Technical/Coordination Committee in Kabul and is in the process of establishing a second committee in Herat for the street vendor pilot of the legal empowerment of the poor initiative. The committees foster dialogue between street vendors and policy

makers to develop a legal framework for the protection of street vendors in Afghanistan. JHRA finalized a policy paper on street vendors for further dissemination.

JHRA facilitated a series of Community-Based Dispute Resolution (CBDR) workshops to enhance cooperation between State and non-State justice providers in Nangarhar, Herat and Balkh. These workshops foster cooperation between formal and informal justice providers and raise awareness on the services provided by State justice institutions.

The Project also supported the MoJ Public Legal Awareness Unit (PLAU) by conducting a public participation survey in Balkh, Herat, Kabul and Nangarhar. The survey provided a detailed description of citizen's perception on justice issues, and identified key influencers and channels for powerful engagement. This will feed into the communication strategy for the MoJ to implement the National Public Legal Awareness Strategy and Action Plan.

To achieve lasting and significant change, JHRA diligently seeks to carry out project implementation in a results-oriented manner and further engaged in harmonization and coordination efforts with other agencies to increase the impact of its efforts for the development of the Afghan justice sector.

II. RESULTS

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

Output 1 of JHRA project focuses on increasing the capacity of GIRoA 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” and NPP6 on Human Rights and Civic Responsibilities. This output considers the development needs of the Permanent Legislation Committee of the Council of Ministers (Legislation Committee), the PPD, *Taqnin*, and HRSU.

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

Indicator 1.1: Mechanisms established for activating Cabinet Board meetings on legislation.

The Legislation Committee plays a crucial role in the legislative process in Afghanistan. It is composed of relevant ministries, and has the function to comment on legislative documents and prepare for decisions of the Council of Ministers. More importantly, this Committee has the ability to scrutinize the legislative drafts before being sent to the Council of Ministers. As the capacity assessment conducted by the National State Governance Project (NSGP) has revealed, a number of challenges exist within the Legislation Committee, such as insufficient systems to deliver the constitutional mandate; inadequate technical know-how to plan, program, budget and execute national programs; lack of policy-making capacity; lack of coordination between State committees; and lack of public inclusiveness in policy making processes.

JHRA is responding to these challenges through the provision of technical support to enhance the functionality of the committee. Following consultations with both the First Vice President’s Office and the Minister of Justice’s Office, which make up the Committee Secretariat, JHRA will provide two senior national advisers, one to each office, to strengthen three key responsibilities currently lacking in the Legislation Committee: 1) establish efficient and effective coordination among the Legislation Committee members; 2) assist the Secretariats in following up, tracking, disseminating, and implementing the decisions reached at the meetings; and 3) to design and put in place a mechanism to make sure VP1 has the required capacity to scrutinize the legislations based on the international best practices which relevant to the context of Afghanistan and are in accord with the constitution of the country. A concept note to begin these engagements was submitted to the First Vice-President’s office in Q3 and is currently under discussion.

Given the political nature of these positions, and their span across both the MoJ and the First Vice President’s Office, JHRA needs to ensure that these positions are brought in when they can best be activated, and with complete agreement from both of these offices. It has been requested that these positions be filled only once the PPD positions are filled, functional, and their outputs can be properly gauged. As such, recruitment of these positions will be postponed until early 2014, and conducted in coordination with both the MoJ and the First Vice President’s Office.

1.2. Strengthen MOJ policy making capacity through the Planning and Policy Department (PPD).

Indicator 1.2 RoL indicators study implemented.

The PPD is responsible for developing the strategy and supporting policies for the Ministry of Justice, but has suffered from understaffing since its establishment. In Q2 and Q3, JHRA supported the recruitment of an additional three justice experts enabling the PPD to carry out its mandate. With their added expertise in Q3, the Minister of Justice requested the PPD to carry out three fundamental tasks to contribute to the overall improvement of the Ministry's work and reputation: 1) prepare, together with the Head of the PPD and an expert from World Bank, the MoJ Five-Year Strategy, based on the priorities put forward in NPP5¹; 2) review all current contracts between the MoJ and third parties to ensure legal soundness and reestablish MoJ obligations; 3) evaluate the administrative processes of the MoJ, with particular focus on the Human Resources Department and recruitment processes, to ensure highly qualified professionals are able to be recruited and retained.

JHRA supported the MoJ in the development of its Five-Year Strategic Plan by reviewing the initial draft distributed by the PPD and providing substantive feedback on its feasibility and adherence to the NPP 5 priorities. Based on JHRA's feedback, the MoJ has set up a working group, which includes other international donors and agencies, to ensure existing initiatives are incorporated, and built upon in a coordinated and sustainable fashion.

Within its mandate to develop a thorough institutional strategy for the MoJ, the PPD is also conducting the Rule of Law Indicators Study (RoLIS), which will provide baseline and ongoing data concerning justice and rule of law services to all actors working in the rule of law sector. The PPD is leading a working group including representatives from UNAMA, UNDP, AGO, Supreme Court, Central Prisons Department (CPD) and the AIBA to identify the indicators for the survey, covering the civil and criminal justice systems of Afghanistan. Once initial indicators and parameters are set, a series of FGDs will be conducted in each of the target provinces, in order to get anecdotal, qualitative and quantitative information about the current state of the justice sector.

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

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

The *Taqnin* Department is responsible for drafting and scrutinizing of all legal documents. In Q2, JHRA conducted a capacity assessment for the *Taqnin*, focusing on the enabling environment, organizational structure, and individual capacity of the *Taqnin*, as well as the legislative drafting process, role of the Translation Board, and the nature and extent of coordination with other governmental institutions. The assessment concluded that the *Taqnin* is unable to cope with the current volume of legislation being drafted, and that the capacity of other institutions to provide support to the *Taqnin* is limited, especially with technical issues such as the drafting of robust

¹ The Ministry of Justice Three-Year Strategy was initiated in Q1 2013 at a conference hosted by GiZ, to bring the initial Government draft fully in line with NPP5.

legislation. This has impeded the *Taqnin*'s ability to prioritize the laws for review within the 1392 Legislative Calendar, and therefore, though some of the laws are currently being reviewed, none of the laws in the current legislative calendar have been channeled through to parliament for passage.

To address these challenges, a multi-pronged approach needs to be taken to strengthen the professional capacity within the *Taqnin*, improve the quality of the policy documents sent to the *Taqnin* by the Ministries, and create a streamlined and enabling institutional and procedural environment for law-making. JHRA developed a three-month capacity development work plan in coordination with the *Taqnin* to address its individual and institutional capacity needs identified in the capacity assessment. All professional staff of the *Taqnin* are scheduled to participate in legal trainings by the end of 1392, which will enhance the efficiency of the legislative drafting process.

The series of workshops included in this plan started with legal trainings in Q2, and was continued with another five-day workshop on criminal law drafting from 20-24 July. Forty-three *Taqnin* staff learned skills to transfer the main principles of criminal law into the Afghan legal context, proportionality between crime and punishment, and victim-oriented penalization. The *Taqnin* requires a more concentrated understanding on the broader ramifications of law making and its application, and JHRA is developing a training program on economic, social and cultural rights to complement the legal education currently provided.



Figure 1 Female staff of *Taqnin* department taking part in legal training on criminal law pertaining to the Afghan constitution- Kabul, July 2013

On 14-15 September, the *Taqnin* Department hosted a workshop to educate the legal advisors in line ministries on the legislative drafting process, and streamline current practices to encourage a more informed legislative drafting process, based on the processes and procedures stipulated in the Regulation on Procedure of Preparing and Processing Legislative Documents. Focal points were appointed by 45 government institutions: officials with either the formal or informal mandate to contribute to the legislative drafting process on behalf of their institutions. Despite the guidelines for legislative drafting laid out in this regulation, the *Taqnin* Department continued to receive under-informed and poorly articulated requests for legislative documents. This workshop aimed to inform line ministries of the minimum information required by the *Taqnin* to improve the drafting of legislative documents when technical expertise is required.

In the interviews conducted by JHRA after the workshop, participants indicated that the workshop was a useful tool to increase cooperation, created common knowledge and raise awareness of the importance of quality legislation and swift coordination among the ministries. However, one of the main challenges raised was the contextualization of international best practices to Afghan society in the legislative drafting. Often these best practices are requested or recommended by external actors, for example donors; however, changes to make them applicable within Afghan society are not always immediately evident to the *Taqnin*. Lawmakers therefore require a deeper knowledge of their own society, including the needs of minority groups.



Figure 2 Participants debating the process of legislative drafting for *Taqnin* - Kabul, September 2013

JHRA is also supporting the MoJ through intensive trainings abroad. Initially, the Project was in discussion with the Ministry of Justice in Egypt, to organize experiential trainings in which Afghan *Taqnin* officials would work with the Ministry of Justice in Egypt to understand the processes used there – in a strong Islamic context. Unfortunately, due to the political developments in Egypt over the past year, these discussions have had to be put on hold. In agreement with the Afghan Minister and the acting Head of the *Taqnin*, JHRA is facilitating an MoU with Turkey to intensify the exchange of legal information and cooperation among these two countries.

To provide direct support, JHRA is attending *Taqnin* Executive Committee meetings and providing capacity building in drafting and reviewing legislative documents to implement the legislative calendar. The Executive Committee is the decision-making body of the *Taqnin* Department that approves all drafts processed by *Taqnin* officials for submission to the Council of Ministers. Technical support has also been provided to the Working Group for the Amendment of the Penal Code, and for the Sub-Committee on Corruption Crimes.

Currently, the laws prioritized in the legislative calendar are in various stages of the drafting and review processes. None have yet reached the parliament or been passed. As a result, the Translation Board has been unable to define a clear translation calendar, as this should directly correspond with laws that have been passed and announced in the Official Gazette. As a result, the Minister of Justice has requested the Translation Board to focus on three recently passed laws of particular import: the Election Law, Labor Law and Supreme Audit Administration Law.

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

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

HRSU made great headway in the Regulation on the Human Rights Support Mechanism of the Government of the Islamic Republic of Afghanistan in Q3 2013. An initial draft of the regulation was submitted to MoJ leadership and the *Taqnin* in Q1 2012. This draft provided an overview of the duties, responsibilities and working arrangements of HRSU, including its position within the MoJ. MoJ leadership requested that the regulation include specific human rights-related obligations for 40 State institutions, which HRSU developed together with the *Taqnin* during the remainder of 2012. In Q1 the revised and expanded draft was resubmitted for review by MoJ leadership. However, in its revised form, the regulation went beyond the jurisdiction of the MoJ – as ministerial-level regulations cannot apply obligations to other ministries. As such, in Q2 and Q3 of this year, HRSU worked intensively with the *Taqnin* and in regular consultation with the technical leadership of the MoJ to revise the Human Rights Support Regulation, and submitted a version of the regulation that has received preliminary approval from the *Taqnin* and the technical leadership of the MoJ. Duties, responsibilities and working arrangements of the Inter-ministerial Taskforce and HRSU are outlined, along with specific obligations for Taskforce members. The omitted articles will be used in a larger Human Rights legislation, to be developed in coordination with other government institutions, Afghanistan Independent Human Rights Commission (AIHRC) and civil society representatives.

On 28 August, HRSU launched the National Action Plan on the Implementation of the UPR, CRC and ICESCR Recommendations at the MoJ to 27 government institutions. The National Action Plan provides government officials with an overview of all recommendations provided by committee member States to Afghanistan for the UPR (2009), CRC (2009) and ICESCR (2008). HRSU has developed clear indicators for each recommendation, and assigned primary and secondary responsible parties for each engagement. Before its launch, HRSU had met with each institution included in the action plan as a responsible party to ensure that all parties were fully aware of their obligations within the State's human rights commitments, and any concerns were taken into account in the programmatic development. AIHRC was also consulted, as it is included in the National Action Plan as the responsible party for external monitoring.

Based on the National Action Plan matrix, HRSU has refined the parameters of its human rights tracking database, and officially notified all government institutions included in the Plan of the data/information requirements, which HRSU will start collecting in October 2013. The database will collect all information on the updated requirements and application of the international human rights commitments ratified by the Government of Afghanistan.

The National Action Plan will be updated annually, with both new recommendations as they are received, and current information on the implementation of prior recommendations by the State. In July, MoFA received feedback and recommendations on the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) State Report, which was submitted in July 2012. Forty-four recommendations were received, which will be included in the 1393

National Action Plan. HRSU has commenced work with MoFA to process the recommendations and is planning a joint conference on the CEDAW State Report, Lessons Learned and Follow Up on Recommendations in early Q4.

The recommendations were shared with focal points from line ministries and members of Parliament in two trainings focusing on general human rights concepts, international conventions and their implications on State legislation and policy, and the State's obligations in carrying out international recommendations, with particular focus on the CEDAW. Participants received Dari versions of the handouts, and formed working groups to identify key areas in which their institutions and individual work could support the application of the CEDAW recommendations. The training with gender focal points also compared the recommendations with the National Action Plan for Women in Afghanistan (NAPWA). The findings were shared with the Ministry of Women's Affairs (MoWA) for incorporation into future policies.



Figure 3 UNDP's Country Director and Deputy Minister of Foreign Affairs signing the Letter of Agreement to commence support for the UNCAT State Report – Kabul, September 2013

MoFA officially initiated the UNCAT State reporting process in Q3, with the signing of a LoA with UNDP on 1 September. UNDP is providing technical support for the UNCAT State Report through one international expert (Dr. Malek Sitez, Senior Human Rights Adviser, Danish Institute for Human Rights) and one National Coordinator, who was selected on 18 September. The contract is currently being processed by MoFA. The LoA also allocates financial support for MoFA to facilitate national and sub-national coordination with government institutions responsible for the collection of data.

Once the LoA was signed, the UNCAT Coordination Team, consisting of three MoFA officials, two HRSU officials and Dr. Sitez, reviewed the issues/questions provided by the Committee against Torture, and separated them both thematically and by responsible institution. Five themes were identified: National Legislation; Human Rights; Access to Justice; Provision of Justice; and Monitoring, Information and Knowledge Management Systems. In total, 12 institutions were identified as bearing primary responsibility for the application and protection of the obligations included in the UNCAT.² MoFA has issued formal requests to each institution for appointees to the steering committee and technical working group. HRSU will be responsible for conducting the legislative review of the UNCAT – and an additional legal expert will be recruited for three months to ensure this review is completed in a timely fashion.³

² Ministry of Justice; Ministry of Interior (Central Prisons Department and Afghanistan National Police); Ministry of Foreign Affairs; Ministry of Defense; Ministry of Women's Affairs; Ministry of Labour, Social Affairs, Martyrs and the Disabled; Attorney General's Office; Supreme Court; National Directorate of Security; Afghanistan Independent Human Rights Commission; and High Office of Oversight.

³ HRSU was reviewing national legislation for compliance with the International Convention on Civil and Political Rights at the request of the leadership of the Ministry of Justice in anticipation of this State Report scheduled to be initiated in Q1

The UNCAT State Reporting Process was launched at a National Conference on 12 September to inform decision makers of the UNCAT State Report and its requirements from each institution. MoFA hosted the conference, with speeches by many senior delegates, including Deputy Minister of Foreign Affairs, AIHRC Chairperson, and the Senior Adviser to the Minister of Justice. All spoke passionately about the need for Afghanistan to take an honest and thorough look at its current progress in combatting torture, and assess further needs for accountability and recourse within government institutions for those still employing torture. HRSU presented the questions received from Geneva and explained the data collection and analysis process to representatives of the 12 key government institutions involved in providing responses for the UNCAT State Report.

As mentioned in section 1.3, HRSU collaborated with the *Taqnin* for the Establishment of Coordination between the *Taqnin* and Government Institutions workshop held in September. This was an important step for HRSU, as this is the first formal collaboration with the *Taqnin* with other ministries, establishing HRSU as the main government institution responsible for the review of laws to ensure compliance with Afghanistan's human rights obligations. Many ministries requested direct coordination with HRSU in the legislative planning process, to ensure that any draft legislation is compliant with international human rights standards before it is submitted to the *Taqnin*.

In further response to the need among line ministries to receive more sector-specific information about human rights obligations, particularly within the legislative drafting process, HRSU is currently realigning its training curricula to impart more targeted and impactful skills among participants. Currently, HRSU offers more general trainings concerning human rights, and has developed one targeted, through short (five-day) training for the National Directorate of Security (NDS) Academy, in which HRSU trainers elaborate on examples directly applicable to NDS' work as frontlines. HRSU will both receive trainings on government service delivery, human rights and training techniques together with members from the *Taqnin* and AIHRC, and transfer these skills into targeted, 6-month trainings for five initially prioritized institutions: Ministry of Interior (MoI); NDS; AGO; MoWA and Ministry of Labour, Social Affairs, Martyrs and Disabled (MoLSAMD).

EXPENSES FOR THE QUARTER

During Q3, a total of USD 271,085 was spent for this output. For more details, please see Annex 2 on page 23.

2013. However, based on a formal request from MoFA for HRSU's assistance with the UNCAT process, additional technical support is needed to complete the review in time.

Table 1: Quarter 3 Progress for Output 1

| 2013 Baseline | 2013 Annual Targets | Q3 Planned | Q3 Actual | Comments |
|--|---|---|--|---|
| 1.1 Cabinet Board meetings do not have access to sufficient information to make informed policy recommendations | 1.1 TOR for activation of Cabinet Boards finalized with the support of experts who will help in convening & documenting regular Cabinet Board meetings. | Support CB Secretariats in strengthening and approval of their Terms of Reference; 3 meetings conducted. | • | Awaiting approval of concept note and engagement. |
| | | Support CB Secretariats in the preparation, coordination and distribution of relevant information and analysis for policy discussions by the Cabinet Boards. | • Concept note developed on the duties and responsibilities for two senior national advisors to be placed with the VP1 and MoJ | Awaiting approval of concept note and engagement. |
| 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 Contextualized RoL Indicators toolkits developed and implemented. | Assess the capacity of MoJ PPD systems, procedures and individual staff competency to analyze justice issues and provide policy recommendations. | • At the request of the Minister, PPD is mapping justice sector actors, collecting and examining provincial reports, and reviewing all agreements with international organizations and governments • ToR under process for NPP5 Coordinator (LOA staff) | On target |
| | | Support MoJ PPD in the initiation and facilitation of a RoL Indicators study by qualified independent statistics and public opinion institutes to inform policy and planning. | • Recruitment of International RoLIS consultant is underway • Recruitment for International UNV completed, RFP and TOR for the FGDs drafted | On target |
| | | RoL indicators study: Drafting of indicators; initiating expert survey & desk review of legal documents; (expert survey on justice systems). | • Weekly working group meetings with JI stakeholders to draft RoL indicators. • MoJ and AGO have drafted initial institutional indicators. • ToRs for two legal researchers (4 months - LoA) developed | On target |
| 1.3 The MoJ <i>Taqnin</i> does not have an annual legislative or translation calendar for prioritization and planning of | 1.3 20% documents listed on the legislative and translation calendar are translated in accordance with calendar | • Support the <i>Taqnin</i> and the Translation Board in the establishment and implementation of an annual legislative and translation calendar to plan law-making. | • Annual legislative calendar completed • First draft of the capacity assessment report for the <i>Taqnin</i> and the Translation Board developed • Translation Board is translating the | On target |

| 2013 Baseline | 2013 Annual Targets | Q3 Planned | Q3 Actual | Comments |
|---------------------------------|---------------------|---|--|-----------|
| legislative drafting and review | | | <ul style="list-style-type: none"> Election Law, Labor Law and High Audit Administration Law Recruitment of English and Arabic teachers for Taqin in process Recruitment of Computer and English teachers for MOJ's female staff in process Recruitment of 6 International Consultants on law drafting techniques and legal research in process Legal Training workshop for Taqin on Criminal law drafting (20-24 July) Workshop on the "Establishment of Coordination between General Directorate of Institute of Legislative Drafting & legal-Scientific Research and Governmental Institutions" for Taqin, 14-15 September Regular attendance to the Executive Committee of Taqin. Drafting of MoU with Turkey in process Weekly attendance to the working group on the General Provisions of the Penal Code and the Subcommittee on anti-corruption to provide legal inputs | |
| | | <ul style="list-style-type: none"> Recruit National Translation associate SB3 - lead translator, UNDP contract | <ul style="list-style-type: none"> TOR for the recruitment of Head of Translation Board and Pashto and English translators finalized. | On target |
| | | <ul style="list-style-type: none"> Support the <i>Taqin</i> to initiate the process of maintenance of a physical and digital archive of legislative documents in Dari, Pashto, Arabic and English. | <ul style="list-style-type: none"> JHRA is working with the Taqin to determine the best way to update the existing digital archive. | On target |
| | | <ul style="list-style-type: none"> Continue to pay 6 national Translators (on LoA contract). | <ul style="list-style-type: none"> Financial support for 6 national Translators (on LoA contract) has been continued. | On target |

| 2013 Baseline | 2013 Annual Targets | Q3 Planned | Q3 Actual | Comments |
|--|--|--|--|-----------|
| | | | <ul style="list-style-type: none"> • One translator resigned and needs to be replaced. | |
| 1.4HRSU established in 2010, integrated in the Tashkeel in 2011 but no formal regulation and inter-ministerial business-processes. | 1.410% of laws and regulations received or drafted by the <i>Taqnin</i> are reviewed by HRSU for human rights compliance | Recruit one database consultant to upload M&E toolkit across line ministries and recruit one database/web designer to reactivate website | <ul style="list-style-type: none"> • Database specialist identified. Recruitment in process • Initial draft of the data collection matrix for follow up on international conventions uploading prepared | On target |
| | | 2 workshops conducted on CEDAW and UN 1325 for officials in line ministries. | <ul style="list-style-type: none"> • HRSU is member of the UNSCR 1325 steering committee and technical working group, to develop a national action plan on the special needs of women and girls during post-conflict reconstruction, launched by MoFA on 30 July • Three-day workshop on Human Rights and gender related issues based on CEDAW conducted for 32 staff of National Assembly on 14, 16, 18 September • HRSU is preparing a workshop for government and civil society representatives on the response, recommendations and follow up for the 2012 CEDAW State Report with MoFA in Q4 • Three-day workshop conducted for 21 Ministry of Public Health (MoPH) staff (11 M, 10 F) (6-8 July). Focus on international obligations, CEDAW, NAPWA, EVAW and the MoPH one-stop VAW initiative in health clinics • Two-day training on human rights, CEDAW and gender issues conducted for the Gender Units of line Ministries and institutions (30 June-1 July) | On target |
| | | • Undertake 3 -4 workshops on | • LoA signed between UNDP and MoFA | On target |

| 2013 Baseline | 2013 Annual Targets | Q3 Planned | Q3 Actual | Comments |
|---------------|---------------------|---|---|----------|
| | | <p>UNCAT to provide technical support to MOFA to develop State Reports.</p> | <p>for the development of the UNCAT State report</p> <ul style="list-style-type: none"> • UNCAT State report Coordination Committee established, with two members from HRSU • List of 58 issues for UNCAT report translated from English to Dari • Framework for data collection for UNCAT state report developed and launched to 10 most involved ministries (MoI, MoJ, AGO, HOO, Supreme Court, NDS, MoLSAMD, MoWA, MoFA, AIHRC) • HRSU started the review of national laws in light of UNCAT, including a review of the list of issues and identification of relevant laws | |
| | | <ul style="list-style-type: none"> • Recruit one international and one national consultant for UNCAT • UNCAT Translation Associate | <ul style="list-style-type: none"> • International consultant recruited in June • National consultant recruited in September | Achieved |
| | | <ul style="list-style-type: none"> • 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"> • Conference on the National Action Plan for the Implementation of UPR, CRC and ICESCR Recommendations conducted at MoJ Conference Hall. All relevant institutions attended and shared their achievements, challenges and required solutions in implementing recommendations • HRSU conducted a follow-up workshop for staff of Ministry of Labor and Social Affairs, through a questionnaire and interviews with trainees. The Unit prepared an analytical report with recommendations, based on the findings to be considered in future | Achieved |

| 2013 Baseline | 2013 Annual Targets | Q3 Planned | Q3 Actual | Comments |
|---------------|---------------------|--|---|----------|
| | | | workshops | |
| | | <ul style="list-style-type: none"> • Training held for NDS on the implementation of treaty recommendations | <ul style="list-style-type: none"> • Two-day human rights training provided at NDS Academy to 16 provincial NDS officials on 28 July | Achieved |
| | | <ul style="list-style-type: none"> • 2 trainings held on human rights and gender perspectives with line ministries | <ul style="list-style-type: none"> • Two-day training on human rights conducted for National Environmental Protection Agency (NEPA) staff (20-21 August) | Achieved |
| | | <ul style="list-style-type: none"> • 2 consultative workshops on HR regulations with state institutions held | <ul style="list-style-type: none"> • Finalization of the Human Rights Support Regulation is in progress with <i>Taqnin</i> Department • Four meetings with the Deputy Minister (P) (1) and <i>Taqnin</i> (3) to discuss the contents of the regulation. A final draft has been cleared by all parties and sent for final approval by the <i>Taqnin</i> Executive Committee | On track |
| | | <ul style="list-style-type: none"> • Support the HRSU to establish regular liaison with ministries | <ul style="list-style-type: none"> • National Head of HRSU recruited through an open competition • HRSU Strategic Overview, prepared based on the findings of a consultative process with MoJ (and HRSU), members of the Task Force and relevant stakeholders, translated from English to Dari and submitted to Minister's Office. Initial discussions with Head of PPD conducted to change the document into a strategy consistent with MoJ strategy | Ongoing |
| | | <ul style="list-style-type: none"> • 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"> • Focal points appointed by line ministries. First training hosted by <i>Taqnin</i> in September. HRSU presented on its mandate and structure, with special focus on legislative review (laws, regulations, policies and strategies) in light of UN human rights | Ongoing |

| 2013 Baseline | 2013 Annual Targets | Q3 Planned | Q3 Actual | Comments |
|---------------|---------------------|---|--|---------------------|
| | | | treaties for compliance with UN human rights treaties. Potential methods for coordination between HRSU and line ministries in the review of draft legislation were discussed and identified | |
| | | <ul style="list-style-type: none"> • One ToT Manual for HRSU developed, 150 Action Plans on UPR/CRC/ICESCR printed | <ul style="list-style-type: none"> • Manual on international conventions is ready for print • 1,000 copies of the National Action Plan on the Implementation of UPR, CRC and ICESCR Recommendations printed • Guidelines on data collection for the National Action Plan follow up developed. HRSU has sent letters of request to line ministries on the data required • Three handouts (state obligations on human rights, suspect and accused rights based on national and international laws and UN human rights systems) shared with MoJ for approval and confirmation | Achieved/In process |
| | | <ul style="list-style-type: none"> • Operational support to HRSU; equipping HRSU offices | <ul style="list-style-type: none"> • HRSU moved to new premises in July. JHRA supported HRSU in the process of moving • Security upgrading of HRSU is under process • 2 vehicles for HRSU offices are in the procurement process • Extension of the rental vehicle to the end of December • Spare parts for vehicles purchased and two vehicles repaired • Logistical support for workshops is ongoing, support for 7 workshops | In process |

| 2013 Baseline | 2013 Annual Targets | Q3 Planned | Q3 Actual | Comments |
|---------------|---------------------|-----------------------------------|---|----------|
| | | | <ul style="list-style-type: none"> provided in Q3. • Purchase of one generator under process • Purchase of office equipment is ongoing | |
| | | <u>Other achievements:</u> | <ul style="list-style-type: none"> • HRSU reviewed the following laws for compliance with the International Covenant on Civil and Political Rights (ICCPR) for submission to the Minister's Office: <ul style="list-style-type: none"> ○ Election law ○ Regulation on Remuneration for Cultural Arts ○ Regulation on Regulating Prisons and Detention ○ Regulation on Internal and External Trade Unions ○ Strategies of Ministry of Finance, Ministry of Commerce ○ ANDS ○ Justice Sector Strategy ○ Strategy of Ministry of Rural Rehabilitation and Development • As per request of <i>Taqnin</i>, HRSU reviewed Play Therapy Africa's report, identified gaps in the drafting process and submitted its findings to <i>Taqnin</i> for decision about the contract. Also in this regard some articles of the following Laws Reviewed in light of CRC: <ul style="list-style-type: none"> ○ Constitution ○ Law on Demonstration and Strike ○ Labor Code ○ Law on Social Organizations | Achieved |

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

Output 2 aims to enhance the Afghan public's access to quality justice services through the improvement and provision of legal representation, strengthening of coordination between State and non-State justice providers, and increasing the number and capacity of trained justice officials at the sub-national level. This output prioritizes the capacity development of provincial and district level justice officials to improve access to justice for the men and women of Afghanistan in the long term. It supports component 3 ("Increasing meaningful access to justice") and component 4 ("Building institutional capacity to strengthen justice delivery") of NPP5, and includes working with the service providers of the justice institutions – the judges, prosecutors, EAW Units, *Huquq*, Family Response Units (with the Law and Order Trust Fund of Afghanistan [LOTFA]), AIBA, and NLTCs.

2.1. Establish independent legal aid grant facility and supporting mechanisms.

Indicator 2.1: Letter of Agreement on arrangement between AIBA-MoJ- UNDP for establishment for Legal Aid Grant Facility is in place.

Afghanistan's complex environment and history of conflict has had a negative effect on the availability of both justice services and infrastructure, which has weakened the Afghan public's access to justice. More vulnerable groups, such as women, children returnees and other minority groups, are even further separated from proper legal services and representation in court. To address this, JHRA is supporting the establishment of the LAGF. The LAGF will enable a greater number of Afghans to access legal aid services, by providing compensation to more lawyers to deliver services to vulnerable groups.

On 20 August 2013, JHRA signed a tripartite MoU between the MoJ, AIBA, and UNDP-JHRA for the establishment of the LAGF, detailing each entity's role and responsibilities in the partnership. Parameters for prioritization of legal aid cases have been established in the MoU and cases and pricing based on the type of case have been defined and agreed upon by both the MoJ Legal Aid Department and AIBA. Priority will be given to all vulnerable groups in criminal cases, and women and children in civil cases.



Figure 4 (from left) H.E Ministry of Justice, UNDP's Deputy Country Director as well as the President of AIBA signing the Memorandum of Understanding- Kabul, 20 August

In Q2, a capacity assessment of AIBA regional offices in Jalalabad, Herat and Mazar-i-Sharif, and the AIBA head office found that AIBA was able to manage the funding and administration of LAGF. To support AIBA with the administration of the LAGF, JHRA will facilitate trainings for AIBA based on a capacity development plan that was finalized by AIBA in Q3. To initiate LAGF activities, an LoA between UNDP-JHRA and AIBA is being discussed.

Once the details are worked out, JHRA will commence with the disbursement of the funds, trainings and processing of cases.

In Q3, an International Consultant started development of the LAGF Procedures. Through consultations with the main stakeholders, as well as other legal aid representatives involved in the grant facility, the International Consultant is developing M&E, quality control and grievance redress mechanisms, taking into account all identified gaps. His work is supported by a UNDP Bureau for Crisis Prevention and Recovery (BCPR) Legal Aid Expert. At the request of the MoJ, the consultant is also providing legal commentary on the legal aid regulation. At the end of October, JHRA will facilitate a national conference to discuss the legal aid procedures in detail, and achieve endorsement by all stakeholders. Regular bilateral coordination meetings are taking place with the World Bank to avoid duplication in supporting MOJ in its quest to expand legal aid services to the public. Discussions between JHRA and the World Bank are ongoing regarding the capacity of the Independent Legal Aid Board (ILAB)⁴ to effectively monitor LAGF activities. The LAGF is planned to start as a pilot on a smaller scale in order to develop organizational capacity and apply lessons learned.

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

Indicator 2.2: Number of meetings per province undertaken with State and independent justice providers.

In Afghanistan, as elsewhere, security and justice are closely linked. Afghans need peaceful, lawful means of resolving local conflicts, especially in regions where State justice institutions are barely functioning. The majority of local disputes in Afghanistan are resolved through traditional means, including tribal and community councils (*shuras* and *jirgas*). 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, with the aim of increasing the number of cases transferred from community *shuras* to the State justice institutions. Increased coordination between State and non-State Justice Institutions has the potential to generate considerable results in restoring trust and legitimacy of the State institutions and contribute to the overall project aim of increasing trust in justice institutions.

Nine districts had been identified in coordination with the Governors' Offices in Herat and Nangarhar (4 in Herat and 5 in Nangarhar) to pilot these community platforms. Further identification is ongoing.

The annual target for this activity is to undertake 5 meetings in each of the 3 provinces (Herat, Balkh and Nangarhar) with State and non-State justice providers.

⁴ ILAB is an institution within the MoJ, albeit conceived to be independent, which is supposed to distribute legal aid funding to providers and coordinate the activities of legal aid providing authorities. The ILAB was created through the Legal Aid Regulation on 2 July 2008. (Sarah Han: "Legal Aid in Afghanistan. Context, Challenges and the Future," Afghanistan Analysts Network, p. 8). Any decision on how to improve Afghanistan's legal aid system requires a decision on what to do with the Legal Aid Board. (Sarah Han: "Legal Aid in Afghanistan. Context, Challenges and the Future," Afghanistan Analysts Network, p. 18).

Introductory meetings were held in Q1 and Q2, from which coordination platforms for monthly meetings to increase flow of cases are being built. Three coordination meetings were held in Q3: Two in Nangarhar (Surkhrod and Kama Districts) on 10 September and 23 September, and one in Herat on 28th of August 2013 (Karokh District). The fourth coordination meeting is expected to take place in Kuz Kunar (Nangarhar) next quarter. The coordination meetings were attended by representatives from the AGO, Appellate Court, police, *Huquq* Department, District Development Assemblies (DDA), *shuras*, *Ulema's* council and the Community Development Councils (CDC).

In Q3, JHRA is recruiting an implementing partner to organize 20 coordination meetings for State and non-State justice providers in Herat, at the provincial and district levels. Five meetings will be conducted in each district (Qorion, Kharokh, Zinda Jan, and Koshke Robat Sangi). This intervention will increase engagement of State justice and citizen security providers through non-State district and provincial level consultation platforms⁵.

In order to understand and to monitor the flow of cases between State and non-State justice providers, JHRA designed a data collection questionnaire. Information collected through these forms will comprise the baseline to identify gaps and provide tracking of case-referrals. In Q3, data collection was conducted in seven of the nine pilot districts. Justice officials in Surkhrod, Kama, Kuz Kunar, Behsood, and Ghani Khel in Nangarhar and Karokh and Koshke Robat Sangi in Herat were interviewed by JHRA's regional coordinators. Due to security restrictions, interviews in Qorion and Zinda Jan were postponed to Q4.

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

Indicator 2.3: MoU signed for establishment of Herat NLTC.

There are simply not enough qualified prosecutors, lawyers, or judges to fulfill the staffing requirements of the State justice institutions currently in Afghanistan. JHRA is therefore aiming at increasing the number of qualified officials in justice institutions across the country by broadening the availability of professional training.

JHRA's main intervention in this field is the expansion of the NLTC model currently housed in Kabul University to Herat, Nangarhar and Balkh. Herat will be the pilot for this activity and will act as a regional hub. Through this hub, UNDP-JHRA plans in future to establish a systematic training schedule for justice officials covering

⁵ This builds on the example of Police-e-Mardumi bi-monthly consultations whereby UNDP LOTFA brings traditional leadership, including women representatives, at the district level together with the National Police to discuss security matters and decide on action plans to be taken up by either police or the community leaders. The consultations are facilitated by CSOs that work towards action points that are registered, monitored, followed up on and discussed at the next consultation. The Police-e-Mardumi consultation platforms will be augmented with State justice providers to strengthen the justice-security linkage and resolution of in particular criminal justice issues. The use of other existing consultation platforms such as the Provincial Development Assemblies (PDAs), DDAs, and Child Protection Action Networks (CPANs) related matters will be explored for in particular civil matters. The consultations and coordination meetings will be augmented by training on the Constitution and relevant State laws for community leaders and other non-state actors. The topics to be covered in these coordination meetings include Policing, Gender; Human Rights with specific with specific reference to the Afghanistan Constitution Family Law; Due Process and Family Law.

neighboring provinces such as Badghis, Farah and Ghor. In Q3, UNDP-JHRA started the recruitment of one Lead Consultant and one National Consultant to undertake a study of the NLTC in Kabul, design a plan for the establishment of the NLTC in Herat and develop the MoU for the establishment of the NLTC in Herat University. The MoU will include a design plan for the establishment of the NLTC, a detailed curriculum for short-term courses for justice officials, a detailed schedule of trainings to be undertaken and a list of potential partners to start the regional NLTC.

JHRA is also supporting police-prosecutor trainings through its partnership with LOTFA and EUPOL. The trainings are provided to officials from the Family Response Units (FRUs), Crime Investigation Department, prosecutors and academics, and cover investigations into crimes against women, the EVAW Law, crime scene management, and improved coordination between police and prosecutors. Of the six one-month trainings planned for 2013, three have been completed and the fourth training started on 14 September.

To assess the impact and effectiveness of the training, a one-day workshop was held in Herat in August 2013. The assessment focused on measuring the level of cooperation between FRUs and prosecutors, and identifying possible gaps in the training curriculum. The purpose of the workshop was further to establish a working group to facilitate monthly meetings for the development of standard operating procedures (SOPs) of the joint work of FRUs and prosecutors. As a result of the assessment, JHRA will increase its local cooperation with LOTFA and work on preparing a new, simple guidance tool for police and prosecutors. The assessment findings showed that the different competency and education levels of the participants from FRUs and prosecutors are a major challenge for conducting effective trainings. In response, JHRA requested the Mol nominate highly qualified representatives to the trainings in order to increase the overall capacity and retention levels, and foster internal trainings to convey the materials to their peers.



Figure 4 Representatives from the Prosecutor's Office, Family Response Unit as well as the Crime Investigation Department of the Police discussing coordination mechanism to address cases of Violence Against Women- Herat, August 2013

The assessment also noted that the current training curriculum does not have a section on case management or case documentation, both of which are of maximum relevance to the prosecutors and FRU staff. The assessment has been shared with the EUPOL trainers to include these issues in the discussions. JHRA will also utilize its recently signed LoA with UNODC to provide trainings through UNODC's national trainers. The LoA focuses on building better coordination between the security and the justice sector institutions and law faculty officials in order to initiate the process of establishing regional NLTCs. The LoA includes a National Senior Legal Trainer to undertake joint capacity building programs for judges, Criminal Investigation Division police, *Huquq* officials, prosecutors and law faculty members.

In Q3, the assessment of the EVAW Units in the AGO in Kabul, Herat, Nangarhar and Balkh was concluded and the report submitted to JHRA. The executive summary was translated to Dari and shared with all stakeholders including the Supreme Court and AGO. JHRA is seeking cooperation with UN Women to decide on action points based on the findings and recommendations of the assessment report. As a result, a comprehensive action plan for the EVAW Units will be developed in cooperation with the AGO. An EVAW Unit will be established in Helmand and JHRA will provide office equipment and furniture, the procurement of which has been initiated. JHRA will also continue to provide technical and capacity building support to the AGO in relation to the implementation of the EVAW Law.

JHRA is currently recruiting a Capacity Development Officer to systematize its trainings and workshops, especially on a regional level. The Capacity Development Officer will provide overall technical expertise and support in identifying training needs, and further assist in designing and developing annual capacity development programs for all justice institutions, such as the NLTC, AIBA, EVAW Units and for both formal and informal justice officials.

In Q3, both the regional coordinators in Balkh and in Herat resigned from their positions to take up educational opportunities. This has adversely affected the implementation of project activities in the two regions. The early resignation of the regional coordinator in Balkh made it impossible to expand activities currently carried out in Nangarhar and Herat to Balkh province in Q3 as had been planned. However, the recruitment of a Legal Researcher for Herat on LoA has been finalized by the MoJ. The Legal Researcher will be located at the Department of Justice in Herat.

EXPENSES FOR THE QUARTER

During Q3, a total of USD 231,312 was spent for this output. For more details, please see Annex 2 on page 23.

Table 2: Quarter 3 Progress for Output 2

| 2013 Baseline | 2013 Annual Targets | Q3 Planned | Q3 Actual | Comments |
|--|---|---|---|--|
| 2.1 Legal Aid Grant Facility does not exist. | AIBA-MoJ-UNDP will sign MoU on Legal Aid Grant Facility | Undertake capacity development assessments in AIBA on requirements for adequate functioning of Legal Aid Grant Facility. | <ul style="list-style-type: none"> Report on the 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, to identify whether AIBA currently has sufficient capacity to implement a LAGF finalized | <ul style="list-style-type: none"> On target Reliant on the finalization of the LoA with AIBA. |
| | | Design capacity development plan and implement accordingly. | <ul style="list-style-type: none"> Capacity development plan was finalized by AIBA and will be implemented as soon as the funding modalities are finalized | In process |
| | | Parameters for prioritization of legal aid cases to be subsidized by the Legal Aid Grant Facility established. | <ul style="list-style-type: none"> Definition of cases and pricing based on the type of case has been defined in the tripartite MoU for the establishment of the LAGF. Priority will be given to all vulnerable groups in criminal cases, and women and children in civil cases. | On target |
| | | Recruit one (Int.) Expert to Establish Legal Aid Grant facility/ legal clinic) and one Associate Finance Officer to be placed at AIBA to support LAGF | <ul style="list-style-type: none"> The International Expert is currently working on M&E mechanisms, quality control and grievance redress mechanisms for the LAGF based on consultations with AIBA, LAD MoJ, ILAB, NGO Legal Aid Rep, legal aid donors such as GIZ and USAID, H.E. the Minister of Justice, and two Deputy Ministers of Justice. A draft proposal has been shared with JHRA. Once the LoA between UNDP-JHRA and AIBA is signed, funds will be disbursed and the Associate Finance Officer will be hired | 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"> World Bank has earmarked support for the ILAB. Discussions between JHRA and World Bank are ongoing regarding ILAB's capacity to effectively monitor LAGF activities | In process/delayed |

| 2013 Baseline | 2013 Annual Targets | Q3 Planned | Q3 Actual | Comments |
|---------------|---------------------|--|---|------------|
| | | Capacity Development trainings & orientation meeting for Legal Aid Lawyers to be undertaken | <ul style="list-style-type: none"> • AIBA already submitted a proposal for the capacity buildings of lawyers. Trainings will start once the LoA between UNDP-JHRA and AIBA is signed | In process |
| | | Support AIBA in registration of cases taken up by AIBA lawyers (Provide Honoraria for Legal Aid Cases Registered with Lawyers). | <ul style="list-style-type: none"> • It is expected that registration of cases will take place in Q4 2013 after the funds are disbursed. | Delayed |
| | | Support AIBA lawyers and legal aid providers in taking up and processing cases financed by the Legal Aid Grant Facility, including cases from Huquq and the labour commission, DoWA, DOJ, EAW Units, Health Centers, legal help centres, 119, women's networks, shelters, detention centers, prisons and Ministry of Labour. | <ul style="list-style-type: none"> • Activities to commence after the signing of the LoA between UNDP and AIBA. | In process |
| | | Facilitate establishment or enhancement of legal clinic at Herat University through Legal Aid Grant Facility and trainings | <ul style="list-style-type: none"> • The recruitment of two consultants to work on the establishment of the legal clinic in Herat is in process. | In process |
| | | Facilitate discussions for establishment or enhancement of legal clinics at Balkh and Nangarhar Universities through Legal Aid Grant Facility and trainings. | <ul style="list-style-type: none"> • Discussions for the establishment of legal clinics at Balkh and Nangarhar Universities have been undertaken. | In process |
| | | Facilitate discussions and exchange programs for students, professors, legal professionals to identify and explore different models for legal clinics. | <ul style="list-style-type: none"> • Activity postponed to Q4 | Delayed |
| | | Facilitate communication flow from AIBA-MoJ-LAB on issues on policy and law making processes. | <ul style="list-style-type: none"> • Lessons learned from the pilot phase of the LAGF will inform policy and law making processes. | |
| | | Support the AIBA in undertaking capacity development of lawyers in Herat to facilitate access to Legal Aid Grant Facility by AIBA lawyers and legal aid providers in Herat. | <ul style="list-style-type: none"> • Capacity development of lawyers in Herat will take place after the signing of the LoA between UNDP and AIBA. | Delayed |
| | | Support the AIBA in the provision of professional trainings on due process and use of Legal Aid Grant Facility to lawyers at the | <ul style="list-style-type: none"> • Capacity development of lawyers in Herat will take place after the signing of the LoA between UNDP and AIBA in Q4. | Delayed |

| 2013 Baseline | 2013 Annual Targets | Q3 Planned | Q3 Actual | Comments |
|--|--|---|---|-----------------------------|
| | | provincial/district levels in Nangarhar. | | |
| | | Support the AIBA in the provision of professional trainings on due process and use of Legal Aid Grant Facility to lawyers at the provincial/district levels in Herat. | <ul style="list-style-type: none"> Capacity development of lawyers in Herat will take place after the signing of the LoA in Q4. | Delayed |
| 2.2 No mechanism that links non-State and state justice systems. | 2.3 Five meetings per province undertaken with State and independent justice providers | Identify provincial and district level consultation platforms, such as Police-e-Mardumi, DDA, 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"> The activity started in Q1. Identification of districts is ongoing. JHRA is currently working in 5 districts in Nangarhar (Surkhroad, Kama, Kuz Kunar, Behsood, and Ghani Khel) and in four districts in Herat (Qorion, Kharokh, Zinda Jan, and Koshke Robat Sangi). | Ongoing |
| | | 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 in Herat. | <ul style="list-style-type: none"> Based on a data collection form developed in Q2, the data was collected to document the case flow between State and non-State justice providers in all five districts of Nangarhar and two districts of Herat. Data from two more districts in Herat are still pending due to security. The creation of mechanisms based on the data will be facilitated in 2014. | Ongoing |
| | | Facilitate information flow of cases from provincial and district level platforms to the MoJ PPD for coordination. Herat as pilot. | <ul style="list-style-type: none"> Information flow of cases will be greatly enhanced after the mechanisms to ensure coordination and enhanced flow of cases from State to non-State justice institutions are put in place. | In process |
| | | Undertake 5 coordination meetings and 3 trainings (throughout the entire year) with state and non-State actors at district level across 3 provinces to identify local level disputes and provide necessary referral services. <ul style="list-style-type: none"> Support the establishment of NLTC chapter in Herat Law Faculty. Undertake assessment of training modules | <ul style="list-style-type: none"> Three coordination meetings have taken place in Q3: Two in Nangarhar (Surkhrod and Kama district), one in Herat (Karokh district). The fourth coordination meeting will take place in Kuz Kunar (Nangarhar) on 2 October. Meetings have taken place with the Vice chancellor of Herat University and the Dean | On target In process |

| 2013 Baseline | 2013 Annual Targets | Q3 Planned | Q3 Actual | Comments |
|--|---|---|---|------------|
| 2.1 No NLTC chapters exist in Herat or Nangarhar | 2.3 AGO-AIBA-MoJ-MoHE will sign one MoU for establishment of NLTC Herat | and develop MoU. • Trainings for FRU and prosecutors through EUPOL. | of the Herat Law Faculty for preparation of establishment of NLTC in Herat. Recruitment of two consultants is under process for the design of NLTC Herat. | |
| | | • Joint trainings for judges, prosecutors, police and Huquq through UNODC. | • UNODC is in the process of recruiting a senior legal trainer. This National Senior Legal Trainer is funded by JHRA according to an LoA signed between JHRA and UNODC in Q2. The trainer will be responsible to undertake joint capacity building programs for judges, Criminal Investigation Division police, Huquq officials, prosecutors and law faculty members. | In process |
| | | Undertake needs assessment of EAW unit in the AGO with recommendations on pilot in Herat. | • Needs and capacity assessment of specialized EAW Units at the national and provincial levels completed by an international legal expert and report provided to UNDP-JHRA and interested stakeholders. Special recommendations on pilot in Herat. Dissemination workshop is planned for Q4. | Achieved |
| | | Initiation of EAW unit in Helmand. | • Mission to Helmand is planned for early October to plan the activities for 2014 including the establishment of Helmand office, which will take place in Q4. Procurement for the EAW unit is under process. | In process |
| | | Develop SOP for the prosecutors on coordination on sexual/ gender based violence and domestic violence. | • Assessment workshop of EUPOL-LOTFA-JHRA trainings conducted in Herat. At this workshop, a working group was initiated to facilitate monthly meetings at provincial level for the development of SOP for FRU-prosecutor joint work. | In process |

| 2013 Baseline | 2013 Annual Targets | Q3 Planned | Q3 Actual | Comments |
|---------------|---------------------|--|--|------------------|
| | | Establishment of JHRA phase II office at national and 4 provinces. | <ul style="list-style-type: none"> Three regional coordinators had been recruited for the Nangarhar, Balkh and Herat. Unfortunately, the regional coordinators for Balkh and Herat have since resigned. This has adversely affected the implementation of project activities in the two regions. A Legal Researcher was recruited to provide support to DoJ in Herat and the office remains functional. | Delayed in Balkh |

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

Output 3 focuses on strengthening the ability of Afghan citizens to understand, engage with and influence the State justice system through the promotion of legal literacy, civic education, and policy development, largely through and for civil society. This output supports Components 1 and 3 of NPP5, and will work primarily with the AIHRC, CSOs, media and think tanks.

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

Indicator 3.1: Number of discussions undertaken on Legal Empowerment for the Poor and community dispute resolutions with policy makers.

In Q1 and Q2, JHRA initiated strategic interventions for the legal, social and economic empowerment of Afghan street vendors. Continuing activities started in Q2, JHRA supported local municipalities in Kabul and Herat provinces in the establishment of Coordination Committees/Technical Committees, which are mandated to serve as a forum to generate policy recommendations and revisions of the legal framework for the protection of street vendors. The first Coordination Committee on Street Vendors was held in Kabul on 1 July, the second on 20 August 2013 and the third on 29 September. The ToR for the Coordination Committee in Kabul was endorsed at the second technical meeting by signature of members present. The formulation of a Coordination Committee in Herat is ongoing, and the ToR has been shared with JHRA and the Afghanistan Sub-national Governance Project (ASGP) counterparts in Herat. A discussion on legislative amendments and presentations on the National Labour Law and Municipal legislation to address street vendors was the focus of the agenda for the third technical committee meeting in Kabul.

Building upon these consultations, JHRA provided technical and financial support to Kabul Municipality to organize a national discussion on Labour Rights, the Informal Economy and Legal Protections for Street Vendors on 13-14 July. The purpose of this discussion was to build an understanding of the challenges and barriers faced by street vendors and discuss elements and conditions necessary for successfully implementing a street vendor pilot project. Two international experts presented experiences from other nations in terms of economic empowerment of informal actors and facilitated discussions on innovative policy approaches for improving the livelihoods of street vendors. The report outlining key recommendations and discussions from the event has been finalized,



Figure 5 Head of the Union for Afghanistan's Disabled Street Vendors discussing the challenges and aspirations of street vendors in Kabul- Kabul, July 2012

translated into Dari and disseminated to stakeholders and counterparts.

A policy paper on solutions for street vendors in Afghanistan, which presents a comparative analysis of two separate 'model markets', was finalized and translated into Dari with JHRA support. The paper is accompanied by a condensed 'fact sheet' to serve as an executive summary and translated for use within the Coordination Committees.

In partnership with ASGP, the project undertook a research survey with the Law Faculty of Herat University and Herat Municipality on street vendors. The university had initially recruited students to carry out the survey, but due to the administrative complications, the survey process was halted and additional meetings were held with Herat University and Herat Municipality to clear up misconceptions. Following these meetings, the research project was endorsed by both the Chancellor of Herat University and the Mayor of Herat and a new recruitment process of students to re-undertake the survey was completed. Interviews for selecting the students were conducted on 28 August by a panel of representatives from Herat University, Herat Municipality and UNDP's ASGP project. The selected interns received a briefing on procedures for proper survey delivery and 90 street vendors were interviewed in Herat during the first week of September. Responses were compiled into a spreadsheet database and a report summarizing the findings will be completed by early October.

A well-functioning rule of law system that can reach out to all citizens in the country is a fundamental element of a democratic state and is indeed fundamental for sustainable peace, security and development. From this background, JHRA has been supporting the MoJ *Huquq* Department in organizing a series of provincial CDDR workshops. These workshops have served as a forum for representatives of the formal justice system, traditional justice actors and civil society organizations to generate recommendations on ways and modalities to enhance the efficiency and capacity of the formal justice system in delivering its mandate at the national and sub-national level. Furthermore, these workshops have contributed to the Ministry of Justice's efforts of strengthening cooperation mechanisms between formal and traditional justice actors in resolving, mediating and arbitrating civil cases. These workshops have also strengthened traditional justice actors' skills in applying a human rights-based approach to alternative dispute resolution mechanisms.

The first workshop took place in Nangarhar in Q2, the second workshop took place in Herat from 14 to 17 July. An average of 70 participants, comprising representatives of the DoJ, Appellate Court, AGO, DDAs, CDCs, *Ulemas*, Faculty of Law students and professors, CSOs, and other key dispute resolution actors from all districts of the Herat Province attended the event. Attended by almost 120 participants, the third workshop took place in Balkh from 26 to 28 August. The recommendations generated during these provincial workshops will also feed the organization of a national consultation, led by the MoJ, and aiming at informing the policy and law making processes to strengthen cooperation mechanisms between formal and traditional justice actors. It is expected that this national consultation will take place during the first quarter of 2014.

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

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

In Q3, the project finalized the LoA with the AIHRC and signed on 22 September.. The LoA signifies a strengthened cooperation between the two institutions in the areas of strategic planning, capacity development and human rights awareness.

During Q3, in the framework of the MoU between the AIHRC and the National Human Rights Commission of India (NHRC), JHRA has provided technical and financial support for the formulation of a two-week training program to strengthen knowledge and expertise of AIHRC staff on complaints mechanisms, use of technology for complaints management and investigation techniques. The training will be conducted in Kabul by two NHRC India representatives from 27 September-13 October. It will benefit 56 AIHRC staff representatives from 14 AIHRC provincial offices. This capacity development intervention follows up the study and exposure visit of five AIHRC staff to NHRC India from 10-22 March 2013, a visit which was also technically and financially supported by JHRA.

JHRA engaged with UNDP BCPR and UNDP Bureau for Development Policy (BDP) in New York to support the organization of two international events: the “Global Dialogue on Rule of Law and Post 2015 Development Agenda” and “Access to Remedies for Conflict Victims” conference on 26 September and 1 October 2013. Through JHRA support, these events will also enjoy the participation of the AIHRC Chairperson, Dr. Sima Samar.

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

Indicator 3.3: Functional Public Legal Awareness Coordination Board in place.

During Q3, the JHRA assisted the MoJ PLAU in conducting a public perception survey of the Justice Sector in Afghanistan. This initiative consisted of administering a quantitative survey of a total sample of 3,072 respondents in Balkh, Herat, Kabul and Nangarhar to generate a detailed description of citizens’ perception on justice issues; assessing their attitude toward both the formal and informal justice systems, gauging their general level of knowledge on the functioning and mandate of the formal justice system, revealing prejudices and expectations towards justice institutions, and identifying who are the major actors and drivers influencing their opinion. The final survey report was presented to the MoJ in September.

The report identified that Afghan citizens know little about their rights: nationally only 29 percent of people have received information on the Constitutions. The number of people that have had direct interaction with the formal justice system is also low, suggesting that there is a lot to do to create demand for formal justice. Furthermore, the report shows that citizens care more about transparency and integrity than the technical capacity of justice providers; efficiency and the capacity of justice officials is seldom identified as a major stumbling block of the justice system. The report also sought to identify the strongest influencers on issues of justice. Respondents stated

that mullahs and community are the most trusted sources of information on legal issues.

The project has conducted a technical evaluation to procure services of an international company which will support the MoJ in conducting media monitoring services in Afghanistan. Based on the results of the perception survey and the media monitoring, the PLAU will be supported in the formulation and implementation of a communication strategy. This communication strategy will operationalize the National Public Legal Awareness Strategy and Action Plan developed by the MoJ in 2011⁶. The company is expected to start work in Q4.

To enhance coordination mechanisms among government institutions, JHRA provided technical support to the MoJ PLAU in establishing and convening the first Public Legal Awareness Coordination Board meeting. Held on 17 September, this meeting was chaired by H.E. the Minister of Justice and attended by representatives of the MoJ, Ministry of Education, Ministry of Haj and Religious Affairs, MoWA, Council of Ulemas, and AIHRC. This Board will contribute to the MoJ's efforts of enhancing collaboration among relevant institutions in the production of legal outreach materials that present a common message to the public, in order to affect longer-term behavioural change. The Board will also broaden the dissemination networks for legal awareness products to maximize impact of legal awareness interventions. JHRA's contribution to the first meeting also entailed advisory support in the analysis of the existing Board procedures.



Figure 6 H.E Ministry of Justice convening the first Public Legal Awareness Coordination Board meeting at Ministry of Justice-Kabul, September 2013

The involvement of civil society is integral to the success of strong public legal awareness campaigns. JHRA held a one-day workshop with non-governmental organizations working in rule of law and human rights to map the current areas of engagement and needs of current and new partners. These networks will be further linked to the PLAU Board to produce and disseminate legal awareness and human rights outreach products. A second meeting with these NGOs is scheduled for the end of October, and will be attended by the MoJ PLAU, which is mandated to coordinate the MoJ's development and dissemination of legal awareness products.

To enhance the capacity of the PLAU staff, JHRA has partnered with the Centre for Culture, Media and Governance of the Jamia Millia Islamia University in India for a tailored two-week training program on communication and media techniques from 22 September to 4 October. The training aims to enhance participants' knowledge and skills in formulating and implementing communication strategies; engaging with non-state actors, namely media and NGOs; strengthening knowledge on channels of communication and messaging processes; and enhancing capacity to train their

⁶ Facilitated by JHRA Phase I, with UNAMA, GIZ, USAID.

peers and counterparts in their respective institutions. With JHRA financial support, the aforementioned training program is currently being attended by nine Afghan officials from the following institutions: Ministry of Justice; Ministry of Interior; Ministry of Social Affairs; Ministry of Haj and Religious Affairs; National Radio Television; Ministry of Women's Affairs; Ministry of Higher Education; the Afghanistan Independent Human Rights Commission; and Tolo News.

EXPENSES FOR THE QUARTER

During Q3, a total of USD 182,217 was spent for this output. For more details, please see Annex 2 on page 23.

Table 3: Quarter 3 Progress for Output 3

| 2013 Baseline | 2013 Annual Targets | Q3 Planned | Q3 Actual | Comments |
|--|--|---|--|-----------|
| 3.1 Limited discussion in parliament or in Government on land and labor rights/ Community dispute resolution mechanisms. | 3.12 Discussions undertaken on Legal Empowerment for the Poor and community dispute resolutions with policy makers.. | One background note specifying the issue, 2 national discussions and terms of reference for pilot implementation identified on legal empowerment of the poor. | <ul style="list-style-type: none"> The policy paper on solutions for street vendors in Afghanistan, presenting two 'model markets', has been finalized and translated. A condensed fact sheet has been drafted in both English and Dari. | On target |
| | | Additional achievements: <ul style="list-style-type: none"> Discussions with Herat University for a research project to gather statistical evidence for shaping municipal policy decisions about street vendors. One national discussion and pilot implementation identified on legal empowerment of the poor. Establishment of Technical Committee on street vendors with stakeholders in Kabul. | <ul style="list-style-type: none"> Research project endorsed by the Chancellor of Herat University and the Mayor of Herat Interviews to select interns to conduct the survey were held on 28 August by a panel of representatives from Herat University, Herat Municipality and UNDP ASGP project. The interns received a briefing on how to conduct a survey and administered the survey to street vendors in Herat. Final report will be drafted and completed in early October The report from the national discussion workshop is finalized and translated into Dari for dissemination to stakeholders and counterparts The second and third Technical Committee meetings were held in Kabul on 20 August 2013 and 29 September. Members present at the second Kabul meeting endorsed the TOR for the Kabul Technical Committee through signature. A discussion and presentation on the Municipal Legislation from Kabul Municipality took place at the third Technical Committee meeting in Kabul | On target |
| | | Additional achievements: Community Based Dispute Resolution | <ul style="list-style-type: none"> Second CBDR workshop took place in Herat on 14-17 July. The project supported the Director of Justice in Balkh in organizing a three-day workshop to strengthen cooperation mechanisms between formal and traditional justice actors in resolving, | |

| 2013 Baseline | 2013 Annual Targets | Q3 Planned | Q3 Actual | Comments |
|--|---|--|--|-----------------------|
| | | | mediating and arbitrating civil cases. Attended by almost 120 participants, the event took place on 26-28 August. | |
| 3.2 Limited investigative capacity in particular on VAW. | 3.23 coordinated fora with CSOs, AIHRC conducted on VAW. | <ul style="list-style-type: none"> Develop capacity assessment action plan for AIHRC based on capacity assessment strategy supported by UNDP in 2011. Provide technical and financial assistance to AIHRC to undertake national enquiry on violence against women. | <ul style="list-style-type: none"> In Q2, AIHRC approved its Capacity Development Action Plan, which was formulated with JHRA's technical support Technical and financial support will take place in Q4 | Achieved/Planned |
| | | Activate in collaboration with UNDP's NIBP the MoU on knowledge transfer on complaints mechanism, investigations between AIHRC and the NHRC India. | <ul style="list-style-type: none"> In August, JHRA provided technical and financial assistance for a tailored two-week training program to strengthen knowledge and expertise of about 64 AIHRC staff on complaints mechanisms, use of technology for complaints management and investigation techniques. Conducted by two representatives of the National Human Rights Commission of India, this training will take place from 27 September to 13 October. | On target/ Ongoing |
| | | Facilitate experiential learning tour on HRC response to violence against women and judicial coordination with other regional Human Rights Commissions. | <ul style="list-style-type: none"> Expected in Q4 | |
| 3.3A Public Legal Awareness Strategy from the MoJ PLAU exists, but no plan for | 3.3 Communications strategy for MoJ developed by building partnerships for coordination and | Undertake perception survey and media monitoring. | <ul style="list-style-type: none"> Public perception survey report finalized and presented to representatives of the MoJ JHRA has finalized the procurement process for the provision of services by an international company to the MoJ PLAU in media monitoring in Afghanistan | On target |

| 2013 Baseline | 2013 Annual Targets | Q3 Planned | Q3 Actual | Comments |
|--|---|---|--|------------------|
| strategic and coordinated implementation of public legal awareness activities. | dissemination of information, tools for messaging developed and approved. | Facilitate a coordination to activate Public Legal Awareness Coordination Board at MoJ with AGO, SC, the Ministry of Education, MoM&C, MoWA, MoHajj and AIHRC at the national level includes recruitment of P3 specialist; national SB5; recruit one admin/translator | <ul style="list-style-type: none"> • First Public Legal Awareness Coordination Board meeting held on 17 September. The Board will enhance coordination mechanisms among justice institutions in the production and dissemination of legal outreach products. With the recruitment of one admin/translator, all recruitment for this component has been finalized in Q3. | Ongoing/Achieved |

OUTPUT 4: Monitoring and evaluation capacity in place

a. Number of Project Steering Committee meetings convened.

Indicator 4.1.No. of Project Steering Committee meetings convened.

JHRA has further identified the members of the Technical Coordination Committee. It is expected that the first Project Steering Committee and Technical Coordination Committee meeting will take place in Q4. The Technical Coordination Committee reports to the Project Steering Committee and is responsible for cross-sectoral cooperation – effective communication, coordination and cooperation between the various justice institutions, identifying cross-institutional problems and solutions, and thus ensuring the effective delivery of the program. To increase cross-sectoral cooperation, JHRA worked for harmonization among the ministries and among the donors during Q3. A working group was established to increase the cooperation between the MoJ and JHRA. The first meeting of the working group will take place early in Q4. The working group is headed by the Deputy Minister, co-chaired by JHRA project management and comprises the heads of *Taqnin*, PPD, *Huquq*, Administration Unit, Human Resources Unit, and PLAU.

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

Indicator 4.2.1a. AWP, HR, Procurement and M&E plans approved as per established CO timeline and reviewed on a quarterly basis.

In Q3, JHRA finalized the revision of the 2013 Annual Work Plan to reflect the expansion of activities related to additional funding provided by the Embassy of the Netherlands. The revised AWP was approved by the MoJ at the end of July. This allowed planned JHRA activities to be activated in the second half of 2013. A third revision is expected for the month of October.

c. Approved project budget in Atlas.

Indicator 4.2.1b. Approved project budget in Atlas.

See annex 1-3

d. Atlas budgets and expenses reviewed on a quarterly basis.

Indicator 4.2.1c. Atlas budgets and expenses reviewed on a quarterly basis.

See annex 1-3

EXPENSES FOR THE QUARTER

During Q3, a total of USD 308,601 was spent for this output. For more details, please see Annex 2 on page 23.

Table 4: Quarter 3 Progress for Output 4

| 2013 Baseline | 2013 Annual Targets | Q3 Planned | Q3 Actual | Comments |
|--|--|---|--|-----------|
| 4.1 One project steering committee meeting | 4.2 2 Project Steering Committees to be convened | Undertake annual review of project progress. Undertake 2 review and analyze project progress through regular internal assessments, UNDP monthly team meetings, and cluster meetings. | • Project Steering Committee meeting under preparation | Postponed |
| | | Provide management support to the project components. | • Weekly internal update meetings held • Monthly all staff meetings held • Donor meetings held on a regular basis | 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. | <ul style="list-style-type: none"> • Support the design and implementation of M&E systems used under the project programmatic components or establish new ones to inform programmatic and policy priorities for National Partners and UNDP, as follows: Annual report, quarterly reports developed. • 2 workshops held for government officials responsible for M&E systems | <ul style="list-style-type: none"> • Q3 report finalized • AWP revised to reflect the expansion of activities related to additional funding from the Netherlands. AWP revision was approved by the MoJ in July. Last AWP revision planned in October | 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

JHRA's gender-related activities are aligned with UNDP Afghanistan Country Office Gender Equality Strategy, steering away from a project-centric focus and geared towards organizational and societal change to achieve coherent and strategic results and impact.

The JHRA-supported workshop for International Women's Day in Q2 identified challenges to women's' career development within the MoJ. Of the 2,652 employees at the MoJ, only 216 (8%) are women. As reported by workshop participants, the MoJ does not take sufficient advantage of experienced female employees for directorial level positions. Following the workshop, JHRA shared the findings with the consultant drafting the NPP5 for inclusion in the Government's programming, and utilized the recommendations by the participants to develop its capacity building strategy for female employees of the MoJ.

Though the overall representation of women in the MoJ is quite low, there are departments with significantly higher numbers of women, proportionally, which need to be harnessed in order to encourage equal career growth. The *Taqnin* for example has a very high presence of women among its staff (40% - 18 female employees out of 48). The Educational Culture and Health Law Department and Commercial and Private Sector Law Department are both headed by women, and in these departments the percentage of female staff is even higher, at 85 percent (6 out of 7) and 75 percent (3 out of 4) respectively. JHRA is providing additional skills and professional development opportunities to the female staff of the MoJ. In coordination with the leadership of the MoJ, JHRA is recruiting trainers in English and computer literacy to conduct trainings in areas where participants considered capacity development necessary.

The mainstreaming of gender has already taken place in a number of activities conducted in Q3. For example, the criminal law drafting workshop for the *Taqnin* which took place on 20-24 July included a section on the Role of Women in Criminal Law Making, including a discussion on sexual crimes. Furthermore, the ToR currently being drafted for FGDs with community leaders under the RoLIS has been designed in a manner that between five to eight FGDs will be organized per province, and each group will be comprised of 25- 30 members. In total, 40 to 64 FGDs will be conducted in 8 provinces, of which 25% will be women participants in each province.

The signing of the LAGF under Output 2 will have a major impact on advancing the rights of women. Violence against women is believed to be widespread in Afghanistan. However, the majority of cases remain unreported due to the severe restrictions women face in seeking justice or redress. Other factors contribute to this: many women have little or no education and are extremely isolated because they work in private homes. Most of their economic activity occurs in the informal sector, they often work in agriculture, livestock management and as caregivers, but such activities are not remunerated.⁷ Without the LAGF, the majority of women would not be able to claim their rights because they cannot afford it. The parameters of the

⁷ Afghanistan Human Development Report 2007, Bridging Modernity and Tradition: Rule of Law and the Search for Justice, p. 24-26.

LAGF will prioritize women and children's cases in civil suits, and all vulnerable groups (including women) in criminal cases.

The expansion of the ERAW Units in provincial prosecutor's offices is based on a capacity and needs assessment conducted by a consultant in Q2 and finalized with a report in Q3. The ERAW Units were established within the AGO in March 2010 to prosecute violence against women and respond to Afghanistan's commitments under the CEDAW. ERAW 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 ERAW Units in the provinces. JHRA will prepare action points based on the findings and recommendations of the assessment report, which will inform a comprehensive action plan in cooperation with the AGO. Assistance will also be provided to ERAW Unit in Helmand.



Figure 7 Members of the Family Response Unit discussing strategic ways to address cases of Violence against Women - Herat, August 2013

IV. PARTNERSHIPS

With the decrease of funding opportunities for development work in Afghanistan, fragmentation and inefficiency must be avoided by creating more inclusive and broader partnerships on development. The key role of each actor must be emphasized to enhance complementarity and coherence of development activities. In Q3, JHRA greatly emphasized cross-sectoral cooperation. One prime example is the workshop on the Establishment of Coordination between General Directorate of Institute of Legislative Drafting & legal-Scientific Research and Governmental Institutions held in cooperation with the *Taqnin* and HRSU on 14-15 September.

JHRA further consistently advocated for the strengthening of cross-sectoral cooperation. Justice and effective implementation of human rights cannot be done by one ministry alone; it is the combined effort of several ministries within the government. Through the Human Rights Inter-ministerial Taskforce, State and non-State coordination forums, Public Legal Awareness Board, and myriad capacity development initiatives, JHRA encourages the MoJ, AGO, Supreme Court, Mol, and MoWA to increase cross-sectoral cooperation on the implementation of the national priority programme. This in turn will create greater national ownership and accountability as well as avoid duplication of efforts.

JHRA supported harmonization and cooperation efforts at the ministerial level, but also at the donor level and among UN agencies. JHRA aligned its efforts with UNDP Country Office in the discussions on the Multi Partner Trust Fund (MPTF), and fostered existing cooperation with other UNDP projects such as LOTFA and ASGP, as well as other UN agencies (UNAMA, UNODC, UN Women) on a programmatic and project implementation level. In this way, JHRA contributes to the UN's programmatic efforts to deliver as one.

Many of JHRA's engagements constitute a deepening of partnerships initiated in Q1 and Q2. JHRA continues its cooperation with UNAMA's Rule of Law Unit on the RoLIS, JHRA's cooperation with UNODC on training at a provincial level is gaining momentum with the recruitment of the National Senior Legal trainer. Cooperation and communication has been intensified with UNDP's ASGP and LOTFA on activities under Outputs 2 and 3. In Q3, JHRA signed a LoA with MoFA, the leading Ministry for State reporting on international conventions, for trainings, provincial workshops on data collection and analysis, and international workshops. JHRA also signed an LoA with the AIHRC to strengthen cooperation in strategic planning, capacity development and human rights awareness. Compared to other support provided to AIHRC, JHRA's intervention is of a strategic nature through technical support for the action plan and facilitation of peer-to-peer learning.

A tripartite MoU was signed between UNDP, AIBA and MoJ in Q3 for the establishment and management of the LAGF. JHRA is teaming up with partners active in the field of legal aid, such as the World Bank and Gesellschaft für Internationale Zusammenarbeit (GIZ), to avoid duplication and harmonize efforts. In this context, JHRA sees its own role as the driver for the development of a holistic plan on legal aid and an overall comprehensive and coordinated effort in the support of the Afghan justice sector.

V. ISSUES

- Coordination between LAGF stakeholders

The coordination between LAGF stakeholders remains challenging due to the unprecedented nature of this cooperation. To initiate LAGF activities, an LoA, between JHRA and AIBA will be signed, which will make the disbursements of funds possible. The challenge can be mitigated if the Ministry of Justice can coordinate the various stakeholders contributing to legal aid services and also clearly articulate its vision on how it visualizes the establishment of a robust system. The 2011 National Policy on Legal Aid urgently requires updating by the MoJ.

- 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 emphasized the importance of assessment tools and evaluations in Q2. The results gathered from the data have fed action plans and capacity development plans based on strategic decisions. These will in turn improve relevance, effectiveness, efficiency, impact and sustainability of JHRA activities.

- Change of office premises for security reasons

The current JHRA office is situated in a high security area. Due to construction works in the neighbouring lot, the perimeter wall was taken down, and the security of JHRA staff was completely compromised. The JHRA office was relocated in UNAMA Compound B until further decisions are taken on office relocation. Security assessment is ongoing.

- Security Incidents due to the Elections

The next presidential elections will be held in Afghanistan on 6 April 2014. Candidate nominations for the presidential election will close on 6 October. The security situation will remain precarious, and likely worsen as the presidential elections approach. This may impact JHRA's project implementation in Kabul and in the provinces. Further, most justice institution officials are focused on the political positioning inherent in the coalition forming and campaigning processes leading up to elections, which can affect the political will and clout behind any programming in the justice sector.

- Coordination with the Supreme Court

During JHRA Phase I, support was provided for the establishment of several primary courts. However, since the initiation of JHRA Phase II, the activities to be implemented with the Supreme Court are being discussed. The representatives of the Supreme Court are participating in various JHRA-supported meetings, such as the RoLIS, legal training for focal points, interviews for the ERAW report, etc.; however, there is no consistent stream of work that has been identified for JHRA to provide its support. Discussions are being arranged with the leadership of the Supreme Court to identify the activities and it is expected that the nomination of a person to participate at the PSC will bolster this process.

VI. RISKS

- Security

The volatile security situation greatly affected project implementation in Q3. Lack of security in provinces and districts where JHRA carries out programming continues to impede project implementation. The security situation also continues to hinder the project's ability to monitor activities through field assessments. For example, JHRA's regional coordinator had to postpone field missions for data collection on cooperation between State and non-State justice providers due to the volatile security situation in Kuz Kunar Districts in Nangarhar. In July, when the mission was scheduled, explosions and suicide attacks against the formal justice actors (Head of AGO) took place in Nangarhar. Likewise, the security situation in the districts Qorion and Zinda Jan Districts in Herat has been very volatile, which delayed data collection in these districts. The road missions to Zinda Jan and Qorion have become unsafe. 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 prior to all missions. JHRA uses Afghan National Police armed escorts for road missions and additional security while conducting any large events.

- Extent of GIRoA support for all components of the Project

The extent to which GIRoA supports the development efforts of UNDP-JHRA is variable depending on the focus area where stakeholders are involved. The Project's first 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. The Project's second mitigation strategy

consists in the establishment of a working group, to increase the cooperation between all departments of the MoJ and JHRA.

- Understaffing

Recruitment of qualified staff remains a challenging at the end of Q3. The regional coordinators in Herat and Balkh resigned and their positions need to be refilled. Several positions among the LoA staff in the MoJ are vacant. JHRA's general mitigation strategy remains to follow up closely with all stakeholders involved to quickly identify problems in ongoing recruitment processes. Recruitment of national female staff has been a challenge; on several occasions special invitations sent to qualified female candidates to attend interviews still often resulted in candidates dropping out. As a mitigation measure, women are being proactively shortlisted to give opportunities to female candidates.

- High LoA staff turn-over

Based on the Presidential Decree No. 635, dated 1388, 10, 13, the NTA Remuneration Policy was developed to harmonize the salary scales of national staff who work for the GIRoA outside of the *Tashkeel*, including those funded by international donors. The funding of staff outside of the *Tashkeel* in fact created a parallel system of civil servants which is detrimental to the agenda of state building, a fundamental part of UNDP's mandate. Contracts need to be standardized and salary scales harmonized across all UNDP projects. NTA salary scales might remain slightly higher than civil service scales, because they are not permanent positions, while civil service positions are permanent. Nevertheless, since salary scales will eventually come down further, this will increase the frequency of staff turnover. This is why the application of the NTA salary scale will challenge project implementation. UNDP has to act according to the national legal process and the decisions taken in the consultations between the MoJ and the Ministry of Finance. However, the transition phase will not be easy to manage. Within JHRA, there are currently 25 LoA staff. The new NTA salary scale is expected to be at a lower rate than the current salaries. The implementation of the salary scale was expected in Q1 or Q2, but since it was delayed, this risk continues. Therefore, with the implementation of the NTA salary scale, JHRA may lose qualified staff. The Project's mitigation strategy is to provide greater learning opportunities to LoA staff to ensure their enthusiasm towards their assignments.

There are also other reasons for frequent staff turnover. In Q3, both the regional coordinators in Balkh and in Herat resigned to take up educational opportunities at international universities. This will delay project implementation. The resignation of the regional coordinator in Balkh made it impossible to expand activities to the province in Q3.

- Sensitivity surrounding gender mainstreaming

Gender remains a difficult priority to entrench in Government, and civil society, activities. Particularly following the media and international attention concerning the EVAW Law, gender-focused initiatives are viewed warily by national counterparts. JHRA's mitigation response is to focus the project's activities on supporting national priorities, such as the NAPWA.

VII. LESSONS LEARNED

- Assessing needs and capacity

In the aim of providing a solid foundation for JHRA's interventions, needs and capacity assessments have been conducted with HRSU, the *Taqnin*, the Translation Board, AIBA offices and the EVAW Units. As the report from the assessment has shown, a number of participants did not respond to the questionnaire properly, because they thought it was an evaluation of personal performance. Hence, JHRA needs to communicate the purpose of the assessment very explicitly to achieve the desired accuracy in responses.

Capacity and needs assessments were conducted by JHRA staff in cooperation with JHRA's implementing partners. In future, more emphasis needs to be placed on capacity building for JHRA's partners so that they conduct capacity and needs assessments on their own. This is part of creating a functional M&E mechanism within the units supported by JHRA.

- Coordinating with similar projects

Taking legal aid and the LAGF as an example, coordination with actors working on similar projects is necessary to achieve a common goal and beneficial for efficiency by avoiding duplication. Coordination meetings have taken place with GIZ and the World Bank.

- Facilitating consultations and creating dialogue

The street vendors' project is an example of encouraging dialogue between those who previously did not have a voice and high-level policy makers. Dialogue is key to development. In this respect, the street vendor project is a pilot program. If it proves to be successful, the concept of dialogue as a core element of the program will be expanded to other groups in the country.

VIII. FUTURE PLANS

Through its activities, JHRA is taking a strategic approach and greatly emphasizing regionalization in the future. By this means, JHRA will increase the outreach and impact of the project in the overall aim of strengthening trust in the Afghan justice sector. A comprehensive, efficient and sustainable intervention in the justice sector of Afghanistan cannot be successful without reaching people in remote areas. Project implementation in insecure regions has more challenging implications. However, the visibility of State justice institutions is most needed in areas suffering from greater insecurity.

Nangarhar, Balkh and Herat are regional hubs, from which the project can expand to the surrounding provinces. Among many other activities, JHRA is expanding the NLTC to Herat, providing trainings through EUPOL and UNODC at the regional level, and providing legal aid at the provincial and district levels through its implementing partner AIBA. Thus, JHRA is supporting the GIRoA to reach to the public. In the next quarter efforts will also be made to engage more proactively with the Supreme Court and AGO.

IX. ANNEXES

ANNEX 1: FINANCIAL TABLE

The Interim Donor Report for the Period Jan to 30 Sep 2013 for (JHRA II)

Annex 1. Financial Table

| Donor Name | COMMITMENT/ PAST YEARS RECORD | | | | CURRENT YEAR | | | | | FUTURE EXPENSES | | TOTAL RECEIVABLE | | |
|--------------------|-------------------------------|---|-------------------------------|----------------------------|-----------------------------------|--------------------------------|-------------------------|------------------|-------------------------------------|--|--|---------------------------|-------------------|---|
| | Commitment (a) | Revenue Collected 31/12/2012 (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 | | - | 130,845 | 137,176 | 11,711 | 6,855 | - | - | 118,610 |
| 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 | - | 356,384 | 1,299,869 | 56,586 | 6,855 | - | - | 1,236,428 |
| NETHERLAND | 249,223 | 249,223 | 202,428 | | 46,795 | - | - | 11,370 | 35,425 | - | - | - | - | 35,425 |
| NORWAY | 13,372 | 13,372 | 13,371 | | 1 | - | - | - | 1 | - | - | - | - | 1 |
| SDC | 769,991 | 769,991 | 70,704 | | 699,287 | - | - | 315,767 | 383,520 | 9,874 | - | - | - | 373,647 |
| SDC | 3,000,000 | - | - | | - | 1,800,000 | - | - | 1,800,000 | | | 1,200,000 | - | 1,800,000 |
| NETHERLAND | 2,490,000 | - | - | - | - | 1,083,899 | - | 2,536 | 1,081,363 | 65,420 | - | 1,406,101 | - | 1,015,944 |
| UNDP | 2,845,824 | 345,824 | 345,824 | | - | 2,500,000 | - | 1,631,977 | 868,023 | 173,054 | 40,023 | - | - | 654,946 |
| Grand Total | 11,918,346 | 3,917,475 | 1,254,692 | - | 2,662,783 | 5,394,770 | - | 2,448,877 | 5,608,676 | 316,645 | 53,733 | 2,606,101 | - | 5,238,298 |

Note:

i) The figures provided in the above statement are provisional; the final figures will be known once the 2013 3rd quarter closure exercise has been completed in November 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

The Interim Donor Report for the Period Jan to 30 Sep 2013 for (JHRA II)

Annex 2. Expenses by Output

| Project Output ID and Description | 2013 Budget (AWP) | Expenses (Jan-Jun-2013) | Expenses (July -Sep-2013) | Cumulative Expenses (Jan - Sep 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. | 2,183,418 | 440,700 | 273,577 | 714,277 | 33% |
| Output 1 PIP: (00083456) Comprehensive 42 month Project Document to support justice and human rights programming for MoJ and justice sector institutions | *** | 35,920 | (2,492) | 33,428 | 0% |
| Sub-total Output 1 | 2,183,418 | 476,620 | 271,085 | 747,705 | 34% |
| Output 2: (00085459) Mechanisms to provide quality justice services to vulnerable groups are established and functional (NPP 5, component 1) | 1,424,530 | 196,533 | 231,375 | 427,908 | 30% |
| Output 2 PIP: (00083458) Support to MoJ with programmatic inputs on Human Rights Support Unit (HRSU) and Translation Unit | *** | 26,233 | (63) | 26,170 | 0% |
| Sub-total Output 2 | 1,424,530 | 222,766 | 231,312 | 454,078 | 32% |
| Output 3: (00085460) Public participation processes and knowledge base for improving access to justice and human rights compliance established. | 567,700 | 136,176 | 182,217 | 318,393 | 56% |
| Output 3 PIP: (00083464) Resource Mobilization & Monitoring (Knowledge Management) | *** | 4,766 | | 4,766 | 0% |
| Sub-total Output 3 | 567,700 | 140,942 | 182,217 | 323,159 | 57% |
| Output 4: (00085461) Project Support Unit: Internal oversight, monitoring and evaluation capacity in place. | 1,451,847 | 615,335 | 308,601 | 923,936 | 64% |
| Sub-total Output 4 | 1,451,847 | 615,335 | 308,601 | 923,936 | 64% |
| Grand Total | 5,627,495 | 1,455,663 | 993,214 | 2,448,877 | 44% |

*** 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

The Interim Donor Report for the Period Jan to 30 Sep 2013 for (JHRA II)

Annex 3. Expenses by Donor

| Donor Name | Project Output ID and Description | 2013 Budget (AWP) | Expenses (Jan-Jun-2013) | Expenses (July-Sep-2013) | Cumulative Expenses (Jan-Sep-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. | 268,130 | 86,989 | 29,105 | 116,094 | 43% |
| | Output 2: (00085459) Mechanisms to provide quality justice services to vulnerable groups are established and functional (NPP 5, component 1) | 67,624 | | | - | |
| | Output 3: (00085460) Public participation processes and knowledge base for improving access to justice and human rights compliance established. | 10,700 | | | - | |
| | Output 2 PIP: (00083458) Support to MoJ with programmatic inputs on Human Rights Support Unit (HRSU) and Translation Unit | *** | 14,814 | (63) | 14,751 | 0% |
| Sub-Total | | 346,454 | 101,803 | 29,042 | 130,845 | 38% |
| 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. | 117,165 | - | | - | 0% |
| | Output 2: (00085459) Mechanisms to provide quality justice services to vulnerable groups are established and functional (NPP 5, component 1) | 1,008,909 | 153,074 | 192,963 | 346,037 | 34% |
| | 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 | 0% |
| | Output 2 PIP: (00083458) Support to MoJ with programmatic inputs on Human Rights Support Unit (HRSU) and Translation Unit | *** | 49 | | 49 | 0% |
| | Output 3 PIP: (00083464) Resource Mobilization & Monitoring (Knowledge Management) | *** | 3,966 | | 3,966 | 0% |
| Sub-Total | | 1,126,074 | 163,421 | 192,963 | 356,384 | 32% |
| NETHERLANDS | Output 1: (00085458) High-level coordination mechanisms for developing policy and legislation in accordance with international and national standards are established and functional in State justice institutions. | 717,047 | - | 278 | 278 | 0% |
| | Output 2: (00085459) Mechanisms to provide quality justice services to vulnerable groups are established and functional (NPP 5, component 1) | 91,378 | - | | - | 0% |
| | Output 4: (00085461) Project Support Unit: Internal oversight, monitoring and evaluation capacity in place. | 145,255 | - | 2,257 | 2,257 | 2% |
| | Output 2 PIP: (00083458) Support to MoJ with programmatic inputs on Human Rights Support Unit (HRSU) and Translation Unit | *** | 11,370 | | 11,370 | 0% |
| Sub-Total | | 953,680 | 11,370 | 2,536 | 13,905 | 1% |
| 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. | 699,287 | 190,598 | 125,169 | 315,767 | 45% |
| Sub-Total | | 699,287 | 190,598 | 125,169 | 315,767 | 45% |

| | | | | | | |
|--------------------|---|------------------|------------------|----------------|------------------|------------|
| 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. | 381,789 | 163,113 | 119,025 | 282,137 | 74% |
| | Output 2: (00085459) Mechanisms to provide quality justice services to vulnerable groups are established and functional (NPP 5, component 1) | 256,620 | 43,460 | 38,412 | 81,872 | 32% |
| | Output 3: (00085460) Public participation processes and knowledge base for improving access to justice and human rights compliance established. | 557,000 | 136,176 | 182,217 | 318,393 | 57% |
| | Output 4: (00085461) Project Support Unit: Internal oversight, monitoring and evaluation capacity in place. | 1,306,591 | 615,335 | 306,343 | 921,678 | 71% |
| | Output 1 PIP: (00083456) Comprehensive 42 month Project Document to support justice and human rights programming for MoJ and justice sector institutions | *** | 29,588 | (2,492) | 27,096 | 0% |
| | Output 3 PIP: (00083464) Resource Mobilization & Monitoring (Knowledge Management) | *** | 800 | | 800 | 0% |
| Sub-Total | | 2,502,000 | 988,471 | 643,506 | 1,631,977 | 65% |
| Grand Total | | 5,627,495 | 1,455,663 | 993,214 | 2,448,877 | 44% |

*** 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 | Partially resolved |
| 2 | Coordination between LAGF stakeholders | Q 2 and Q3 | Impact = 3 Priority = 4 | Facilitate discussions between stakeholders. | CTA & Access to Justice Coordinator | partially resolved |
| 3 | Change of office premises for security reasons | Q 2 and Q3 | Impact = 5 Priority = 5 | Swift coordination with all actors involved, Cooperate closely with UNDP country office. | National project manager, | ongoing |
| 4 | Security Incidents due to the Elections | September 2013 | Impact = 4 Priority = 3 | Cooperation with UNDSS | All JHRA staff | 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"> 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. Data collection on State and non-State cooperation in the justice sector could not take place in two districts of Herat. |
| 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 Q4. |

| # | 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"> Workshop for female staff at the MoJ was followed up on with the recruitment of trainers in fields where capacity development is required (English language, computer literacy). Gender mainstreaming is ensured in all activities under each component. |