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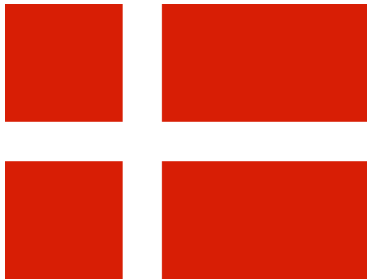
# JUSTICE AND HUMAN RIGHTS IN AFGHANISTAN (JHRA) PROJECT

## 2015 Q3 REPORT



UNITED NATIONS DEVELOPMENT PROGRAMME

DONORS



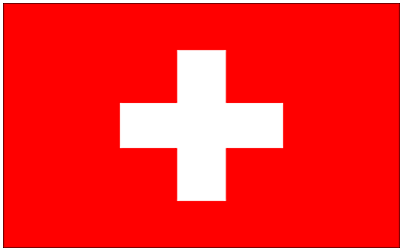
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## PROJECT INFORMATION

**Project ID:** 00068012

**Duration:** January 2013 – December 2015

**Strategic Plan Component:** Rule of Law

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

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

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

**Annual Budget 2015:** USD 5,120,417

**Implementing Partner:** UNDP

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

**Chief Technical Advisor:** Dawn Del Rio

**Head of Rule of Law Unit:** Dawn Del Rio

*COVER PAGE: JHRA Photo*

*Training for police and prosecutors on Elimination of Violence Against Women*

## ACRONYMS

AIBA	Afghanistan Independent Bar Association
AIHRC	Afghanistan Independent Human Rights Commission
ASGP	Afghanistan Sub-national Governance Project
AWP	Annual Work Plan
CID	Central Investigation Department
CPC	Criminal Procedure Code
CPD	Central Prison Department
CBDR	Community-based dispute resolution
CDC	Community Development Council
CEDAW	Convention on the Elimination of All Forms of Discrimination against Women
CLRWG	Criminal Law Reforms Working Group (CLRWG)
CRC	Convention on the Rights of the Child
CSO	Civil society organization
DHRWIA	Directorate of Human Rights and Women's International Affairs
DoWA	Department of Women's Affairs
DoJ	Department of Justice
EVAW	Elimination of Violence against Women
FGDs	Focus Group Discussions
FRU	Family Response Unit
GDMA	General Directorate of Municipal Affairs
GIROA	Government of the Islamic Republic of Afghanistan
HRSU	Human Rights Support Unit
<i>Huquq</i>	MOJ Legal Affairs Department
IARCSC	Independent Administrative Reform and Civil Service Commission
ICESCR	International Covenant on Economic, Social and Cultural Rights
ICPWD	International Convention on People with Disabilities
LAB	Legal Aid Board
LAGF	Legal Aid Grant Facility
LEP	Legal Empowerment of the Poor
LOTFA	Law and Order Trust Fund of Afghanistan
M&E	Monitoring and Evaluation
MoFA	Ministry of Foreign Affairs
MOIA	Ministry of Interior
MOJ	Ministry of Justice
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 Institute
NLTC	National Legal Training Center
NPP	National Priority Programme
NTA	National Technical Assistance
PLAU	Public Legal Awareness Unit
PPD	MOJ Planning and Policy Department
RoLIS	Rule of Law Indicators Study
<i>Shura</i>	Community gathering
SOP	Standard Operating Procedure
<i>Taqnin</i>	MOJ Institute for Legislative Drafting and Legal Research
TCC	Technical Coordination Committee
ToR	Terms of Reference
UNAMA	United Nations Assistance Mission to Afghanistan

UNCAT	United Nations Convention against Torture
UNDP	United Nations Development Programme
UNODC	United Nations Office on Drugs and Crime
UPR	Universal Periodic Review

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## I. EXECUTIVE SUMMARY

During the third quarter of 2015, JHRA has continued the implementation of its Annual Work Plan, achieving significant progress in all outputs.

Under Output 1, High level coordination mechanisms for developing policy and legislation in accordance with international and national standards were established and became functional in State justice institutions. In addition, the completion of the Rule of Law Indicator Study (ROLIS) was an important milestone during this quarter. The ROLIS was formally presented at a conference chaired by the Minister of Justice. The Second Vice-President subsequently asked for recommendations and an action plan to be developed in order to identify priorities for Justice Sector Reform in line with the Government's Realizing Self-Reliance paper. Support to the legislative drafting process for laws with a human rights element continued, concretely for the Law on Conciliation of Civil Disputes. The UN Convention Against Torture (UNCAT) State Report was finalized by the leadership of the Ministry of Foreign Affairs (MOFA), and this report is expected to be formally endorsed in the last quarter of 2015.

Output 2, Mechanisms for providing quality access to justice services to vulnerable groups were established and are functional. This quarter saw the geographic expansion of the Legal Aid Grant Facility (LAGF) to the provinces of Ghor and Badgis, where local chapters of the LAGF were established. The number of cases handled by the LAGF is on track to meet the annual target. The institutional structure of the LAGF was strengthened through a the revision of the LAGF Procedure following an agreement reached at a Tripartite meeting between the Ministry of Justice (MOJ), the Afghanistan Independent Bar Association (AIBA) and UNDP. This revised LAGF procedure implements key recommendations from the LAGF mid-term review. The law clinic that had been proposed for Nangarhar province has become operational and 24 law students are participating. Regarding the Elimination of Violence Against Women (EVAW), JHRA delivered a proposal for the establishment of a pilot EVAW Court in Kabul to the High Council of the Supreme Court (SC), which will present this to the President's Office for endorsement by the highest political level. JHRA continues its advocacy efforts to encourage the Government to take the EVAW Court proposal forward.

Under Output 3, Public participation processes and a knowledge base for improving access to justice and human rights compliance were successfully established. JHRA also completed its support to the development of a national policy to improve the legal status of street vendors. A comprehensive package consisting of amendments to five laws that directly affect the legal position of street vendors was presented during a national conference. At this conference, the National Street Vendors policy was presented by the drafting committee to an audience of

high level politicians, regional authorities and street vendors associations that had been established with support of JHRA.

Furthermore, a campaign to raise awareness about women's rights in remote areas through radio announcements was initiated in cooperation with UNDP's Gender Equality Project.

Output 4, Monitoring and evaluation capacity is now in place, and the process to design a successor project for JHRA was intensified with bilateral consultation meetings and the design of a Concept Note which was presented to the current JHRA donors. This Concept Note takes the recommendations from the Mid-Term Review of the project fully into account. Furthermore, a functional review of the use of the National Technical Assistance (NTA) modality by UNDP in the justice sector was undertaken and the findings were presented to the donors at a meeting where the donors agreed to extend all NTA contracts until the end of December. During the fourth quarter, UNDP will work with the Government to discuss alternative scenarios for the continuation of the NTAs, including the development of an action plan to transition key tasks that are now being performed through NTA staff into the Tashkeel structure.



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

#### **1.2. Increase justice institution capacity to monitor progress and performance of justice sector delivery (through ROLIS).**

*Indicator 1.2: Existence of baseline on rule of law.*

The Rule of Law Indicator Study (ROLIS) was finalized during this quarter and presented to a high level government forum presided by the Minister of Justice. At this conference, the conclusions of the ROLIS were discussed and endorsed by the Government. The ROLIS defines a baseline for justice and rule of law actors to track their performance for a total of 130 indicators, which is an important instrument for informed decision making. The National Working Group on ROLIS shared the findings of the report with the Second Vice-President Office and with the Legal Advisor of the President Office, both offices accepted the report. With this milestone, the annual target “ROLIS conducted and baselines established” was met. The importance attributed to this baseline study was reconfirmed by the Second Vice-President Office, which requested the technical working group to provide a national action plan and recommendations from the report to feed into helping the Government identify priorities for justice sector reform.

### **1.3. Increase the MOJ's capacity to effectively reform law through the Taqnin, including the Translation Board.**

*Indicator 1.3 Number of (outdated) laws revised/drafted/repealed in line with national and international standards (including involving a consultative process).*

At the start of JHRA, a total of ten laws had been identified for revision, focusing on national and international human rights standards. At the start of 2015, the work had been completed for seven of these laws. The remaining three laws are the Family Law, the Law on Conciliation of Civil Disputes (formerly known as the Jirga-Shura law) and the Law on Obtaining Rights. The Law on Obtaining Rights has recently been submitted by the Taqnin (legislative drafting) Department of the MOJ to the Council of Ministers for formal approval. As for the Family Law, a workshop has been held to obtain inputs from civil society, and support to the revision of the law is ongoing. JHRA's legal inputs to the revision of the Law on Conciliation of Civil Disputes have been taken on board by the Ministry of Justice in the drafting process of this law. However, the scope of this law is subject of a very sensitive public debate, in particular focusing on the question whether criminal cases can be subject of mediation. UNDP will continue its advocacy work together with UNAMA to defend the civil character of this law.

### **1.4 Strengthen human rights institutions' capacity to track, monitor and report on the implementation of human rights commitments.**

*Indicator 1.4.1 Percent of legislative documents identified by the MOJ for HRSU/UNDP support reviewed for human rights compliance.*

*Indicator 1.4.2 Existence and functionality of a formal coordination mechanism between HRSU, MOFA, AIHRC and CSOs to follow up on recommendations from international human rights bodies.*

The State Report on the United Nations Convention Against Torture (UNCAT) was finalized by MOFA with support from JHRA both in a Dari and English version during this quarter. The final draft of the UNCAT State Report is yet to be approved by the MOFA's Steering Committee for treaty body reporting, which is scheduled to take place in November 2015. Finalization of this report is an important step for Afghanistan in reducing its backlog regarding treaty body reporting.

The Human Rights Taskforce Committee, the working groups of human rights focal points from various Government institutions continued to meet and improved its working method with the adoption of a revision of its terms of reference, to improve data collection and sharing

between Government institutions. The Taskforce Committee also adopted a guideline for Government institutions on the implementation of international conventions and instructed the HRSU to conduct training workshops for staff of different ministries to promote the use of these guidelines. The Taskforce Committee also enlarged its composition with the approval of participation of a representative from the Supreme Court and representatives from civil society. The work of the Taskforce Committee contributes to better interinstitutional cooperation as regards human rights.

## **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, supporting the implementation of the Elimination of Violence against Women-EVAW Law and increasing the number and capacity of trained justice officials at the sub-national level. This output supports NPP 5 component 3 ("Increasing meaningful access to justice") and component 4 ("Building institutional capacity to strengthen justice delivery"), and includes working with the service providers of the justice institutions – courts, prosecutors' offices, EVAW Units, *Huquq* Departments, Family Response Units (FRUs), AIBA chapters, and National Legal Training Centers (NLTCs).

### **2.1. Legal Aid Grant Facility increases access to justice through free legal representation, particularly for detainees, women and children.**

*Indicator 2.1.1: Number of cases supported through LAGF disaggregated by criminal, civil, detention and women's cases*

*Indicator 2.1.2 Number of cases monitored*

The Legal Aid Grant Facility (LAGF) extended its area of operations during this quarter. LAGF Committees were established in Badgis and Ghor and started taking up cases. These provinces are coordinated from the AIBA office in Herat. Furthermore, the LAGF committee that had been established in Bamyan during the second quarter of 2015 initiated its activities and the first cases were taken up by defense lawyers of the LAGF both in Bamyan and in Daikundi.

The total number of cases for which the LAGF provided legal aid 2015 so far is 1324 clients, 1146 males and 178 females, which is in line with the annual targets. A detailed overview of the number of cases handled by LAGF per province can be found in the matrix at the end of this report.

A five day workshop was held in Balkh for defense lawyers registered with the LAGF to increase their knowledge on the Family Law and the Law on Discrimination against Women. This training helped to increase the number of cases for women in Balkh to 51.

The LAGF Procedure was strengthened through a revision which was agreed upon on 1 September at a Tripartite meeting between AIBA, the MOJ and UNDP.

*Indicator 2.1.3 Number of legal clinics supported under the LAGF*

The 2 law clinics in Nangarhar and Helmand became operational with participation of a total of 47 students of Law and Sharia. The activities range from rendering legal advice to underserved clients, assisting defense lawyers in preparation of defense statements, visiting detention centers, court monitoring of LAGF defense lawyers, as well as carrying out legal awareness on basic rights of citizens.

**2.2. Increase women's access to justice on issues of gender based violence by assisting the AGO/Government to implement the EVAW law and to design pilot EVAW courts**

*Indicator 2.2: Existence of national plan on special EVAW court*

The EVAW Commission and the Ministry of Women Affairs (MOWA) have finalized the design for an EVAW Court, fully taking on board the JHRA's work since 2013, which is based on the existing legal framework of Afghanistan. The proposal has been submitted to the High Council of the Supreme Court, which is expected to present it to the President's Office. Advocacy work to prioritize EVAW is currently ongoing with the Supreme Court and other institutions that are undertaking judicial reforms relevant for violence against women. Trainings on preparation of EVAW indictments and settlements were undertaken in Herat, Balkh and Kabul during this quarter. These joint trainings were attended by prosecutors, police CID/ FRUs, defense lawyers and staff from CSOs, which contributed to a better understanding of the roles and responsibilities of each different institution for EVAW cases. Implementation of lessons learned at these trainings will be monitored by UNDP. The standard operation procedures for the Family Response Units of the Police (FRUs) and the EVAW Units of the AGO were approved during this quarter and formal signature is expected in December.

**2.3. Enhance the Professional Capacity of State Justice providers including respect for due process through establishment of NLTC**

*Indicator 2.3: Number of National Legal Training Centre chapters operational*

Following the official inauguration of the National Legal Training Centre (NLTC) at Herat University in June, UNDP staff undertook a Micro Capacity Assessment of Herat University and its different Departments including Procurement and Financial management in July. Based on the high risk outcome of this report, the funding modality of the activities had to be revised and renegotiated, which delayed implementation of the activities.

However, the NLTC facilities have been used for joint training workshops between UNDP and UNODC on the Elimination of Violence against Women Law and Codes of Conducts for prosecutors, defense lawyers, and legal aid providers of Herat and Badghis provinces, which contributed to better sector coordination in the Western Region.

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

Output 3 focuses on strengthening the ability of Afghan citizens to understand, engage with and influence the State justice system through the promotion of legal literacy, civic education, and policy development, largely through and for civil society. This output supports Components 1 and 3 of NPP 5, which focus on “improving the legislative process” and “increasing meaningful access to justice” respectively, and works primarily with the MOJ PLAU, AIHRC, CSOs, media, and think tanks. The key purpose of this component is to build outreach to citizens using various channels such as workshops, literature and media to inform them about their legal rights and build mechanisms for their protection.

#### **3.1 Empower male and female street vendors through recommendations and advocacy for policy change**

*Indicator 3.1.1: Number of draft laws with legal inputs provided for rights of street vendors to the MOJ.*

UNDP’s suggestions for amendments were completed for all five draft laws that had been selected as most relevant regarding the legal status of street vendors: Food, Labour, Traffic, Municipal and Consumer Protection law and were presented to the relevant line Ministries representing Kabul Municipal Corporation, MOIA, Ministry of Labor, Social Affairs, Martyrs and Disabled, Ministry of Commerce, Ministry of Health, Ministry of Labour and IDLG. The development of the laws has also been discussed at the technical sub committees of the Technical Coordination Committees in Herat and Kabul. Out of these laws the Food law and the Consumer Protection law were prioritized in the MOJ’s 100 day work plan.

A draft policy paper on the legal position of street vendors was developed and finalized in close consultation with related stakeholders and presented at a national conference in the month of August with high level participation, including at Ministerial level. The outcome of the national conference was that an inter-ministerial working group would be established in order to develop a formal national policy on the legal status of street vendors based on the draft policy paper.

*Indicator 3.1.2 Number of Technical Coordination Committees established and functional in select provinces*

Following the national conference on the legal status of street vendors; an inter-ministerial working group has started in Kabul to draft a formal national policy on the legal status of street vendors. The findings and outcomes of each session has been discussed during the TCCs in the target provinces.

### **3.2 Consolidate communication and coordination between State and non-State justice providers through recommendations and advocacy for policy change**

*Indicator 3.2.1 Existence of a national policy or legislation on State/non-State cooperation in the justice sector.*

In parallel to UNDP's contributions to the legislative drafting of the Law on Conciliation of Civil Conflicts, JHRA under this component contributes to the national debate on this law by engaging with stakeholders. The draft of the law was discussed during two workshops with related CSOs and international partners in the months of August/September. The inputs from these meetings were incorporated into the final draft.

*Indicator 3.2.2 Number of districts that have State/non-State justice coordination mechanism.*

Currently one set of trainings have been undertaken on the mandate of the Huqoq in Jalalabad and Herat. Same training is planned for the quarter four to take place in Mazar and Jalalabad. Data collection and coordination at the district level meetings are being undertaking to identify the flow of cases from the community groups into the formal justice system at the district level.

### **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: Action plan of MOJ Communication Strategy operational.*

An Action Plan has been drafted based on the MOJ's communications' strategy. A donor meeting was organized where the Action Plan was shared to raise awareness on the MOJ's

implementation plans on public messaging on legal rights and coordinate the implementation areas. The MOJ and the participants agreed that follow-up technical meetings would be arranged for more detailed discussions about the role of donors, international organizations and implementing partners for financial and technical support for the operationalization of the action plan. The technical meeting is planned for December under the leadership of MOJ.

The broadcasting of Radio programmes as part of a message campaign with a focus on women's rights across was expanded to eight provinces. This awareness raising campaign is a joint activity between JHRA and UNDP's Gender Equality Project (GEP). The activity has been initiated during quarter 3 and will continue until December. Data is being collected to document the current baseline in the target districts to measure the impact of the campaign. The result data will be obtained in quarter four.

## **OUTPUT 4: Monitoring and evaluation capacity in place**

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

### **4.1. JHRA implementation is conducted in an accountable, effective and efficient manner**

During this quarter, UNDP accelerated its efforts to design a successor project for JHRA. Based on the conclusions of a meeting in June with the national counterparts of the Project Steering Committee, the recommendations from the Mid-Term Evaluation, UNDP's Strategic Plan, inputs from bilateral meetings with national counterparts and the final report of the human rights scoping mission by UNDP staff from Headquarters and the Regional Bureau for Asia-Pacific who visited Afghanistan in June, UNDP prepared a Concept Note setting out the scope of the successor project for JHRA. In order to increase accountability, effectiveness and efficiency, this Concept Note introduced a stricter focus, which is access to justice.

In order to improve efficiency and accountability, JHRA instituted weekly management team meetings and new SOPs for effective project management were implemented leading to a more robust project implementation regime

#### **4.2. Strategic direction informed and refined through analysis using robust monitoring, evaluation and reporting processes**

During this quarter, efforts were continued to comply with the indicators regarding strategic direction, monitoring and evaluation and reporting.

The NTA staff contracts were extended up to December 2015 following a functional review was discussed with the leadership of the MOJ and initiated with the recruitment of an international consultant. The functional review was completed in Q3 and a set of recommendations based on which the alignment for the NTA positions to the 2015 work plan completed. The recommendations from the review are shared with MOJ for their review. Further discussions on the implementation of the recommendations and way forwards will continue in Q4.

Meetings with UNDP's senior management took place more structurally, also focusing on the implementation of recommendations from the midterm evaluation. Most recommendations have either been implemented or are being taken on board for the design of the successor project. A monthly discussion between the programme unit and the project leadership on the implementation rate of the project was also established. The M&E for the LAGF will be undertaken through the monitoring agency for which the procurement process has been initiated.

### **III. GENDER-SPECIFIC RESULTS**

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

With the establishment and activation of the LAGF, JHRA has worked with AIBA and the MOJ Legal Aid Department to ensure that cases involving women, particularly cases of violence against women are prioritized among the cases selected for subsidy through the facility. A



total of 129 women lawyers are registered with the LAGF, and 274 female cases have been taken up by the LAGF lawyers.

During 2015, EVAW court-related activities were initiated in the form of preparing a draft of the pilot EVAW Court proposal. This has been approved by the leadership of the EVAW Commission during quarter three and subsequently sent to the High Council of the Supreme Court for endorsement. The proposal needs to be presented by the High Council of the Supreme Court to the President Office, before the pilot EVAW Court can be established.

## **IV. PARTNERSHIPS**

- **MOJ**

In quarter three, the MOU for the LAGF was extended by UNDP and MOJ partnership to continue the activities of the LAGF including workshops and training sessions for 2015. The letter of agreement that makes commitments for technical and financial support by UNDP to MOJ departments such as the *Taqnin*, PPD, HRSU, and PLAU remained in force.

- **AIBA**

UNDP strengthened its partnership with AIBA in quarter three 2015 by extending the tripartite MOU between MOJ, AIBA and UNDP to take up more cases in 2015. In quarter three, the LAGF was launched in Bamyan and Daikundi working jointly with the GEP project particularly to take up cases on violence against women.

- **Municipal Governments**

JHRA continued its work with the municipal governments of Kabul, Herat, Mazar-e-Sharif and Jalalabad in Q3. TCC meetings were conducted on the legal empowerment of street vendors which incorporated municipal officials in each of these cities. The TCC structure was revamped with a technical sub-committee and a grievance redressal committee that was formed.

- **UN**

During quarter three, JHRA continued to work with several other agencies and projects of the UN to build synergies. JHRA worked with the GEP to develop a joint plan to take up violence against women cases through the Women Assistance Centres (WAC) that will be supported by the LAGF lawyers. Previously the WACs did not have access to qualified lawyers to provide legal aid to the victims of violence. Further the GEP and JHRA have also developed a concept

note to expand the legal awareness through radio programmes across 8 provinces with common messages on legal aid, education for the girl child and property rights for women.

JHRA and LOTFA continued to work on the SOP for police and prosecutors. Further to a few revisions that were made to the narrative document of the SOP, a flow chart has been developed to further simplify the SOP to assist the Central Investigation Department, FRU personnel and the ERAW unit staff to readily follow the legal processes. The SOP and the flowchart is yet to be approved by the leaderships of the AGO and MOIA.

## V. ISSUES

- **Uncertain financial sustainability**

The financial and sustainability issues continued to pose challenges to the JHRA despite the fact that UNDP and the Italian Development Cooperation Office have signed a new cost sharing agreement for JHRA to undertake activities in Herat and the Herat region covering legal aid, ERAW court, building up of the NLTC and state-non state coordination. The demand for expansion of LAGF to other regions continues to grow and yet the resources available are not elastic enough to meet the demands.

- **Leadership in justice institutions**

The new Chief Justice was appointed in Q3 has already met with the leadership of the UNDP and the management of JHRA. He has promised continued cooperation and support to JHRA supported initiatives, including the establishment of the ERAW Court. It is expected that with the new Chief Justice in place and a Minister of Justice also recently appointed, the reform process and the high level policy decision for the justice sector, some of which is currently being undertaken by JHRA, will gain momentum and traction with the appointment of the Attorney General which is expected soon.

- **Policy decisions on legal aid**

Other projects have impacted on JHRA's LAGF. Policy decisions at the level of the Legal Aid Department seemed to make slow progress in anticipation of the development of the Legal framework under the Justice Service Delivery Project (JSDP – World Bank) which seems to have been delayed in its implementation. The JHRAs LAGF was designed around the legal aid work of the JSDP at the design stage of JHRA II, therefore certain strategic decisions have been delayed. The MoJ 100 day workplan however reflects the LAGF implementation as one of their

key projects. It is expected that the Legal aid roadmap and review of the policy and regulatory framework for legal aid might start off in Q4.

- **JHRA Successor**

During this quarter, UNDP accelerated its efforts to design a successor project for JHRA. Based on the conclusions of a meeting in June with the national counterparts of the Project Steering Committee, the recommendations from the Mid-Term Evaluation, UNDP's Strategic Plan, inputs from bilateral meetings with national counterparts and the final report of the human rights scoping mission by UNDP staff from Headquarters and the Regional Bureau for Asia-Pacific who visited Afghanistan in June, UNDP prepared a Concept Note setting out the scope of the successor project for JHRA. In order to increase accountability, effectiveness and efficiency, this Concept Note introduced a narrower focus, which is access to justice.

- **Closure UNDP Helmand Office**

Following the closure of UNDP in Helmand and the resignation of the Regional Coordinator, JHRA undertook the recruitment of one national UNV to provide information and support to the team in Kabul. The recruitment process is now finalized, and an offer will be sent out to the successful candidate soon. The National UNV is expected to support LAGF related activities including the activities on the law clinics. The LAGF funds for Helmand are being channeled through the AIBA, therefore no disruption of the taking up of actual legal aid cases are envisaged at this point.

## **VI. RISKS**

- **Security**

Security remains an issue affecting the extent to which JHRA can deliver programming, particularly in more remote areas of the country. While ongoing monitoring of the security situation is required, JHRA has mitigated many movement restrictions by using multiple contracting and engagement strategies to deliver programming. Through its National Regional Coordinators, JHRA has increased the coordination and oversight in the regions which also ensures that the project is able to maintain direct contacts with counterparts in the regions. The targeted attacks on justice operators in Jalalabad and Mazar-e-Sherif inevitably has a significant impact on the functioning of these institutions, and adversely affects the activities of JHRA.

## **Government of the Islamic Republic of Afghanistan (GIROA) support for all components of the project**

The extent to which GIROA supports the development efforts of UNDP varies depending on the focus area where stakeholders are involved. JHRA has been working closely with government counterparts to ensure continuity of project activities, which are based on emerging government priorities. With the current emerging priorities, it is evident that JHRA's activities are closely aligned to these priorities since several of the activities are reflected in the 100 day workplans and strategic plans of the government/state institutions.

- **Coordination with international partners**

Coordination with international partners is an important activity and with the available structure of the Board of Donors, JHRA has been able to regularly engage to seek synergies and cooperation with justice projects of other organizations. The law on conciliation for civil disputes has been discussed with all stakeholders including NGOs to ensure that open and free discussions help the government to draft a robust legislation that will be in compliance with those human rights standards and international obligations that Afghanistan has committed to.

- **Resignation of Staff**

Due to the end of the project period, there have been a few staff resignations during the last quarter. UNDP has been considering the need for replacement of staff on a case-by-case basis, also using different modalities such as detailed assignments, while arrangements were made to ensure implementation of the project activities without any disruptions.

## **VII. LESSONS LEARNED**

- **Monitoring and coordination**

Monitoring and coordination of activities is of the utmost importance, especially when provincial level engagements are being undertaken. In 2015, 15 missions were undertaken to coordinate, promote and monitor project activities by the staff. Most of these missions are undertaken jointly with government staff and often heads of departments of the MOJ and AIBA.

- **Coordinating with similar projects**

JHRA has strengthened its coordination with other projects, agencies and institutions in order to maximize the impact of its activities. Working across projects extends the reach of JHRA

programming throughout the Afghanistan government system, and encourages deeper entrenchment of priorities in the State. JHRA works closely with the UNDP ASGP on its work with municipal governments for the legal empowerment of street vendors.

JHRA continues to work closely with LOTFA to undertake police and prosecutor trainings and to develop standard operating procedures.

UNDP signed an MOU with UN Women. In support of integrating measures to eliminate violence against women, several of the activities of JHRA-GEP and UN Women have been analyzed through a results matrix and JHRA complements the activities from GEP and UN Women from a judicial and human rights angle.

- **Facilitating consultations and creating dialogue**

Ensuring that programming remains relevant and is delivered and/or supported in a way that best contributes to the work undertaken by the government, JHRA holds regular consultations with government, donor, international agencies, and civil society partners to discuss realized and anticipated progress. This allows the project to re-gauge its planned support and tailor engagements to the actual needs as they progress and respond to the political situation in Afghanistan. The ROLIS working group, LAGF Committee, the Technical Committee for UNCAT, the TCC for the Street Vendor's are some of the groups that have been meeting on a regular basis to undertake substantive discussions and ensure consensus building.

- **Regular staff, UNDP operations unit meetings**

To overcome implementation challenges, regular operations meetings are conducted within JHRA and in coordination with the UNDP Country Office teams. Team meetings for project output areas are analyzed along with the overall project delivery on a weekly and monthly basis.

## **VIII. FUTURE PLANS**

The following activities are planned to take place during the fourth quarter of 2015 and the first quarter of 2016 in order to ensure maximum implementation of the work plan as well as to facilitate a smooth transition to the successor project.

### **OUTPUT 1**

1. Conduct one Human Rights Regional Conference for AIHRC
2. Strategic plan for SC (Technical assistance to be provided- no financial implication/commitment made)

3. Conduct human rights trainings for Ministries
4. Conduct one refresher training on human rights for Government focal points
5. Design the Capacity Development Plan for HRSU
6. Support legislative reviews of laws based on human rights principles
7. Conduct one stakeholders dialogue on follow up of human rights recommendations<sup>1</sup> (HRSU, AIHRC, MOFA, MOJ, MOWA)
8. Develop and finalize Human Rights Programme
9. Draft penal code finalized by Taqnin
10. Draft Guidelines for enactment of Criminal Procedure Code
11. Finalization of Conciliation of Civil Dispute Law
12. Finalization of family law to send to Parliament

## **OUTPUT 2**

1. Support to the LAGF through AIBA
2. Conduct Capacity Assessment of LAGF Committee against their mandate
3. Conduct Capacity Assessment for Law Clinics-Legal framework
4. Harmonization workshop on Law Clinics concept -jointly with ILAB
5. M&E Monitoring Agent-data collection, statistics, analysis, reporting and recommendations-focus at district level-end of assignment workshop
6. Conduct 1 round table advocacy discussion on EVAW Court
7. Conduct 3 joint trainings on EVAW-Indictments, Settlements, SOPs, and Coordination (FRU/CIDs, Defense lawyers, judges, new prosecutors, DOWA, WAC. etc.
8. Conduct 3 trainings on Family Law
9. Support Nangarhar Law Clinic
10. Support the NLTC in Herat to conduct trainings for JSIs

## **OUTPUT 3**

1. 5 district level coordination meetings amongst formal and informal justice actors
2. 1 Annual Huquq officers workshop as part of input into draft conciliation Law
3. 1 national CSO workshop: jointly organized with PLAU-MOJ
4. Installation of billboards in 5 provinces
5. 1 workshop on MOJ Communication strategy

**Table 1: 2015 Progress for Output 1**

2015 Baseline	2015 Annual Targets	Q3 2015 Planned	Q3 2015 Actual	Comments
1.2 No results-oriented and evidence-based M&E systems in place in MoJ.	1.2 ROLIS conducted and baseline established	Provide technical expertise to national ROLIS working group to finalize ROLIS and Conduct national conference to present ROLIS findings	<ul style="list-style-type: none"> <li>• ROLIS final report was presented in a high-level justice sector forum of Afghanistan on 11<sup>th</sup> August and subsequently was accepted by the government.</li> <li>• Working on building a set of recommendations based on the findings in the report aiming to prepare a National Action Plan on judicial reform.</li> <li>• A brief summary of institutional strengths and weaknesses of the institutions covered in the ROLIS are prepared to submit to senior leaderships of justice sector of Afghanistan.</li> </ul>	Target achieved
1.3 70 % reviewed (7 out of 10 laws identified) and working groups established on Penal Code, Child Act, Jirga/Shura Law, and Law on Obtaining Rights	1.3 100 % reviewed Formal coordination mechanism activated (evidence for instance by inter-ministerial agreements on follow up actions to recommendations from international human rights bodies)	Provide legislative drafting expertise and means for consultations on Family Law (with UNWOMEN), Jirga/Shura Law, Penal Code, Law on obtaining rights and the labor law.	<ul style="list-style-type: none"> <li>• A national workshop to gather recommendations from civil chapter of Conciliation of civil dispute resolution law (previously Jirga Shura law) has been organized, and took place of 16<sup>th</sup> September 2015 and was attended by 39 participants,</li> <li>• The draft Law on obtaining rights has been submitted to the Council of Ministry by the MoJ technical committee for review and endorsement.</li> <li>• The Criminal Law Reforms working Group drafted 16 chapters and 129 articles of penal code. Furthermore, the working group has finished reviewing the general provision section (8 chapters) and crimes section (6 chapters) of the penal code.</li> <li>• A two day consultation workshop on civil service law and Taqin 100 day plan was organized by MOJ (supported by JHRA) on 28-29 August 2015 with 90 participants from different ministries and government entities.</li> </ul>	On track
		Provide management support to the project	<ul style="list-style-type: none"> <li>• The Policy and Planning Department (PPD) staff assisted MoJ to prepare MoJ Annual Plan and MOJ budget to submit to the CEO's Office.</li> <li>• PPD staff assisted the Head of Policy and Planning Department of Supreme Court (SC) to follow up the work of SC Strategy with a new committee under chairmanship of Mr. Adalat Khuwa, member of SC supreme council to work and follow up the SC strategy.</li> <li>• PPD staff assisted to summarize and to edit the second quarter report of PPD to be published on MoJ website, for public viewers.</li> <li>• PPD staff assisted in drafting the report on first 100 days work</li> </ul>	On Track

2015 Baseline	2015 Annual Targets	Q3 2015 Planned	Q3 2015 Actual	Comments
			plan of MOJ and also drafting the work plan for second 100 days for PPD. <ul style="list-style-type: none"> <li>• PPD staff assisted the preparation for SOM meeting to discuss self-reliance through mutual accountability framework (refreshed TMAF) and next year indicators.</li> <li>• PPD staff facilitated one day conference on ROLIS report.</li> <li>• PPD staff assisted in preparing and collecting and analyzing the data for 5 year development project plan for MOJ.</li> </ul>	
		Support to Translation Board for the development of legal translations to MoJ and other government institutions	<ul style="list-style-type: none"> <li>• Translation of Laws is ongoing.</li> <li>• Procurement of simultaneous interpretations equipment is ongoing.</li> </ul>	On track
1.4 Formal coordination mechanism exists but not functional: Human Rights Support Regulation was passed 4 Aug by the Council of Ministers thereby formalizing and establishing an inter-ministerial task force to follow up on recommendations from international human rights bodies.	1.4 Formal coordination mechanism activated (evidence for instance by inter-ministerial agreements on follow up actions to recommendations from international human rights bodies)	Provide capacity and training support to finalize the UNCAT State report	English and Dari versions of UNCAT State Report are finalized. Awaiting for approval by Steering Committee in Q4.	Target achieved
		Provide technical expertise and financial support to AIHRC on South-South partnerships GBV programming	<ul style="list-style-type: none"> <li>• UNDP support in renewed letter of agreement has been received from the AIHRC.</li> <li>• Recruitment of Senior National Consultant for High-Level Policy and Advocacy is under process.</li> <li>• concept note for South-South regional conference on judicial advocacy, detention monitoring and GBV is prepared and shared with AIHRC leadership; discussions on knowledge exchange with CHR Philippines on judicial advocacy for torture; knowledge exchange with NHRC India to follow up on 2014 training on investigation and monitoring techniques are taking place with AIHRC .</li> </ul>	On track
		Establish regular liaison between HRSU, AIHRC and CSOs for legislative review, coordination and training	<ul style="list-style-type: none"> <li>• The Inter-Ministerial Taskforce Committee met on 12 August for its third quarterly meeting. The meeting was hosted by the new Minister of Justice, and discussed the following:</li> <li>• HRSU had 2 consultative meetings with CSO on law of resolution of civil disputes.</li> </ul>	On track
		Review legislation from a human rights perspective to ensure compliance with human rights standards	<ul style="list-style-type: none"> <li>• HRSU reviewed the Law on Expropriation for compliance with international human rights standards and the findings will be submitted to Taqnin department.</li> <li>• HRSU reviewed the Law on Reconciliation of Civil Disputes and Law on Safety of Food for compliance with international human rights standards.</li> <li>• HRSU finalized the review of the draft law on resolution of civil disputes in light of international human rights</li> </ul>	On track



2015 Baseline	2015 Annual Targets	Q3 2015 Planned	Q3 2015 Actual	Comments
			conventions and the findings were hare with Taqnin.	
		Develop information management systems to track and manage data on the State's application of UN international human rights obligations and recommendations	<ul style="list-style-type: none"> <li>Review process of all articles of the seven ratified human rights conventions completed and initial indicators were prepared.</li> <li>Based on the comments received from the relevant institutions, the guideline on tracking system of implementation of the conventions in state institutions revised and comments were included.</li> <li>HRSU conducted two days human rights workshop from 4-5 August for 20 (12 male, 8 female) key officials of the Ministry of Public Health.</li> <li>HRSU finalized draft of the Handout on reflection of Human Rights in the Afghan Constitution and shared it with Taqnin.</li> <li>The draft indicators for the tracking system of the human rights treaties reviewed by HRSU's internal committee in order to be shared with relevant institutions.</li> <li>On 26th August 2015, the Human Rights Support Unit with support and in collaboration with UN-Women conducted one-day consultative meeting on reporting from CEDAW recommendations No. 11 and 23 to the relevant respective committee.</li> <li>The process of review of the RNAP is continuing by specialist recruited by UNAMA for HRSU.</li> </ul>	On track
		Organize regular trainings, events, sensitization and information sessions for State officials on application of State human rights obligations, including the development of tailored training materials and curricula	<ul style="list-style-type: none"> <li>HRSU finalized draft of the Handout on reflection of Human Rights in the Afghan Constitution.</li> <li>HRSU finalized the amendments and received the printings (2000 copies from Training Manual on international conventions, 1500 copies from handout on suspect and accused rights and 1500 copies from handout on comparison of Cairo and UDHR.</li> <li>On 14 September 2015, the Human Rights Support Unit conducted a one-day consultative session on follow up of the result of survey conducted by HRSU in MOI, Attorney Office, Pule Charkhi Prison, Female detention and Drug Detention Center in early April 2015.</li> </ul>	On track

**Table 2: 2015 Progress for Output 2**

2015 Baseline	2015 Annual Targets	Q2 2015 Planned	Q2 2015 Actual	Comments
2.1.1 522 cases supported through LAGF	2.1.1 1,000 cases supported	Extend cases to seven provinces	<ul style="list-style-type: none"> <li>The LAGF is launched in Ghor on 13 July and Badghis Province on 10 August 2015.</li> <li>The Ghor and Badghis LAGF committee is established. The Ghor and Badghis LAGF committees works under supervision of Herat AIBA regional office.</li> <li>Two AIBA defense lawyers from LAGF Bamyan traveled to Nili in Daikundi province on 28 July 2015 to 4 August 2015. The objective of this mission was to follow up cases of children as pro bono in Nili detention center.</li> <li>The LAGF M&amp;E officer conducted an official mission from 5 to 7 September 2015 to Helmand province. The M&amp;E officer evaluated (48) samples finalized cases and (69) under process cases based on LAGF's Monitoring &amp; Evaluation guideline.</li> <li>A 5 days workshop concerning (Family Law and Law on discrimination against women) held in Balkh province on 28 September - 1 Oct 2015, in which (30) defense lawyers, participated (17M/13F).</li> <li>Balkh province statistics during July to September 2015: <ul style="list-style-type: none"> <li>188 new cases registered during July to September 2015 in Balkh province. Thus the number of cases reached 604 cases ( 553M/51F)</li> <li>159 cases are finalized during July to September 2015, with this the number of finalized cases reached 407 cases (374M/33F)</li> <li>7 new defense lawyers registered with LAGF, and now the number of registered defense lawyers are increased to 145 (90 M/55F)</li> <li>1 EAW cases registered the number EAW cases increased to 13 cases.</li> </ul> </li> <li>Herat province statics during July to September 2015: <ul style="list-style-type: none"> <li>135 new cases registered during July to September</li> </ul> </li> </ul>	On track
2.1.2 Zero cases monitored	2.1.2 250 cases monitored.			
2.1.3 Two Legal clinics	2.1.3 3 total legal clinics supported.			

2015 Baseline	2015 Annual Targets	Q2 2015 Planned	Q2 2015 Actual	Comments
			<p>2015. Thus the number of case reached 391 cases(319 M/72F)</p> <ul style="list-style-type: none"> <li>• 45 cases are finalized, and the number of finalized cases reached 257 (233M/24F)</li> <li>• 16 new defense lawyers registered with LAGF with this the number of defense lawyers are increased to 141 (95M/46F)</li> <li>• 4 EVAW cases are registered, so the number of EVAW cases are increased to 14 cases.</li> </ul> <ul style="list-style-type: none"> <li>• Nangarhar province statics during July to September 2015: <ul style="list-style-type: none"> <li>• 174 new cases is registered with LAGF which the number of cases are reached to 405 cases (318M/95 F).</li> <li>• 130 cases are finalized, and the number of finalized cases are reached to 291 cases(231M/60F)</li> <li>• 1 new defense lawyer are registered with LAGF which the number of defense lawyers are increased to 89 (65M/24F).</li> <li>• 10 EVAW cases registered, thus the number of EVAW cases are reached to 44 cases.</li> </ul> </li> <li>• Helmand province statics during July to September 2015: <ul style="list-style-type: none"> <li>• 163 new cases are registered, and now the number of cases reached to 424 cases(377M/47F)</li> <li>• 15 cases are finalized, therefore the number of cases are reached to 127 cases since January 2015 up-to-date.</li> <li>• 3 new defense lawyer registered with which the number of defense lawyers are reached to 26 defense lawyers. (25M/1F)</li> <li>• The number of EVAW cases are four cases.</li> <li>• No of pro bono cases taken up by LAGF lawyers since May 2015 up to end of September 2015: 260 Cases.</li> <li>• 88 cases in Bamyan (8 females);</li> </ul> </li> </ul>	

2015 Baseline	2015 Annual Targets	Q2 2015 Planned	Q2 2015 Actual	Comments
		Provide technical and financial support to legal clinic and AIBA office in Helmand	A legal clinic which started on 12 Sept 2015 will end on 10 Dec 2015 in Helmand province, (35) students from the Law faculties of Bost, Wade, Helmand and Arakozai, are participating.	On track
		Extend cases in Herat region	Ghor province statics during July to September 2015: <ul style="list-style-type: none"> <li>• 50 cases are registered, (45M/5F)</li> <li>• 10 cases are finalized, (9M/1F).</li> <li>• 4 defense lawyer registered with LAGF in Ghor province (4M)</li> </ul>	On track
		Activate case monitoring through government and/or CSOs	TOR for the Monitoring Agent revised and submitted to Operations and CO	Delayed
		Support 3 law clinics to train students on legal aid	<ul style="list-style-type: none"> <li>• 12 law clinic students (6M/6F) in Nangarhar province were trained on the following skills and participated in doing the following: interviewing and counseling; statement writing; fact finding; drafting defense statements; preparing clients for court; trial advocacy; conducting court observations; conducting negotiations; some trainings on CPC, Advocate law and defense lawyer code of conduct. The law clinic is conducted for law clinic students in Nangarhar province. Also, 12 Law clinic students trained under the general supervision of a licensed defense lawyer by: (a) providing information in both criminal and civil cases about the relevant law and legal processes; (b) visiting detention centers, prison and court to conduct preliminary interviews with arrested, detained or accused person in Nangarhar Province.</li> <li>• UNDP/JHRA supports law clinics (Helmand, and Nangarhar provinces).</li> </ul>	On track

2015 Baseline	2015 Annual Targets	Q2 2015 Planned	Q2 2015 Actual	Comments
2.2 No Special EAW court in place	2.2 Nation plan on EAW court established	Orientation of judges, prosecutors and defense lawyers on indictments, settlements, CPC, EAW law and EAW courts, LOTFA, UNODC, GEP joint programming.	<ul style="list-style-type: none"> <li>JHRA joint orientation programs along with LOTFA, UNODC and GEP conducted orientation seminars on EAW related issues in Herat, Balkh, Nangarhar Provinces as well as Kabul from 20 June to 16 September 2015. The targeted participants were: Prosecutors, Police, Legal Aid providers, Help Centers, Defense lawyers and Civil Societies.</li> <li>The themes were on: SOP for Police FRUs and EAW prosecutors' coordination, SOP Flow chart, indictment and settlement negotiation, EAW Law and EAW Court proposal. (July-September-2015)</li> </ul> <p>Herat: EAW Court orientation seminar for CSOs from 1-4 July 2015.</p> <ul style="list-style-type: none"> <li>The participants were from different Civil Societies in Herat City as well as the districts:               <ol style="list-style-type: none"> <li>Herat City: 22 female, 2 male members.</li> <li>Herat Districts:                   <ol style="list-style-type: none"> <li>Kohsan: 1 female member,</li> <li>Robat Sangi: 1 female member,</li> <li>Ghoryan: 1 female member,</li> <li>Adraskan: 2 female members,</li> <li>Zindajan: 1 female member,</li> <li>Karukh: 1 female member,</li> <li>Ube: 1 female member,</li> <li>Injil: 2 female members,</li> <li>Gozara: 1 female member,</li> </ol> </li> </ol> <p>Police: 10 policemen were introduced by LOTFA. Total: 35 individuals: (3 M 32 F)</p> <p>Balkh: EAW related orientation seminars, (SOP, SOP Flow Chart, indictment and settlement Negotiation) from 25 July to 2 August-15: The participants such as prosecutors, police, defense lawyers and legal aid providers were from Balkh, Samangon, Jawzjan and Sur-i-Pul Provinces as well as Mazar-i-Sharif City and Balkh districts: Samangon Province: 2 Prosecutors, (1M, 1F),</p> </li></ul>	On track

2015 Baseline	2015 Annual Targets	Q2 2015 Planned	Q2 2015 Actual	Comments
			<p>Jawzjan Province: 2 Prosecutors, (M),  Sur-i-Pul Province: 2 Prosecutors, (M),  From Balkh districts such as: Balkh, Dehdadi, Chemtal, Sholgar, Zarih, Hairatan, Shortepa the participants number was 25 individuals: 16 Prosecutors, 6 Defense lawyers and 3 Legal Aid Provider, (15M, 10F).  Police: 10 policemen introduced by LOTFA.</p> <p>Total: 40 individuals.  Kabul: EAW related orientation seminars, Indictment and settlement Negotiation) for defense lawyers from 8-13 August 2015:  Total number of participants were 30 individuals some of which came from Helmand, Herat, Balkh and Nangarhar Provinces.  Kabul: EAW related orientation seminars, Indictment and settlement Negotiation) for Prosecutors from 31 Aug to 2 September 2015.  Total number of participants were 20 individuals from AGO Office-Kabul.  Kabul: EAW Court Workshop for CSOs from 13-19 September-15 with 20 individuals from different CSOs.</p>	
		Advocacy to EAW Units/Commissions and Supreme Court for the formal establishment of EAW Courts through joint programming with UNAMA, UNWOMEN, GEP, UNFPA.	During the reporting period, various meetings were held with respective justice bodies on EAW Court proposal and briefing papers drafted.	On track
2.3 One NLTC chapter operational in Kabul	2.3 One additional NLTC chapter established	Support for the activation of NLTC (Herat)	<ul style="list-style-type: none"> <li>During the reporting period JHRA team conducted a Micro Capacity Assessment in Herat University and its different Departments from Procurement, Finance and overall programme oversight assurance on activities of Herat University for the Justice and Human Rights in Afghanistan (JHRA) project on 12-15 July 2015.</li> <li>One session of joint training workshop with UNODC, is</li> </ul>	On track

2015 Baseline	2015 Annual Targets	Q2 2015 Planned	Q2 2015 Actual	Comments
			<p>conducted on Elimination of Violence against Women and Codes of Conducts for prosecutor, defense lawyers, and legal help providers of Herat and Badghis provinces during Q3. The training was for total number of 24 participants (six male prosecutors from Herat districts, six male prosecutors from Badghis province, one male legal aid provider from Justice Department of Herat province, eight female Defense lawyers and three male Defense lawyers from Herat province).</p>	

**Table 3: 2015 Progress for Output 3**

2015 Baseline	2015 Annual Targets	Q2 2015 Planned	Q2 2015 Actual	Comments
<p>3.1 No national policy or legislation protecting and recognizing street vendors' rights</p> <p>3.2.1 Four Technical Coordination Committees fully established (in Kabul, Balkh, Herat and Nangarhar)</p>	<p>3.1 At least two laws with specific legal provisions on rights of street vendors drafted by MOJ based on JHRA's technical inputs.</p> <p>3.2.1 Five technical Coordination Committees established and fully functioning and generating outreach materials for street vendors.</p>	Provide technical and advisory support for policy and legal direction	2 TCC meetings were conducted in Kabul (August/September) and 1 TCC meeting in Herat (July).	On track
		Facilitate discussions on the development of a policy framework to improve the legal and socio-economic conditions of street vendors	<ul style="list-style-type: none"> <li>The Kabul TCC was conducted two times in order to 1) review the proposed pre-policy paper in the month of August 2) discussion on drafting the procedures for street vendors based on the recommendations of the national workshop in the month of September.</li> <li>TCC in Herat focused on the proposed amendment to the labor law. The inputs were incorporated in the amendments to the labor law and was sent to the Ministry of Labor and Ministry of Justice in the month of July.</li> <li>The national workshop on identifying the legal status for street vendors and reviewing the pre-policy paper was conducted in the month of August. The Inter-Ministerial WG has started to work on the draft of procedures based on the recommendations of the workshop.</li> </ul>	On track
		Undertake a legal review of the business rights of street vendors with a specific focus on how to integrate them into the formal economy and provide technical advisory support to enhance national legal frameworks for the protection of street vendor rights	Completed in Q2	Completed
		Support the production and dissemination of public awareness materials about the rights of street vendors through local municipalities and Technical Coordination Committees (TCCs) including community policing	The concept note has been drafted. Although all the related stakeholders were ready to conduct the scheduled radio show in the month of July on municipal fees/taxation, due to lack of required cooperation from the assigned radio station the activity was postponed and planned to be conducted in Q4.	On track
		Conduct surveys to produce statistical data about street vendor conditions in target provinces through engagement with law clinics	<ul style="list-style-type: none"> <li>Vendor group mapping for additional markets has been completed by JHRA in Jalalabad and Herat to identify street vendor representatives in the months of August/September.</li> </ul>	Completed



2015 Baseline	2015 Annual Targets	Q2 2015 Planned	Q2 2015 Actual	Comments
		South-south cooperation on street vendors enhanced through experiential visits	<ul style="list-style-type: none"> <li>Study tour was planned to be undertaken after national consultation on street vendor's policy in Q3. The activity was cancelled due to time constraints.</li> </ul>	Activity Cancelled
3.2.1 No national policy or legislation on cooperation between the State/non-State justice sector.	3.2.1 One draft law has recommendations on coordination with State/non-State justice providers	Support the organization of an inclusive national conference to discuss modalities to link the State and non-State justice systems	<ul style="list-style-type: none"> <li>In August, the international consultant, provided technical and legal inputs on the draft law on conciliation and civil dispute jointly with UN Women with presence of CSOs, UN agencies and state Justice Institutions.</li> <li>In September, the international consultant presented his final findings on law on conciliation and civil disputes and participated in a workshop jointly arranged with MOJ. The draft law prepared by the legislative department of MOJ for further process and consideration were reviewed and analyzed article by article by more than 40 participants with presence of CSOs, UN agencies and state Justice Institutions.</li> </ul>	Completed
3.2.2 Limited mechanisms in place to link State and non-State justice.	3.2.1 Mechanisms for coordination of cases between State and non-State justice providers at district levels established in four provinces.	Provide opportunities for State and non-State justice providers at the sub-national levels (3 provinces) to further consultations on the draft law and rights-based Community-Based Dispute Resolution (CBDR) processes	CBDR meetings on the draft law and rights-based Community-Based Dispute Resolution (CBDR) processes have been conducted in Herat and Jalalabad in the month of September.	On track
		Provide research and technical inputs to develop draft legislation on coordination of State and non-State justice systems	Conducted district level coordination meetings between state and non-state Justice actors in 4 districts of Herat and Jalalabad provinces, namely, Injil, Guzara, Behsod, Sorkhrod in September.	On track
		Identify entry points for policy development on land rights - UNAMA/UNDAF/CPD/Pro Doc	<ul style="list-style-type: none"> <li>International consultant on land rights submitted assessment report in Q2.</li> </ul>	On track
		Capacity building for all heads of Huquq departments in referral mechanisms compliant with the new policy and legal framework including the law on obtaining rights	<ul style="list-style-type: none"> <li>Conducted district level coordination meetings in 4 districts of Herat and Jalalabad provinces, namely, Injil, Guzara, Behsod, Sorkhrod in September. During the meetings, district Huquq officers and members of the local shuras discussed on importance of increasing civil case references from non- state to state justice actors and strengthening coordination mechanisms the referral mechanism of the civil disputes between formal and Informal Justice institutions</li> </ul>	

2015 Baseline	2015 Annual Targets	Q2 2015 Planned	Q2 2015 Actual	Comments
			and to prepare a plan for conducting coordination meeting on monthly base in the district.	
		Conduct a social audit on Huquq referral mechanisms through engagement with select CSOs	This activity has been cancelled	Activity cancelled
3.3 No action plan for MOJ Communication Strategy.	3.3 Action plan operationalized in four provinces.	Support the MOJ to conduct a follow up perception survey in six provinces to assess the level of public trust in the justice sector	<ul style="list-style-type: none"> <li>Radio campaign planned for four months on women's right to inheritance, girls' right to education and legal aid in provinces of Kabul, Nangarhar, Balkh, Herat, Bamyan, Badghis, Helmand and Ghore started from the month of September.</li> <li>Concept note for producing and placing mini-billboards at MoJ facilities in Kabul, Balkh, Nangarhar, Herat and Helmand has been shared with MOJ. A number of meetings have been organized with MOJ regarding operationalization of the activity in the mentioned provinces. The procurement process of identification of the company is ongoing. The billboards will contain public legal awareness messages mainly on women rights, and legal aid. Expected to be operationalized in Q4.</li> </ul>	On track
		Support the MOJ through the development and dissemination of informed communications materials on women's rights, legal aid, land rights and Community-Based Dispute Resolution (CBDR) processes		
		Provide technical, advisory and financial support to select CSOs that use innovative public outreach methods to raise public legal awareness		Activity cancelled
		Facilitate partnership between PLAU and select CSOs through capacity development interventions/trainings	<ul style="list-style-type: none"> <li>PLAU Donor Coordination meeting was conducted in the month of July. The objective of the meeting was to establish a synergy and coordination among the donors planning to support PLAU remained activities of MOJ according to the communication strategy plan.</li> <li>The follow-up PLAU technical donor meeting is expected to be conducted in Q4.</li> </ul>	On Track
		Facilitate partnerships between PLAU and media companies to raise public legal awareness.	Radio programmes are being aired in 8 provinces. The activity is expected to be completed in Q4	On Track

**Table 4: 2015 Progress for Output 4**

2015 Baseline	2015 Annual Targets	Q1 2015 Planned	Q1 2015 Actual	Comments
<p>4.1.1: 2015 project budget not yet approved in Atlas</p> <p>4.1.2: Mid evaluation conducted</p> <p>4.1.3: Two PSC meetings held in 2014</p> <p>4.1.4 10 MTE recommendations for project management</p> <p>4.1.5 Existing ToRs/no RoPs</p>	<p>4.1.1: Project Plans (AWP, HR, Procurement, M&amp;E) and budgets are prepared, reviewed and revised on a timely basis.</p> <p>4.1.2: End-term evaluation conducted</p> <p>4.1.3: Quarterly Project Board meetings held on schedule</p> <p>4.1.4 70% of MTE recommendations implemented related to project management</p> <p>4.1.5 Revised PSC and TCC TORs and new ROPs developed by end quarter 1 2015 and approved by Project Board (Q2)</p>	<p>Develop JHRA successor project in consultation with stakeholders and with strong RBM and governance structure, input based budget, and adequate staffing (MTR recommendation)</p>	<ul style="list-style-type: none"> <li>Planning for the JHRA successor project is underway; an action plan is currently being developed; A set of documents including concept note for the new project</li> <li>An NTA functional Review for the NTA contract holders in JHRA was initiated after discussions with the leadership of MoJ. The review is done and the recommendations are shared with leaderships of MoJ.</li> <li>A Human Rights Mission from BPPS in mid-May had detailed discussions with all human rights institutions, MoJ, JHRA staff and donors to advice on human rights aspects of the ROL portfolio in view of JHRA successor design. A dedicated Human Rights Specialist is currently engaged in designing the human rights programme/component.</li> </ul>	On target
		<p>Complete and implement AWP; M&amp;E, implementation and Human Resource and Procurement Plans and facilitate monthly JHRA staff and weekly JHRA management meetings (MTR recommendation)</p>	<p>An MTE follow up of recommendations meeting undertaken between programme unit, project and senior management.</p>	On target
<p>4.2.1: 2015 AWP, HR, Procurement and M&amp;E plans not yet implemented</p> <p>4.2.2: Project progress reports delivered in a timely and quality fashion</p> <p>4.2.3 Some revisions to AWP without prior approval of Project Board</p> <p>4.2.4 No</p>	<p>4.2.2: 100 % of project progress reports produced and disseminated on schedule</p> <p>4.2.3 100 percent revisions to AWP, results and budgets approved by Project Board prior to changes</p> <p>4.2.4 Bi-monthly meetings held with UNDP CO SM / ROL unit where implementation plans are</p>	<p>Completion of monthly, quarterly and annual reports</p>	<ul style="list-style-type: none"> <li>Q1 2015 was completed.</li> <li>3 monthly newsletters were produced to assist in reporting on theme based monthly progress.</li> <li>2 meetings with the UNDP CO SM/RoL unit and project was undertaken to discuss implementation issues.</li> </ul>	On target
		<p>Ensure effective project facilities and security</p>	<ul style="list-style-type: none"> <li>Revised security risk assessment has been undertaken and based on that upgrades are being made.</li> <li>Security upgrading is ongoing; CCTV have been installed; IDG guards appointed for the JHRA security.</li> <li>Planning to paint building is incomplete since the security upgrading is still ongoing.</li> </ul>	On target

2015 Baseline	2015 Annual Targets	Q1 2015 Planned	Q1 2015 Actual	Comments
<p>implementation planning</p> <p>4.2.5 2014 AWP</p> <p>4.2.6 2014 reporting formats</p> <p>4.2.7 2014 TORs, # [3] of meetings</p> <p>4.2.8 2014 NTA alignment</p>	<p>reviewed and progress assessed against PMDs on quarterly.</p> <p>4.2.5 Increase in quantitative indicators across AWP 2015 (Q1)</p> <p>4.2.6 Revised quarterly reporting format perceived as improved by JHRA donors (Q2 2015)</p> <p>4.2.7 4 meetings per year with regional coordinators, integration into implementation plans reviewed quarterly</p> <p>4.2.8 80 percent alignment (post June)</p>			

## XI. ANNEXES

### ANNEX 1: FINANCIAL TABLE<sup>2</sup>

	COMMITMENT/ PAST YEARS RECORD			CURRENT YEAR (2015)				FUTURE EXPENSES		TOTAL RECEIVABLE	
Donor Name	Commitment (a)	Income Collected 31/12/2014 (b)	Expenses 31/12/2014 (c)	Opening Balance E=(b-c+d)	Income (f)	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)	Available Resources N=(i-j-k+m)
DENMARK	845,688.00	845,724.00	619,485.00	226,239.00	-	182,655.70	43,583.30	15,895.16	-	-	27,688.14
CANADA (DFAIT)	320,224.14	320,224.14	316,929.00	3,295.14	-	(1,260.92)	4,556.06	-	-	-	4,556.06
ITALY	2,010,870.73	2,010,879.73	1,837,283.56	173,596.17	400,000.00	197,999.01	375,597.16	61,741.86	473.00	-	313,382.30
ITALY	928,961.75	-	-	-	928,961.75	-	928,961.75			-	928,961.75
NETHERLANDS	249,223.00	249,223.00	213,797.92	35,425.08	-	-	35,425.08	-	-	-	35,425.08
NETHERLANDS	4,490,000.00	2,098,842.33	1,794,890.03	308,819.06	2,355,751.17	1,721,415.61	943,154.62	76,508.67	3,974.48	-	862,671.47 <sup>3</sup>
NORWAY	13,372.00	13,372.00	13,371.00	1.00	-	-	1.00		-	-	1.00
SWITZERLAND (SDC)	769,991.00	769,991.00	766,080.39	3,910.61	-	-	3,910.61	-	-	-	3,910.61
SWITZERLAND (SDC)	3,000,000.00	2,700,006.00	1,496,268.48	1,203,737.52	-	538,476.02	665,261.50	108,686.84		300,000.00	556,574.66
UNDP	3,234,696.00	2,970,676.47	2,970,676.47	-	500,000.00	488,789.31	11,210.69	36,476.25	667,383.35	-	(692,648.91)
UNDP BCPR	450,000.00	327,188.39	327,188.39	-	122,811.61	100,027.74	22,783.87	-	-	-	22,783.87
<b>Grand Total</b>	<b>16,313,026.62</b>	<b>12,306,127.06</b>	<b>10,355,970.24</b>	<b>1,955,023.58</b>	<b>4,307,524.53</b>	<b>3,228,102.47</b>	<b>3,034,445.64</b>	<b>299,308.78</b>	<b>671,830.83</b>	<b>300,000.00</b>	<b>2,063,306.03</b>

<sup>2</sup> Note:

i) Data contained in this report is an extract of UNDP financial records. The accounting period for the report is an open period and data from some accounting processes may not have been processed. Financial data provided above may not be complete, and it is provisional.

ii) The undepreciated assets future expenses under UNDP will be revised and adjusted by Q4.

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

<sup>3</sup> This figure contains the IPSAS Adjustment of USD 4,866.76

## ANNEX 2: RISK LOG

#	DESCRIPTION	DATE	TYPE	IMPACT & PROBABILITY	COUNTERMEASURES/MNGT. RESPONSE	OWNER	SUBMITTED BY	STATUS
1	Lack of security	ongoing	Environmental Political	<ul style="list-style-type: none"> <li>• Potential risk of injury or death to project staff and contractors</li> <li>• Potential impact on activities – delayed or rescheduled activities</li> <li>• Lack of security in provinces and districts in which UNDP-JHRA will carry out programming continues to impede project implementation.</li> <li>• Subsequently, in addition to implementation, the security situation has also particular impact on the project's ability to monitor activities through field assessments.</li> </ul> <p>I: 2 P: 5</p>	<p>Comply with UNDSS security arrangements</p> <p>Contract security services for physical security.</p> <p>Obtain security clearances for internal travel</p> <p>Conduct conflict assessment as part of selection of districts</p> <p>Contract external organizations where required</p>	Project Manager ai, CTA	Staff	<ul style="list-style-type: none"> <li>• JHRA works closely with UNDSS to monitor the security situation in Kabul and the provinces for all missions.</li> <li>• JHRA used ANP armed escorts for road missions and additional security for large events.</li> <li>• Security did affect programming as Mission planning consumes large amounts of time and coordination between various agencies.</li> <li>• Workshops have been undertaken in alternate venues based on security advisories. Data collection on State and non-State cooperation in the justice sector has made slow progress</li> </ul>

#	DESCRIPTION	DATE	TYPE	IMPACT & PROBABILITY	COUNTERMEASURES/MNGT. RESPONSE	OWNER	SUBMITTED BY	STATUS
								in Nangarhar.
2	Extent of GIRoA support for all components of the Project	ongoing	Political	Project will require political support and coordination with several GIRoA institutions I: 4 P: 4	GIRoA counterparts involved in the Project Steering Committee to promote ownership and ensure the project meets GIRoA priorities	CTA, Project Manager ai, and Rule of Law Unit Program Officer	Staff	Project Steering Committee (PSC) and Technical Coordination Committee.
3	Risk of staff resignations due to end of project period	Q2	Ops	Risk of staff resignations could limit project implementation I: 3 P: 3	Project recruitment plan is being revised based on the evolving situation and new short term consultants are being recruited.	CTA, Project Manager ai and Human Resources Assistant	CTA/ Human Resources Assistant	The Project is currently almost fully staffed.
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.	Q1	Ops	Losing staff at the Translation Board and the HRSU will risk the achievements of annual targets. I: 3P: 3	NTA functional review is planned for Q3	Project Manager ai and Rule of Law Unit Program Officer	CTA/Human Resources Assistant	Foster leadership both at HRSU, Translation Board and PPD. UNDP undertaking functional review jointly with the MOJ. Also UNDP is developing plans for aligning NTA's with the Capacity Building of Results Program (World Bank)
5	Sensitivity surrounding Gender Mainstreaming	ongoing	Political	Limited gender programming I: 3 P: 4	Project implementation is based on national priorities	CTA, Project Manager ai, component	staff	Workshop for female staff at the MoJ on leadership training assists in

#	DESCRIPTION	DATE	TYPE	IMPACT & PROBABILITY	COUNTERMEASURES/MNGT. RESPONSE	OWNER	SUBMITTED BY	STATUS
						managers, key staff		ensuring women's empowerment. English trainer for Taqin was a woman which ensured gender mainstreaming was ensured in all activities that were undertaken.
6	Coordination of international organizations	Q2	Programme	Legal issues in addressing legislative drafting process could be conflicting if coordination with all international and national partners are not undertaken I:3 P: 2	Project Implementation is undertaken through consensus building and national priorities	CTA, Rule of Law Program Officer	CTA	Detailed presentations at Board of Donors and CSO's being undertaken. Research and experiential learnings for senior leadership of PSC being organized.



### ANNEX 3: ISSUE LOG

#	DESCRIPTION	DATE IDENTIFIED	IMPACT/PRIORITY	COUNTERMEASURE/MNGT RESPONSE	OWNER	STATUS
1	Financial Sustainability	2013	Impact = 2 Priority = 3	Increase ownership and thus efficiency	CTA & Program Officer	Resolved
2	Policy on legal aid	2014	Impact = 4 Priority = 4	Facilitate discussions between stakeholders.	CTA & Access to Justice Coordinator	unresolved
3	Leadership at justice institutions	Q1 & Q2	Impact = 5 Priority = 4	Coordination with all PSC members on regular basis and existing interim leaders being consulted regularly. Cooperate closely with UNDP country office.	CTA & Program Officer	Resolved
4	Security Incidences	2013	Impact = 4 Priority = 3	Cooperation with UNDSS	All JHRA staff	Partially resolved
5	Would you like to include JHRA successor	June 2015	Impact=3 Priority =4	Action plan for development of JHRA Successor project undertaken	Programme Unit	Ongoing