

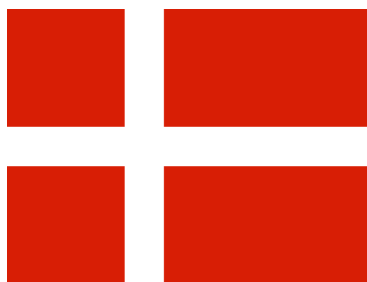


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JUSTICE AND HUMAN RIGHTS IN AFGHANISTAN (JHRA) PROJECT 2013 ANNUAL PROJECT PROGRESS REPORT



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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

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Responsible Agency: UNDP

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COVER PAGE: Coordination meeting between state and non-state justice providers in the district of Kuz Kunar, Nangarhar Province, 2 October.

ACRONYMS

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
CEDAW	Convention on the Elimination of All Forms of Discrimination against Women
CRC	Convention on the Rights of the Child
CSO	Civil society organization
DDA	District Development Assembly
DoJ	Department of Justice
EUPOL	European Police Mission in Afghanistan
EVAW	Elimination of Violence against Women
FGDs	Focus Group Discussions
FRU	Family Response Unit
GIRoA	Government of the Islamic Republic of Afghanistan
GIZ	Gesellschaft für Internationale Zusammenarbeit
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
MoI	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	MoJ Planning and Policy Department
RoL	Rule of Law
RoLIS	Rule of Law Indicators Study
<i>Taqnin</i>	MoJ Institute for Legislative Drafting and Legal Research
TCC	Technical Coordination Committee
ToR	Terms of Reference
UNAMA	United Nations Assistance Mission to Afghanistan
UNCAT	United Nations Convention against Torture
UNDP	United Nations Development Programme
UNODC	United Nations Office on Drugs and Crime
UPR	Universal Periodic Review

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I. EXECUTIVE SUMMARY

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

In 2013, JHRA provided important support to (i) establish functional high-level coordination mechanisms for developing policy and legislation in accordance with international and national standards with the Ministry of Justice (MoJ); (ii) establish functional mechanisms to provide quality justice services to vulnerable groups through Afghan counterparts; and, (iii) establish public participation processes and knowledge base for improving access to justice and human rights compliance through government institutions, Afghanistan Independent Human Rights Commission (AIHRC) and civil society organizations (CSOs).

Under Output 1, JHRA works with the MoJ to increase the capacity of the Government of Afghanistan in producing informed and compliant legislation. Under this component a total of 456 (333 M, 123 F) people were trained, two key government documents were produced, 126 legal documents were translated, and three State reporting processes were supported.

In 2013, JHRA supported the development of key policies and laws based on research and evidence-based needs, including support to the drafting, research and review processes of the Human Rights Regulation and Access to Information Act, which have direct impact on the rights for vulnerable groups. Further, the Human Rights Support Unit (HRSU) was more regularly involved in *Taqnin* meetings to discuss draft legislation received by the MoJ. HRSU's support ensured that there was compliance with the international human rights obligations.

The Permanent Legislation Committee of the Council of Ministers (Legislation Committee), Planning and Policy Department (PPD), Institute for Legislative Drafting and Legal Research (*Taqnin*), Translation Board and HRSU are the key institutions within the MoJ receiving technical support. JHRA provided support to the PPD, which has produced the MoJ Five-Year Strategy. The Project also established a national working group for the Rule of Law Indicators Study (RoLIS), which involved justice institutions in identifying rule of law indicators. A capacity assessment of the *Taqnin* was undertaken by the PPD, and all *Taqnin* staff are scheduled to attend legal trainings by the end of 1392 (March 2014). Three workshops on legal drafting were held in 2013, and one workshop was specifically designed for the female staff of the MoJ. The Translation Board supported the *Taqnin* through the translation of 16 laws in the legislative calendar. The HRSU launched the National Action Plan on Implementation of the Universal Periodic Review (UPR), the Convention on the Rights of the Child (CRC) and the International Covenant on Economic, Social and Cultural Rights (ICESCR) Recommendations, which provides concrete human rights obligations for government institutions. The Human Rights Regulation was approved by the *Taqnin*, MoJ leadership and relevant ministries.

Under Output 2, JHRA works 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. Under this component a total of 472 (456 M, 16 F) people were trained, one grant facility established and procedures developed, one guiding document on EVAW was produced, and two national conferences were held.

The key achievement in Output 2 has been the establishment of the Legal Aid Grant Facility (LAGF). Through LAGF mechanisms, JHRA aims to provide quality legal aid services to vulnerable groups. To activate the LAGF, JHRA signed a tripartite Memorandum of Understanding (MoU) with the Afghanistan Independent Bar Association (AIBA) and the MoJ. The LAGF procedures were developed through a year-long consultative process,

including a three-day workshop to finalize the procedures with key legal aid stakeholders. The Attorney General's Office (AGO), with support from UNDP-JHRA, carried out a capacity and needs assessment of four of the eight existing Elimination of Violence against Women (EVAW) Units; including Kabul, Nangarhar, Balkh and Herat offices. The findings were shared with all stakeholders on 9 December 2013. JHRA and European Police Mission in Afghanistan (EUPOL) continued trainings for Ministry of Interior (MoI) and AGO officials on investigations into crimes against women, the EVAW Law, crime scene management, and improved coordination between prosecutors and Family Response Units (FRUs). Seven coordination platforms have been established in four districts in Nangarhar and three districts in Herat, where traditional leaders, including religious leaders, were trained to participate at meetings with the Government justice institutions in two provinces where the project was implemented. Despite two rounds of advertisements seeking national legal experts to develop the MoU for the establishment of the National Legal Training Center (NLTC), no qualified experts were identified, which has delayed this activity.

Output 3 aims to strengthen ties with the Afghan public through the promotion of socio-economic rights and support to civil society. Under this component a total of 374 people were trained, three knowledge products and one policy document were developed, two national dialogues were organized on Street Vendor's rights, and Human Rights and Youth was celebrated.

JHRA focused on the legal empowerment of street vendors to pilot systems for improving public knowledge of legal rights and the justice system. During this period, JHRA established two technical coordination committees (TCCs) mandated to serve as fora to provide legal protection for street vendors and generate related policy recommendations. To strengthen the relationship between formal and traditional justice actors, JHRA has supported the MoJ Legal Affairs (*Huquq*) Department and Public Legal Awareness Unit (PLAU) in organizing community-based dispute resolution (CBDR) workshops in Herat, Balkh and Nangarhar. To bolster the monitoring of human rights in Afghanistan, JHRA supported the Afghanistan Independent Human Rights Commission (AIHRC) in building its technical capacities to fulfill its mandate. JHRA provided technical and advisory support to the MoJ PLAU to increase public legal awareness through the provision of clear and consistent messages on legal rights.

In 2013, JHRA strengthened its internal oversight and monitoring and evaluation (M&E) capacity. The Annual Work Plan (AWP), Human Resources Plan and Procurement Plan were regularly revised to reflect changing donor commitments. JHRA supported by the Bureau of Crises Prevention and Recovery (BCPR) on 17-31 May to identify outcome-level indicators that measure overall justice sector progress and JHRA's contribution to these efforts. A risk management workshop was conducted in December 2013 to prepare for effective risk mitigation in 2014.

National Priority Programme (NPP) 5: Law and Justice for All was redrafted with technical support and advocacy by JHRA. NPP 5 was endorsed at the Senior Officials Meeting in Tokyo on 29 June. JHRA conducted more than 50 workshops across all output areas to promote capacity development and dialogue among national stakeholders. Operational and management support and technical oversight was provided by the project management component.

JHRA will build on these achievements in 2014, working to sustain the capacity of national partners. Altogether, it can be concluded that in 2013, JHRA established systems, procedures and partnerships to galvanize the project in an effort to build people's trust in the State justice institutions. JHRA therefore made a major contribution to the aim of the Government of Afghanistan to establish an effective, responsive, accessible and fair justice system promoting the rule of law, including both formal and informal processes, with due consideration on the rights of the poor, women and vulnerable groups.

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 high-level policy documents, including drafting legislation. This is undertaken by strengthening key departments and units of the MoJ and extending coordination and linkages to line ministries and institutions. This component is in alignment with NPP 5: Law and Justice for All, particularly Component 1 which focuses on “Improving the Legislative Process”, and NPP 6: Human Rights and Civic Responsibilities. In addition, this output considers the development needs of the Legislation Committee, the PPD, *Taqnin*, and HRSU. It is expected that at the end of the project period, the results of this output will provide the MoJ with mechanisms for coordinating the development of policy and legislative documents with other ministries, and improve coordination between the PPD, *Taqnin* (including Translation Board) and HRSU.

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

Indicator 1.1: Mechanisms established for activating Legislation Committee meetings on legislation.

The Legislation Committee is chaired by the First Vice President and its secretariat is headed by the Minister of Justice and the Director General of the Office of Administrative Affairs. It is composed of representatives from ministries, and provides expert review and revisions of legislative documents to inform the legislative decisions taken by the Council of Ministers. More importantly, this Committee has the ability to scrutinize the legislative drafts before they are sent to the Council of Ministers. The Legislation Committee thus plays a crucial role in the legislative process and its functionality is vital to law-making in Afghanistan.

JHRA developed a concept note for engaging and strengthening the Legislative Committee based on a capacity and needs assessment carried out by UNDP’s National State Governance Project (NSGP) in 2011. Of foremost importance was the need to significantly build capacity of the Legislative Committee by providing a robust working mechanism through which the committee can effectively deliver its constitutional mandate. This is required through support to a secretariat, which organizes the committee’s planning, programming and budgets, as well as maintains coordination with state committees and ministries to ensure the delivery of legislative priorities produced through the Legislation Committee’s work.

As per the analysis made in the concept note, the work of the Legislation Committee requires the technical skills of two senior national advisers, one to be based at the First Vice President’s Office and one at the PPD (Minister of Justice’s office). These positions are to be filled once the initial outputs of the new PPD positions are properly evaluated, which is why the recruitment has been postponed until early 2014. JHRA has finalized the terms of reference (ToR) for the legal advisor to the First Vice President’s office. In Q4, an assessment of the organizational

structure and evaluation of the administrative processes of MoJ departments was conducted, which will further clarify the areas for cooperation between the Legislation Committee and ministries.

The annual target determined for this activity is the “Finalization of the ToR for activation of the Cabinet Board (i.e., Legislation Committee) with the support of experts who will assist in convening and documenting the regular Legislation Committee meetings.” This annual target has not been met. However, consensus has been received from the leaderships of the First Vice President’s Office and the MoJ on the mechanism to activate Legislation Committee meetings, and a solid foundation has been laid to make the Legislation Committee fully functional in early 2014, through the needs and capacity assessment, the concept note and the recruitment of required experts.

1.2. Strengthen MOJ policy-making capacity through the PPD.

Indicator 1.2: Contextualised Toolkit for RoL Indicators Study approved by partners.

The PPD is responsible for developing the strategy and supporting policies for the Ministry of Justice. It is the primary department through which data and information is translated into recommendations, which are then channeled to other departments. Currently, the PPD lacks a robust M&E framework to monitor the progress in the justice sector. To enable the PPD to function according to its mandate, JHRA supported the recruitment of three justice experts for the PPD, to support the lone official working in the department at the beginning of 2013. The recruitment process was challenging as very few candidates were qualified.

With this added expertise, the Minister of Justice requested the PPD carry out three fundamental tasks. The first was the preparation of the MoJ Five-Year Strategy, based on the priorities put forward in NPP 5¹. Second was the review of all current contracts between the MoJ and third parties to ensure their legal soundness and ensure the MoJ was aware of and fulfilling its obligations. Lastly, the evaluation of administrative processes in the MoJ, with particular focus on the Human Resources Department, to ensure highly qualified professionals are able to be recruited and retained.

JHRA supported the development of the MoJ’s Five-Year Strategy by providing technical feedback through multiple rounds of drafting on its feasibility and adherence to the NPP 5 priorities. Based on JHRA’s feedback, the MoJ set up a working group, including international donors and agencies (including JHRA), to ensure existing initiatives are incorporated and built upon in a coordinated fashion. Towards the end of 2013, PPD assessed the administrative capacity of the *Taqnin* (Economic Law Department, Administrative Law Department, Labor Law Department, Civil Law Department, Human Rights and International Law Department, Criminal Law Department in the private sector, Health and Education Law Department, and Translation Board) and provided a comprehensive report to the leadership of the MoJ on capacity and staffing needs for each department. The PPD also assessed the Directorate of Governmental Cases, and provided revisions to the ToRs and recommendations for changes to be discussed in a general meeting with all heads of directorates.

¹ The Ministry of Justice Five-Year Strategy was initiated in Q1 2013 at a conference hosted by GiZ, to bring the initial Government draft fully in line with NPP 5.

The PPD is the lead institution for the implementation of the RoLIS. The RoLIS will identify existing gaps in the application of laws and justice services to the Afghan public, which will inform policies, direct donor support, and serve as a baseline from which progress of NPP 5 can be measured. This study is being jointly undertaken by JHRA and the United Nations Assistance Mission to Afghanistan (UNAMA) Rule of Law (RoL) Unit under the Global Focal Point arrangement for police, justice, and corrections pursuant to Secretary General Decision No. 2012/13, dated 11 September 2012 on RoL Arrangements. The UNAMA RoL Unit and UNDP are working in tandem with the national actors.

JHRA envisaged supporting the implementation of RoLIS with an international consultant and an international legal researcher (UNV). Unfortunately, the position of international consultant has not been filled on two occasions as the selected candidates declined the offer. Recruitment for the international UNV Legal Researcher position was equally challenging, and the position was only filled in Q4. These circumstances significantly delayed the implementation process.

In spite of these challenges, JHRA was able to progress in the implementation of the RoLIS. The PPD is coordinating and serves as the secretariat to the meetings of the "Justice Institution Working Group for RoLIS". The RoLIS working group held six meetings since its establishment in 2013. The working group includes representatives from MoJ (PPD), AGO, Supreme Court, Central Prisons Department (CPD), Mol and the AIBA, who identified the indicators for the study, covering the administration of both civil and criminal justice. The working group produced indicators for the survey from each of the justice sector institutions, which will be elaborated upon based on legal review. The initial set of indicators were distributed among the UNAMA RoLIS field staff to receive their input, and a second round will be distributed upon approval by the working group. The final set of questions will be distilled into around 40 key indicators with supporting questions, which will be used to collect information about the current state of the justice sector. Focus is placed on increasing the role of the provincial-level justice sector officials for the collection of the data, with logistical support from UNAMA RoL Unit where necessary, in order to immediately entrench the responsibility and know-how of the study in the hands of the government, and increase the professional interaction and communication between national and provincial officials within justice institutions.

The indicator of progress for this activity is "contextualized toolkit for RoL Indicators Study approved by partners", and the annual target is determined as "contextualized RoL indicators toolkit completed". While the annual target has not been fully met by JHRA in 2013, all stakeholders have agreed on the procedures for implementing RoLIS. The main mechanisms, such as the working group, have been established. The delay in the implementation process of the RoLIS is due to the challenges in recruitment as well as in the particular requirements of adapting RoLIS to the Afghan context.

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

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

JHRA seeks to increase the MoJ's capacity to effectively reform law through the *Taqnin*. The *Taqnin* is responsible for drafting and reviewing all national legislation against Afghanistan's legal framework, the Constitution, the tenets of Sharia and Islamic Law, and the State's international legal commitments. The Translation Board supports the work of the *Taqnin* through translations of laws and international best practices to be used as references in the review of legislation.

With technical support of JHRA, the *Taqnin* established the legislative calendar for 1392 (March 2013-2014). The legislative calendar provides the basis from which the *Taqnin* schedules the review of laws, which has allowed for more coordinated work with line ministries in the review of laws. A capacity assessment of the *Taqnin* was conducted in Q2, focusing on the organizational structure, legislative drafting process, approval process for laws and regulations, and nature of coordination with other governmental institutions. The capacity assessment revealed that the *Taqnin* is unable to make timely submissions of drafts due to the low technical legal knowledge of its staff and large volume of work, especially given the amount of ad hoc draft policies from line ministries that are also routed into the workflow.



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

Based on the capacity assessment, JHRA developed a capacity development work plan for the *Taqnin* to address its individual and institutional capacity needs. JHRA engaged expert trainers from Iran and India to train *Taqnin* staff on basic principles of legislative drafting and legislative drafting for criminal law, to augment both the current and long-term work *Taqnin* officials are contributing to in legislative working groups, such as the criminal procedures code, as well as ongoing scheduled and ad hoc work on legislative drafts initiated by the executive. The response to these trainings by MoJ leadership has been very supportive; however, the trainings were deemed too short to provide a sufficient basis for many of the *Taqnin* staff, as the majority do not have higher than a bachelor's degree, and the degree they do have is not always in law or Sharia. A longer-term, focused training on legislative drafting is planned in early 2014 to build on the initial trainings and provide the *Taqnin* staff with hands-on instruction in legislative drafting, including tailored lessons and practical reviews of existing legislative drafts for legal soundness and harmonization. During the capacity assessment of the *Taqnin*, it was evident that there were certain basic inconsistencies in the law making process; unlike most legislative departments, the *Taqnin* does not yet have basic templates for preparation of laws, rules, regulations or notifications.

A large part of the backlog in the *Taqnin's* workload is caused by the amount of time spent understanding and rewriting the often poor legislative drafts received from line ministries. To address this, the *Taqnin* hosted a two-day workshop for officials from line ministries with either the formal or informal mandate to draft legal documents on behalf of their ministries. Representatives of 45 government institutions attended this workshop, which transferred the lessons taken from JHRA-supported trainings and the current practices in use by the MoJ for legislative drafting. The lessons showed how to convey a set of standard procedures for legislative drafting, and how to establish a formal protocol for *Taqnin* and HRSU involvement in the first stages of legislative drafting by

line ministries in order to both improve the capacity of legal experts in line ministries and increase the overall quality of legislative drafts that are submitted to the *Taqnin* for review and approval.

To provide direct support, JHRA staff are attending *Taqnin* Executive Committee meetings as an observer. 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. Some technical comments have been provided to the working group for the Amendment of the Penal Code on Corruption Crimes. Similarly, comments have been provided on the draft Freedom of Information Law (however, these comments were provided at a late stage when the MoJ draft law was already submitted to the Cabinet Committee).

The *Taqnin* also requires language and legal research skills to make use of legislative resources and international best practices that can strengthen the overall professionalism of Afghan law. At the request of the Minister of Justice and the acting Head of the *Taqnin* Department, JHRA is recruiting an Arabic teacher and English teachers for the *Taqnin*, as well as an English teacher and a computer skills teacher for the MoJ Gender Unit.

The Translation Board supports the *Taqnin* and the MoJ in the translation of legal and policy documents, as well as inter-institutional contracts, resource and reference documents, and official correspondence. Officially established in 2011, the Translation Board continues to grow within its mandate and integrated role within the MoJ. While in 2012 most of the documents translated were letters and project-related documents, in 2013 the Translation Board has been tasked by the *Taqnin*, other MoJ departments and the Minister to translate legislative drafts and other official documents. In 2012, the Translation Board translated 18-20 pages on average per day, which has improved to 24 pages per day on average. Additional training in legal English provided by JHRA has supported this achievement.



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

Though the intended target for the Translation Board is to follow the Legislative Calendar and workflow of the *Taqnin*, in 2013 the Minister of Justice requested a number of crucial laws and documents be prioritized for translation given the timeliness of their passage. At the Minister's request, the Translation Board translated the Election Law, Labor Law and Supreme Audit Administration Law for immediate distribution among government officials and international agencies in Afghanistan.

As part of the overall management process, the MoJ has taken ownership of the Translation Board in terms of supervision, staff assessment and monitoring progress of the Translation Board. At a meeting in October 2013 with the MoJ leadership, it was requested that the JSSP-supported (three translators) and the UNDP-supported (six translators) teams be integrated within the Translation Board to improve the overall management and workflow. However, this still remains in discussion with the leadership of the MoJ.

The annual target for this activity is that 20 percent of documents listed on the legislative calendar are translated in accordance with the calendar. Despite the fact that the *Taqnin* reviewed and finalized 15 laws (50 percent) in the 1392 Legislative Calendar in 2013, none of these have been passed by Parliament. The Translation Board is tasked

with translating all legislative documents that have been passed and officially announced in the Official Gazette. As the Legislative Calendar may take some time for the complete legislative cycle to run its course (a circumstance beyond the control of the MoJ), the Translation Board has translated key documents that were passed through parliament in 2012 and are of significant political importance in 2013.

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.

The Human Rights Regulation is nearing passage at the close of 2013. In a process which started in early 2012, the Human Rights Regulation has been reworked over the course of 2013 in coordination with the *Taqnin* and MoJ leadership to outline the duties, responsibilities and working arrangements of the Inter-ministerial Taskforce and HRSU. The regulation provides a specific scope of authority for HRSU, which clarifies otherwise potential overlaps in work with MoFA and AIHRC, including its contribution to State reporting through ongoing tracking of international human rights obligations and monitoring of the implementation of human rights by the State. On 28 December, the *Taqnin* called members of the Taskforce ministries to provide final comments of the draft regulation, which are being incorporated and should be passed through the MoJ to the President's Office for approval in early January.

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 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 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 trained all government institutions included in the plan of the data/information requirements. HRSU started collecting information from the human rights focal points of line ministries in October 2013. A report on the progress towards each indicator will be released in the first quarter of 2014 – preceding an updated National Action Plan for 1393 – to include the new recommendations generated by the 2012 CEDAW report.

On 1 September 2013, UNDP signed an LoA with MoFA to provide technical and financial support to the UNCAT State reporting process. The MoFA Directorate for Human Rights and International Women's Affairs is responsible for generating all State reports on international conventions ratified by the Government of Afghanistan. Technical support is provided primarily through the engagement of an international expert (contracted through a separate LoA between UNDP and the Danish Institute of Human Rights signed 1 June 2013), Dr. Malek Sitez, who co-authored the 2009 UPR report and has played a major role in guiding State reporting processes in Afghanistan. Dr.

Sitez is supported by a National Coordinator, funded by JHRA, who works in MoFA with the UNCAT State reporting team.

In the latter part of 2013, the UNCAT State Reporting team appointed a technical working group, and a Steering Committee comprising high-level officials from 12 government institutions was appointed by the President's Office.² A national conference was held on 15 September 2013 to announce the UNCAT State reporting process and outline the issues provided by Geneva that the State needs to address. This was followed by three technical working group meetings hosted by MoFA to collect data from government institutions and assist working group members in addressing challenges in collecting data. At the end of 2013, MoFA had received submissions from the



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

MoJ, National Directorate of Security (NDS), MoD and MoWA; however, most of these were found to be lacking in information and details, and all but the MoJ submission were rejected. HRSU provided the legislative analysis for the UNCAT, which included a comprehensive comparison of national laws against the standards on torture enshrined in the UNCAT. This was passed by the *Taqnin* before its submission by the Minister of Justice to MoFA.

HRSU worked with the *Taqnin* on the Establishment of Coordination between the *Taqnin* and Government Institutions workshop held in September. This was an important step to establish focal points in line ministries to ensure compliance with Afghanistan's human rights obligations. Many ministries requested regular coordination with HRSU in the legislative planning process to ensure that any draft legislation is compliant with international human rights standards before being submitted to the *Taqnin*.

HRSU continues to support the work of the government to develop a Child Act, based on the CRC, in coordination with UNICEF. This work was originally undertaken by Play Therapy Africa, contracted through UNICEF with the support of the MoJ. However, development of the draft was delayed in mid-2013 due to ongoing discussions concerning deliverables and budget between the MoJ and Play Therapy Africa. Ultimately, a committee was established by the MoJ to determine the best course forward to ensure the development of a robust Child Act which adheres to and upholds all international standards for child rights and child protection. HRSU and the *Taqnin* have been asked to continue the draft and will access the expertise of Afghan legal advisers working at Kabul University and coordinate regularly with UNICEF to ensure the soundness of the final piece of legislation.

Coordination with the *Taqnin* increased in 2013, with the Legislative Calendar providing a guide through which HRSU could provide recommendations on the human rights compliance of legislative drafts while they were under review by the *Taqnin*. HRSU provided full analysis of the Law on Vocational Education, as well as drafting and reviewing the Human Rights Regulation. In addition, members of the HRSU Legal and Strategic Studies sub-Unit

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.

were requested to attend *Taqnin* Executive Committee sessions for a variety of legislation throughout the year to provide inputs on human rights and legal compliance.

HRSU is 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, though short, (2-5 day) trainings on the concept of human rights, international human rights mechanisms, and the conventions to which Afghanistan is a party. It provides tailored trainings to the NDS training academy, which hosts provincial NDS staff in two-week sessions throughout the year. In 2013, HRSU provided trainings to MoWA, Ministry of Public Health, National Environmental Protection Agency, Ministry of Education, MoLSAMD, the National Assembly, and Gender Units of line ministries.

In 2014, HRSU will change the modality of its trainings to better instill human rights standards in the work of the government through its trainings. Longer-term, tailored trainings will be developed with key ministries to provide the overarching concepts of human rights and international human rights mechanisms, followed by deeper, experiential trainings that focus on the practical skills and knowledge each institution is obligated to deliver as prioritized in the National Action Plan. Presidential Decree No. 129, February 2013, states: "The Mol, AGO and NDS are instructed – for professional capacity building purposes – to conduct training courses for their employees working in law enforcement, protection of the law and conduct of investigation, for learning human rights and other relevant professional and job-related subjects in order to increase their capacity to discover, investigate and collect evidence of crimes." In line with this decree, HRSU has held planning sessions with NDS and Mol to initiate longer-term trainings with both institutions in early 2014.

The annual target for this activity is "10% laws and regulations received or drafted by the *Taqnin* are reviewed by HRSU for human rights compliance," which was accomplished by HRSU in 2013.

EXPENSES FOR THE YEAR

During 2013, a total of USD 1,165,952 was spent for this output. For more details, please see Annex 2.

Below is a snapshot of where Output 1 is in relation to its annual targets after Q4:

Table 1: 2013 Progress for Output 1

2013 Baseline	2013 Annual Targets	2013 Planned	2013 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; 1 meeting conducted.	<ul style="list-style-type: none"> • Concept note for CB Secretariat drafted and approved. • Meeting held with the Legal Advisor to the First Vice President (also chairman of the Legislation Committee) to discuss cooperation on access to information law. Comments provided on Freedom of Information draft law. • ToR for the CB Secretariats will be developed by the expert, recruitment under process. 	Delayed
		Support CB Secretariats in the preparation, coordination and distribution of relevant information and analysis for policy discussions by the Cabinet Boards.	<ul style="list-style-type: none"> • Concept note developed on the duties and responsibilities for two senior national advisors to be placed with the First Vice President and MoJ. • ToR for the First Vice President's advisor finalized and recruitment under process. 	Ongoing
1.2 MoJ Political decision making and policy and law-making processes are not informed by data or analysis of bottlenecks on justice service delivery.	1.2 Contextualized RoL Indicators toolkits developed and implemented.	Recruit one Policy legislations & human rights specialist P4	<ul style="list-style-type: none"> • Recruited. The Policy Legislations & Human Rights Specialist has been absent in Q3 and Q4 due to health reasons. 	Completed
		Assess the capacity of MoJ PPD systems, procedures and individual staff competency to analyze justice issues and provide policy recommendations.	<ul style="list-style-type: none"> • The PPD is mapping justice sector actors, collecting and examining provincial reports, and reviewing all agreements with international organizations and Government. • The PPD is evaluating the administrative processes of the MoJ, starting with the Human Resources Department. Three directorates were evaluated in 2013. After the evaluation of all nine directorates, the procedures will be revised and finalized. 	Ongoing
		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.	<ul style="list-style-type: none"> • Recruitment for International UNV completed, RFP and ToR for the FGDs drafted. 	On target
		Recruit (National policy legislations &	<ul style="list-style-type: none"> • Recruited 	Completed

2013 Baseline	2013 Annual Targets	2013 Planned	2013 Actual	Comments
		human rights coordinator SB5)		
		RoL Indicators Study: Drafting of indicators; initiating expert survey & desk review of legal documents; (expert survey on justice systems).	<ul style="list-style-type: none"> • Weekly working group meetings with MoJ, AGO, Supreme Court, Mol and AIBA to draft RoL indicators. • 90 initial institutional indicators drafted. • ToR for one legal researcher (six months - IC) developed. • Interview for International Consultant for RoLIS has taken place. 	Delayed
1.3 The MoJ <i>Taqnin</i> does not have an annual legislative or translation calendar for prioritization and planning of legislative drafting and review	1.3 20% of documents listed on the legislative and translation calendar are translated in accordance with calendar	<ul style="list-style-type: none"> • 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. 	<ul style="list-style-type: none"> • Annual legislative calendar completed. • The capacity assessment of <i>Taqnin</i> is completed. • Capacity assessment report for the <i>Taqnin</i> and the Translation Board completed. • Recruitment of Arabic teacher for <i>Taqnin</i> completed, English teacher position re-advertised. • Workshop for 26 female employees of MoJ to develop career potential of MoJ female staff, 20-21 April. • Recruitment of English teacher and shortlist for computer teacher for MoJ female staff (gender department) completed. • Recruitment of six international consultants on law drafting techniques and legal research completed. 30-day training for <i>Taqnin</i> department planned. • Shortlisting for legal researcher completed in 2013. • Training on Legal Drafting for 43 (28M, 15F) <i>Taqnin</i> staff, 3-5 June. • Training on Drafting of Criminal Law for 44 (29M, 15F) <i>Taqnin</i> staff, 20-24 July. • <i>Taqnin</i>-led workshop on Establishment of Coordination for Legislative Drafting for 80 (71M, 9F) government officials, 14-15 September. • The Translation Board completed 126 translations in 2013, including: <ul style="list-style-type: none"> <u>Laws from Dari into English:</u> <ul style="list-style-type: none"> • Labor Law • Independent Election Commission Act • Supreme Audit Administration Act • Organizational Structure, Duties and authorities law of IEC 	Achieved

2013 Baseline	2013 Annual Targets	2013 Planned	2013 Actual	Comments
			<ul style="list-style-type: none"> • Afghan Access to Information Act <u>Amendments from Dari into English:</u> • Amendment of Provisions of Regulation on Rights and privileges of medical cadres <u>Laws from English into Dari:</u> • Aliens law residing in Finland • Inter-American Model Law on Access to Information • Consumer Protection Act • Commentary and Guide on Model Law of Access to Information <u>Agreements from English into Dari:</u> • Agreement between Broadcasting Board of Governors and Radio and Television of Afghanistan • Agreement between the Islamic Republic of Afghanistan and Republic of Turkey on Penal, Commercial and Economic Issues <u>Laws from Arabic into Dari:</u> • Expropriation law of the Arabic countries • Administrative Civil Service Law of Egypt • Penal Code of Egypt • Some parts of Labor law of Egypt • Juvenile Correction and Education Act related to monarchy of Jordan. • Trade Union Law of Algeria 	
		<ul style="list-style-type: none"> • Recruit National Translation associate SB3 - lead translator, UNDP contract 	<ul style="list-style-type: none"> • Recruitment of one Pashtu Translator and one Head of Translation Board completed 	Completed
		<ul style="list-style-type: none"> • Support the <i>Taqnin</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"> • Originally, a Canada based company has undertaken the development of an archive; however, JHRA was unable to access the password to reactivate this account. • Legal translations are being manually stored. 	Delayed

2013 Baseline	2013 Annual Targets	2013 Planned	2013 Actual	Comments
		<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. Two translators have resigned, one of them left in August and the other one in November. New recruitment has been delayed because of the pending implementation of the NTA salary scale. The recruitment of English translators is in process and the recruitment of Dari/Pashto translator is completed. Recruitment of two legal translators completed. 	Completed
1.4 HRSU established in 2010, integrated in the Tashkeel in 2011 but no formal regulation and inter-ministerial business-processes.	1.4 10% of laws and regulations received or drafted by the <i>Taqnin</i> are reviewed by HRSU for human rights compliance	Recruit one Capacity Development Specialist/ HRSU P3	<ul style="list-style-type: none"> Recruited. 	Completed
		Recruit 5 Human Rights Officers, 3 Senior Human Rights Officers, 2 Human Rights Training Officers and one Human Rights Reporting Officer (LoA)	<ul style="list-style-type: none"> Seven Human Rights Officers, one Senior Human Rights Officer, one Human Rights Reporting Officer retained. Three additional Senior Human Rights Officer positions planned in organogram, awaiting NTA process approval. 	Completed
		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 tracking of international conventions prepared. 	
		2 workshops conducted on CEDAW and UN 1325 for officials in line ministries.	<ul style="list-style-type: none"> HRSU is member of the UN 1325 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. HRSU held a three-day workshop on human rights and gender based on the CEDAW for 32 (11 F, 21 M) National Assembly staff on 14, 16, 18 September. HRSU held a three-day workshop for 21 MoPH staff (10 F, 11 M) on 6-8 July, focused on international obligations, CEDAW, NAPWA, EAW and the MoPH one-stop EAW initiative in health clinics. HRSU held a two-day training on human rights, CEDAW and gender for 20 female staff of ministerial gender units (30 June-1 July). 	On target

2013 Baseline	2013 Annual Targets	2013 Planned	2013 Actual	Comments
		<ul style="list-style-type: none"> • Undertake 3-4 workshops on UNGCAT to provide technical support to MoFA to develop State Reports. 	<ul style="list-style-type: none"> • LoA signed between UNDP and MoFA for the development of the UNGCAT State report. • UNGCAT State report Coordination Committee established in August, with two members of HRSU. • HRSU translated the 58 issues for the UNGCAT report from English to Dari. • HRSU and MoFA developed the framework for data collection for the UNGCAT State report. • UNGCAT issues and data collection framework launched to 10 most involved ministries (MoI, MoJ, AGO, HOO, Supreme Court, NDS, MoLSAMD, MoWA, MoFA, AIHRC) at a National Conference hosted by MoFA on 15 September. • Three UNGCAT technical working group meetings hosted by MoFA. • HRSU reviewed the following legislative and strategic documents on compliance with UNGCAT and submitted the review to <i>Taqnin</i> and MoFA for inclusion in the State report: <p>Laws:</p> <ul style="list-style-type: none"> • Civil Law • Constitution • Penal code • Labor law • Law on Elimination of Violence against Women • Law on Military Obligations • Law on Education • Law on Children’s Correctional and Rehabilitation Centers • Law on Abduction and Human Trafficking • Law on Prisons and Detention Centers • Shia Personal Status Law • Law on Protests and Strikes • Juvenile Justice Law • Law on Soldier Crimes 	On target

2013 Baseline	2013 Annual Targets	2013 Planned	2013 Actual	Comments
			<ul style="list-style-type: none"> • Law on Forensic Medicine • Criminal Procedure Code for Military Courts • Interim Criminal Procedure Code for Courts • Law on Reconciliation, General Amnesty and National Stability • Law on Crimes against Internal and External Security • Law against Terrorism • Law on Defense Lawyers • Civil Procedure Code • Law on Extradition of Accused and Convicted Prisoners and Justice Cooperation • Police Law • Law on the Structure and Authority of the Attorney General's Office <p>Regulations:</p> <ul style="list-style-type: none"> • Regulation on Women's Protection Centers • Code of Conduct for Civil Servants • Regulation on Legal Aid • Regulation on Management of Prisons and Detention Centers • Regulation on Juvenile Correction and Rehabilitation Centers <p>Strategies:</p> <ul style="list-style-type: none"> • Justice Sector Strategy • Strategies on Children in Crisis <p>Agreements:</p> <ul style="list-style-type: none"> • Enduring Strategic Partnership Agreement between Afghanistan and the USA • Agreement on Extradition of Criminals between Afghanistan and UAE • Agreement between Afghanistan and UAE on Mutual Legal Assistance in Criminal Matters • Agreement on the Delivery, Transport and Exchange of Prisoners between Afghanistan and Tajikistan • Agreement on the Delivery, Transport and Exchange of Prisoners between Afghanistan and Iran 	

2013 Baseline	2013 Annual Targets	2013 Planned	2013 Actual	Comments
			<ul style="list-style-type: none"> • Agreement on the Delivery, Transport and Exchange of Prisoners between Afghanistan and Russia 	
		<ul style="list-style-type: none"> • Recruit one international and one national consultant for UNCAT 	<ul style="list-style-type: none"> • LoA with DIHR signed on 1 June to secure one international expert for UNCAT State report support. • One National Consultant recruited on 18 September to work within MoFA and provide ongoing support to the UNCAT State report. 	Achieved
		<ul style="list-style-type: none"> • UNCAT Translation Associate 	<ul style="list-style-type: none"> • This position was deemed unnecessary, as the National Coordinator is able to do the translation work. 	Cancelled
		<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"> • National Action Plan for the Implementation of UPR, CRC and ICESCR Recommendations launched at MoJ Conference Hall. • HRSU submitted three handouts (State Obligations on Human Rights, Suspect and Accused Rights and UN Human Rights Systems) to MoJ for approval. 	Achieved
		<ul style="list-style-type: none"> • 5 Trainings held for NDS on the implementation of treaty recommendations 	<ul style="list-style-type: none"> • Six one-day and two three-day workshops provided to 158 (6 F, 152 M) provincial officials at the NDS Academy. • Initial questionnaire for long-term training programme developed and reviewed with NDS Human Rights Department 	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 32 (11 F, 21 M) National Environmental Protection Agency (NEPA) staff (20-21 August) • HRSU conducted a follow-up workshop with MoLSAMD staff to evaluate the usefulness of HRSU's training, resulting in a report on the findings and recommendations to be used for future workshops 	Achieved
		<ul style="list-style-type: none"> • 2 consultative workshops on HR regulations with state institutions held 	<ul style="list-style-type: none"> • Four meetings with the Deputy Minister (P) (1) and <i>Taqnin</i> (3) to discuss the contents of the Human Rights Regulation. • On December 28, the <i>Taqnin</i> Executive Committee called representatives of each of the institutions on the Task Force to provide their comments for finalization 	On track
		<ul style="list-style-type: none"> • Support the HRSU to establish 	<ul style="list-style-type: none"> • National Head of HRSU recruited through an open competition 	Ongoing

2013 Baseline	2013 Annual Targets	2013 Planned	2013 Actual	Comments
		regular liaison with ministries	<ul style="list-style-type: none"> • HRSU Strategic Overview was prepared based on consultations with the MoJ leadership and HRSU, members of the Task Force and relevant stakeholders, translated from English to Dari and submitted to Minister's Office. • HRSU Strategic Overview used to inform human rights priorities in the MoJ Five-Year Strategy 	
		<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 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 	Ongoing
		<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 has been approved by the MoJ. • 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 • 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 provided in Q3. • Purchase of one generator under process • Purchase of office equipment is ongoing 	

2013 Baseline	2013 Annual Targets	2013 Planned	2013 Actual	Comments
		<u>Other achievements:</u>	<ul style="list-style-type: none"> • HRSU reviewed the following laws for compliance with the 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 ○ NPP 5 ○ Strategy of Ministry of Rural Rehabilitation and Development ○ The Constitution ○ Law on Political Parties ○ Law on Countering Abduction and Human Trafficking ○ Mass Media Law ○ Law on Citizenship ○ Law on Elimination of Violence against Women ○ Law on Population Registration ○ Police Law ○ Commerce Law ○ Law on Protection of Rights of Inventors and Explorers ○ Law on Military Service ○ Law on Education ○ Law on Mines ○ Law on Juvenile Rehabilitation Centers ○ Law on Forensic ○ Law on Private Investment ○ Law on Criminal Procedure Code for Military Courts ○ Labor ○ Law ○ Law on Rights and Benefits of Disabled Persons ○ Law on Structure and Authorities of Attorney General’s Office ○ Mining Materials Law ○ Law on Death Penalty Verdicts Limitation 	Achieved

2013 Baseline	2013 Annual Targets	2013 Planned	2013 Actual	Comments
			<ul style="list-style-type: none"> ○ Law on Supporting the rights of Authors, Composers, Artists and Researchers ○ Interim Criminal Procedure Code ○ Military Court Law ● HRSU reviewed the following laws for compliance with the CRC to support the drafting of the Child Act: <ul style="list-style-type: none"> ○ Constitution ○ Law on Demonstration and Strike ○ Labor Code ○ Law on Social Organization ● HRSU supported the Taqin in the review of legislative drafts listed on the Legislative Calendar: <ul style="list-style-type: none"> ○ Law on Vocational Education 	

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

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

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

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

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

JHRA has established the LAGF through dialogue and a consultative process with AIBA, the MoJ Legal Aid Department (LAD) and the Independent Legal Aid Board (ILAB), to create a mechanism through which legal aid service providers can access necessary funds to provide legal representation to vulnerable groups across Afghanistan, who would otherwise not have access to the justice system or formal legal recourse.

To establish the LAGF, JHRA had to overcome a number of challenges in a lengthy process, from reaching an agreement between the AIBA and the MoJ Legal Aid Department (LAD) on the implementing agency of the LAGF and its responsibilities, to assessing AIBA's capacity to administer the LAGF, the signing of an MoU between UNDP-JHRA, AIBA and MoJ, the development of the LAGF procedures, and finally signing an LoA between AIBA and UNDP-JHRA to make the LAGF operational.

The tripartite MoU between the MoJ, AIBA, and UNDP-JHRA for the establishment of the LAGF was signed on 20 August 2013, detailing each entity's roles and responsibilities in the partnership. The MoU further identified parameters for prioritization of legal aid cases, according to which priority would be given to all vulnerable groups in criminal cases, and women and children in civil cases.

After the MoU was signed, an international expert on legal aid consulted with the main stakeholders in the process of establishing the LAGF, and developed the LAGF Procedures, M&E guidelines, quality control and grievance redress mechanisms. The results were presented and finalized in a national three-day workshop from 26-28 October 2013. Legal aid representatives from AIBA, ILAB, MoJ LAD, and NGOs, as well as international organizations and donors, participated in this significant workshop. After AIBA had reviewed the results, and in particular the wages attributed to legal aid providers at different stages of the defense, the procedures were submitted to the Minister of Justice, MoJ LAD, and ILAB for approval.

In order to operationalize the LAGF, AIBA submitted a proposal for capacity development, which will be financially supported by UNDP-JHRA. The capacity building activities will start in early 2014 and will be conducted by AIBA in Herat.

Based on the specific request of the MoJ, JHRA has prepared a set of legal commentaries on current legislation concerning legal aid and legal aid providers. This is currently being translated and will be shared with all stakeholders. The World Bank has a mandate to support the MoJ in the development of the legal framework on legal aid. Since JHRA supported the LAGF procedures, which required several rounds of discussions with the legal aid stakeholders and organisations during development, most of the current gaps in the legal framework were discussed. Therefore, while the legal aid consultant was undertaking the finalization of the LAGF procedures, detailed analyses of the Advocate's Act and the Legal Aid Regulations were also undertaken. It was recommended that the critical gap at present for legal aid is the lack of an independent system through which to undertake legal aid services, and a monitoring agency to ensure quality control of the cases and service providers. Since the World Bank-supported legal aid services are also currently being implemented by the MoJ, regular coordination meetings are being undertaken and this information is also being shared.



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

The annual target identified for this activity is the signing of the LoA on the establishment of the LAGF between the AIBA, the MoJ and UNDP. This annual target has been fully met by UNDP-JHRA. Furthermore, the procedures for the LAGF have been developed and the foundation has been laid to make the LAGF fully operational in the first quarter of 2014.

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.

Afghans need peaceful, lawful means of resolving local conflicts, especially in regions where State justice institutions are not available. The majority of local disputes in Afghanistan are resolved through traditional means, including tribal and community councils (*shuras* and *jirgas*). JHRA is therefore 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. Increased coordination between State and non-State Justice Institutions has the potential to generate case referral from community *shuras* to the State justice institutions, restore legitimacy of the State institutions and thus contribute to the overall project aim of increasing trust in state justice institutions.



Figure 5: Coordination meeting between State and non-State justice providers on 10 September in Surkhroad, Nangarhar Province.

Nine districts were identified in 2013 in coordination with the Governors' Offices in Herat and Nangarhar to pilot these community platforms.³ Further identification is ongoing. Meetings to establish coordination platforms for monthly meetings were built with representatives from the AGO, Appellate Court, police, *Huquq* Department, District Development Assemblies (DDAs), *shuras*, *Ulema* Councils and Community Development Councils (CDCs). In these meetings, the level of coordination and means of improving this coordination between State and non-State justice providers, types of cases coming from the informal justice system to the formal, and the role of the informal justice providers in the provision of justice were discussed. In Q4, a number of cases related to family disputes were reportedly closely handled through

a coordinated effort by the district-level State and non-State justice providers in Nangarhar.

In order to understand and monitor the flow of cases between State and non-State justice providers, JHRA designed a data collection questionnaire, which was distributed throughout the provinces for feedback from district-level officials and community leaders. The data focuses on the current flow of cases from traditional justice providers to the State (primarily, though the reverse is also documented) in order to develop concrete mechanisms for formalizing the transfer of cases between community leaders and justice institutions and track case referrals. In 2013, data collection was conducted in seven of the nine pilot districts. Justice officials in Surkhroad, Kama, Kuz Kunar, Behsud, and Ghani Khel in Nangarhar and Karokh and Koshke Robot Sangi in Herat were interviewed by JHRA's regional coordinators. Due to security restrictions, interviews in Qorion and Zinda Jan were postponed. Five coordination meetings were held in Nangarhar (3) and Herat (2) to discuss more broadly used means of interaction between the State and non-State justice representatives, as well as to test the initial findings of the surveys. In 2014, the results of these surveys will be advanced through the State/non-State platforms to develop case transfer/referral mechanisms.



Figure 6: Forging partnerships for cooperation between State and non-State justice providers, Karokh District, Herat Province, 31 March.

The annual target for this activity is to undertake five meetings in each of the 3 provinces (Herat, Balkh and Nangarhar) with State and non-State justice providers. The indicator for progress towards this target is the number of meetings per province undertaken with State and independent justice providers. In Q3, both the

³ The districts in Nangarhar are Surkhroad, Kama, Kuz Kunar, Behsood, and Ghani Khel, and the districts in Herat are Ghoryan, Karokh, Zinda Jan, and *Koshke Robot Sangi*.

regional coordinators in Balkh and in Herat resigned from their positions to take up educational opportunities. This adversely affected the implementation of this activity in both regions. The early resignation of the regional coordinator in Balkh made it difficult to continue with planned activities in Balkh province. However, two coordination meetings for introduction of activities of the project and a discussion on legal aid were undertaken. Furthermore, the security situation in Ghoryan and Zinda Jan districts in Herat province remained volatile in the second half of 2013, restricting the activities able to be conducted in these districts. However, in Nangarhar, three coordination meetings were conducted in addition to the introductory meeting, and in Herat, two coordination meetings were conducted in addition to the introductory meeting (three districts were combined into one meeting for security reasons). UNDP-JHRA has therefore met 2/3 of its annual target.

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.

The Afghan state justice system lacks sufficient qualified prosecutors, lawyers, or judges. JHRA is therefore aiming at increasing the number of qualified officials in justice institutions across the country by broadening the availability of professional training through the expansion of the National Legal Training Centres (NLTC) programme. The NLTC, currently operated through Kabul University, provides post-graduate professional training and certification to State justice officials with emphasis on respect for due process. To increase the overall student intake and geographic reach of the NLTC, JHRA will expand the training center by establishing campuses attached to Herat, Nangarhar and Balkh Law Faculties.

Herat will be the pilot for this activity and will act as a regional hub, serving 3 provinces of Herat, Ghor and Badghis. After initial discussions with the leadership of the Law Faculty at Herat and provincial-level consultations with the Ministry of Higher Education in April, JHRA developed a concept note for expansion based on the Kabul model. Intensive coordination with the MoJ and the AGO followed to develop detailed ToR and curriculum design for the NLTC in Herat.

JHRA then aimed at recruiting 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 Law Faculty. Unfortunately, though the positions of Lead Consultant and the National Consultant were advertised three times, no suitable candidates were found. JHRA responded by providing training on technical proposal writing to faculty members of the Herat Law Faculty in December 2013. The resulting proposals have been shortlisted, and the consultants are expected to start work in early 2014.

The annual target – preparing to establishing one functional NLTC in Herat through the signing of one MoU between the AGO, AIBA, MoJ, and the Ministry of Higher Education – has not been met. However, it is expected that the MoU will be signed in early 2014.

JHRA worked with the Law and Order Trust Fund for Afghanistan (LOTFA) and EUPOL to conduct joint trainings with provincial-level FRU officers within the Crime Investigation Department (CID), prosecutors and law professors. The trainings focus on investigations into crimes against women, the EVAW Law, crime scene management, and improved coordination between prosecutors and FRUs. This contributes to JHRA's activity of

enhancing the professional capacity of State justice service providers. Six one-month trainings were completed as planned in 2013.

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. Lessons learned from the assessment are being incorporated into future trainings, supporting JHRA's commitment to continuously improve the effectiveness of its activities.

JHRA is also working through an MoU with UNODC on joint trainings in Nangarhar, Herat, Balkh and Helmand, to be conducted by UNODC's national trainers. The MoU includes a National Senior Legal Trainer, funded by JHRA, to undertake joint capacity building programs for judges, CID police, *Huquq* officials, prosecutors and law faculty members. Trainings will focus on the code of conduct for judicial officials, concentrating on strengthening anti-corruption measures for judges and prosecutors, narcotics and human trafficking, and juvenile justice. The National Senior Legal Trainer was recruited in November 2013, and is scheduled to start in early 2014.



Figure 7: Representatives from the AGO, FRU and CID discussing possible coordination mechanisms to address cases of Violence against Women- Herat, August 2013.

UNDP's programmatic plans for 2013-2015 are designed to build the short-to-medium-term capacity of State justice service providers, such as AGO officials (with particular focus on EVAW Units and prosecutors), FRUs, Department of Justice (DOJ), and Appeals Courts. At the onset of the project, conflicting accounts of the existing support and, therefore, exact support needed made it difficult to pinpoint areas of engagement that could produce the most impact. Therefore, in 2013, the AGO, with support from UNDP-JHRA, carried out a capacity and needs assessment of four of the eight existing EVAW Units (in Kabul, Nangarhar, Balkh and Herat) to identify capacity gaps and determine the nature of support required. The assessment was based on discussions with prosecutors, judges, civil society organizations, lawyers and international community members. A 30-page version of the final assessment report was translated into Dari for dissemination among national stakeholders.

On 9 December 2013, a workshop was organized at the invitation of the AGO to share the findings of the assessment with all stakeholders. The participants included representatives from justice institutions, including the AGO, MoJ *Huquq* Department, AIBA, Supreme Court, FRUs, AIHRC, UN agencies, appeals courts, the donor community, local and international NGOs, legal aid providers, representatives of EVAW Units and prosecutors from select provinces. The purpose of the workshop was to identify the minimum requirements for the EVAW Units and Commissions to function, pre-requirements for the establishment of EVAW Units, and strategies to increase the capacity of existing EVAW Units and coordinate future action.

The findings of this assessment and resulting strategies for better growth of the EVAW Units will be applied in the establishment of nine new EVAW Units planned by the AGO in 2014, in addition to the planned unit in Helmand

(supported by JHRA). JHRA will continue to provide technical and capacity support to the AGO in relation to the EAW Law. A gender officer is being recruited to further support JHRA's component 2 "access to justice" activities on EAW starting on 01 January 2014.

EXPENSES FOR THE YEAR

During 2013, a total of USD 797,023 was spent for this output. For more details, please see Annex 2.

Table 2: 2013 Progress for Output 2

2013 Baseline	2013 Annual Targets	2013 Planned	2013 Actual	Comments
2.1 Legal Aid Grant Facility does not exist.	2.1 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"> Capacity assessment of AIBA offices in Jalalabad, Herat, Mazar-i-Sharif and Kabul to identify whether AIBA currently has sufficient capacity to implement a LAGF is successfully completed. Based on the assessment, AIBA is considered to have the capacity to administer the LAGF. 	• Completed
		Design capacity development plan and implement accordingly.	<ul style="list-style-type: none"> AIBA submitted a proposal for the capacity building of lawyers in four identified regions: Balkh, Jalalabad, Herat, Helmand. UNDP-JHRA has signed the LoA based on which funds can be transferred and the capacity building of lawyers can be undertaken starting in early 2014. 	• Partly completed (implementation will start in early 2014)
		Parameters for prioritization of legal aid cases to be subsidized by LAGF 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. 	• Completed
		Recruit one (Int.) Expert to establish LAGF/legal clinic and one Associate Finance Officer to be placed at AIBA to support LAGF	<ul style="list-style-type: none"> The International Expert has completed his work 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. He has further successfully developed the LAGF procedures. The Associate Finance Officer has been included in the financial proposal by AIBA. The Associate Finance Officer will be hired in early 2014. 	• Partly completed (Associate Finance Officer will be hired in 2014)
		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. The next meeting is planned for Q1 2014. 	• Ongoing
		Training and workshops for AIBA lawyers	<ul style="list-style-type: none"> Trainings will be conducted based on the capacity building proposal submitted by AIBA. Funding based on the LoA signed between UNDP-JHRA and AIBA on 01 December has been processed and training will start in 2014/Q1. 	• Delayed, starting in 2014/Q1
		Support AIBA in registration of cases	<ul style="list-style-type: none"> Registration of cases has been postponed to 2014/Q1 since this was dependent 	• Delayed

2013 Baseline	2013 Annual Targets	2013 Planned	2013 Actual	Comments
		taken up by AIBA lawyers (Provide Honoraria for Legal Aid Cases Registered with Lawyers).	on the finalization of LAGF Procedures and the completion of trainings.	
		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 in 2014/Q1. 	<ul style="list-style-type: none"> • Delayed
		Facilitate establishment or enhancement of legal clinic at Herat University through Legal Aid Grant Facility and trainings	<ul style="list-style-type: none"> • Activities postponed to Q1/2014 	<ul style="list-style-type: none"> • 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. 	<ul style="list-style-type: none"> • Delayed
		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. 	<ul style="list-style-type: none"> • Delayed
		Facilitate communication flow from AIBA-MoJ-LAB on issues on policy and law making processes.	<ul style="list-style-type: none"> • Commentaries developed on Legal Aid Framework, to be translated and shared with stakeholders for discussions in early 2014, and with World Bank to assist in the Legal Aid Assessment proposed by MoJ for 2014. 	<ul style="list-style-type: none"> • In process

2013 Baseline	2013 Annual Targets	2013 Planned	2013 Actual	Comments
		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"> AIBA has submitted a proposal based on which funds have been made available for capacity development to AIBA Herat. Training will start in 2014/Q1. 	<ul style="list-style-type: none"> In process, starting in 2014/Q1
		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 Nangarhar.	<ul style="list-style-type: none"> Professional trainings on due process postponed to 2014. 	<ul style="list-style-type: none"> In process, starting in 2014
		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"> Professional trainings on due process postponed to 2014 	<ul style="list-style-type: none"> In process, starting in 2014
2.2 No mechanism that links non-State and state justice systems.	2.2 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"> Identification of districts started in Q1 and is ongoing. JHRA is currently working in 5 districts in Nangarhar (Surkhroad, Kama, Kuz Kunar, Behsud, and Ghani Khel) and in four districts in Herat (Qorion, Karokh, Zinda Jan, and Koshke Robat Sangi). 	<ul style="list-style-type: none"> Ongoing
		Recruit one Access to Justice specialist (P4) and one National Access to Justice coordinator (SB5)	<ul style="list-style-type: none"> Recruited in Q2 	<ul style="list-style-type: none"> Completed
		Facilitate mechanisms to ensure coordination and enhanced flow of cases from State to non-State justice institutions and increased information	<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 the security situation. The creation of 	<ul style="list-style-type: none"> Ongoing

2013 Baseline	2013 Annual Targets	2013 Planned	2013 Actual	Comments
		flow between the justice and security sectors in Herat.	mechanisms based on the data will be facilitated in 2014.	
		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. 	<ul style="list-style-type: none"> In process
		Undertake 10 coordination meetings and 5 trainings 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"> Three coordination meetings were held in Nangarhar and two in Herat, to a total of 356 persons (180 Nangarhar and 176 Herat): <ul style="list-style-type: none"> Surkhroad on 10 September Kama on 23 September Kuz Kunar on 2 October Karokh on 28 August Ghoryan, Zinda Jan, and Koshke Robat Sangi on 9-10 December in Herat City 	<ul style="list-style-type: none"> In process
2.3 No NLTC chapter exists in Herat	2.3 AGO-AIBA-MoJ-MoHE will sign one MoU for establishment of NLTC Herat	Support the establishment of NLTC chapter in Herat Law Faculty.	<ul style="list-style-type: none"> Recruitment of two consultants to establish the NLTC in Herat is in process. The positions have been re-advertised multiple times as no qualified proposals were submitted. Shortlisting of qualified candidates was completed in December 2013 and the consultants are expected to start work in early 2014. 	<ul style="list-style-type: none"> Delayed
		Undertake assessment of training modules and develop MoU.	<ul style="list-style-type: none"> Meetings have taken place with the Vice chancellor of Herat University and the Dean 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. 	<ul style="list-style-type: none"> Ongoing
		Undertake trainings for FRU and prosecutors through EUPOL.	<ul style="list-style-type: none"> Six batches of trainings through EUPOL have been provided to 116 (16 F, 100 M) prosecutors and FRU officials in 2013. 	<ul style="list-style-type: none"> Completed
		Undertake joint trainings for judges, prosecutors, police and Huquq through UNODC.	<ul style="list-style-type: none"> UNODC has successfully recruited a senior legal trainer in November 2013. This National Senior Legal Trainer is funded by JHRA according to an LoA signed between JHRA and UNODC in Q2. The trainer is working on joint capacity building programs for judges, prosecutors and law faculty members. 	<ul style="list-style-type: none"> In process
		Undertake needs assessment of EAW unit in the AGO with	<ul style="list-style-type: none"> Needs and capacity assessment of EAW Units at national and provincial levels completed, including special recommendations on a pilot in Herat. Workshop 	<ul style="list-style-type: none"> Completed

2013 Baseline	2013 Annual Targets	2013 Planned	2013 Actual	Comments
		recommendations on pilot in Herat.	was conducted in Q4 to disseminate the assessment report.	
		Initiation of EAW unit in Helmand.	<ul style="list-style-type: none"> • Missions to Helmand in May, October and December to plan the activities for 2014 including the establishment of Helmand EAW unit. 	<ul style="list-style-type: none"> • Ongoing
		Develop SOP for the prosecutors on coordination on sexual/ gender based violence and domestic violence.	<ul style="list-style-type: none"> • Assessment workshop of EUPOL-LOTFA-JHRA trainings conducted in Herat. At this workshop, it was proposed that a working group be set up to develop a small handbook on FRU and prosecutor coordination. 	<ul style="list-style-type: none"> • In process
		Establishment of JHRA phase II office at national and 4 provinces.	<ul style="list-style-type: none"> • Three regional coordinators were recruited for 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 (under NTA salary) was recruited to provide support to DoJ in Herat and the office remains functional. • Missions to Helmand in October and December 2013 to prepare for the establishment of Helmand JHRA office. 	<ul style="list-style-type: none"> • Ongoing/ 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 NPP 5, which focus on “improving the legislative process” and “increasing meaningful access to justice” respectively, and will work primarily with the MoJ PLAU, AIHRC, CSOs, media and think tanks. 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 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 of the Poor and community dispute resolutions with policy makers.

Economic disenfranchisement has been identified as a driver of both political conflict and extreme levels of crime and violence. Therefore, during the course of 2013, JHRA has provided technical, advisory and financial support to empower the most vulnerable groups within Afghan society to raise their voices and address their concerns. Integrating the concerns of marginalized people into the policy-making process is expected to result in pro-poor amendments to national and municipal legislation and thus translate into improved working conditions, enhanced livelihoods and furthered economic empowerment of the country’s most vulnerable citizens. By inclusively addressing the rights of all Afghan citizens, trust in the government is also expected to increase.

Under component 3.1, JHRA conducted strategic interventions for legal, social and economic empowerment of



Figure 8: Head of the Union for Afghanistan’s Disabled Street Vendors discussing the challenges and aspirations of street vendors in Kabul, July 2012

street vendors in Afghanistan. Throughout 2013, JHRA supported the local municipalities of Kabul and Herat by establishing two Technical Coordination Committees (TCCs) mandated to serve as fora for providing legal protection of street vendors and generate policy recommendations for addressing the street vendor situation in Afghanistan. The Kabul TCC was formally established in August with JHRA advisory and technical assistance, and three missions to Herat were undertaken in Q4, which led to the establishment of the Herat TCC. Both TCCs in Herat and Kabul are operating, with the Kabul TCC being chaired by the Deputy Mayor of Kabul and the Herat TCC being chaired by the Provincial Governor of Herat (ToRs for these two TCCs are attached as annex). Both Committees are attended by representatives of the Afghan National Police, MoJ, MoWA, MoLSAMD, Chamber of Commerce, and street vendor representatives. Discussions generated during these meetings have enabled concerned stakeholders to review all relevant laws and

policies in place in Afghanistan regarding street vendors. In addition, these TCCs have generated discussions on ways and modalities to support the institutionalization of street vendor associations or unions. In fact, the latter are deemed important mechanisms, as they will act as a channel to carry the ideas and perspectives of street vendors to policy-level discussions and represent the interests of street vendors in future negotiations with municipalities. Altogether, two TCC meetings have taken place in Herat and five in Kabul. A scoping mission was conducted to Kunduz and Takhar provinces in December 2013, with preliminary meetings undertaken with the Provincial Governors of each province, as well as the Mayors of Kunduz and Taloqan cities. The Mayor of Taloqan had specifically requested engaging with JHRA's street vendor initiative. JHRA also met with the police chief of Kunduz, the Head of the DoJ in Kunduz, as well as a representative from a street vendor union in Kunduz. The UNAMA Rule of Law Team in Kunduz has also indicated that they can support JHRA in conducting the TCCs in Kunduz and Takhar. Further discussions are ongoing to develop an implementation plan for 2014 to train mayors and market managers at municipal corporations on how to coordinate with the street vendors and police to ensure that the legal rights of ordinary people are upheld.

From 24-31 August, JHRA supported Herat Municipality to conduct a survey of 90 street vendors in partnership with the Law Faculty students of Herat University. The factual evidence compiled from the survey⁴ will be used as a basis for policymakers and stakeholders to design appropriate and effective municipal policies to better address issues regarding economic security and business protection for street vendors.

JHRA also supported the Kabul Municipality to organize a two-day national discussion to build a national understanding of the challenges and barriers faced by street vendors, with a primary objective of sharing knowledge and discussing strategies for improving the working conditions of street vendors in Afghanistan. Two international experts presented experiences from other countries in terms of economic empowerment of informal actors, and facilitated discussions on innovative policy approaches for improving the livelihood potential of street vendors. Attended by representatives of the Kabul and Herat Municipalities, MoJ, MoLSAMD, Chamber of Commerce, Ministry of Economy, Ministry of Commerce, Mol, Kabul Police Department, and relevant CSOs, this national discussion enabled the international experts to present two main models to support vendor marketplaces in Afghanistan. The models reflected municipal street vendor policies from other countries and have been inspired by experiences of engaging with street vendors in Fiji and India. The key elements of each model were compiled into a policy paper and a condensed version of the paper was drafted as an informational booklet. The booklet has been finalized, translated, printed and disseminated to stakeholders as an attractive and reader-friendly informational item to guide policy discussions of Government representatives and other key stakeholders.⁵

A brochure for street vendors in Kabul outlining the rights and responsibilities of street vendors has also been drafted and is currently awaiting endorsement from government counterparts. The objective of this brochure is to raise awareness among street vendors of their rights to operate their businesses as enshrined in the Constitution

⁴ Among the 90 street vendors interviewed, four were female. The survey showed that 40% of street vendors have been harassed or treated unfairly by local police. 97% of street vendors have never reported an incident, primarily because no individual is available to hear the complaint. This response from the vendors was included in the collected data. It essentially means that no mechanism is in place (that the vendors know of) for vendors to report a grievance or complaint to the municipality, local police or any other organization. During a later meeting with Col Naikzad, Director of the Herat Community Police Department, he indicated that drop boxes around the city have been set up for this specific purpose. 98% of street vendors do not belong to a street vendor union, organization or association, but 50% of street vendors believe establishing and joining a union or association will help solve their problems.

⁵ See annex

and the responsibilities of vendors when selling goods and services on the street as stipulated in municipal legislations. Due to low literacy levels among street vendors, the brochure is illustration-based and includes contact information for vendors to report abuse and launch grievances.

To further feed into discussions taking place at TCC meetings, JHRA has finalized and distributed a second policy paper on street vendors, which includes the current municipal legislation regulating street vending in Afghanistan as well as legislation on street vendors from other countries. From this document, JHRA would like to support TCCs to reach consensus on a series of recommendations so JHRA can provide technical support in drafting a National Policy on street vendors.

The JHRA Street Vendors Initiative was shortlisted for the 2013 Innovating Justice Award supported by The Hague Institute for the Internationalisation of Law (HiIL), awarded together with the Dutch Ministry of Foreign Affairs.

In Afghanistan, the MoJ *Huquq* Department provides legal counsel and information to the public concerning the legal system and the right channel through which the disputes can be processed. However, the population in rural areas often has limited access to district-level justice officials due to security, geographical and financial constraints. As a result, the majority of Afghans who reside outside of urban areas refer to community elders in the *shura* to resolve disputes.

In consideration that traditional justice providers might not always comply with national laws when arbitrating, mediating or resolving a dispute, and that the relationship between formal and traditional justice actors needs to be further strengthened, JHRA has supported the MoJ *Huquq* Department and PLAU in organizing a series of community-based dispute resolution (CBDR) workshops in the provinces of Herat, Balkh and Nangarhar. These workshops served as fora to discuss ways of cooperating between the State and traditional justice systems to ensure the fair resolution of conflicts at the community level. Furthermore, they contributed to the MoJ's efforts to increase public knowledge and trust in the functioning and mandate of the *Huquq* Department and in enhancing public awareness on basic legal principles, human rights standards and their relationship with Sharia. It has to be noted that these CBDR workshops have also complemented the efforts of NPP 5 by promoting peace-building processes through enhanced synergies between the two justice sectors. All CBDR workshops received wide attention from national media, and the CBDR workshop in Herat was covered by the British Broadcasting Corporation.

It is expected that discussions generated during these workshops will also feed the organization of a national consultation in Kabul, scheduled in 2014, where representatives from central and provincial institutions as well as traditional actors will generate recommendations for the strengthening of coordination mechanisms between State justice providers and community leaders in resolving local-level disputes. It is also in this framework that during Q4, JHRA has recruited an international consultant to undertake an assessment of the boundaries within which traditional dispute mechanisms can be utilized for civil matters. More specifically, this assessment will shed light on the extent to which civil matters may be tackled by informal justice actors, though in compliance with national and international human rights principles.

The annual target for this activity is to undertake two discussions on legal empowerment for the poor and community dispute resolutions with policy makers. This activity is far ahead of target, and the achievements

greatly exceed the annual target with the effective establishment of the two technical coordination committees (TCCs) in Herat and Kabul.

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 violence against women.

To scale up its level of technical, advisory and financial support to AIHRC, JHRA signed a LoA with the institution in September 2013. JHRA strengthened its own cooperation in the areas of strategic planning, capacity development and human rights awareness with AIHRC by signing a LoA on 22 September. Covering the remainder of 2013, the LoA assisted AIHRC in a critical stage of its development as it continues to fulfill its role as the National Human Rights Institution of Afghanistan.

The main task of the AIHRC is to investigate, promote and protect human rights in Afghanistan. The information collected by AIHRC concerning the realities of rights holders is an important complement to the information collected by the State, particularly in the development of new legislation. During 2013, JHRA worked with AIHRC to strengthen its strategic capacity, and to support its work in monitoring the extent to which human rights standards are upheld as experienced by the public.

Based on an initial capacity assessment conducted in June 2011, which was followed up with consultations in November 2012 and February 2013, representatives from UNDP Asia Pacific Regional Centre (APRC) and the Asia Peace Forum (APF) provided technical and advisory support to AIHRC to formulate and finalize AIHRC's 2013 Action Plan. This was followed by a coordination meeting with donors to ensure that donor support was aligned with the Plan. The Action Plan was approved in Q2 to guide the AIHRC in the formulation of its Strategic Plan, which will set the vision of the institution for 2014-2019.

To assist AIHRC in the formulation of the Strategic Plan, JHRA initiated the recruitment process for a national advisor in Q4. The advisor will ensure that the strategic planning process builds upon the current Strategic Plan, which runs until December 2013, and that both the Plan and the process to develop it are based on a participatory and consultative approach, and underpinned by principles of ownership and sustainability.

JHRA technically and financially supported South-South cooperation mechanisms to further the capacity of the AIHRC in specific areas. Based on an MoU signed with India's National Human Rights Commission (NHRC) in 2012, a five-member AIHRC team was sent on a 10-day mission to India in March 2013. The aim of the mission was to understand the systems and protocols employed for complaints-registration procedures, use of technology in complaints-registration, investigative techniques, and due process for public hearings. Through the same MoU, a two-week training programme was conducted in Kabul by two NHRC India representatives for AIHRC staff on complaints mechanisms, use of technology for complaints management and investigation techniques from 27 September-13 October. This capacity building intervention benefitted 65 AIHRC staff from central and regional offices, and represented an important milestone in the efforts to boost AIHRC's capacity in investigating human rights violations and managing citizens' complaints. Furthermore, this initiative provided AIHRC trainees with insights of how a watchdog organization can strengthen its activities and provide Afghan citizens with the tools to ensure respect of human rights and to uphold the human rights principles enshrined in the Afghan Constitutions.

An assessment of the workshop indicated that of the 65 trainees, 55 AIHRC regional staff were receiving training for the first time in their career with the AIHRC.

With the assistance of JHRA, the AIHRC and HRSU forged a partnership. HRSU invited trainers from the AIHRC to hold an internal collaborative training session to review each institution's training materials on international conventions and rights based on international human rights standards.

With the aim of furthering its engagement with relevant Afghan CSOs in the areas of human rights and legal awareness, JHRA, in partnership with USAID, supported the MoJ, MoFA and the Ministry of Higher Education in organizing a one-day human rights exhibition on 8 December. The exhibition was held at the Afghanistan Centre of Kabul University (ACKU) with 25 stalls featuring legal and human rights materials including brochures, pamphlets, booklets, posters, and DVDs. The exhibition mainly targeted University students from Kabul and other provinces including Herat, Balkh, Nangarhar and Helmand. The event featured a human rights quiz hosted by HRSU and three concerts, and it brought together a large number of CSOs to jointly display their human rights products with the aim of raising students' legal awareness and highlighting the linkages between the Universal Declaration of Human Rights and the socio, economic and cultural empowerment of Afghan students.



Figure 9 Minister of Justice H.E. Habibullah Ghalib speaking at the Human Rights Day at ACKU.

The exhibition was supported by JHRA through the MoJ for the commemoration of the Human Rights Day, which is celebrated on 10 December, and the 65th anniversary of the Universal Declaration of Human Rights.

The annual target for this activity is to undertake three coordinated fora with CSOs and the AIHRC focused on violence against women. Since violence against women is a cross-cutting issue in all activities with AIHRC supported by JHRA, this target has been fully met.

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.

In Afghanistan, the public's knowledge of legal rights is limited. This limited public legal awareness has, in turn, contributed to a lack of trust in State institutions responsible for the legal protection of the Afghan people. To remedy this, JHRA is providing technical and advisory support to the MoJ PLAU to sharpen its ability to increase public legal awareness through the provision of clear and consistent messages on legal rights.

The PLAU is responsible for implementing the National Public Legal Awareness Strategy and Action Plan, developed in partnership with UNAMA, UNDP, USAID and Gesellschaft für Internationale Zusammenarbeit (GiZ) in 2011. The Strategy focuses on the PLAU's role in coordinating government, civil society and donor initiatives in public legal awareness to ensure messaging from the government is streamlined and that all outreach materials support the Afghan justice system.

To support the implementation of the PLA Strategy, JHRA has provided technical and advisory support to the PLAU in conducting a public perception survey in Q2 and Q3. The study included a quantitative survey of 3,072 respondents in Kabul, Herat, Nangarhar and Balkh, with the twofold objective of assessing citizens' knowledge on the roles and mandates of State justice institutions, and of evaluating their level of confidence and trust in the State justice system. The key findings of the study include: citizens' opinions of the justice sector are largely based on perceptions rather than first-hand experience; people have little knowledge of their rights within the legal system; the majority of frustrations arise from the lack of transparency and integrity of justice personnel; and a lack of understanding of Afghan law and the extent to which it is aligned with Afghan culture. The report also shows that citizens care more about transparency and integrity than the technical capacity of justice providers and that citizens seldom identified the efficiency and the capacity of justice officials as a major stumbling block of the justice system.



Figure 10: H.E Ministry of Justice convening the first Public Legal Awareness Coordination Board meeting at Ministry of Justice-Kabul, September 2013

The report indicates that raising awareness on the legal framework is as important as increasing transparency in order to ensure that people perceive the justice system as fair. The report also sought to identify the strongest influencers on issues of justice. Respondents stated that mullahs and community leaders are the most trusted sources of information on legal issues. In this regard, respondents often identified their local mullah as the person they admire most among religious leaders. The report was presented to the MoJ in September and officially launched on the Human Rights Day organized on 8 December (see Activity Result 3.2).

The results of the perception survey and media monitoring reports will inform the formulation and implementation of a PLA communication strategy. This communication strategy will operationalize the National Public Legal Awareness Strategy and Action Plan developed by the MoJ, with support from UNDP and UNAMA, in 2011.⁶ In 2013, JHRA provided technical and advisory support for the implementation of the MoJ Legal Awareness Strategy through the establishment of a Public Legal Awareness Coordination Committee, which will comprise members of the MoJ, Supreme Court, AGO, MoLSAMD, Mol, MoWA, Ministry of Haj and Religious Affairs, Ministry of Culture and Information, Ministry of Higher Education, Ulema Council, AIHRC and CSOs. The objective of this Committee is to oversee the formulation and implementation of public legal awareness interventions at the central, provincial and district levels. The Committee will also serve as a forum for dialogue and exchange between Government and civil society representatives to coordinate public legal awareness activities in order to present a common message to the public and broaden the dissemination networks, which will maximize their impact and affect longer-term behavioral change.

The first Public Legal Awareness Coordination Board meeting was held on 17 September, chaired by H.E. the Minister of Justice and attended by representatives of the MoJ, MoWA, Ministry of Higher Education, Ministry of

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

Hajj and Religious Affairs, Ulema Council and AIHRC. JHRA's contribution to the first meeting entailed advisory support for the analysis of the existing Board procedures. With JHRA technical support, this first meeting was followed by a second one held on 24 September and a third one held on 2 December.

The involvement of civil society is integral to the success of strong public legal awareness campaigns. On 15 September, JHRA held a one-day workshop with relevant CSOs working in rule of law and human rights to map the current areas of engagement. These networks will be linked to the PLA Coordination Board to produce and disseminate legal awareness outreach products. A second meeting with was held on 4 November, with major national and international NGOs and CSOs, where the topic of discussion was their involvement in activities on public legal and human rights awareness. JHRA compiled a list of publications related to their cooperation with MoJ PLAU, which is mandated to coordinate the MoJ's dissemination of legal awareness products.

In the field of capacity building in communication and media techniques, JHRA organized a training programme in partnership with the Centre for Culture, Media and Governance of the Jamia Milla Islamia University in New Delhi, India. Attended by nine Afghan officials engaged in public legal awareness from MoJ, Mol, MoLSAMD, MoWA, Ministry of Haj and Religious Affairs, Ministry of Higher Education, AIHRC, National Radio Television, and Tolo News, this capacity building intervention took place from 22 September to 4 October. The training aimed 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 peers and counterparts in their respective institutions. The aim of the training was further to assist Afghan trainees in the formulation of key follow-up interventions to be undertaken with their respective institutions upon their return to Afghanistan. All participants agreed to conduct a one-day workshop for their Media unit colleagues in order to share the knowledge and experience from the training after their return. Participants further committed to a specific assignment to apply the knowledge and information gained during the training. At the end of December, JHRA collected the assignments, ranging from an article to be published in their institutions' magazine to a short video or radio clip on a legal awareness topic relevant to the mandate of their organization to be broadcasted on TV or radio. The quality of the completed assignments documented the impact of JHRA's training programme in the enhancement of JHRA's national counterparts' skills and capacities. As a result of the training, Afghan national institutions now have nine staff capable in specialized areas of communication and analysis, and willing to function as multipliers of knowledge.

The annual target of this activity is to develop a communications strategy for MOJ by building partnerships for coordination and dissemination of information, as well as have tools for messaging developed and approved. The indicator towards this target is to have a functional Public Legal Awareness Coordination Board in place. This indicator was met in September 2013. The communication strategy will be put in place after the evaluation of the media monitoring reports. The formulation of the Communication Strategy started in December 2013, when JHRA supported an MoJ workshop for State and non-State representatives who play a key role in public outreach. Therefore, it can be concluded that the annual target under this sub-output will be met in early 2014.

EXPENSES FOR THE YEAR

During 2013, a total of USD 620,084 was spent for this output. For more details, please see Annex 2.

Table 3: 2013 Progress for Output 3

2013 Baseline	2013 Annual Targets	2013 Planned	2013 Actual	Comments
3.1 Limited discussions in parliament or in Government on land and labor rights/ Community dispute resolution mechanisms.	3.1 Two 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. Furthermore, a national discussion on Legal Empowerment of the Poor with a specific focus on street vendors' issues was held in consultation with relevant state actors and street vendors' representatives. 	Completed
		Additional achievements: Cooperation with Herat University for a research project to gather statistical evidence for shaping municipal policy decisions about street vendors.	<ul style="list-style-type: none"> Research project completed and report with statistics compiled for further use by policymakers and national stakeholders. 	Completed
		Establishment of Technical Coordination Committees (TCCs) on street vendors with stakeholders in Kabul and Herat.	<ul style="list-style-type: none"> ToRs for both Herat and Kabul TCCs were endorsed and the TCCs successfully established. 	Completed
		Community Based Dispute Resolution workshops	<ul style="list-style-type: none"> Three CBDR workshops conducted in Nangarhar, Herat and Balkh to 170 religious and community leaders, and justice sector officials (52 F, 118 M). An assessment to define the boundaries within which civil cases can be addressed by traditional justice actors has commenced. 	Completed
3.2 Limited investigative capacity in particular on violence against women.	3.2 Three coordinated fora with CSOs, AIHRC conducted on violence against women.	Develop capacity assessment action plan for AIHRC based on capacity assessment strategy supported by UNDP in 2011.	<ul style="list-style-type: none"> In Q2, AIHRC approved its Action Plan for programmatic and operations, which was formulated with JHRA's technical support. 	Completed
		Provide technical and financial assistance to AIHRC to undertake national enquiry on violence against women.	<ul style="list-style-type: none"> Capacity development on public hearing was undertaken on violence against women. 	On target and led by the AIHRC

2013 Baseline	2013 Annual Targets	2013 Planned	2013 Actual	Comments
		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"> The first training took place with a five-member (1 F, 4 M) AIHRC team on systems and protocols employed for complaints-registration procedures, use of technology in complaints-registration, investigative techniques, and process for public hearings during a 10-day mission to India in March 2013. The second training took place with approximately 63 (37 F, 26 M) AIHRC staff on complaints mechanisms, use of technology for complaints management and investigation techniques. This training took place from 27 September to 13 October in Kabul. 	Completed
		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"> Postponed to 2014. 	Delayed
3.3 A Public Legal Awareness Strategy from the MoJ PLAU exists, but no plan for strategic and coordinated implementation of public legal awareness activities.	3.3 Communications strategy for MoJ developed by building partnerships for coordination and dissemination of information, tools for messaging developed and approved.	Undertake perception survey and media monitoring.	<ul style="list-style-type: none"> Public perception survey report finalized and launched. JHRA has finalized the procurement process for the provision of services by a company to the MoJ PLAU in media monitoring in Afghanistan. A detailed Assessment of Media Service Providers has also been undertaken. 	Achieved
		Facilitate 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"> Three Public Legal Awareness Coordination Board meetings held between Q3 and Q4. The Board procedures have been revised with JHRA advisory support and presented to the Minister of Justice. 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

Monitoring and evaluation is an embedded concept and an essential requirement of every project or programme design. More particularly, in a situation where resources are increasingly limited, M&E is of paramount importance. JHRA emphasizes the importance of M&E in the second phase of the project to compile lessons learned, establish best practices, increase internal and external accountability of resources used and results obtained, and 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. Number of Project Steering Committee meetings convened.

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

The Project Steering Committee is responsible for the overall direction and management of the project. It is the highest-level policy and oversight body. It provides policy guidance, reviews progress against targeted results, and ensures coordination with other national initiatives and development projects. The Project Steering Committee is co-chaired by UNDP and the MoJ, and includes representatives from the justice institutions, civil society and donor agencies. UNDP CO and the Minister of Justice officially requested the justice institutions to appoint participants to serve on the JHRA Phase II Project Steering Committee. JHRA has further identified the members of the Technical Coordination Committee. The Technical Coordination Committee reports to the Project Steering Committee and is responsible for cross-sectoral cooperation, which includes effective communication, coordination and cooperation between the justice institutions and identifying cross-institutional problems and solutions, thus ensuring the effective delivery of the project.

The first Project Steering Committee meeting was convened on 26 November in the MoJ, and co-chaired by H.E. Habibullah Ghalib, Minister of Justice of Islamic Republic of Afghanistan, and Mr. Yuxue Xue, UNDP Senior Deputy Country Director. At this meeting, a number of issues were discussed, including clarification of the media reports from the MoJ on penalty for *hudud* crimes. Based on the discussions at the Project Steering Committee meeting, the MoJ also issued a press release on December 2, 2013 confirming that the Government did not support the stoning of women for crimes of adultery. Further, after the endorsement of the AWP 2014, other topics discussed were the progress made on the Human Rights Regulation, the LAGF, the RoLIS, the level of interest of the Project Steering Committee members on CBDR mechanisms, a request for strategic direction on the coordination of State and traditional justice actors, and the National Technical Assistance (NTA) salary scale.

To further increase cross-sectoral cooperation, JHRA worked for harmonization among the ministries and donors in 2013. A working group was established to increase the cooperation between the MoJ and JHRA. 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.

The annual target determined for this activity is two Project Steering Committees to be convened. JHRA only convened one Project Steering Committee meeting in 2013, due to several operational and scheduling problems. This indicator is therefore 50% achieved.

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

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

Project implementation requires operational tools such as an Annual Work Plan (AWP), Human Resources Plan, M&E Plan and Procurement Plan. To reflect the changing funding patterns, the AWP was revised three times in 2013, and the HR and Procurement Plans were adapted with each revision of the AWP. Further work was initiated on the AWP for 2014, with a detailed M&E Plan and a draft risk management matrix, to be discussed with strategic partners of JHRA. As a part of project oversight, JHRA was audited for 2012.⁷

To further ensure all programming is monitored against the initial project targets, and remains supportive of the priorities put forward by the national justice institutions and the GIRoA, JHRA was supported by an M&E mission from BCPR from 17-31 May. The M&E experts from BCPR supported the project in establishing thorough monitoring systems for several areas of JHRA programming: the LAGF and its indicators for progress, next steps for the RoL Strategy, and the Global Focal Point joint plan for supporting the RoL in Afghanistan. The mission looked into indicators for progress in the AWP, and provided recommendations that were developed further by JHRA in Q3. An M&E Officer is under recruitment to follow up on these new systems for the duration of the project. During 2013, JHRA was supported by a UNV Planning and Reporting Officer, who, in addition to reporting on activities in 2013, engaged in tracking the impact of justice institution buildings constructed in the first phase of the project. Initial reports indicate that the buildings are well used. The evaluation of questionnaires will be completed in Q1 2014, once the project site in Daykundi is accessible again.

On 2 December 2013, the JHRA team attended a workshop organized by UNDP Country Office Afghanistan on risk management. The primary purpose of the workshop was to prepare the project for 2014 and develop risk awareness and risk mitigation measures. The project made use of the new risk assessment framework for UNDP Afghanistan, and identified the most likely risks with the greatest potential impact in a brainstorming exercise before assessing them in an expanded log frame. The workshop developed a shared understanding of risk among project staff, and a second step will contribute to developing the same with partners and donors.

Beyond the activities mentioned under the indicators in Output 4, the revision and finalization of NPP 5 constitutes an important area of JHRA's involvement. NPP 5: Law and Justice for All provides the basis from which the JHRA project document was developed. NPP 5 provides the overall framework for justice sector plans during the transition and part of the Transformation periods. It further constitutes guidance for donor support. Since it had not been finalized since 2011, JHRA recruited a senior international consultant to work with the Senior Minister's Office to complete NPP 5. The endorsed National Priority Programme provides a foundation for future programming in the justice sector and helps identify gaps in engagement and collaboration.

⁷ The 2012 JHRA Audit was conducted in 2013 on behalf of UNDP's Office of Audits and Investigations (OAI). The audit was done as part of a routine auditing of Direct Implementation Modality UNDP projects that exceed a 3M USD budget. This was not a complete project audit; instead, it was solely financial in nature and covered only expenses made directly by UNDP. In furtherance of OAI policy, JHRA will again be audited for 2013 as it meets the above-stated threshold.

Further staff trainings and international exposure were undertaken for National Project Manager, Finance Officer, IT Officer, Capacity Development Specialist and Public Policy and Knowledge Management Specialist in substantive areas to improve knowledge and skills and thereby improve project delivery.

Though only one Project Steering Committee meeting was held in 2013, JHRA held regular bilateral meetings with current donors to ensure they were kept abreast of developments in programming and funding, and to assist in smooth transitions during donor turnover. Six monthly donor meetings have been undertaken where detailed project progress and challenges are discussed. Additional fundraising in 2013 proved difficult, as many funders have been asked to hold back on committing new funding tranches until after the elections in 2014. The proposal of a Multi-Partner Trust Fund in mid-2013 presented an opportunity for JHRA to strengthen its current cooperation with other UNDP projects (and ultimately all UN agencies) working in the area of rule of law, but lengthy discussions with donors and the Government alike have tabled this possibility for the foreseeable future. JHRA continues to engage with current and potential donors to ensure programming is well-communicated. This not only ensures that overlap is avoided and complementary programming is built upon wherever possible, but also lays the foundation for more meaningful relationships once elections are held in 2014.

On 18 November 2013 at the Development Partner's Advisory Group, which is chaired by the Deputy SRSG, rule of law was projected as one of the key evolving pillars of the UNDAF and the New UNDP Country Programme Document, with particular focus on JHRA's evolving role in it. At this meeting, presentations were given by the Deputy Minister of Justice, Deputy Attorney General, Senior Advisor to the Senior Minister of the Governance Cluster, and JHRA's project management to highlight that UNDP is working closely with national and international partners to promote justice and rule of law based on the commitments in the NPPs 5 and 6. Since June 2013, there has been progress in the work of the justice institutions based on the priorities identified under the NPPs, several of which are being supported by JHRA.

Some concerns for 2014 were highlighted in justice sector reforms. At this meeting it was also highlighted that JHRA builds on the crucial linkages between unemployment, perceived injustice and insecurity in Afghanistan. Therefore, engagements are being undertaken across the rule of law chain of actors. A key challenge in implementation has been working in isolation – one project cannot achieve great gains alone. Therefore, partnerships within UNDP projects and agencies with similar agendas are being undertaken to address the national priorities.

Indicator 4.2.1 b. Approved project budget in Atlas.

See annexes 1-3.

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

See annexes 1-3.

EXPENSES FOR THE YEAR

During 2013, a total of USD 1,416,648 was spent for this output. For more details, please see Annex 2.

Table 4: 2013 Progress for Output 4

2013 Baseline	2013 Annual Targets	2013 Planned	2013 Actual	Comments
4.1 One project steering committee meeting	4.2 Two Project Steering Committees to be convened	Undertake annual review of project progress. Undertake two reviews and analyze project progress through regular internal assessments, UNDP monthly team meetings, and cluster meetings.	<ul style="list-style-type: none"> The first PSC meeting was convened on 26th November 2013 in the MoJ, the second PSC meeting will take place in early 2014. 	Slightly delayed due to operational and scheduling problems
		Provide management support to the project components.	<ul style="list-style-type: none"> Weekly internal update meetings held Monthly all staff meetings held 6 Donor meetings held 	On target
4.2. No. of plans submitted on time	4.2. Project Plans (AWP, HR, Procurement, M&E) and budgets are prepared, reviewed and revised on a timely basis.	Support the design and implementation of M&E systems used under the project programmatic components or establish new ones to inform programmatic and policy priorities for National Partners and UNDP, as follows: Annual report, quarterly reports developed.	<ul style="list-style-type: none"> Quarterly reports and annual report finalized in due time One Planning and Reporting Officer was recruited in February. JHRA provides technical support to the NPP 5 by recruiting a senior international consultant for the revision and finalization of the NPP 5. Government endorsement secured on 29 June. AWP revised repeatedly to reflect the expansion of activities related to changing donor commitment. M&E mission from the BCPR from 17-31 May Recruitment of M&E officer under way 	On target
		Two workshops held for government officials responsible for M&E systems	<ul style="list-style-type: none"> Workshops for PPD staff on MoJ effectiveness HRSU – training on database systems for collection of data on government implementation of human rights commitments Through MoFA – training to government officials from 12 government institutions on the data collection needs and procedures in connection with the UNCAT 	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's 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 mainstreaming of gender has already taken place in a number of activities conducted by JHRA. For example, the criminal law drafting workshop for the *Taqnin* which took place on 20-24 July featured a section on the Role of Women in Criminal Law Making, including a discussion on sexual crimes. It was evident from the discussions that the members of the *Taqnin* are more informed on customary practices, with varying degree of knowledge of Islamic jurisprudence and global best practices in law making.

The RoLIS ToR for FGDs with community leaders has been designed to include FGDs in each province, of which women are targeted to make up 15 percent of participants. Technical assistance to AIHRC provided by UNDP Asia Pacific Regional Center in Q1 was used to discuss the nearly finalized National Inquiry of Honor Killings and rape of women. A five-member AIHRC delegation was trained by the National Human Rights Commission of India in investigation, complaints handling, and use of technology in registration of complaints. This exposure provides the necessary skill set to increase the number of public hearings on violence against women. JHRA will help to formulate the AIHRC Strategic Plan 2014-2019 and provide technical, financial and advisory support for the implementation of recommendations regarding the CEDAW shadow report. In June, JHRA assisted the capacity development of two senior officials from the MoJ and MoFA, who were trained on the defense of the CEDAW State report in Geneva. The official defense of the State report was undertaken in July. HRSU is working with the MoFA Directorate of Human Rights and International Women's Affairs to plan the next steps required for follow up on the CEDAW recommendations by the government. All CEDAW recommendations, including proposed action points and responsible institutions, will be released in HRSU's National Action Plan for the Implementation of UPR, CRC, ICESCR and CEDAW Recommendations in 1393 (March 2014).

The MoJ requested JHRA to provide technical and financial support for a workshop for female MoJ employees on 20-21 April, as a follow up to the International Women's Day celebration in Afghanistan. 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. This workshop identified challenges to women's career development within the MoJ. JHRA utilized the workshop recommendations to develop its capacity building strategy for female employees of the MoJ to increase women's participation in decision-making processes within the MoJ. Consequently, JHRA is providing additional skills and professional development opportunities to the female staff of the MoJ, especially in English language and computer literacy. A follow up skills-building workshop on leadership with the female staff of MoJ is also planned with the Gender Unit of MoJ for early 2014.

JHRA partnered with Afghan Women's Network (AWN), a non-governmental organization based in Kabul that specializes in gender issues facing women in Afghanistan, as an expert organization to organize this workshop and plan the topics to be taken up for training. These trainings combined are meant to enhance the personal and

professional capacity of the female employees so that they can increase their participation within the Ministry through recruitment for and promotion to higher posts and positions. One of the recommendations that were made by the women employees of the MoJ at the April workshop was the need for a crèche (day care center) which has subsequently been established with other donor funds that were available to the MoJ.

In order to respond to Afghanistan's commitments under the CEDAW, the ERAW Units at the Chief Prosecutor's Offices were established in Kabul, Herat, Balkh, Kapisa, Kunduz, Parwan, Paktia, Nangarhar, Bamyan and Badakhshan provinces in March 2010, to prosecute violence against women. However, ongoing capacity constraints coupled with cultural norms and sensitivities continue to impact the effectiveness of the ERAW Units in the provinces. JHRA worked with an international consultant to conduct a needs assessment of four of these existing units. The capacity and needs assessment identified gaps and areas of engagement for the project. Based on the findings of this assessment, a comprehensive action plan in cooperation with the AGO will guide future engagement with ERAW Units, as well as their expansion. On 9 December, a workshop was organized at the invitation of the AGO to share the findings of the assessment with all stakeholders. The purpose of the workshop was to coordinate future actions, to discuss and identify the minimum requirements for the functioning of the ERAW units and commissions, to further identify prerequisites for the establishment of ERAW Units, and to determine strategies to increase the capacity of existing ERAW Units. JHRA is supporting the establishment of a new ERAW Unit in Helmand in 2014. Based on the discussions at this workshop, the Herat ERAW Unit, in consultation with all workshop participants, agreed to host a two-day workshop for the key persons of the eight ERAW units in Herat in January 2014. JHRA's efforts are to engage with stakeholders through a demand-driven approach to ensure greater ownership is undertaken by the prosecutors and the AGO. It is important to note that the hard deliverables in the Tokyo Mutual Acceptability Framework and NPP 5 were also discussed with the participants.

The signing of the LAGF is expected to have a major impact on advancing the rights of women. The majority of cases of violence against women remain unreported in Afghanistan due to the severe restrictions women face in seeking justice or redress. Furthermore, many women have little or no education and are extremely isolated in their homes. Most of their economic activity occurs in the informal sector, such as agriculture, livestock management and caregiving, but such activities are not remunerated.⁸ Without the LAGF, many women would not be able to claim their rights because they cannot afford it. Therefore, the parameters of the LAGF will prioritize women and children's cases in civil suits, and all vulnerable groups (including women) in criminal cases. The LAGF procedures clearly identify that women will be one of the key beneficiaries of the pilot programme.

IV. PARTNERSHIPS

Partnerships are of tremendous importance to the success of any development activity, which is why JHRA greatly emphasized the strengthening of existing and the initiating of new strategic partnerships. With an increasing number of international actors investing in Afghanistan's development, coupled with the decrease of funding opportunities for development work in Afghanistan, partnerships can be an effective tool to avoid inefficiency, manage scarce funding, and increase impact. Fostering partnerships with national and local counterparts

⁸ Afghanistan Human Development Report 2007, Bridging Modernity and Tradition: Rule of Law and the Search for Justice, p. 24-26.

increases the project impact and nurtures national ownership. At the same time, security for the project and implementing partners increases considerably with the intensified involvement of national and local partners on the ground.

JHRA's main partner at the national level is the MoJ. All activities channeled through output 1 are conducted in close cooperation with the MoJ. Under output 1, JHRA is also cooperating with MOFA, which is the leading ministry for State reporting on international conventions, through its activities with HRSU. The cooperation with MOFA has been considerably strengthened through the development of a prioritized plan of action for State reporting in 2013-2014. An LoA was signed to strengthen this partnership, through support for trainings, provincial workshops on data collection and analysis, and international workshops. Another LoA was signed with the Danish Institute of Human Rights for the provision of expert counsel in the UNCAT State reporting process and this partnership has extended to assist MoFA in the development of the UNCAT State report.

During 2013, JHRA also consistently advocated for the strengthening of cross-sectoral cooperation. 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 State and non-State coordination forums, Public Legal Awareness Coordination Board, and myriad capacity development initiatives, JHRA consistently 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 generate greater national ownership and accountability, as well as avoid the duplication of efforts. Another example of cross-sectoral cooperation fostered by JHRA is the workshop on the Establishment of Coordination between the MoJ and Government institutions held in cooperation by the *Taqnin* and HRSU on 14-15 September. While most partnerships at the national level have been very successful in 2013, the cooperation with the Supreme Court still awaits revitalization.

JHRA also contributes to the UN's programmatic efforts to "deliver as one" through fostering existing cooperation with other UNDP projects such as LOTFA, NSGP and the Afghanistan Subnational Governance Programme (ASGP), as well as other UN agencies (UNAMA, UNODC, UN Women) on a programmatic and project implementation level. Together with LOTFA, EUPOL, and Mol, JHRA conducted joint trainings of prosecutors and FRUs for crime scene investigation, EVAW, and better cooperation between prosecutors and the FRUs. The partnership with UNDP's ASGP was strengthened through the organization of a Joint Stakeholder Meeting on Labor Rights, the Informal Economy and Working Conditions of Street Vendors in Herat, and preparatory work undertaken in Kunduz and Takhar. JHRA further collaborated with ASGP Herat for the establishment of a TCC on Street Vendors and on a research project in partnership with the Law Faculty at Herat University. To activate the Legislation Committee, JHRA worked with UNDP's NSGP to update a capacity and needs assessment done in 2011.

Within the Global Focal Points programme, JHRA and UNAMA Rule of Law Unit are partnering to implement the RoLIS. JHRA will work through UNAMA's regional offices, which have regular contact with local authorities. The partnership between JHRA and UNODC initiated by an MoU for the provision of joint trainings on investigation skills for civil and criminal cases, law enforcement processes, and code of conduct of duty bearers aims at improving Afghanistan's justice services at the provincial level.

CSOs have an important role in the development of Afghanistan. For example, the position of women in most communities has been elevated substantially over the past five years due largely to their work. Women have increased roles in CSOs in both paid and volunteer positions. Afghan ownership also is higher with the services provided by CSOs: beneficiaries have a great deal of influence over needs assessments and problem identification, and on planning how to address problems. These are but a few reasons why JHRA is increasing its involvement with CSOs.⁹

JHRA's main partner from civil society is AIHRC. JHRA 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 with AIHRC is of a strategic nature, through technical support for the action plan and facilitation of peer-to-peer learning. For example, NHRC India hosted a five-member delegation by AIHRC to attend training, facilitated by JHRA, and a two-week training programme was delivered by two NHRC India representatives from 27 September-13 October in Kabul to 56 AIHRC staff representatives from 14 AIHRC provincial offices. JHRA has further facilitated partnerships between national government entities and Afghan civil society, such as between the HRSU and the AIHRC.

Another important civil society partner for JHRA is AIBA. A tripartite MoU was signed between UNDP, AIBA and MoJ in 2013 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 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. In the same direction of impact, JHRA is fostering cooperation between State and non-State justice providers to increase access to justice.

V. ISSUES

- **Uncertain financial sustainability**

Uncertain funding avenues have 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 2013. The results gathered from the data have fed action plans and capacity development plans based on strategic decisions. Also, JHRA's assessments have been widely circulated amongst the justice sector development partners to explore possibilities for coordination. These will in turn improve the relevance, effectiveness, efficiency, impact and sustainability of JHRA activities.

- **Coordination between LAGF stakeholders**

The coordination between LAGF stakeholders was a great challenge to the establishment of the LAGF due to the unprecedented nature of this cooperation. To initiate LAGF activities, an LoA was signed between JHRA and AIBA, which will make the disbursement of funds possible in late 2013 and 2014. The challenge was mitigated through coordination of the various stakeholders contributing to legal aid services and through clear communication.

⁹ Counterpart International, Afghanistan Civil Society Assessment, December 2011, pages 6 and 8.

- **Change of office premises for security reasons**

In early 2013, JHRA moved from the UNOCA compound into an annex building of the MoJ. The office, however, was situated in a high security area. Due to construction works in the neighboring lot, the perimeter wall was taken down, and the security of JHRA staff was compromised. The JHRA office was relocated temporarily to UNAMA Compound B until a new office relocation was found. Once security measures were in place and an assessment was performed at the new location, JHRA moved office at the end of 2013.

- **Security and the Elections**

The next Presidential elections will be held in Afghanistan on 5 April 2014. Candidate nominations for the presidential election closed on 6 October. The security situation will remain precarious and will likely worsen as the Presidential elections approach. This may impact JHRA's project implementation in Kabul and the provinces. Further, the political atmosphere and lack of certainty leading up to the elections may affect the current political support behind programming in the justice sector.

VI. RISKS

- **Security**

The volatile security situation greatly affected project implementation in 2013. Lack of security in provinces and districts where JHRA carried out programming continued to impede project implementation. The Joint Stakeholder Meeting on Labor Rights, the Informal Economy and Working Conditions of Street Vendors in Herat City was postponed to 29 May because of the attack against the International Organization for Migration (IOM) in Kabul on 24 May. On 17-19 June, the project supported the organization of a CBDR workshop in Nangarhar aiming at strengthening cooperation mechanisms between formal and informal justice actors. Due to heightened security threats, JHRA staff in Kabul were not able to attend the workshop, although the provincial governor's office conducted the workshop with the traditional leaders and JHRA's Regional Coordinator in Nangarhar was able to attend.

The security situation also continued to hinder the project's ability to monitor activities through field assessments. For example, JHRA's Regional Coordinator in Nangarhar 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 district. In July, when the mission was scheduled, explosions and suicide attacks against the Chief Prosecutor took place in Nangarhar. Likewise, the security situation in the districts Qorion and Zinda Jan districts in Herat has been very volatile, which has delayed data collection in these districts. The road missions to Zinda Jan and Qorion have become unsafe. In Q4, the Loya Jirga resulted in several days of restricted movement of the project staff, which limited their ability to continue activities while the project office remained closed. Working from home has been used as an effective modality to continue work on days when the security situation has been volatile. Further, all staff members of JHRA have been provided internet facilities allowing them to operate from alternate locations.

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.

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

The extent to which GIRoA supports the development efforts of UNDP-JHRA varies 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 of the establishment of a working group to increase the cooperation between all departments of the MoJ and JHRA. Further, JHRA has established working groups for almost all major activities, including the RoLIS, LAGF and PLA Coordination Board, to ensure greater programmatic inputs.

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

Recruitment of qualified national staff and consultants has remained a challenge in 2013. The regional coordinators in Herat and Balkh resigned and their positions need to be refilled. Several positions among the LoA staff in the MoJ have become 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 always 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 more opportunities to female candidates.

- **High LoA staff turnover**

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 needed to be standardized and salary scales harmonized across all UNDP projects. NTA salary scales will remain slightly higher than civil service scales, because they are not permanent positions. Nevertheless, since salary scales will eventually come down further, this will increase the frequency of staff turnover. In this way, the application of the NTA salary scale challenges project implementation. UNDP must act in accordance with the national legal process and apply the decisions taken in the consultations between the MoJ and the Ministry of Finance. However, the transition phase is not easy to manage. Within JHRA, there are currently 25 LoA staff. The implementation of the salary scale was delayed until the end of 2013, which is why this risk continues, and 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 National Action Plan for Women in Afghanistan (NAPWA).

VII. LESSONS LEARNED

- **Assessing needs and capacity**

In the aim of providing a solid foundation for JHRA's interventions, 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 UNDP experts and JHRA staff in cooperation with JHRA's implementing partners. In the 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 in the development and implementation of the LAGF.

- **Facilitating consultations and creating dialogue**

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

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

For operational effectiveness and to overcome implementation challenges, regular monthly meetings on operations have been conducted in JHRA. Also, weekly meetings with UNDP Human Resources Unit and all operations teams at the one-stop-shop solutions meetings has helped JHRA to become more active.

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 required in these areas. Nangarhar, Balkh and Herat are regional hubs, from which the project can expand to the surrounding provinces such as Ghor and Badghis. 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 Government to reach the public. In 2014, efforts will also be made to engage more proactively with the Supreme Court and AGO.

Other than these ongoing activities, JHRA's emphasis will be to provide key results in its big ticket items: namely, RoLIS, the activation of the LAGF, the implementation of the Human Rights Regulation and the completion of research work on CBDR, which can provide dialogue on policy for coordinated support for State and non-State justice actors at the local level.

Regional outreach will mostly be channeled through outputs 2 and 3. In output 2, the capacity development of the AIBA lawyers in Herat, Nangarhar, Balkh and Helmand will be undertaken through workshops, so that AIBA lawyers are able to take on cases under the JHRA funded LAGF. A capacity development plan for the EVAW Units will be established based on capacity assessments. The Regional Coordinator in Nangarhar has collected information on cooperation between State and non-State justice providers based on a data collection sheet developed by JHRA. This data collection delivers local/district level information to define the baseline, as well as an overview of number and types of cases that are dealt with by traditional leaders compared to State justice providers. After the recruitment of regional coordinators in Herat and Helmand, which will be finalized in early 2014, this activity will be expanded to the respective provinces. With the data collected, JHRA will develop a single baseline for these pilot districts and provinces.

Under output 3, based on the assessment of the public perception survey and the media monitoring, JHRA will provide support for the formulation of the MoJ communication strategy and help enhance capacities of selected community radio stations to formulate and broadcast radio programs aimed at raising public legal awareness. Capacity development training programs on communication and media techniques will be conducted simultaneously.

In output 1, regional outreach is primarily taking place in the implementation of RoLIS. After the finalization of the RoLIS indicators, FGDs will be organized across six to eight provinces (Kunduz, Balkh, Kabul, Herat, Kandahar/Helmand, Nangarhar, Badakhshan, Parwan). The results from the FGDs will serve as a data pool for developing baselines and consolidated indicators.

In 2014, particular emphasis will be placed on the establishment of the JHRA office in Helmand and the expansion of activities in this province. These activities will include, for example, the identification of coordination platforms, the initiation of a Legal Aid Clinic at the University of Helmand, and the facilitation of annual CBDR workshops

with justice institutions, mullahs, community elders and female CSO representatives. The results of the CBDR discussions will be channeled into national-level policy discussions. An M&E officer has been identified and should join the project in 2014 (based on availability of funds) to support all the output areas of JHRA.

In 2014, it is expected that a mid-term review will be undertaken and discussions will be initiated on a nationalization process. Further, in early 2014, the AWP, Procurement Plan, Monitoring and Evaluation Plans, and Human Resources Plan will be reviewed with UNDP senior management to identify areas where project implementation can be sped up with greater impact. JHRA will also undertake fundraising initiatives to mitigate the funding gaps for 2014 and 2015. It is expected that JHRA finances will be audited for 2013 as a part of the ongoing audit of direct implementation modality (DIM) projects in UNDP.

IX. ANNEXES

A. ANNEX 1: FINANCIAL TABLE

Donor-ID Description	COMMITMENT/ PAST YEARS RECORD			CURRENT YEAR					FUTURE EXPENSES		TOTAL RECEIVABLE		
	Commitment	Revenue Collected 31/12/2013	Expenses 31/12/2013	Opening Balance	Contribution Revenue	Other Revenue	Expenses	Closing Balance	Commitments (Unliquidated Obligations)	Undepreciated of fixed Assets and Inventory	Future Due	Past Due	Available Resources
DENMARK	759,688	517,688	249,667	268,021	242,000	-	178,540	331,481	2,150	6,634	-	-	322,697
DFAIT	122,071	21,377	18,080	3,297	100,694	-	1	103,990	-	-	-	-	103,990
ITALY	2,010,871	2,000,000	354,618	1,645,382	10,871	-	482,108	1,174,145	21,753	6,634	(0.00)	-	1,145,758
NETHERLAND	249,223	249,223	202,428	46,795	-	-	-	46,795	13	-	-	-	46,782
NETHERLAND	2,490,000	-	-	-	1,083,899	-	372,365	711,534	36,220	-	1,406,101	-	675,314
NORWAY	13,372	13,372	13,371	1	-	-	-	1	-	-	-	-	1
SDC	769,991	769,991	70,704	699,287	-	-	506,934	192,353	4,088	-	-	-	188,264
SDC	3,000,000	-	-	-	1,800,000	-	345,305	1,454,695	195	-	1,200,000	-	1,454,500
UNDP	2,519,591	345,824	345,824	-	2,173,767	-	2,114,454	59,314	14,114	45,200	-	-	0.00
Grand Total	11,934,807	3,917,475	1,254,692	2,662,783	5,411,231	-	3,999,707	4,074,307	78,534	58,467	2,606,101	-	3,937,306

Note:

- i) The figures provided in the above statement are provisional; the final figures will be communicated by UNDP HQ through the certified financial report by end of April 2014
- ii) Income received in currency other than USD is approximated to USD based on UN- Operational Rate of Exchange applied.

B. ANNEX 2: EXPENSES BY OUTPUT

Project Output	2013 Budget (AWP)	Total Expenses (January-December 2013)	Delivery Rate
Output 1: (00085458) High-level coordination mechanisms for developing policy and legislation in accordance with international and national standards are established and functional in State justice institutions.	1,635,028	1,188,192	73%
Output 1 PIP: (00083456) Comprehensive 42 month Project Document to support justice and human rights programming for MoJ and justice sector institutions	-	(22,239)	0%
Sub-total Output 1	1,635,028	1,165,952	71%
Output 2: (00085459) Mechanisms to provide quality justice services to vulnerable groups are established and functional (NPP 5, component 1)	966,671	771,071	80%
Output 2 PIP: (00083458) Support to MoJ with programmatic inputs on Human Rights Support Unit (HRSU) and Translation Unit	-	25,952	0%
Sub- Output 2	966,671	797,023	82%
Output 3: (00085460) Public participation processes and knowledge base for improving access to justice and human rights compliance established.	688,317	674,616	98%
Output 3 PIP: (00083464) Resource Mobilization & Monitoring (Knowledge Management)	-	(54,532)	0%
Sub-total Output 3	688,317	620,084	90%
Output 4: (00085461) Project Support Unit: Internal oversight, monitoring and evaluation capacity in place.	1,485,778	1,416,648	95%
Sub-total Output 4	1,485,778	1,416,648	95%
Grand Total	4,775,793	3,999,707	84%

C. ANNEX 3: EXPENSES BY DONOR

Donor Name	Project Output ID and Description	2013 Budget (AWP)	Cumulative Expenses (Jan-Dec-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.	256,541	163,755	64%
	Output 2: (00085459) Mechanisms to provide quality justice services to vulnerable groups are established and functional (NPP 5, component 1)	4,280	25	1%
	Output 3: (00085460) Public participation processes and knowledge base for improving access to justice and human rights compliance established.	16,959	5	0
	Output 2 PIP: (00083458) Support to MoJ with programmatic inputs on Human Rights Support Unit (HRSU) and Translation Unit		14,755	-
Sub-Total		277,780	178,540	64%
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.	58,315	17,388	30%
	Output 2: (00085459) Mechanisms to provide quality justice services to vulnerable groups are established and functional (NPP 5, component 1)	666,931	569,561	85%
	Output 1 PIP: (00083456) Comprehensive 42 month Project Document to support justice and human rights programming for MoJ and justice sector institutions	-	(49,335)	-
	Output 2 PIP: (00083458) Support to MoJ with programmatic inputs on Human Rights Support Unit (HRSU) and Translation Unit	-	(174)	-
	Output 3 PIP: (00083464) Resource Mobilization & Monitoring (Knowledge Management)	-	(55,332)	-
Sub-Total		725,246	482,108	66%
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.	330,776	166,668	50%
	Output 2: (00085459) Mechanisms to provide quality justice services to vulnerable groups are established and functional (NPP 5, component 1)	105,181	75,338	72%
	Output 4: (00085461) Project Support Unit: Internal oversight, monitoring and evaluation capacity in place.	155,956	118,988	76%
	Output 2 PIP: (00083458) Support to MoJ with programmatic inputs on Human Rights Support Unit (HRSU) and Translation Unit	-	11,370	-
Sub-Total		591,913	372,365	63%
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.	641,123	506,934	79%

	Output 3: (00085460) Public participation processes and knowledge base for improving access to justice and human rights compliance established.	391,995	300,365	77%
	Output 4: (00085461) Project Support Unit: Internal oversight, monitoring and evaluation capacity in place.	49,220	44,940	91%
Sub-Total		1,082,338	852,240	79%
DFAIT	Output 1 PIP: (00083456) Comprehensive 42 month Project Document to support justice and human rights programming for MoJ and justice sector institutions	-	1	-
		-	1	-
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.	348,272	333,446	96%
	Output 2: (00085459) Mechanisms to provide quality justice services to vulnerable groups are established and functional (NPP 5, component 1)	190,279	126,147	66%
	Output 3: (00085460) Public participation processes and knowledge base for improving access to justice and human rights compliance established.	279,362	374,246	134%
	Output 4: (00085461) Project Support Unit: Internal oversight, monitoring and evaluation capacity in place.	1,280,602	1,252,719	98%
	Output 1 PIP: (00083456) Comprehensive 42 month Project Document to support justice and human rights programming for MoJ and justice sector institutions	-	27,096	-
	Output 3 PIP: (00083464) Resource Mobilization & Monitoring (Knowledge Management)	-	800	-
Sub-Total		2,098,516	2,114,454	101%
Grand Total		4,775,793	3,999,707	84%

D. ANNEX 4: RISK LOG

#	DESCRIPTION	DATE IDENTIFIED	TYPE	IMPACT & PROBABILITY	COUNTERMEASURES/MNGT . RESPONSE	OWNER	SUBMITTED BY	STATUS
1	Lack of security	ongoing	Environmental Political	<ul style="list-style-type: none"> • 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	<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 consumes large amounts of time and 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 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 (PSC) to promote ownership and ensure the project meets GIRoA priorities	CTA, Project Manager and RoL Unit Programme Officer	Staff	<ul style="list-style-type: none"> • Project Steering Committee (PSC) convened in November 2013.

#	DESCRIPTION	DATE IDENTIFIED	TYPE	IMPACT & PROBABILITY	COUNTERMEASURES/MNGT . RESPONSE	OWNER	SUBMITTED BY	STATUS
3	Recruitments/ 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	CTA/ Human Resources Assistant	<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	<ul style="list-style-type: none"> Foster leadership both at HRSU, Translation Board and PPD. 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	<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.

E. ANNEX 5: 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 & Programme Officer	Unresolved
2	Coordination between LAGF stakeholders	Q2 and Q3	Impact = 3 Priority = 4	Facilitate discussions between stakeholders.	CTA & Access to Justice Coordinator	Resolved
3	Change of office premises for security reasons	Q2 and Q3	Impact = 5 Priority = 5	Swift coordination with all actors involved, Cooperate closely with UNDP country office.	National project manager,	Resolved
4	Security Incidents due to the Elections	September 2013	Impact = 4 Priority = 3	Cooperation with UNDSS	All JHRA staff	Not resolved