



THE INTERNATIONAL SECURITY SECTOR ADVISORY TEAM
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EVALUATION REPORT UNDP RULE OF LAW AND JUSTICE PROJECT IN GUINEA-BISSAU

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Executive Summary

The International Security Sector Advisory Team undertook a final evaluation of the Rule of Law and Justice (RoL&J) Project (2014-2016) of the United Nations Development Programme (UNDP) in Guinea-Bissau, at the request of the Country Office. The RoL&J project falls under phase II of the UNDP Global Programme for Justice, Security and Human Rights (GP RoL) with the title *Strengthening the Rule of Law in crisis-affected and fragile situations: a UNDP global programme for justice & security (2012-2015)*.

The RoL&J project (2014-2016) seeks to pursue two outcomes, both identified in the United Nations Development Assistance Framework + document: 1) National institutions play a role in creating a sustainable security environment, through effective and efficient justice and security provision respectful of democratic governance and human rights; 2) The justice system provides better services and improves access for vulnerable groups.

To meet these outcomes the RoL&J adopted a strategy focused on three main components:

- 1) Improvement of access to justice in local/rural communities.
- 2) Enhancement of skill and competencies of justice sector actors and institutions.
- 3) Enhancement of justice sector coordination and governance.

Support from UNDP to rule of law in Guinea-Bissau in recent years occurred in a context defined by recurrent political instability, with a string of coups and constitutional crises since 1999; and by extreme fragility of the State, with persistent weaknesses and difficult inter-institutional relations in the justice and security system writ large. Compounding this background were major gaps in collaboration and coordination between UNDP and UNIOGBIS. Integrated support to justice and RoL was missing, with for example, important breakdowns in the continuum of the criminal justice system, despite both agencies claims of adopting a comprehensive approach.

The RoL&J is a highly relevant project in that its set outputs are suitable to the context of Guinea-Bissau and the needs of the beneficiaries, be it state institutions, communities or vulnerable groups. However, the project was overambitious considering its time framework and the challenging implementation environment. Whilst recognising their limitation, the project lacked a clear Theory of Change that stated upfront the political risks, and developed robust coping mechanisms, beyond expressing the specific dynamics and strategic risks of engaging in a fragile and fractured Justice sector.

This shortcoming contributed to a bounded effectiveness, with low levels of execution, indicating a more limited contribution to outcomes than set out in the project design. Between the three components of the project, the best performing was the one related to the Enhancement of Justice Sector Actors' Skills and Competencies. The component on Improved Access to Justice was problematic given its wider exposure to the important contextual strategic risks. The third component contributing to an Enhanced Justice Sector Coordination and Governance was not implemented as designed.

Enhancement of Justice Sector Actors' Skills and Competencies was implemented through the provision of support to the CENFOJ, and the financial support to this institution is good practice insofar as it allows Guinea-Bissau to develop its own capacities to train legal and judicial staff in-country.

Support to the existing five Centres of Access to Justice (CAJ) represented the main intervention within the component of Improved Access to Justice. Their services have improved access to justice by the communities and vulnerable groups, and were complemented by fundamental rights awareness raising campaigns on access to justice, human rights and gender equality.

The Access to Justice component was completed by effective preparations for the opening, in 2017, of a new CAJ in Buba, perceived as a major contribution to reducing human rights violations that prevail systematically in this region. In addition, community courts were built in Mansoa and Canchungo, in logic of complementarity of the justice chain, given the well-established presence of the CAJ in these locations.

The third area of the RoL&J - Justice Sector Coordination and Governance - was not implemented mainly due to the difficult political and tense relations between justice sector institutions. Furthermore, under this area of work was subsumed a complementary and integrative function with the first two components. The absence of the governance factor meant that virtually no achievements were made in contributing towards internal and external accountability of the justice and security institutions.

Measuring whether the benefits of the project attained by local people and State justice institutions are proportional to the efforts invested was problematic. Despite being results-oriented, the project did not invest in developing baseline surveys at the onset of the implementation period, so as to guide the identification of improvements at its closure. Also, a robust monitoring and evaluation framework in design - considered good practice - did not translate into solid monitoring practice, depleting the project of opportunities for internal learning and adaptation.

However, at a strategic level, the RoL&J demonstrated adaptability in that the lack of execution of the coordination and governance component was supplanted by an unforeseen opening that emerged in 2014, comprising assistance to the Government in the development of a National Justice Modernisation and Reform *Programme* (2015-2019), which incorporated accountability matters.

The project also strived for ownership of its supported initiatives by national actors, but substantive deficits persisted. For example, in attempts to ensure sustainability, the project consistently planned for hand-over of responsibility of the CAJ and the CENFOJ to the national authorities, without success, given the cyclical political instability. The silver lining is that since 2012 UNDP has been the major partner to invest considerably in the improvement of the justice system in terms of combined capacity building, justice service delivery, institutional strengthening, and infrastructure building. This earned UNDP a reputation for being responsive to the justice needs of the country, and for being perceived as an honest broker by national partners.

Seen against the six key programme areas under the GP/RoL, the RoL&J engaged in three of them, with mixed results. The project had impact on area 1 (Access to security and justice during an on-going conflict or immediate post-crisis recovery); limited and localised results on area 2 (Women's security and access to justice), not sustained throughout the entire project cycle; and consistent results in area 3 (Capacity development of key justice and security institutions). However, the RoL&J could benefit from closer support and scrutiny provided by the GP/RoL on the monitoring and evaluation front and overall programme implementation.

Meanwhile, expectations on joint programming fell short of what the GP/RoL aims, mostly as a consequence of the particular dynamics of "division of labour" between UNIOGBIS and UNDP. This dynamic did not lend itself to take full advantage of the significant support awarded by the Global Focal Point. However, advances were made in that the signature and implementation of a new UN Joint Programme is expected to contribute to a higher degree of coordination and integration than the one seen during the phase of implementation of the RoL&J.



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Acronyms

AfDB:	African Development Bank
AIRCOP:	Airport Cooperation Initiative
AWP:	Annual Work Plan
BCPR:	Bureau for Crisis Prevention and Recovery
BPPS:	Bureau for Policy and Programme Support
CAJ:	Center of Access to Justice
CBOs:	Community Based Organizations
CENFOJ:	National Judicial Training Centre
CO:	(UNDP) Country Office
CPD:	Country Programme Document
CSOs:	Civil Society Organisations
CTA:	Chief Technical Advisor
DCAF:	Geneva Centre for Democratic Control of Armed Forces
DPA:	Department of Political Affairs
DKPO:	Department of Peacekeeping Operations
ECOWAS:	Economic Community of West African States
EQs:	Evaluation Questions
FGM:	Female genital mutilation
GICJU:	Office for Legal Information and Consultation
GFP:	Global Focal Point
GP:	Global Programme



GP/RoL:	Global Programme Rule of Law and Justice
HQ:	Headquarters
IASSRTF:	SSR Inter-Agency Task Force
INL:	Bureau of International Narcotics and Law Enforcement Affairs
ISSAT:	International Security Sector Advisory Team
JSSR:	Justice and Security Sector Reform
LGDH:	Guinea-Bissau League of Human Rights
MDG:	Millenium Development Goals
M&E:	Monitoring and Evaluation
MinJus:	Ministry of Justice of Guinea-Bissau
NGOs:	Non-Governmental Organisations
OECD-DAC:	Organisation for Economic Co-operation and Development Assistance Committee
OG4:	Outcome Group 4
OHCHR:	Office of the High Commissioner for Human Rights
PBC:	Peacebuilding Commission
PBF:	Peacebuilding Fund
PBSO:	Peacebuilding Support Office
PoP:	Public Order Police
PPR:	Project Progress Reports
RENLUV:	National Network against Child and Gender Based Violence
RoL:	Rule of Law
RoL&J:	Rule of Law and Justice
ROLS:	Renforcement de l'Etat de Droit en Guinée Bissau à travers la réforme de la justice et la sécurité
ROLSI:	Rule of Law and Security Institutions

SAB:	Bissau Autonomous Sector
SAM:	United Nations Strategic Assessment Mission
SG:	United Nations Secretary-General
SGBV:	Sexual and Gender-based Violence
SSRTF:	Security Sector Reform Task Force
STJ:	Supreme Court of Justice
SWOT:	Strengths, Weaknesses, Opportunities, and Threats
TAJ:	Technicians of Access to Justice
TRAC:	Target for Resource Assignment from the Core
UNCT:	United Nations Country Team
UNDAF:	United Nations Development Assistance Framework
UNDP:	United Nations Development Programme
UNDP CO:	United Nations Development Programme Country Office
UNFPA:	United Nations Population Fund, formerly United Nations Fund for Population Activities
UNIOGBIS:	United Nations Integrated Peacebuilding Office in Guinea-Bissau
UNODC:	United Nations Office on Drugs and Crime
UNOGBIS:	United Nations Peacebuilding Support Office in Guinea-Bissau, now replaced by UNIOGBIS
UNICEF:	United Nations Children's Fund
UNIFEM:	United Nations Development Fund for Women
UNSC:	United Nations Security Council
UN Women:	United Nations Entity for Gender Equality and the Empowerment of Women
WACI:	West Africa Coast Initiative

I. Introduction

The International Security Sector Advisory Team (ISSAT)¹ undertook a final evaluation of the Rule of Law and Justice (RoL&J) Project (2014-2016)² of the United Nations Development Programme (UNDP) in Guinea-Bissau, at the request of the Country Office (CO). The RoL&J project falls under phase II of the UNDP Global Programme for Justice, Security and Human Rights with the title *Strengthening the Rule of Law in crisis-affected and fragile situations: a UNDP global programme for justice & security (2012-2015)*, (henceforth the Global Programme RoL or simply GP/RoL). Whilst meeting corporate requirements for evaluating a project at country level, the final evaluation of the RoL&J project represented an opportunity to pilot an evaluation methodology that meets also the specific needs of ISSAT's support to the Global Programme RoL. This support involves at its core the conduct of a series of evaluations – from which the Guinea-Bissau RoL&J project is the first – with the intent to build an evidence base to better inform a range of interventions planned and conducted under the Global Programme RoL.

In light of this background the aim of the evaluation was set-out as being twofold:

- i. to meet the corporate requirements for accountability and performance appraisal of the UNDP Guinea-Bissau RoL&J project, and
- ii. to inform the design of the next phase of Guinea-Bissau RoL programming, and the implementation of Phase III of the Global Programme RoL (2016-2019) with strategic recommendations.

The focus of the evaluation is primarily placed on generating learning through looking at the contribution of the project to the rule of law and justice in Guinea-Bissau, against the background of an extremely fragile and volatile political and economic situation, cutting to the core of implementation. Hence, this report starts with a contextualisation of the project in a time of political crisis and transition challenges in Guinea-Bissau. It then presents findings organised according to the evaluation criteria, before considering how the project fared during GP/RoL Phase II. The report concludes with strategic and operational recommendations for the UNDP CO and national stakeholders, as well as for UNDP HQ.

¹ ISSAT is a division of the Geneva Centre for Democratic Control of Armed Forces (DCAF).

² The programme ran originally from 2014-2015, but was extended a further year, until the end of 2016. At the time of the present evaluation, further extension was being considered, awaiting implementation of the Joint Programme on the rule of law between the UNCT and UNIOGBIS.

II. Methodology

A comprehensive lay-out of the methodology is included in the Evaluation Plan (Annex I) prepared to guide the work, including the field mission that was carried out from 26 November to 11 December 2016. Eighty-seven (87) interviews were carried out, and the full list and agenda can be found in Annexes II and III.

a. Type and Approach

The final evaluation of the Guinea-Bissau RoL&J project is an outcome evaluation. The focus on outcomes allows for moving away from solely assessing project results against project objectives towards an assessment of how these results contribute, together with the assistance of partners, to a change in justice and security conditions.

A participatory and iterative evaluation approach was adopted by the evaluation team, through engagement with UNDP, as well as with the different state and non-state project stakeholders and beneficiaries in Guinea-Bissau, and with relevant RoL&J UN and non-UN international partners. Tailored questionnaires were developed for each group of interlocutors, and can be found in Annex IV.

Efforts were taken to balance analysis of the usually predominant capacity building institutional approach with that of service delivery. Gender and human rights lenses were mainstreamed throughout the collection and analysis of data, even if for the purposes of this report structure the analysis is condensed within the cross-cutting issues section. Context made the object of main consideration given that it affects significantly the outcomes of the RoL&J project implementation in Guinea-Bissau. This also implied looking at the project interactions with national and international actors, their mutual influence, interdependence and power relations that permeated project implementation and change management.

b. Criteria and Questions

The information gathered and analyses generated are structured according to four of the OECD-DAC evaluation criteria, also adopted by UNDP:

- Relevance
- Effectiveness
- Efficiency
- Sustainability, as well as looking at:
- Monitoring
- Comparative advantage, and
- Cross-cutting issues.

Section III of the report on Findings provides responses to detailed evaluation questions and sub-questions developed in relation to each evaluation criteria. Some of the evaluation questions feed into more than one criterion, therefore the text has been streamlined to achieve narrative fluidity and avoid unnecessary repetition.

c. Data collection methods and analysis tools

The following methods were used to collect, structure, and analyse data, allowing for triangulation of the information: Document review and analysis; Semi-structured interviews; Focus group sessions and Direct observations (especially through visits carried out to Mansoa and Canchungo).

d. Limitations

In general the country lacks data and the accuracy of existing statistics is questionable, affecting as well work in the area of rule of law and justice. This highlights the need for UNDP to incorporate own collection of primary data into its projects; the RoL&J has made efforts in this sense in previous phases through the data gathered in the pivotal works “Access to Justice Assessment in Guinea-Bissau: Regions of Cacheu and Oio and Bissau Autonomous Sector”³ and the “Customary Justice Study”⁴.

III. The Rule of Law and Justice 2014-2016

a. Rationale and intent

The RoL&J project (2014-2016) seeks to pursue two outcomes, both identified in the UNDAF + document. One is that national institutions play a role in creating a sustainable security environment, through effective and efficient justice and security provision respectful of democratic governance and human rights. The other is that the justice system provides better services and improves access from vulnerable groups. The expected output of the project, in line with UNDP Strategic Planning 2013-2014, is to serve those outcomes with institutional mechanisms and human resources.

The strategy of the RoL&J is “to adopt a people-centered approach, with strong focus on the demand side of justice”, engaging on three main areas. One is improving access to justice in local/rural communities. The second is enhancing skill and competencies of justice sector actors and institutions to capitalise on earlier investments made in institutional building.

³ “Access to Justice Assessment in Guinea-Bissau: Regions of Cacheu and Oio and Bissau Autonomous Sector”, UNDP and Ministry of Justice Guinea-Bissau, April 2011.

⁴ “Direito Costumheiro Vigente na República da Guiné-Bissau”. Faculdade de Direito de Bissau, Instituto Nacional de Estudos e Pesquisa, União Europeia/PNUD, 2011.

The third is enhancing justice sector coordination and governance. Ensuing analysis on this report will be organised along these lines of programming.

On pursuing these lines of programming, the project contemplates investing on infrastructure, including courts and staff quarters, while training magistrates (judges and prosecutors) and private lawyers at the National Judicial Training Centre (CENFOJ); support the provision of pro-bono legal assistance and representation in courts, as well as monitoring of local courts by NGOs under micro-grant schemes; and to consider mobile courts where needed. The purpose is to cluster legal aid and free legal counselling with formal courts in the pilot regions where Centres of Access to Justice (CAJ) operate, which will lead to increased donor support and engagement. The demand side of justice in the communities is sustained with awareness-raising activities and legal awareness sessions, targeting mostly vulnerable groups and traditional leaders. The RoL&J also introduces for the first time strategies of interface between formal and informal justice, including legal harmonisation in respect of human rights and tailored training for different providers.

b. The umbrella programme

From the perspective of UNDP, the RoL&J 2014-2016 is seen as the *third phase* of a continuum of interventions in justice reform in Guinea-Bissau that dates back to 2008, thus harnessing and giving coherence to a myriad of initiatives and funding arrangements over eight years (see figure 1 below). The RoL&J placed itself in the continuity of ‘Phase 1’ (*sic*) of the joint programme known as FORTES⁵, from which it inherited the two most visible outputs of UNDP support to the justice sector. These are the five CAJ operational in Mansoa (Oio Region), Canchungo (Cacheu Region), Bafata (Bafata Region), Bissau Velho and Bairro Militar - neighbourhoods of the Bissau Autonomous Sector (SAB)-and the CENFOJ. The RoL&J displays also an intention of continuity on addressing ‘the shortcomings of FORTES [which] are that so far access to justice stops at the CAJ since courts are not performing’⁶.

The overarching programme “Renforcement de l’Etat de Droit en Guinée Bissau à travers la réforme de la justice et la sécurité” (ROLS) is the first umbrella intervention supporting JSSR. It was signed in June 2008 for a two year period. The main project outcome is to strengthen the rule of law in Guinea Bissau through justice and security services more focused on citizens’ needs.⁷ While containing UNDP main interventions in rule of law in the country, it was implemented in a period where international engagement in JSSR evolved at a rapid pace. In June 2009, the Government of Guinea Bissau and several UN Agencies (UNDP,

⁵ FORTES, from the Portuguese acronym for *Strengthening Justice and Security Sector Reform in Guinea-Bissau*, originally started in May 2009 and ended in May 2013. It was a joint programme with UN Women and UNODC, funded by the MDG Achievement Fund, and with a total budget of USD 3.854,817. The UNDP was the lead agency.

⁶ RoL&J 2014-2015 project document, p.4.

⁷ ROLS 2010 Annual Progress Report.

UNIFEM, UNFPA, UNODC) approved a joint programme also targeting strengthening of justice and security sector reform, funded by Spain under the MDG Fund. The Integrated Mission started in early 2010, mandated mostly with a political role over SSR, and it was necessary to redirect, redesign and seek additional resources to support JSSR in Guinea-Bissau. After three BCPR missions, a new project document was approved in September 2010. The programme has been “revised, with significant changes in scope, structure, and size, including a stronger focus on the “demand’ side of justice”⁸. The new ROLS incorporates programmatically all the activities funded by the project of the MDG. The “people-centered orientation” of the RoL&J 2014-2016, as well as the definition of the three areas of engagement alluded to above, are directly sourced on the revised joint programme/ROLS of 2010.

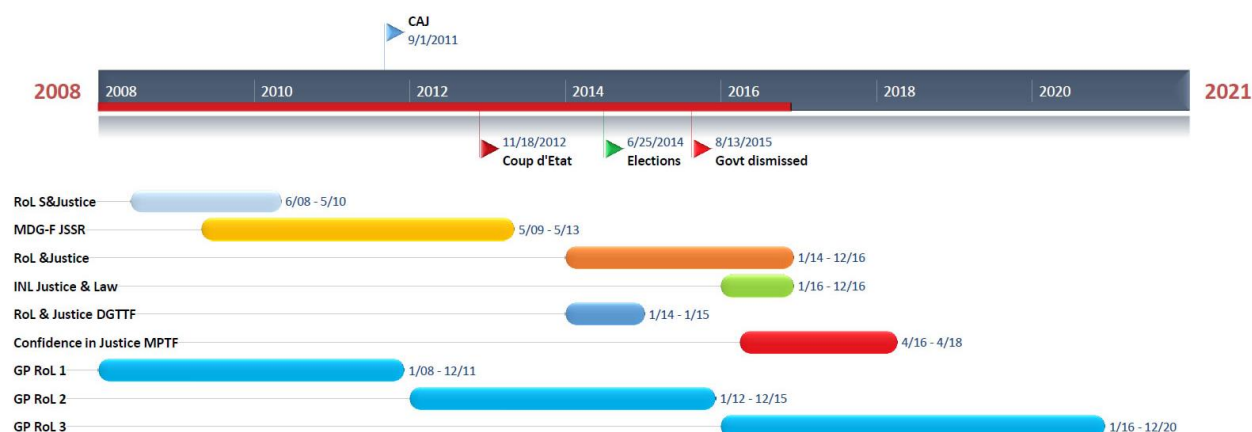


Figure 1. Timeline UNDP interventions in support of Rule of Law and Justice in Guinea-Bissau

IV. A time of crisis: context and challenges 2014-2016

a. The impact of state fragility and political instability

Support from UNDP to rule of law in Guinea-Bissau in recent years occurred in a context defined by recurrent political instability, with a string of coups and constitutional crises since 1999; and by extreme fragility and absence of the State, with persistent weaknesses in the justice system. The many dysfunctionalities of the justice system substantially shaped the design of the RoL&J; the unpredictability of politics in Guinea-Bissau strongly influenced the conditions under which the project was implemented.

Linearity on rule of law programming was repeatedly challenged and was often lost or interrupted during the period of implementation of FORTES and the RoL&J. The coup d'état

⁸ *Idem*.

of April 2012 introduced sharp discontinuities and distortions. The aftershocks of the military coup affected and hampered the RoL&J, which was never fully capable to solve a misalignment between the project's assumptions and programmatic realities, on one hand, and the evolving, if erratic, political transition during its implementation period, on the other.

This misalignment meant that the RoL&J, to a big extent, lagged always one step behind the volatile political and social context which it had to navigate, from design through to implementation and extension and onto continuity to the next project phase.

Closer attention to the RoL&J programming timeline also reveals discontinuities related to the hazardous return to democratic rule in Guinea-Bissau. The design of the RoL&J reflects the need to bridge the phasing out of the military-backed authorities (agreed upon in May 2013 but highly risky and unsecure for the following 12 months) and the prospect of a new democratically-elected government. The programmatic anchor of the RoL&J had to be sourced in the pre-coup National Justice Policy and Strategic Development Plan 2010-2015, while in practice UNDP was fully engaged on supporting the drafting of the strategic and operational documents of the newly-elected government, as well as on backing the two donor conferences held in 2015 to sustain the ambitious program of development and reforms. Towards what would be the end of the RoL&J, prospects for building on and projecting results beyond 2015 within the momentum for change were frustrated once again with the fall of the government. The political deadlock, still unsolved and testing the resilience of Guinea-Bissau's fragile democratic fabric, left again UNDP constrained to manage a programming mishap. Updated vision and priorities in justice reform, imbued with democratic legitimacy and strong national ownership, were abruptly orphaned from essential leadership to drive change, rebuild trust and secure donor commitments. The RoL&J, through the extension in 2016 and likely well into mid-2017, was thus left again with pushing for the right agenda in the wrong moment, and under adverse conditions.

Localised and often contested progress was made on the demand side (notably with the CAJ as well as the GICJU) in a context where formal justice institutions are distant from the communities, and the judiciary map appears inappropriate in light of the current realities and demands on the system.

Some of the core interventions of the project were confronted with dysfunctions and lack of complementarity within the national administration. As an example, related to the CENFOJ, eight judicial magistrates who succeeded in the exams of the second in-take career course were appointed as judicial magistrates by the Superior Council of the Judicial Magistracy, but the lack of their posting hampered service delivery. The STJ required a number of formal guarantees as to longer term salary payment, which could not be provided by the Ministry of

Finance. These magistrates have been in stand-by for two years. At the same time some community courts (Sector Tribunals) cannot function for lack of a judicial magistrate.

Structural dysfunctions are compounded by difficult institutional relations, for instance between the Supreme Court, the Attorney-General and the Ministry of Justice on a number of topics where a stalemate has been prevailing for a long time. In other instances, coordination is lacking between central and local administration, leaving potential local contributions without follow-up at ministerial level.

These problems, together with political instability, impact negatively execution and results, but also the sustainability of the project. As an illustration, no guarantees exist that the state will assume its responsibility of paying the salaries of CAJ staff, since commitments agreed upon between the ministries of Justice and Finance have to be negotiated afresh every time there is a change of government and respective ministers.

b. Gaps in UN partnership

UNSC Resolution 1876 (2009) established UNIOGBIS, succeeding UNOGBIS, with a mandate that included “[s]trengthening the capacities of national institutions in order to maintain (...) full respect for the rule of law”; “supporting national authorities to establish efficient criminal justice systems”; “[s]upporting an inclusive political dialogue and national reconciliation process; and strategic and technical support to SSR”⁹. The mandate included as well “undertaking human rights promotion” and “supporting the institutionalization of respect for the rule of law”. While underlining the importance of “effective coordination of strategies and programmes between the United Nations agencies, funds, and programmes” under UNIOGBIS, the mandate does not refer specifically to any UNDP intervention, as it does in relation to “work already undertaken by the European Union and other international actors” in SSR. In 2013, the Secretary-General (SG) suggested adjustments to the activities of the UNCT, including enhancing and scale-up its support for local governance and the rule of law, among other areas. The SG also suggested UNIOGBIS and UNDP to develop a new joint programme for police, justice and corrections “to complement each other’s comparative advantages”¹⁰.

It is recognised by all parties (UNDP, other UNCT agencies and UNIOGBIS) that a comprehensive approach to support justice and RoL was missing, with for example, important breakdowns in the continuum of the criminal justice system. Concurring statements point to major gaps in collaboration and coordination between UNDP and the Mission. There seems to be a recurrent, long-standing tension between division of labour and complementarity of effort in work and planning among the two. As an illustration of the

⁹ UN document S/RES/1876 (2009).

¹⁰ UN document S/2013/26, p.15.

difficulties to work as “One UN” in Guinea-Bissau, it has taken three years to draft and get a signed agreement for a new joint programme in the area of rule of law, and at the time of writing the programme had not yet been complemented by an operational plan.

Ultimately, the RoL&J, born of UNDP programmatic courage to keep continuity on access to justice and secure dividends on capacity building, helped to hold the ground for a robust, holistic intervention expected to start in 2017 under a joint UN programme. With limited commitment from national counterparts and facing competition and even obstruction from within the UN system, the project provides a lesson on what can be attained under similar circumstances: tangible achievements directly proportional to gaps in comprehensiveness and sustainability.

V. Findings

EQ.1 RELEVANCE

Relevance refers to the extent to which the RoL&J project adopted a policy and context-sensitive approach. It looks at the responsiveness of the project to well identified needs of communities, and the groups most affected by exclusion, violence and discrimination, in particular women and children. Also considered is whether the project has been able to adapt and learn during delivery, and to cope within a fast changing environment with challenges to the Rule of Law, Justice delivery and Gender equality.

a. Adequacy

The RoL&J is a highly relevant project in that its set outputs are suitable to the context of Guinea-Bissau and the needs of the beneficiaries, be it state institutions, communities or vulnerable groups. The three outputs foreseen, which corresponded to the main areas of intervention - 1) Access to justice and justice service delivery at the community level improved; 2) Skill and competencies of justice sector actors enhanced; 3) Justice sector coordination and governance enhanced - remained conceptually and policy appropriate throughout the duration of the project, even if at times challenged by the realities of implementation.

The project aimed to be responsive to a diagnostic of the justice sector that stressed the absence of state justice institutions beyond Bissau, the insufficiency of qualified and independent judicial operators able to provide effective justice delivery, and the shortcomings of poor governance and lack of accountability in the justice sector¹¹. It crafted a sensible strategy for addressing the identified challenges comprising logic of justice sector decentralisation and balance between service delivery and institutional strengthening, and

¹¹ Diagnóstico relativo ao Sistema da Justiça na Guiné-Bissau, UNDP RoL&J, Novembro 2013.

within this between infrastructure building and skills development. It also foresaw the need for investment in developing the effectiveness and governance of the justice sector institutions, and importantly in promoting pioneer efforts on the interface between formal and informal justice systems. To implement the strategy foresaw partnerships with other UN partners and national CSOs.

The rationale of the RoL&J was well articulated, denoting an intended logic of complementarity and mutual reinforcement between the three different components of intervention. It envisaged, for e.g. an integrated perspective of the justice sector around justice administration, contemplating a multi-institutional intervention to improve case management. Another plus was that the rationale clearly embedded learning from earlier phases of the programme, namely the need to supplement the provision of legal aid by the CAJ with the actual existence of community courts to process the cases; and building them in Mansoa and Canchungo where the CAJ have been operating for a number of years.

It was significant that beyond UNDP staff, the majority of national and international stakeholders did not establish a clear-cut difference between the RoL&J and its predecessors, denoting continuity as a positive perception of prevailing relevance. This was underscored given that the project interventions centre on structural imbalances at the level of justice access and delivery, which cannot be fully addressed within isolated three year project cycles¹².

b. Policy and Project Alignment

The RoL&J was aligned with, and envisaged a contribution to the implementation of the National Justice Policy and Strategic Development Plan 2010-2015¹³, which framed access to justice as a national priority in the sector. Furthermore, the project contributed to the development by the Government of the *National Justice Modernisation and Reform Programme (2015-2019)*, which on its turn fed thinking into the drafting of the Peace and Governance component of the *Strategic and Operational Plan of Terra Ranka 2015-2020*¹⁴, the main national development framework.

At the level of frameworks for international engagement with the country, as previously stated the RoL&J offered the most consistent contribution in the justice field to achieving

¹² Interviews 30/11/2016, 09/12/2016.

¹³ Política para o Sector da Justiça 2010-2015, Ministério da Justiça, República da Guiné-Bissau.

¹⁴ *Terra Ranka* is the name of the development plan adopted by the Government of Guinea-Bissau elected in 2014, and presented to the donors at a roundtable organised on Guinea Bissau in March 2015 in Brussels, before a new cycle of political instability settled-in. It contains a strategic pillar on peace and governance, which refers the need to strengthen the rule of law and the protection of human rights and civil liberties, as well as the requirement of a legislative reform. "Guiné-Bissau 2025 - Plano Estratégico e Operacional 2015-2020 - Terra Ranka, Sumário Executivo e Portfolio de Projectos" p.21.

outcome 4 of the UNDAF+¹⁵, and to the fulfilling of the outcomes set out in the CPD 2008-2012, subsequently extended annually until 2015.

The project envisioned coherence with the GP RoL transversal approaches on human rights and gender (besides the main programmatic component of access to justice) by

The overly optimistic mood surrounding the return of the country to democracy resulted in insufficient consideration by UNDP of the drawbacks or regressions and/ or further political splintering in the ability of the RoL&J to accomplish the outputs and outcomes established.

mainstreaming these dimensions, even if significant shortcomings emerged during implementation, as illustrated by the fact that the percentage of women assisted by the CAJ did not exceed 21.5%¹⁶. With regards to human rights, a much praised intervention of the RoL&J by interviewees was the establishment of a new CAJ in Buba¹⁷, and the launch of the process for construction of a community court in Bubaque; both institutions in the Southern Region known for prevailing human rights violations. Synergies were intended with work on human rights undertaken under another project - “Strengthening the National Capacities for the Mainstreaming of Human Rights on Politics *[sic]* and Programmes” 2013-2015 - jointly

implemented by UNDP and UNIOGBIS, even if the RoL&J faltered in consideration of human rights and gender throughout its deliverables (these limitations are developed in the effectiveness and the cross-cutting issues sections).

c. Flaws in the design and limitations

At the origin of some performance limitations by the RoL&J lies an inadequate attention paid to the design of this phase of the project, most likely taken for granted given the logic of continuity.

Earlier phases were anchored on robust assessments on the needs of the populations and vulnerable groups through pivotal works such as the “Access to Justice Assessment in Guinea-Bissau: Regions of Cacheu and Oio and Bissau Autonomous Sector”¹⁸, and the Customary Justice Study¹⁹. These were fundamental, but insufficient to inform the design of a new phase of the RoL&J, even if it also counted on input obtained from the evaluation of

¹⁵ UNDAF + Plan Cadre des Nations Unies pour l’aide au Développement de la Guinée-Bissau 2008-2012, République de Guinée-Bissau, Nations Unies, 2010.

¹⁶ GICJU, Quadro Estatístico de Setembro 2011 a Outubro 2016.

¹⁷ Expected to commence operations in early 2017.

¹⁸ “Access to Justice Assessment in Guinea-Bissau: Regions of Cacheu and Oio and Bissau Autonomous Sector”, UNDP and Ministry of Justice Guinea-Bissau, April 2011.

¹⁹ Direito Costumeiro Vigente na República da Guiné – Bissau. Faculdade de Direito de Bissau, Instituto Nacional de Estudos e Pesquisa, União Europeia/PNUD, 2011.

the predecessor project - Justice and Security Sector Reform - held at the end of 2013²⁰. Missing was the central articulation of a clear Theory of Change, which beyond expressing the specific dynamics and strategic risks of engaging in a fragile and fractured Justice sector, stated upfront the political risks, and developed robust coping mechanisms, whilst recognising their limitations²¹.

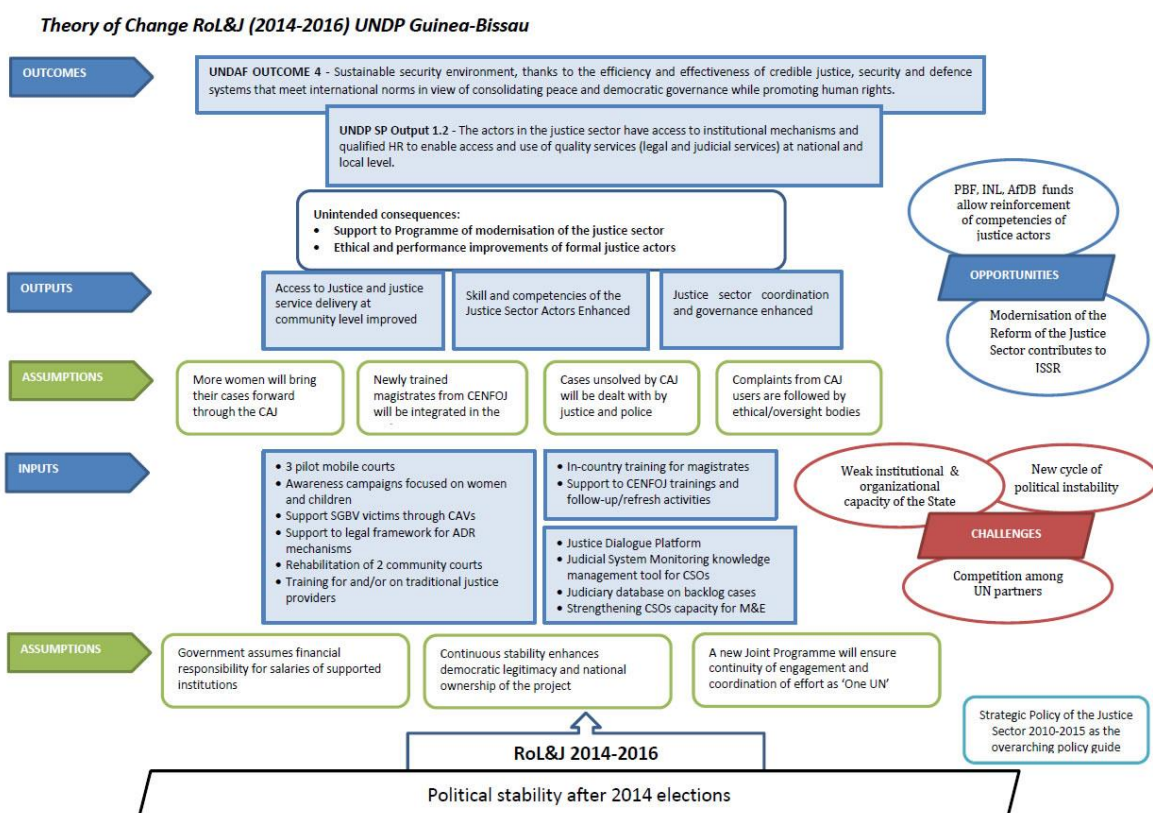


Figure 2. Abridged version of the Theory of Change reconstructed by the Evaluation Team

²⁰ Bugnion, Christian "Evaluation finale du Programme Conjoint 'Renforcement de la Justice et Réforme du Secteur de la Sécurité en Guinée-Bissau", PNUD, MDG ACHIEVEMENT FUND, Juillet 2013.

²¹ It is recognised that coping mechanisms were embedded in the project such as the choice of working through the GICJU, and keeping mid-to-senior professional leadership engaged, beyond top political decision-makers. The logic of working through decentralisation and focusing on service delivery also provided for relevant coping strategies, but all of these were put under unexpected and severe strain hampering the performance of the project.

The overly optimistic mood surrounding the return of the country to democracy resulted in insufficient consideration by UNDP of the drawbacks of regressions and/ or further political splintering in the ability of the RoL&J to accomplish the outputs and outcomes established. Whilst the comprehensiveness outlined in the rationale of the project is generally good practice, the Evaluation Team considers that it paved the way to an overambitious project, given the fragile context of Guinea-Bissau. The unfettered ambition would have been manifest, if enough consideration had been awarded to the fact that all other international partners were either refraining from/or unable to assist the justice sector in a solid manner. The only exception was UNIOGBIS which, despite willingness and mandate, did not have enough resources for in-depth and systematic interventions. Therefore, factoring-in the absent support by others to justice and security sector institutions not centrally targeted for reinforcement by the RoL&J (rightly so), but upon whose functionality the results of the project depended, the intended outcomes should have been more modest. A more circumspect assessment of the premises could have calibrated the ambition and the scope of intervention of the project, rendering it more realistic in light of the area of intervention.

A systematic process of consultations with beneficiaries of the project during the design of this particular phase would also have contributed to inform a more adjusted RoL&J in time of a national extended transition.

d. Adaptability

Despite design flaws and contextual shortcomings **the RoL&J demonstrated some adaptability even if it did not use its monitoring mechanisms to inform this process** (analysis on this has been detailed under the section on Monitoring).

Two important examples stand out. The first relates to the lack of implementation of output 3 aiming at enhanced Justice sector coordination and governance, mainly due to the difficult political and tense relations between justice sector institutions. This lack of execution was supplanted by an unforeseen component of work that emerged in 2014, and which comprised assistance to the government in the development of a National Justice Modernisation and Reform *Programme* (2015-2019)²². This document was framed as an axis of implementation of the National Justice Policy and Strategic Development Plan 2010-2015, and this engagement represented an opportunity seized by UNDP to influence the placing of

²² The Programme of Justice Reform (2015-2019) lays out a diagnosis of the justice sector, and a strategy around the following areas: 1) a more independent and transparent justice system; 2) a more effective justice system in combating impunity; 3) the reinforcement of material and human capacities; 4) legislative reforms; 5) access to law and justice. Developed through an extensive process of interviews and consultations with both state and non-state actors, this document was seen as a good foundation for justice reforms going forward. However, important shortcomings existed in that the STJ did not validate the final product, implying that ownership will have to be strengthened with further negotiations and adjustments, and reinforced throughout implementation. In addition, realistic short, medium and long-term priorities need to be set-up, as the document rated most activities as high priority or very high priority, rendering this categorisation unrealistic and impracticable, in light of the budgetary frailness of the country.

justice reforms centrally in the agenda of the then new (and willing)) government. It allowed the framing of justice reforms within a comprehensive approach, building complementarity between the different components, and importantly incorporating aspects of governance and accountability of the sector into national policy²³.

To complement this effort a subsidiary project was created by UNDP to support implementation of the policy in 2016, but this was barely realised given the continued political instability and swift government rotations, including of Ministers of Justice. Several areas of work listed under the coordination and governance component of the RoL&J would now take place under the umbrella of implementation of the *Programme*. The National Justice Modernisation and Reform *Programme* (2015-2019) includes the functioning of a steering committee that provides an opportunity for consultation and coordination between all justice sector actors, and the UNDP implementation project succeeded in convening such group recently, after a long inoperative period.

The second example of adaptability has been the decision to halt efforts to implement the establishment of mobile courts, after confronting stark resistance from the judiciary upon the production of a draft project law by a consultant. Whilst the Evaluation Team thinks this could be a relevant solution to make-up for the lack of reach of the formal justice system to several parts of the country, it was wise not to invest resources in pursuing this activity. Monitoring of the environment should continue to identify openings for discussion of alternative modalities of taking justice system services to the populations without involving the building of infrastructure.

Providing continuity in support to the justice sector, in difficult political circumstances and an adverse institutional context, mitigated the loss of the gains made in earlier phases, and maintained the pillars established for access to justice and rule of law. UNDP should therefore be credited for venturing capital and taking risks at a time when no other international partner engaged in the justice sector, but it should also integrate the lessons in order to improve the upcoming phase of the project.

²³ This engagement is not without risks as it is unknown where the upcoming governments are going to own this policy. A considerable level of commitment could be verified by the Evaluation team at the level of the MinJust, but the policy is still contested by the STJ, indicating need for continued UNDP direct engagement with this institution to find middle-ground for implementation.

EQ.2 EFFECTIVENESS

Effectiveness refers to the extent to which the project contributed towards its planned outcomes. This is done through looking at the degree to which it contributed to improve access to justice in local and/or rural communities, a more effective justice service delivery at community level, and enhanced justice sector coordination and governance.

The RoL&J achieved bounded effectiveness. Between the three components of the project the best performing in terms of effectiveness is that related to the Enhancement of Justice Sector Actors' Skills and Competencies. The component on Improved Access to Justice is problematic given that its results are much more reliant on a complex web of institutional interlinkages that characterise the Justice system, and exposed to important contextual strategic risks described in Section IV. The third component contributing to an Enhanced Justice Sector Coordination and Governance was not implemented as designed, as was discussed above.

The Evaluation Team conducted a review of the activities and products achieved in the course of implementation (detailed in Annex V), so as to understand the extent to which they contributed to the planned outcomes. The level of execution is low, indicating a more limited contribution to outcomes than set out in the project design.

This table summarizes the level of execution of activities, prior to the analysis on the project components.

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ACTIVITIES	IMPLEMENTED	NOT IMPLEMENTED	PARTIALLY IMPLEMENTED
Total: 40	9	22	9

a. Contribution to Improved Access to Justice in Local/Rural Communities

The project was successful in maintaining the CAJ, and through it in rendering justice more inclusive of poor people and vulnerable groups, by ensuring provision of free legal information, orientation and justice case accompaniment. This was reinforced by the issuing of certificates of indigence which exempted poor people from paying judicial charges at the regional courts²⁴. In addition, the practice of the TAJ to travel to the Sectors²⁵ to meet and

²⁴ This is not without contestation given that the emission of such certificates reduces the income of the Courts. In addition, the concession of exemption used to be the prerogative of the judges until a new law transferred this competence to the CAJ, given that the Court exemption entailed a complex process accompanied by substantive

provide legal assistance to people locally, albeit with limitations, is a significant contribution to bring the justice system closer to the population.

Highlighted across the board was the importance of the visits to prisons undertaken by the TAJ to assist the police review cases, and release illegally detained prisoners, helping to decongest the prisons and reduce pre-trial detention. This interaction was also recognised by both the TAJ and the Police as having created positive institutional collaboration over the years.

Another critical recognition of the contribution of the RoL&J, relates to the awareness raising campaigns carried out on issues of access to justice, human rights and gender equality. Their wide reach and inclusiveness was valued, given the involvement of the *comités de estado*, chiefs of the *tabancas*, traditional and religious authorities, CSOs and CBOs, and other state institutions, besides the communities. There was a general understanding that the awareness raising campaigns resulted in a) higher awareness of the populations with regards to their rights and encouragement to denounce malpractice and crimes and; b) built-up knowledge around the fact that

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citizens can solve their conflicts in formal justice institutions. This was looked at as a contribution to develop the trust of the populations in the formal justice institutions, given the feeble presence of the state beyond regional capitals²⁶. However, this component was hampered by restrictions in implementation as discussed further below.

The project was also effective in the preparations for the opening of a new CAJ in Buba, expected in early 2017. The groundwork comprised rehabilitation of premises, training of new TAJ, and undertaking of awareness raising campaigns in the last quarter of 2016 in Quinara and Tombali, which were executed by the Guinea-Bissau League of Human Rights (LGDH).

expenses for the poor. Given the tensions surrounding the award of certificates of indigence, in Canchungo for instance, the CAJ stopped emitting them altogether, resulting in a disincentive for citizens to use the court system. This highlights that a thorough discussion needs to be held with regards to the criteria, and real capacity to make a solid assessment of indigence.

²⁵ One level below regional capitals within the administrative structure.

²⁶ There was also anecdotal mention that some traditional leaders are no longer prone to abuse of human rights, but this is likely to be a combined result of several CSO campaigns funded by different projects/donors over time, and written records or metrics are inexistent. In addition, human rights abuses appear to vary significantly from region to region, according to the depth of ingrained cultural resistances, but also the degree of exposure to the sensitisation campaigns.

Two unintended but positive outcomes deriving from the presence and activity of the CAJ were:

- i. The dissuasive effect to practices of undue collection of fees and payments by the Police and the Court staff in the cases accompanied by the CAJ. In those, the police and court clerks were refraining from malpractice given the successful intervention of the TAJ in having them return the amounts illegally collected, or paid in excess in previous instances.
- ii. An improved procedural and substantive performance by the attorney general delegates and the judges in certain cases, given the heightened awareness that other legal professionals were scrutinising their work. In addition, the TAJ adopted the practice of supporting the citizens to report unethical and illicit conduct by the delegates of the Attorney General Office and by the judges to the respective hierarchies²⁷.

Finally, **the contribution to improved access to justice by local communities was materialised through the construction of community courts in Mansoa and Canchungo, in logic of complementarity, given the well established presence of the CAJ in these locations.** This is despite the fact that UNDP is not encouraged to engage in construction due to the complexity of construction contracts procurement and management. Yet, the effort paid off since, even if unintended, this resulted in mitigation of the incessant pressure by all justice system institutions that priority should be awarded to building their infrastructure, and the perceived notion by the Supreme Court of Justice (STJ) that UNDP was only supportive of the Ministry of Justice, instead of the overall justice institutions.

²⁷ The comeback to the complaints has been poor, with slightly better response from the Attorney General's Office in adopting corrective measures, although this also varied in time, and depended on the posture of the incumbent leadership. The lack or deficiency of professionalised inspections within the magistracies compounds these challenges.

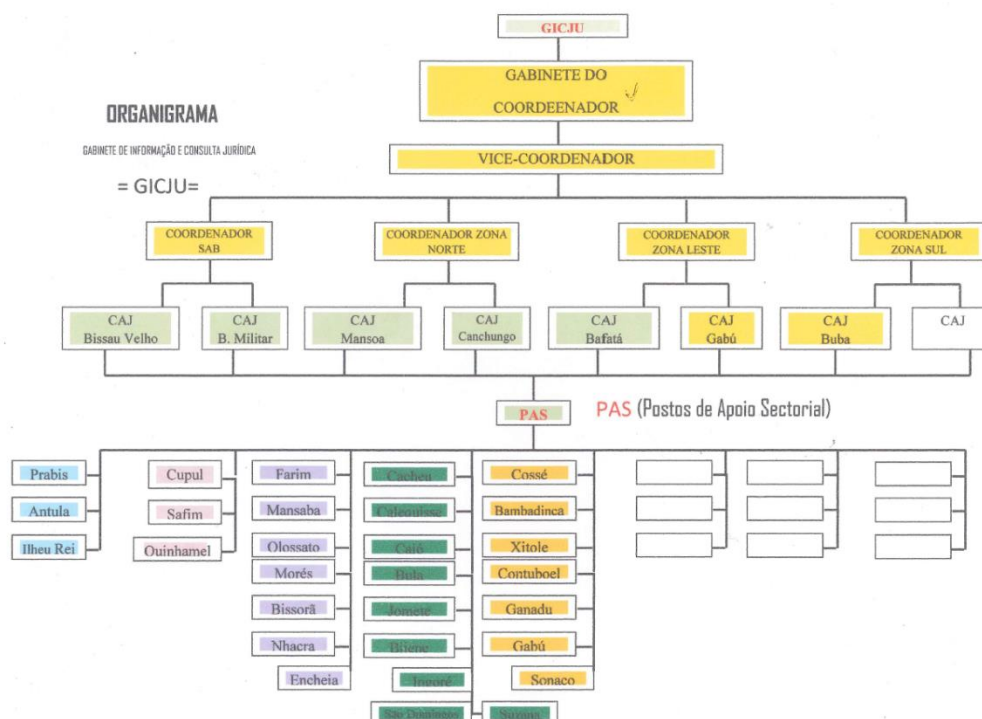


Figure 3. Organogram of the GICJU/CAJ

Despite the achievements described above, the expected result from improved access to justice was limited by a number of factors, from which the following stand-out:

➤ **Hampered representation of CAJ Users in Court**

The absence of attorneys-at-law in the project is a serious limitation to access to justice, given that the TAJ are limited in the number (and complexity) of juridical acts that they can complete, and cannot represent CAJ users before a Regional Court. CAJ users who are usually indigent cannot afford to pay an attorney-at-law, and sometimes end up dropping the case after obtaining initial legal information from the CAJ, and when mediation is not an option. This limitation is recognised by the project which foresaw a partnership with the Bar Association to offer free intervention of an attorney-at-law whenever justified, and following an initial consultation with a TAJ. Yet, this partnership was not implemented given the limitations of the Bar Association performance in a pilot phase which lasted three months in 2013²⁸. Beyond the partnership with the Bar Association in the context of the project, the wider issue of representation is well acknowledged by national authorities. The GICJU has

²⁸ The information gathered by the Evaluation Team revealed that bureaucracy at the Bar Association delayed the timely appointment of attorneys-at-law. In addition, those appointed by the Bar Association did not follow-up on cases, especially when they occurred in the regions, as the limited fees they received (100.000 CFA/lawyer) did not constitute enough incentive. The Evaluation Team did not have the opportunity to interview representatives from the Bar Association to corroborate the information collected in other interviews.

prepared a draft decree, already submitted to the Council of Ministers, and which amends its statutes to become a Public Defenders' Office²⁹.

➤ **Discontinuity of Awareness Raising Campaigns**

The RoL&J planned and delivered awareness raising campaigns represented an effective contribution to people's awareness about their rights and to bring a human rights dimension to justice service delivery at the community level. The limitation stems from the discontinuation of the campaigns at the end of 2014, due to the inability of the implementing partner - the LGDH - to monitor its own performance (e.g. measuring the audience of radio programmes), and to UNDP budgetary shortages.

The implementation of the awareness raising campaigns as one-off activities, in a context where regularity was advisable in light of the low educational levels and the ingrained cultural resistances to many of the principles and practices introduced around human rights and gender equality was adverse to effectiveness. This was hindered given the centrality of the campaigns to inform and educate citizens in remote areas, especially women who are key targets of the project, and customary authorities who deliver justice in such places, and who benefited from information on the scope and boundaries of their jurisdiction.

With regards to women, and in particular in the context of SGBV and FGM, effectiveness was also curtailed due to lack of direct partnerships with specialised gender and children's rights CSOs, such as for e.g. those belonging to the RENLUV network³⁰, and due to ingrained cultural resistance by women. The results are striking in that the percentage of women users of the CAJ did not exceed 21.5%, with only 1830 women being assisted in comparison to 6636 men from September 2011 to October 2016³¹.

In the end, the halt of the awareness raising campaigns reduced the outreach of the CAJ given that the TAJ do not have the expertise and ability to deal with all organisational/logistical aspects of big campaigns. Also, it is the LGDH that has the networks of CBOs whose activists are present in the *tabancas*, and who informed and organised the populations to meet the TAJ in the planned dates of their visits to the Sectoral Service Points. The activists of the LGDH never stopped referring serious cases to the CAJ, in particular those beyond the remit of the traditional authorities, but the interaction of the

²⁹ Upon approval some attorneys-at-law would be recruited as Public Defenders and affected to the CAJ. The TAJ would first provide information and counsel to users, and if required, the latter would subsequently be represented in court by the Public Defender.

³⁰ RENLUV is a network of organisations that works to tackle gender and child-based violence in Guinea Bissau. The choice of partnership with the LGDH was also driven by the fact that the LGDH is an active member of the network of organisations that comprises the *Casa dos Direitos* "House of Rights". Whilst this means that all network members (including RENLUV) are informed of the projects, etc, it does not necessarily mean that all engage in every project implementation, unless specified in a given contract.

³¹ GICJU, Quadro Estatístico de Setembro 2011 a Outubro 2016.

CAJ with populations and customary authorities in remote communities has been negatively affected, hampering people's access to justice.

➤ **Lack of Institutionalisation of Mediation Services**

The RoL&J entails the provision of legal information and assistance by the CAJ to its users, but also includes the delivery of mediation services on civil matters, whenever adequate. The utility of the latter was highlighted for being faster, inexpensive and of a conciliatory nature by many interviewees, but was highly questioned by the formal justice system institutions, despite its relevance for the populations. The contestation is clearly illustrated by the Courts refusal to homologate the agreements brokered by the CAJ, and which amount to circa 10% cases handled by the TAJ³². This is problematic in the sense that the settlements lack enforceability, therefore being solely dependent on goodwill, and at risk of becoming void should any of the parties decide to denounce the agreement. There is currently no legal basis for homologation of the agreements by the Courts, which is provided for in the draft decree submitted by the GICJU to the Council of Ministers for its transformation into a Public Defenders' Office. The resistance of the formal justice system institutions to any type of out-of-court conflict resolution mechanism is telling by the fact that the bill on penal mediation remains in a draft stage since 2013. This state-of-affairs constrains a more effective justice delivery for the communities, and forms of addressing the schism should be contemplated in the design of the upcoming RoL&J.

b. **Skill and competencies of justice sector actors enhanced**

The project has maintained the CENFOJ financially, and the latter has been effective in the training of magistrates and judicial staff. This component of the RoL&J was successful in meeting two important targets, namely judges and prosecutors *stagiaires* trained by the CENFOJ have successfully completed their probation period, and those that participated in the two in-take career courses organised by the CENFOJ were newly appointed as career magistrates.

The preservation of the CENFOJ is considered good practice by the Evaluation Team insofar as it allows Guinea-Bissau to develop its own capacities to train legal and judicial staff in-country, in contrast to a recent past when justice sector professionals were sent to Portugal for initial training.

³² There is no data to attest to the quantity of agreements that were followed through or decreed by one of the parties after the CAJ mediation. Legal enforceability is important, but the onus of facing cumbersome formal justice systems to obtain resolution of problems acts as a deterrent for those parties that might consider denouncing the agreement. In addition, cultural elements also factor-in and a certain pressure of communitarian ethics on "respect for the word given" might play an important role in the observance of the agreements.

An additional good practice is that **the thematic trainings carried out by the CENFOJ for magistrates are also inclusive of law enforcement personnel (PoP, GN, Judiciary Police, and Prison Guards), promoting trust, knowledge of each other's competences and limits, and improvement of coordination at an operational level.**

Yet, a number of factors limited the effectiveness of the CENFOJ, from which the following are highlighted:

- i. The curricula adopted by the CENFOJ for the initial trainings of magistrates require revision and updating to maintain adequacy in light of the country's evolving realities and legal challenges.
- ii. The quality of the refresher courses was questioned by senior magistrates, given that these trainings are mostly delivered by their (sometimes junior) peers whom they consider inexperienced. Delivery by foreign magistrates from countries with comparable socio-cultural and development levels, but with longer exposure to similar challenges and solutions was considered important.
- iii. Insufficiency of short courses focused on the implementation and challenges emerging from new national legislation, and directly applicable supra-national legislation despite relevance for their daily work responsibilities.
- iv. The diversification of funding sources by UNDP to finance trainings - praised by interviewees due to the opportunity to benefit from courses on highly specialised topics – had been introducing a donor-driven preponderance in which the supply side was distorting the priorities of the demand.

The CENFOJ is at a juncture where its effectiveness deserves an investment from the upcoming RoL&J project; a specific and detailed assessment of its achievements and shortcomings will be central to informing sustained relevance and improvement of its deliverables going forward.

c. Contribution to Enhanced Justice Sector Coordination and Governance

None of the foreseen activities that would have enabled better coordination and governance of the sector has taken place, mostly due to the obstacles of political instability, and consequential rotation of the leadership of the sector, with the exception of the Supreme Court. In addition, these activities were barred from taking effect by the existing tension amongst the members of the National Council for Judicial Coordination (Conselho Nacional de Coordenação Judiciária), which never met from 2014-2016.

The shortcomings in this area also represented a bottleneck to effectiveness given that some of its activities would have complemented the work done in access to justice and enhancement of skills and competences in the justice sector. For e.g. in spite of the fact that professionalisation of judicial staff and support staff was improved by the project through theoretical courses at the CENFOJ, bad practices remain due to the shortcomings of judicial inspection services. Undue charging of costs from citizens by the magistrates and other judicial staff continue to undermine the credibility of the court system.

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As stated in the section on relevance, the RoL&J effectively tried to compensate for these gaps by supporting the development of the National Justice Modernisation and Reform *Programme* (2015-2019). Important dimensions of coordination and governance of and within the justice system are now contemplated via implementation of the *Programme*. Nonetheless, some important oversight dimensions, such as that to be played by non-statutory institutions such as the CSO and the media are likely not to receive sufficient attention in that context due to the competing priorities. The RoL&J should therefore carve out space for specific support to these areas, including to activities related to the interface between formal and informal justice.

EQ.3 EFFICIENCY

Efficiency looks at the extent to which the project is maximising its contribution to the outcomes, with a view to assess whether the results of the project and the benefits attained by local people and State justice institutions were proportional to the efforts invested. It also analyses the adequacy of the project organisation and structure, as well as whether there has been consideration of alternative models of implementation conducive to improved efficiency.

The RoL&J is under direct implementation of UNDP, and the Financial Overview of the project reveals a mixed origin of funds as follows: Global Programme for Rule of Law in crisis affected and fragile situations/BPPS in 2014; TRAC (core UNDP funds) and Global Programme for Rule of Law in crisis affected and fragile situations/BPPS in 2015; and TRAC, Global Programme for Rule of Law in crisis affected and fragile situations/BPPS and INL in 2016. On 5 December 2016, 85.2% of the available funds of 3.465.579 USD were spent, representing a total expenditure of 2.951.598 USD³³. A review of the ‘Summary of Total Expenditures’ shows the following allocation of funds: UNDP local staff (6%), UNDP international staff (7%), CAJ staff costs (14%), Infrastructure (6%), CENFOJ staff costs (4%), internet service costs for CAJ and CENFOJ (2%) and “Other Programme Costs” (62%)³⁴. The breakdown of the latter costs -presumed to be operational costs³⁵ - was not provided to the evaluation team limiting the ability to judge efficiency. This prevented a basic assessment of the volume of resources dedicated to each component of the project, in turn impacting negatively the ability to verify if priorities were followed through, or if adjustments were required during implementation. The inexistence of breakdown and systematised data represents a flaw from the point of view of resource management, and more importantly, it prevented the evaluation team from assessing whether and how the project should reassign resources to the different components in its upcoming phase.

³³ UNDP, Financial Overview - Rule of Law and Justice Project 00089163 2014-2016 (prepared by Taino MONTEIRO). Data are from 2014 up to 5 December 2016, date on which financial data were communicated to the Team.

³⁴ Idem.

³⁵ The information provided allowed nonetheless to verify that the operational expenses of the CAJ dropped substantially in 2014 and 2015. This correlates with the discontinuation of the contract with the LGDH (December 2014) and with the three Legal Aid Experts in the CAJ Canchungo, CAJ Mansoa and CAJ Bafata in June 2015, as well as with the three UNVs and drivers’ attached to these CAJ in December 2015. The MinJus initiative to assume responsibility for the management of the CAJ in the future motivated the termination of UNDP contracts with these staff; however this obligation was not assumed.

Measuring whether the benefits of the project attained by local people and State justice institutions are proportional to the efforts invested is problematic. Despite being results-oriented, the project did not invest in developing baseline surveys at the onset of the implementation period, so as to guide the identification of improvements at its closure.

Having a measurement basis is essential, especially when at stake are ambitious changes such as improved consciousness of their rights by the population, improved access to justice of vulnerable groups and improved human rights/gender situation. An overreliance on the fact that the study “Access to Justice Assessment in Guinea-Bissau: Regions of Cacheu and Oio and Bissau Autonomous Sector”³⁶ provided a baseline, prevented an appraisal to ascertain whether further data basis was required to effectively and systematically measure variations across time.

Against this background, and resorting to a verification of activity implementation (see Table of Activities in Annex V), it is concluded that execution rate has been low. As previously stated the entire project component related to Output 3 was not implemented. In addition, statistics confirm a significant drop in CAJ users in 2016, especially in the regions³⁷. In the first quarter of 2016 only 147 users were assisted in the CAJ Mansoa, Canchungo and Bafata, compared to 341 users during the same period in 2015. The downward trend continued in the second quarter of 2016, during which only 144 users were assisted in the three regions, compared to 304 during the same period in 2015. And in the third quarter of 2016, only 196 users were assisted, compared to 286 during the same period in 2015. In the CAJ Mansoa for instance, no more than 9 users per month were assisted in March and in April 2016³⁸.

Overall the poor results of the project can be attributed to the political and institutional stalemates, combined with the obstacles identified in the section on Effectiveness. The lack of maximisation of impact, in particular with regards to the CAJ, is strongly correlated with the discontinuation of the awareness raising campaigns, the shortcomings concerning representation of CAJ users in the Courts, and the restrictions in the working conditions of

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³⁶ “Access to Justice Assessment in Guinea-Bissau: Regions of Cacheu and Oio and Bissau Autonomous Sector”, UNDP and Ministry of Justice Guinea-Bissau, April 2011.

³⁷ GICJU Statistics: ‘Acumulativos de Utentes’ (sheet entitled « Acumulado »). See Annex VI.

³⁸ The significant drop in users in 2016 in comparison to previous years could be explained by the fact that the three regional CAJ remained without vehicles from December 2015 to July 2016 included.

the TAJ, both in Bissau and in the Regions³⁹. Important limitations to efficiency also derived from the lacking partnerships with other international actors, as detailed below in the section on UN-wide Initiatives. In addition, the poor results are a consequence of deficient follow-up at the level of UNDP. This derives from the structure and staffing model of the project as analysed subsequently. Hence, thus far these elements lead to the conclusion that the project has fared low on Efficiency, considering the proportion of investment.

a. Project Organisation Structure and Alternative models of Implementation

The project structure requires adjustments in order to respond adequately to the demanding needs of implementation.

The project has a Steering Committee comprised by representatives from the Ministry of Justice, the Supreme Court, the Attorney General Office, and the UNDP Resident Representative/ Deputy Resident Representative, which provides strategic guidance.

The implementation of the 'Access to Justice' component of the Project was ensured in liaison with the GICJU that coordinates the CAJ, and was also meant to involve CSOs and the Bar Association. The implementation of the capacity development component of the programme was ensured in liaison with the CENFOJ. Both the CAJ and the CENFOJ are under the supervisory authority of the MinJus, and it was in straight collaboration with the latter that the component on justice sector coordination and governance would have been implemented, had there been continuity in the leadership of the MinJus and good institutional relations with the remaining Justice institutions.

The staffing structure of the RoL&J was subjected to considerable change during the implementation period. Initially and until May 2015, an international staff member managed the Project as Project Manager/Access to Justice Coordinator/Advisor. A National Legal Expert carried out implementation with support from one Programme Associate and one Administrative and Finance Assistant.

With the departure of the international staff member, the senior management of the CO decided that the National Legal Expert should become the Programme Manager, and this took effect from June 2015 onwards. This decision reflected the choice to use national staff for programme management (in a logic that favours ownership) and international expertise for technical assistance. In this context one position of Chief Technical Advisor (CTA) was

³⁹ In interviews carried out complaints emerged recurrently about the slowness of UNDP in responding to requests related to transportation and fuel, for e.g. hampering the TAJ ability to sufficiently travel to the 'Sectoral Service Points' located in remote areas. UNDP counter argues with the need for the CAJ to adequately plan for their needs in a timely manner.

Other issues raised were the absence of reimbursement of taxi costs for professional transportation of the TAJ in Bissau, the lack of a library and of provision of legal documentation, the lack of training subsequently to the initial course provided after recruitment, and slow internet.

created, but never filled. Difficulties were experienced in finding appropriate candidates; the profile requires as much technical and management capacity, as skills for coordination and political facilitation. Interviewees highlighted the filling of this position as essential to steer the pace of the work and guarantee quality control, given that the advisor ought to be co-located in the MinJus⁴⁰. This shortcoming contributed to making translation of the strategic vision of the project onto day-to-day implementation more challenging, even if the project was placed under the Governance Unit, which was supervised by a Governance CTA who provided some support in terms of strategic direction of the project. It was also noticed that recently the National Programme Manager of the RoL&J has also been appointed as Coordinator of the Governance Unit, a task which takes-up around 35% of his work time⁴¹.

These changes left the Programme Manager only with support from a Programme Associate who also has administrative and financial responsibilities, to deal with national authorities, implementing staff and implementing partners, mobilization of funds, the search for complementarities with other donors/organisations, and monitoring and reporting. The work also entails dealing with all issues related to a potential extension of the project, and the design of a new one, as well as a close follow up and robust support to the implementing teams.

Despite the positive attempt at adapting the project structure mid-way, if efficiency is to be improved in the upcoming phase, then the project organisation structure has to be seriously revised, contemplating reinforcement of the project management team.

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⁴⁰ Interviews 28/11/2016, 29/12/2016.

⁴¹ Interview 28/11/2016.



EQ.4 SUSTAINABILITY

Sustainability considers the extent to which the outcomes or the progress achieved is likely to endure beyond the duration of the project. It looks at whether the project design considered the handing-over of responsibilities to nationals, and to the likelihood of local stakeholders institutionalising and continuing project achievements after external funding ceases.

The assumption by UNDP that national authorities would gradually assume financial responsibility for the maintenance of the institutions funded by the project proved unfeasible given the reinstatement of political instability, after a period of hopeful political

The assumption by UNDP that national authorities would gradually assume financial responsibility for the maintenance of the institutions funded by the project proved unfeasible given the reinstatement of political instability, after a period of hopeful political and economic recovery in the aftermath of the 2014 elections.

and economic recovery in the aftermath of the 2014 elections. **The project has made conscious choices to support institutions geared to deliver justice closer to the citizen, to actively involve decision-makers at the regional and local levels, and to engage mid-level managers at the national level justice institutions, in an effort to build resilience.**

From a medium-term perspective, UNDP initiatives in support of the justice sector successfully achieved resilience and adaptation phase after phase, insofar as this area of intervention subsisted throughout difficult periods of military and political instability, as well as of lack of donor funding. **At a time when international partners and funders were on the retreat (from 2012 onwards), the Global Programme for Rule of Law in crisis affected and fragile situations/BCPR made an important capital risk venture to continue support to justice in Guinea-Bissau, and when this funding became**

problematic (from 2014 onwards), the Country Office used core funding to maintain the RoL&J project ongoing, to avoid losing all previous investment. These adjustments allowed UNDP to consolidate its position as a leader on rule of law and justice support in the country, and as a solid and long-standing interlocutor for the Government and international partners alike, as demonstrated from the ability to attract new funding from interest-renewed donors such as the AfDB, the PBF and the USA.

The RoL&J has consistently planned for hand-over of responsibility to the national state authorities, but it has faced noticeable longer-term limitations. This is attested by the fact that from the start the Ministry of Justice acted as a contracting authority of the staff from

the GICJU, CAJ and CENFOJ, and these were never assumed as direct posts of the UNDP CO. The intention from the state to integrate them into its structure was also indicated by the salary equalization of the TAJ to judges of law (of up to three years' experience), and of its administrative staff to the court clerks. In addition, the clear plan to incrementally hand-over financial responsibility to the state, is confirmed by the study prepared by UNDP overseeing the investment made in the CAJs, and detailing their operational costs to serve as a baseline support to the Ministry of Justice to better manage the CAJ in the future⁴². Also, the Ministry of Justice had agreed to take-over the payment of CAJ staff at the end of 2015, after having secured agreement with the Ministry of Finance to start salary payments within the 2016 state budget. However, the budget failed approval by the parliament, and the government fell again, meaning that the Ministry of Justice will have to start these negotiations from afresh with the incoming leadership at the Ministry of Finances. Hence, no guarantees exist that the state will assume its responsibility with the CAJ and the CENFOJ, since the impending Government will be faced with several competing commitments and urgencies, and the justice sector might not be prioritised within a state of financial emergency.

This outlook is however tempered by the fact that there is an evolving and strengthening notion of ownership over the CAJ and the CENFOJ by nationals, including representatives of the justice system institutions, which now see as indispensable that the state assumes, at a minimum, the salaries of the staff⁴³. Successive governments (since 2014) have been increasingly aware of the importance of the services rendered by these institutions, but this has not been enough, so further advocacy is required on behalf of the RoL&J sponsored initiatives. The political stability to test if ownership of intentions, ideas and institutions translates into allocation of resources has not yet materialised. This, however, is not any different in other development areas, since at the time of writing the country is trapped without a budget, and with few sources of income.

⁴² Operational Expenses of Five Access to Justice Centres in Guinea-Bissau (2012-2015), Rule of Law, Justice and Security in Guinea-Bissau, UNDP, July 2016, p.10.

⁴³ Interviews 29/12/2012, 06/12/2012, 02/12/2012.



EQ.5 MONITORING

Monitoring examines the extent to which the project built and maintained a monitoring framework as a mechanism of accountability, and a learning tool to inform ongoing and future programming. It looks at whether the project had good monitoring indicators assessing its progress towards outcomes, and to assess the quality of the monitoring practice.

The UNDP internal Monitoring and Evaluation Framework adopted by the RoL&J is robust and its incorporation into the project highlights good practice. The design includes clear indicators, with baselines and targets. The selected indicators are SMART (Specific, Measurable, Achievable, Relevant, Time-bound) and adapted to the Bissau-Guinean context where few statistics exist. Generally targets set are realistic although some require improvement⁴⁴, and per year, indicators, baselines and targets corresponding to each of the three Outputs are adapted in the Work Plan (see Review of Indicators in Annex VI).

However, despite the strong framework, the quality of monitoring practice requires significant improvement. With regards to following of monitoring procedures some results information was inserted into ATLAS, the internal UNDP database for projects. Yet, this was in contrast with a broad failure to follow the project cycle procedures described in the RoL&J design:

Despite the strong framework, the quality of monitoring practice requires significant improvement.

- 1) No **Quality Assessment** was produced, recording progress towards the completion of key results, and **Issue** and **Risk** Logs are regularly updated.
- 2) **Project Progress Reports** (PPR) were submitted by the Project Manager to the Project Board, keeping track of the completion of key results.
- 3) The project **Lesson-learned Log** was not activated and updated to ensure the preparation of the **Lessons-learned Report** at the end of the project.
- 4) Key management actions/events were not reported in a **Monitoring Schedule Plan**. This Plan was established at the onset of the project, but not implemented.
- 5) The **Annual Review Report** was not prepared and used as the basis for an **Annual Project Review**, due in the fourth quarter of the year by the Project Board. The objective is to assess project performance towards outputs/outcomes, and appraise the Annual Work Plan for the following year. In the last year of the project, this review becomes a final assessment.

⁴⁴ Some targets are likely to require a revision, since they may lead to misleading conclusions; for e.g. the magistrates' completion of probation period and subsequent appointment need to be complemented with data on their posting and corresponding salary payment.

From the above, Project Progress Reports were prepared regularly, but those examined by the Evaluation Team were considered very general and did not keep track of the progress of specific activities, neither of results on gender, human rights and interaction with informal justice actors. They were disconnected from reality and provided an overly optimistic view of the functioning of the project. Some of the problems and operational level challenges that were observed during the field visits carried out by the Evaluation Team were not reflected in these reports⁴⁵.

Despite weak practice by UNDP on internal project monitoring, the RoL&J had been promoting good practice with regards to data collection and regular reporting by project beneficiaries such as the CAJ and the CENFOJ.

On specific indicators, Output 1 “Access to Justice and Justice Service delivery at the community level improved”, it is noticeable that the indicator 1 “Number of beneficiaries (disaggregated by gender) that recur to Legal Aid services provided by the CAJs” has remained unchanged in 2016. Nonetheless, in 2016 a disaggregation by gender was no longer included in the indicator, baseline or target, revealing that a minimum percentage of women beneficiaries ceased to be a target. The evaluation team considers that this was an ill-thought-out decision and that gender disaggregated data corresponds to a vital indicator that needs to be maintained, not least because gender is a central dimension of the approach adopted by the project, and by the UNDP GP RoL.

In addition, the project lacks baseline data to measure some of its important intents such as for e.g. to increase the demand of justice in the communities through the undertaking of awareness raising activities⁴⁶. No metrics were developed to measure this, even at the level of assessing if communities had increased the number of complaints to the traditional authorities, the CAJ, the Police and the Courts after awareness raising campaigns. The information gathered through interviews points in this direction, but it is solely based on individual perceptions.

⁴⁵ For instance, in the January-March 2016 report, it is mentioned that CAJ will as of now take advantage of the network of local NGOs that work directly with populations, to promote exchanges of information and increase the number of women and children users of the CAJ, which reportedly would allow for a better follow up of cases of SGBV. This expectation was somewhat optimistic, considering that the awareness raising campaigns had not resumed and that interviews revealed that the collaboration with NGOs often does not go beyond a punctual collaboration, in the absence of strategy or funds. In the Annual report 2015, tensions are mentioned between the CAJ and other institutions, but it is said that concertation seminars between different actors were promoted as a way to alleviate these; these seminars were not mentioned by the TAJ. Further, it is said that the CAJ staff were transferred to the MinJust with a status of civil servants, increasing ownership of activities and take-over of operational costs by the MinJust. However, this did not happen. In the same Annual report 2015, an agreement between UNDP and the Observatório dos Direitos is mentioned to support the launching of a judicial system monitoring tool. However, this agreement was signed in 2014, and already in the first quarter of 2015, it became apparent to UNDP that the study that was to form the basis of the monitoring tool was reportedly not up to standards and would not be published nor disseminated.

⁴⁶ RoL&J 2014-2015 project document, p.6.

Another important example refers to the existence of the CAJ as a means of promotion of a culture of professionalism and ethic within the judiciary and law enforcement agencies⁴⁷. The existing (positive) evidence is anecdotal, and whilst admittedly this is difficult to measure, some investment needs to be dedicated to the development of an indicator, target and baseline. A starting point exists; **the CAJ measured how many illegal practices (and their type) it encountered and acted upon⁴⁸, but did not specify how many formal complaints were channelled by the victims (with CAJ support) to the institutions of the respective offenders, and how many were addressed through internal investigation and disciplinary procedures.**

It is paradoxical that, despite weak practice by UNDP on internal project monitoring, the RoL&J had been promoting good practice with regards to data collection and regular reporting by project beneficiaries such as the CAJ and the CENFOJ. The engagement of these institutions in actually following through with these practices stands-out in the difficult institutional context in which they operate, and in which reporting has not yet been assumed as part of the organisational culture. **The statistics that the CAJ produces provide at least a basis for analysis by the RoL&J project management staff**, an opportunity which unfortunately was not seized (See Annex VII). Admittedly statistics are insufficient and need to be complemented by regular visits to the CAJ⁴⁹, and the data produced reveals certain accuracy issues⁵⁰, underlining the need for the project to invest in the development of its own primary data collection and analysis.

In sum, the design of the RoL&J monitoring framework is robust, was intended to be a living tool, constantly updated, and meant to inform project decisions during implementation. In reality, the monitoring framework was not used to this effect. Lessons were drawn from day-to-day implementation in a direct and ad-hoc basis, following interaction between the Programme Manager and some Bissau-based stakeholders (mainly the GICJU Coordinator), revealing a missed opportunity for performance improvement.

⁴⁷ Idem, p.5.

⁴⁸ GICJU, Quadro Estatístico de Setembro 2011 a Outubro 2016.

⁴⁹ The lack of opportunity to verify in loco the information provided by the GICJU is linked to the limited availability of the Programme Manager to conduct field visits. For e.g., only three field visits were carried out by the Programme Manager in three years of project implementation, with the last conducted nine months ago. Also at least two field visits (2014, 2015) should already have been conducted in the framework of the Annual Project Review by the Project Board, jointly with CSO.

⁵⁰ Although the statistics provided by the GICJU overall seem correct, calculations of baselines and targets may lack some accuracy. For instance, based on the GICJU statistics, it is not clear how the baseline of CAJ users can be 3525. If the baseline is calculated from 1st September 2011 to end of August 2013, the number of CAJ users would be 3413 (not 3549) and the subsequent target should not forget to include the users from the beginning of September 2013 to the end of December 2013. However, if the project started at the beginning of 2014, it would be simpler to take as a baseline the added number of users in 2011, 2012 and 2013, totalling 3952.

EQ.6 COMPARATIVE ADVANTAGE

The extent to which this project utilised UNDP's comparative advantages in the Justice and RoL area, to coordinate interventions on Justice with the broader JSSR process is looked at, considering as well the added-value in soft advocacy, pool funding and partnerships to achieve project outcomes. This also implies looking at UNDP ability to facilitate inter-donor cooperation, complementing their actions to fulfil CPD outcomes, and influencing their practice.

UNDP's comparative advantage in support to Justice and RoL in Guinea-Bissau derives from a combination of factors, amongst which its longer-term assistance in this area, and its ability to successfully advocate for the inclusion of access to justice into government programmes since 2010, given that although foreseen in the country's Constitution, it had not been previously recognised. Thus far, and since the end of EU support to the Justice sector in 2012, UNDP has been the only partner investing considerably in the improvement of the justice system in terms of combined capacity building, justice service delivery, institutional strengthening, and infrastructure building. This earned UNDP a reputation for being responsive to the justice needs of the country, and has been reinforced by its consultative posture across the different justice system institutions. High-ranking representatives of the

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national justice system institutions recognised efforts made by UNDP to facilitate coordination amongst them as positive, and attested to the lack of progress in this front being of their own responsibility. Hence, UNDP is perceived as an honest broker and has significant political credibility with national partners, although it did not always maximise it, for instance in bringing to bear more pressure on the government to award the CENFOJ a provisional space to work, whilst the national administration institute premises are being rehabilitated.

UNDP has therefore been the main contributor to UNDAF + Outcome 4, and to CPD (2008-2012, ext. 2015) on justice matters. A poor record exists in terms of making use of partnerships with other international

actors to better reach the RoL&J outcomes. This has not been for lack of initiative, as the CO appeared to have good relations with other UNCT agencies, despite the fact that the foreseen partnerships with UN Women and UNICEF in the context of the project did not take place. **Relevant UNCT agencies operating in justice-related areas credited efforts to the**

RoL&J personnel in sharing information, bringing others onboard to undertake collaborative activities, openness to receive feedback, and to facilitate contacts with interlocutors at Ministry of Justice, whenever asked for⁵¹. Most of the joint activities foreseen did not occur due to the competing work priorities of the other agencies. Despite this UNDP has, for example, been the vehicle of funding from the INL to two UNODC activities, i.e., the West Africa Coast Initiative (WACI) and the Airport Cooperation Initiative (AIRCOP) since January 2015. Another UNODC project for acquisition of two patrol boats implemented with Austrian funds also benefitted from UNDP procurement channels, avoiding bureaucratic bottlenecks if the process had to be undertaken through the UNODC system.

However, concerning substantive and across the sector collaboration, it was recognised by all parties (UNDP, other UNCT agencies and UNIOGBIS) that a comprehensive approach to support justice and RoL was missing, with important breakdowns in the continuum of the criminal justice system. While many projects were complementary, they didn't result from strategic and concerted positions, but rather from a division of labour driven by inward objectives of each UNCT agency and UNIOGBIS, resulting in lack of integration of the various initiatives.

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The fact that the UNDP approach to JSSR had to be reframed in 2013 due to the absence of conditions to continue to support SSR (instauration of military rule), although adequate within the circumstances, resulted in the RoL&J ceasing progress towards a more integrated approach. A robust mandate being taken-up by ECOWAS and UNIOGBIS in SSR also reinforced this tendency, given an exclusionary understanding of the contribution that UNCT should provide in the areas of intersection between security and justice. The recognition that joint work was required and should be made a priority was present overall, and most indicated the new Joint Programme on the rule of law between UNCT and UNIOGBIS as an opportunity, in spite of the so far poor record of coordination, and even competition. Further analysis on this subject matter is undertaken in the section below on the Global Programme and UN Wide Initiatives.

Good relations prevailed between UNDP and non-UN international partners, and the latter trusted enough UNDP's record of intervention in the Justice area to be able to support the

⁵¹ Interviews 05/12/2016.

sector through them, as was the case of the US Government and the AfDB. Other important actors would like to see UNDP with reinforced and improved management capacity, so as to consider partnering or using them as implementors⁵². An expectation also existed from the part of the donor community in general to see UNDP playing a lead coordination role around support to the Justice sector⁵³.

A more systematised analysis of the Strengths, Weaknesses, Opportunities, and Threats of the project can be found in Annex VIII.

EQ.7 CROSS-CUTTING ISSUES

Cross-cutting issues are engaged with regards to how the project addressed and mainstreamed gender, human rights and the interface between state and non-state justice in its design and implementation. It includes looking at SGBV prevention, mitigation and protection, while engaging women as change agents, as well as beneficiaries of its outputs/outcomes.

a. Gender

The implementation of the RoL&J followed through the stated objective of improving access to justice to vulnerable groups, in particular women, and providing legal assistance to victims of SGBV (CPD Outcomes 1.2 and 3.6). The CAJ were the main vehicle to pursue both goals. Available evidence to the evaluation team suggests that, within communities where they operate, the CAJ consolidated their role as increasingly the instance of choice for women to bring specific issues (for instance, regarding property, inheritance or family disputes).

On the other hand, there is no data confirming that SGBV, in particular FGM, or domestic violence diminished, or that reporting and accountability of perpetrators increased in result of CAJ or other activities under the RoL&J. The interviews suggested that SGBV and domestic violence victims' situation in terms of accessing justice remains more often than not fundamentally the same, even if the CAJ intervenes⁵⁴. This relates with the broader question of the CAJ inherent limitations in providing either redress or guarantees of non-recurrence to victims of human rights violations (see below for an appraisal of the RoL&J results on human rights)⁵⁵.

⁵² Interview 09/12/2016.

⁵³ Interviews 02/12/2016, 05/12/2016, 09/12/2016.

⁵⁴ Interviews 01/12/2016, 02/12/2016.

⁵⁵ The Guinea-Bissau national submission to the Universal Periodic Review, second cycle (2015), provides a bleak summary of the condition of women and children in Guinea-Bissau, which include "weak synergy between the different development partners in the field of protection of women." Cf, *National report submitted in accordance with paragraph 5 of the annex to Human Rights Council resolution 16/21, Guinea-Bissau*, pp. 16, 9 January 2015, UN document A/HRC/WG.6/21/GNB/1

The available evidence further suggests that reversing the perceived stagnation or even slowdown on progress on gender issues in Guinea-Bissau, which started before the project cycle, was beyond what could be achieved by the RoL&J. The overall problem was identified in 2013 by the evaluation of the CPD 2008-2012 results⁵⁶. The momentum on advancing a legal framework sensitive to gender issues in the country⁵⁷, including the criminalisation of FGM⁵⁸ and child trafficking⁵⁹ in 2011, and Domestic Violence in 2012 seems to have stalled in recent years. Indeed, there is no evidence that SGBV diminished, or that there is less impunity for crimes against women and children with the exception of symbolic court condemnations on FGM in 2014⁶⁰.

Statistics from the GICJU echo the perceived stagnation on gender issues. The number of women attending the CAJ remained steadily at around 21 per cent since 2011 and throughout the implementation of RoL&J. These results were confirmed again from January to September 2016, a period during which only 192 women were assisted against a total of 700 men⁶¹. A number of factors explain the limited results in reaching out to women and girls, including inadequate or ineffective partnerships (both with NGOs and UN agencies⁶²), and cultural barriers. Gender imbalance in CAJ staffing (most TAJ are men) might also play a role. There is currently only one female TAJ and, out of the group of ten new TAJ currently in training, only three are women.

Women continue addressing themselves to traditional authorities that violate the rights of women and children, and that often exceed their competence. The 'Comités de Secção' and 'Comités de Tabanca' are reportedly in need of training and oversight enabling them to better understand their jurisdictional boundaries when mediating cases.

Mindful of the need to increase the number of women referring to the CAJ with a view to reducing SGBV against women and children and addressing the perceived stagnation on the percentage of women attendants in CAJ, **the project has attempted to address this issue through promoting synergies and partnerships between the GICJU and NGOs/CBOs that operate in the area of women's rights in 2016, and has promoted work with women**

⁵⁶ Government of Guinea-Bissau and UNDP 2013, *Evaluation des Effets CPD 2008-2012 Rapport Final*, pp.66 ss.

⁵⁷ An overview of the "far-reaching legal instruments on human rights" is included on the national submission to the UPR, *op.cit.*, pp. 6/7 (see note 37 above).

⁵⁸ Law No. 14/2011, July 6 on the Prevention, Combating and Repression of Female Genital Mutilation. The adoption of the law was followed by the implementation of the awareness program on the harmful effects on women's health and the national strategy to combat female genital mutilation. Guinea-Bissau adopted also a law against domestic violence, approved by the National Assembly, and awareness programs on violence against women.

⁵⁹ Law No. 12/2011 on the Prevention, Suppression and Combating of Trafficking of Persons, Especially Women and Children. The adoption of the law was accompanied by a National Strategy for Social Protection of Children, and a Childhood National Plan.

⁶⁰ Liga Guineense dos Direitos Humanos, "Relatório sobre a situação dos Direitos Humanos na Guiné-Bissau", 2012, p. 33.

⁶¹ GICJU, Quadro Estatístico de Setembro 2011 a Outubro 2016.

⁶² Several activities by the RoL&J meant to involve UN Women and UNICEF in gender and children related issues were not undertaken at all or were carried out by UNDP without those agencies.

activists. This includes partnering with RENLUV, GUINOPI, and MANITESE. It is too soon to measure the impact of these efforts.

The foreseen specialised units dedicated to women and children's problems (*Células de Atendimento às Vítimas*) were never implemented by the RoL&J. This is aggravated by the fact that the specialised gender and children units in the police stations work with severe restrictions. The introduction of protection officers in POP stations, a commendable state initiative with UNIOGBIS support, is not responding to a consistent plan for rolling out the service. And the on-call specialised brigade for women and children victims of violence within the Judiciary Police functions with severe limitations⁶³. These cumulative gaps confirm the need to complement progress on legal aid, assistance and representation for women with robust capacity development and training of criminal justice actors to investigate and prosecute SGBV, as acknowledged by UNDP⁶⁴.

b. Human Rights

The RoL&J succeeded in raising awareness of fundamental rights and freedoms among the population in areas where the activities of the CAJ were accompanied by consistent awareness-raising. The campaigns undertaken for that purpose by the LGDH with the RoL&J specifically focused on the rights of women and children, which align with national priorities⁶⁵ and with the strategic documents of UNDP for this period⁶⁶.

Even with the right partnerships in place, for instance with organisations working against SGBV at community-level, impact ultimately depends on clear commitment from national counterparts. Therefore, the project should make more explicit on its narrative and theory of change the articulation with justice supply-focused interventions and integrate recurrent challenges of context and national commitment on its risk matrix. Potential gaps between awareness of rights-holders and capacity of duty-bearers (primarily the State) should also be identified, along with the contribution of the project to address some of them, which coheres with UNDP policy for adopting a HRBA to all programming.

In the case of Guinea-Bissau, the awareness-capacity gap is relevant and crucial to understand the impact of the

The RoL&J succeeded in raising awareness of fundamental rights and freedoms among the population in areas where the activities of the CAJ were accompanied by consistent awareness-raising campaigns.

⁶³ Interviews conducted by ISSAT in March 2016 in the framework of the Identification mission of programming areas for a potential new EU justice support programme in Guinea-Bissau.

⁶⁴ UNDP, "Strengthening the rule of law in crisis-affected and fragile situations: a UNDP global programme for justice & security", 2011, p.19.

⁶⁵ Including Output 1.1 under Programme Outcome 1/Outcome 4 of UNDAF+; and Output 18 under Outcome 4 of CPD 2008-2012.

⁶⁶ Including Outcome 4 of UNDP Strategic Plan 2014-2017.

RoL&J on human rights. The project seemed to evolve in-between coercion/dissuasion (which the CAJ lack) and conscience/awareness (which the CAJ stirred).

c. Interface between State and Non-state justice implementation

Guinea-Bissau's legal pluralism and hybridity was not taken as an opportunity by the RoL&J, since the potential of the customary legal orders remained untapped. The project is largely predicated on fostering access to justice through mechanisms that fill the constitutional right to legal aid but remain perceived as being "from UNDP", therefore in-between State/formal and traditional, customary or/and religious legal orders. Statements about narrowing the gap between these two ends of the justice spectrum didn't translate into real efforts of substantive engagement.

Most activities foreseen on the interface between formal and informal justice system were not implemented, including tailored training for both traditional leaders and formal justice actors. These implementation gaps hampered the possibility to counter institutional culture resistance from formal institutions in recognising and interacting with traditional leaders, and customary law defiance to integrate gender and human rights observing practices. In

The alignment of activities on the interface between formal and informal justice with those related to alternative dispute resolution mechanisms being carried out by other actors such as national CSOs, will be a positive contribution towards building sustainability from the demand side of the social fabric.

addition, such gaps in implementation frustrate the potential for building on landmark initiatives in this area - in particular the compilation of customary law - strongly backed by UNDP in earlier phases of the project. UNDP should foster its extensive use outside the close circle of legal experts and practitioners.

Looking beyond a purely institutional perspective to adopt change-making lenses is essential, recognising the contributions that the traditional systems bring to the fore, without losing sight of their role in wider politics, including their alignments, co-optation, neutrality, etc. The legitimacy of traditional leadership in Guinea-Bissau has a strong political dimension associated to the context of the liberation struggle, and has to be integrated first, and secondly, used as leverage for change. At the same time, the alignment of

activities on the interface between formal and informal justice with those related to alternative dispute resolution mechanisms being carried out by other actors such as national CSOs, will be a positive contribution towards building sustainability from the demand side of the social fabric.

COHERENCE WITH UN FRAMEWORKS AND PRINCIPLES

This section considers the extent to which the project is coherent with UN-wide initiatives, mechanisms and overarching principles, including the Global Focal Point and the Peacebuilding Fund, as well as how the project fared in relation to contributing to impact under the Global Programme.

a. Coherence with the Global Programme

The main concern of Phase 2 of the Global Programme for justice and security (henceforth, GP/RoL)⁶⁷, was the provision of high-quality support to UNDP Country Offices to ensure results at the country level⁶⁸. In support of this overarching focus, “explicit attention was also given to issues of rapid deployment of expertise, strengthening joint programming and joint approaches, and the importance of monitoring and evaluating results”. The findings aforementioned under several criteria from the current evaluation indicate that the RoL &J could benefit from closer support and scrutiny provided by the GP/RoL on the M&E front and overall programme implementation. Yet, there is no indication that the country office requested regular support, or that weak monitoring raised concerns above the country office during project implementation. Meanwhile, expectations on joint programming and integration fell short of what the GP/RoL aims and serves for, mostly as a consequence of the particular dynamics of relations between UNCT and UNIOGBIS.

Expectations on joint programming and integration fell short of what the GP/RoL aims and serves for, mostly as a consequence of the particular dynamics of relations between UNCT and UNIOGBIS.

Seen against the six key programme areas under the GP/RoL, the RoL&J engaged in three of them, with mixed results. The project had impact on area 1 (Access to security and justice during an on-going conflict or immediate post-crisis recovery); limited and localised results on area 2 (Women’s security and access to justice), not sustained throughout the entire project cycle; and consistent results in area 3 (Capacity development of key justice and security institutions), albeit short of the expected outcome. Areas 4 (Transitional justice), 5 (Armed violence reduction and citizen/community security) and 6 (Rule of law for economic recovery) were not included among its target issues, therefore no significant contributions were expected.

⁶⁷ Programme period: January 2012 to December 2015.

⁶⁸ UNDP, “Strengthening the rule of law in crisis-affected and fragile situations: a UNDP global programme for justice & security”, 2011, p.7.

In relation to area 3, the RoL&J displayed the strongest line of coherence with the GP/RoL by putting significant efforts on enhancing the competencies of justice actors and the independence of the judiciaries “with institutionalised legal and judicial/prosecutorial education and training facilities and capabilities improved”⁶⁹. Alignment of intent with the Global Programme happened also with the focus on the relation of the formal and informal or religious-based justice systems and strengthening of informal systems, but this goal had extremely modest translation to practice.

However the RoL&J had, in practice, a narrower focus than the holistic approach adopted by the GP/RoL of supporting “police, prosecution, judiciary, legal representation, corrections institutions, and line Ministries” in order to “building accountable, effective and responsive justice and security institutions, addressing the full criminal justice continuum”.

Adding to the absence of a holistic approach to justice reform under the GP/RoL, the narrative of the RoL&J distanced the project from two crucial lines of engagement under the Global Programme: it neither included much of an investment on the political conditions enabling an independent judiciary, or on ensuring that security providers, police and corrections officers “adhere to the minimum standards of human rights and decency in their treatment of individuals coming into contact with the justice system”. The latter area corresponds to a realm of engagement pursued by UNIOGBIS along a rather maximalist interpretation of the mission mandate. This is only significant to the project in that some of its implementing partners had their primary focus on those issues, and brought it implicitly when carrying over activities under the RoL&J (for instance, the LGDH support to CAJ).

The context of Guinea-Bissau seems still unready for UNDP to use any of the vehicles for GP support on transitional justice (truth commissions, criminal prosecutions, reparations and memorialising⁷⁰). Until it exists, **there is room for UNDP CO to support emerging initiatives from other actors to address high-level impunity and create an enabling environment for (at least) dialogue and reconciliation.** The foundations of a potential role from UNDP on that front are actually already emerging. The positive contribution and coherence under Output 2 of the GP/RoL ⁷¹ relates to the purpose of the RoL&J to address fragility at local level and in collaboration with local administrations and security and justice providers, albeit future interventions need also to consider broader engagement with local communities.

Contributions to the project from the GP/RoL during Phase 2 seem to be weak or absent in two out of three core dimensions for this period. GP goal is to deliver three key outputs;

- a. to rapidly respond to UNDP programme countries or regions request for support in providing rule of law technical, strategic and financial assistance;

⁶⁹ *Idem*, p.22.

⁷⁰ *Ibidem*, p.7.

⁷¹ “Output 2: Support a preventative, or conflict sensitive, approach to conflict and violence through rule of law assistance in fragile contexts”. UNDP, *“Strengthening the rule of law in crisis-affected and fragile situations: a UNDP global programme for justice & security”*, 2011, p.31.

- b. to produce policy guidelines and knowledge products linked to country programming, and;
- c. to contribute to an integrated and coherent UN assistance and coordination on the rule of law.

Whilst goal a. was met, evidence for b. is scant and there are consistent indications that goal c. was advanced but frustrated at country-level, since UNDP GP/RoL support to the development and discussion of a new joint programme was not followed by a definitive agreement among UN partners during the initially foreseen timeframe of the RoL&J. The many challenges of integration within the UN System signal also a limitation of the GP/RoL to serve as a mechanism to solve headquarters blockages that play out at country level. In the case of Guinea-Bissau, the GP/RoL seems to have limited leverage to untangle the divergent perspectives among UN partners. The shortcomings of coordination and integration on rule of law programming in Guinea-Bissau make-up for a striking contrast with what was achieved elsewhere in more challenging contexts already during Phase 1 of the GP/RoL (2008-2011)⁷².

The RoL&J has a gap of investment on support to the governance dimension of justice institutions, and the component of ethics and integrity of justice providers. A potential major line of support to integrity of justice providers stalled when - under the current political conditions - the subsidiary project for the implementation of the National Justice Modernisation and Reform *Programme* (2015-2019) failed to start (as explained under Relevance). Therefore, for the most part, the governance elements of the RoL&J were not honoured, pointing to a failure in fulfilling an important activity under Output 2 of the GP/RoL Phase 2: '2.3. Support development of national capacities to strengthen integrity in justice and security institutions in fragile situations and combat impunity'. As UNDP learned in Phase I of the GP/RoL, the potential for achieving long lasting impact in the rule of law area is much higher if UNDP work is geared towards supporting a normative framework that is founded on internationally accepted standards, invests sufficiently in creating cultural change through internal accountability and oversight mechanisms, and includes proper platforms for stakeholder representation, feedback, and opportunities for public engagement in the rule of law. **The UNDP CO consistently engaged in supporting legal frameworks, including the law on domestic violence, the law on legal and judicial sponsorship, and a law on alternative dispute resolution mechanisms.** Evidence on a purposed focus on fostering cultural change is less tangible, notably so on the untapped

⁷² UNDP refers to successful examples of collaboration developed in several peacekeeping and peacebuilding settings during Phase I, notably the joint *Programme to support the Détachement Intégré de Sécurité* (a special police force tasked to patrol refugee and IDP camps in Chad), and the joint *Jonglei Justice Programme* in South Sudan. Following the 2010 earthquake in Haiti, assistance from the Global Programme 2008-2011 enabled UNDP and DPKO (MINUSTAH) to develop a joint *Programme for Rule of Law, Justice and Security*, which helped tackle immediate needs such as legal assistance for crime victims and basic court and police infrastructure. UNDP, "Strengthening the rule of law in crisis-affected and fragile situations: a UNDP global programme for justice & security", 2011, p.13.

potential of taking support to justice oversight and accountability to the realm of traditional and informal authorities, as a stream of engagement in governance. A very limited contribution to Output 2 GP/RoL was done through the reporting mechanisms enabled by CAJ.

b. Coherence with PBSO/PBF

The Global Programme enabled UNDP to become the main implementer of PBF funding on rule of law⁷³. It is therefore pertinent to look at how the RoL&J coheres and enables PBSO/PBF. There is no clear evidence that RoL&J gave a substantive contribution to Outcome 3 (Independent and impartial justice system increases citizen's confidence in the state commitment to the rule of law) of the new PBSO/PBF Peacebuilding Priority Plan for Guinea-Bissau⁷⁴.

In relation to Outcome 1 (Increased constructive political dialogue and national consensus-building), UNDP was not contemplated as an implementing agency of the Plan. The intense and sustained political efforts of the UNDP CO - in coherence with other international partners - during the period of implementation of the RoL&J were unrecognised. Convening political actors external and internal to the justice system remains a major contribution from UNDP in that period. It is nonetheless not the result of a specific line of engagement of the RoL&J, and its subsumed theory of change never provided for similar efforts given the predication on a too-optimistic context analysis (or a poor conflict analysis).

Convening political actors external and internal to the justice system remains a major contribution from UNDP in that period. It is nonetheless not the result of a specific line of engagement of the RoL&J, and its subsumed theory of change never provided for similar efforts given the predication on a too-optimistic context analysis (or a poor conflict analysis).

⁷³ UNDP, "Strengthening the rule of law in crisis-affected and fragile situations: a UNDP global programme for justice & security", 2011, p.12.

⁷⁴ Project period: 1 April 2015 to 31 December 2017. "As a PBC country, Guinea Bissau is entitled to PBF support, and, to date, the PBF has made two Peacebuilding Recovery Facility (PRF) allocations, in 2008 and 2011, respectively. The impact of the first allocation is generally accepted as poor, while the April 2012 coup led to the suspension of PBC and PBF engagement, notably of a PBF (PRF) USD 16.8 million allocation made in 2011 under a Priority Plan that was never implemented. However, while following the coup the implementation of the second allocation remained suspended, an Immediate Response Facility (IRF) envelope of US\$ 5 million was made available in 2013 in order to support essential activities contributing to the restoration of constitutional order." Cf., PBSO/PBF 2015, *Peacebuilding Priority Plan*, p.8.

proved sound, even if the process followed by UNDP corresponds to good practice in justice reform.

As for Outcome 3 of PBSO/PBF, the RoL&J seems not having a significant impact on citizens' confidence in formal justice institutions, and may even further weaken or confirm their negative perception. This is somehow the existential contradiction of the CAJ and, to a lesser extent, CENFOJ: their success has been built in part, or implicitly, at the expense of a collateral reputational erosion of formal institutions, as illustrated clearly by statements from their users⁷⁵. The reality is that CAJ are "good" in comparison to the formal agents in

For the next phase of the RoL&J, and under the current Peacebuilding Priority Plan, UNDP and PBSO should find a measure of coherence that didn't exist in the closing cycle.

justice, police and corrections, who are still perceived as corrupt, incompetent or outright dismissive; and the system is still perceived by many as a rotten barrel that keeps its ability to produce yet more rotten apples from newly-built human capacities. To reverse this unintended negative effect, the CAJ will have to be articulated clearly as a means to foster reforms upstream the criminal justice chain, and not an end in itself. As it stands, the rationale of the RoL&J coheres in design and concept with the theory of change of

Outcome 3 from PBSO/PBF Priority Plan (improved delivery of justice will contribute to the consolidation of a new social contract between the State and the population), but does not correspond to the results of implementation. For the next phase of the RoL&J, and under the current Peacebuilding Priority Plan, UNDP and PBSO should find a measure of coherence that didn't exist in the closing cycle. One way is to update the following project in terms of aligning it with PBSO/PBF expected content for the transformation of the justice sector: support to transitional justice; develop the justice chain in a catalytic way; develop integrated provision of police/law enforcement services; and finding effective strategies to address transnational crime and border management. To note that most of this "content" falls under the remit of UNIOGBIS and UNODC, which is co-located within the mission.

The rationale for RoL&J's flagship output (the five CAJ that opened between 2011 and 2016) does not express upfront a conflict-sensitive and conflict-transformation approach to justice reform beyond the localised contexts where the project operates. A purposed articulation with a broader process of social change would allow a more explicit acknowledgement of the way local results can be elements of broader reform. There is therefore room to look for synergies between developmental and peacebuilding approaches, which would foster alignment of the project with transformational elements to programming favoured by the PBSO. Integrating an explicit peacebuilding lens to the RoL&J theory of change and narrative might broaden opportunities for the project to have common purpose with the Fund, an

⁷⁵ Interviews 01/12/2012.

important partner, given also that Guinea-Bissau is one of six priority countries of the PBC globally (since 2007).

As the UN Strategic Assessment Mission (SAM) of November 2014 rightly noted, what “explains” Guinea-Bissau is the specific interrelation of the root causes of conflict⁷⁶. Any meaningful support to justice reform has to include a specific focus on the links between justice and peacebuilding. Future iterations of the RoL&J should integrate a crucial lesson that the PBF made explicit already in 2015: “Notwithstanding the current optimism, however, the structural factors underlying the political, security and institutional situation remain in place and need to be addressed systematically”⁷⁷. Contributing head-on to this goal needs to be seen as an element of sustainability and relevance of support to justice reform in Guinea-Bissau.

c. Coherence with the Global Focal Point⁷⁸

The RoL&J did not make use of the full potential of the GFP, which is both cause and consequence of the project being designed and implemented in a gap of joint programming in support to rule of law in Guinea-Bissau. This happened after a “promising example” of the use of the arrangement to foster innovative programming, when a GFP field visit in 2013 first prompted the development of a joint proposal of UNDP, UNODC, and UNIOGBIS. The proposal was to support the Attorney General’s Office and the Judiciary Police, and was submitted to the Inter-agency SSR Task Force (SSRTF) for funding, but will only start implementation in January 2017⁷⁹. Early in 2016, the UN Secretary-General asked UNIOGBIS and UNCT to support the development of a national strategy and joint rule of law programme within the framework of the GFP and “to foster greater integration by realizing opportunities for synergy and collaboration in the areas of reconciliation and constitutional reform”⁸⁰.

The RoL&J did not make use of the full potential of the GFP, which is both cause and consequence of the project being designed and implemented in a gap of joint programming in support to rule of law in Guinea-Bissau.

⁷⁶ PBSO/PBF 2015, *Peacebuilding Priority Plan*, p.3.

⁷⁷ *Idem*, p.3.

⁷⁸ The full name of the arrangement is “Global Focal Point for Police, Justice and Corrections Areas in the Rule of Law Post-Conflict and other Crisis Situations,” see Secretary-General Decision 2012/13. Also referred to as “Global Focal Point on Police, Justice, and Corrections” and/or “GFP”.

⁷⁹ Cf. Folke Bernadotte Academy, Clingendael and Stimson Centre 2014, *Independent Progress Review on the UN Global Focal Point for Police, Justice and Corrections*, p.31. See also *Report of the Secretary-General on developments in Guinea-Bissau and the activities of the United Nations Integrated Peacebuilding Office in Guinea-Bissau*, p.3, 12 May 2014, UN document S/2014/333. The IASSRTF project was granted to UN in Guinea-Bissau in 2013, with the final version being signed on 19 February 2016, and the disbursement from UNDP to UNIOGBIS made in end of November.

⁸⁰ *Report of the Secretary-General on developments in Guinea-Bissau and the activities of the United Nations Integrated Peacebuilding Office in Guinea-Bissau*, 12 February 2016, UN document S/2016/141.



The terms of the request of the SG hint at the usefulness of the GFP to foster the desired level of integration and coherence of purpose among UN agencies and bodies. The Evaluation Team heard consistent indications that the current dynamics of division of labour between UNIOGBIS and UNDP in Guinea-Bissau does not lend itself to take full advantage of support awarded by arrangements like the GFP. Moreover, UNIOGBIS is a DPA-led special political mission, while the GFP is co-chaired by DPKO and UNDP⁸¹. At headquarters, DPA can have a more proactive engagement with the GFP, as well as a corresponding learning potential for UNDP on galvanising the usefulness of the GFP in non-peacekeeping environments. At country-level, the signature and implementation of a new joint programme is expected to contribute to a higher degree of coordination and integration than the one seen during the RoL&J, considering as well that some key partner agencies are co-located within UNIOGBIS premises⁸².

The use of the GFP can be closely linked to, and in turn enhance, coordination mechanisms on the ground, as it happened before with the collaboration of GFP with Outcome Group 4 under UNDAF+.

⁸¹ As an illustration of how this reflects at country-level, the GFP field visit to Guinea-Bissau in October 2013 was undertaken by two participants from DPKO and UNDP – but none from DPA.

⁸² UNODC is co-located in UNIOGBIS/ROLSI. OHCHR and the Human Rights Section of the Political Pillar within UNIOGBIS are the same entity. UN Women will maybe co-locate with UNIOGBIS Gender Unit in the future.

VI. Conclusions

The Evaluation Team found the RoL&J highly relevant, but suffering from bounded performance against the outcomes set-out in design. The project established overambitious goals given the fluidity of the political transition, the fragility of the state justice institutions, and the absence of virtually all other international actors in support to the justice system. A theory of change contemplating different political scenarios besides the articulated and expected evolution in the justice system would have been useful to calibrate aims. In addition to the above-mentioned contextual and strategic risks, the positive results of the CAJ, of the CENFOJ and of their subsidiary activities were limited by shortcomings inherent to the lack of coordination and integration between the rule of law and justice interventions undertaken by UNIOGBIS and UNDP.

Last but not least, were the deficiencies inherent to project design, staffing decisions, failure to implement an existing and robust monitoring framework, and low level of execution of activities, most of which within control of project management and of UNDP CO leadership.

Positive results like the building of the two Courts in Canchungo and Mansoa, articulating the contribution of the CAJ into the wider justice system; as well as the foreseen opening of a new CAJ in Buba stand out as major achievements. The awareness raising efforts on human rights, gender and the use of justice institutions to resolve disputes, as well as the emphasis on producing as much service delivery as institutional reinforcement represent good practice that ought to be replicated elsewhere by UNDP. In the same vein, the ability of the project to adapt to new opportunities such as the provision of support to the government in developing the National Justice Modernisation and Reform *Programme* (2015-2019) is noteworthy.

The RoL&J has made consistent efforts to transition responsibility for the maintenance of the CAJ and the CENFOJ to the national authorities. Yet, given the lack of government capacity to take over financial responsibilities, the project intervention remains unsustainable, overshadowing an emerging recognition and ownership of the CAJ and the CENFOJ by national justice institutions and actors.

The silver-lining in the process has been the comparative advantage of the UNDP in its continued intervention in the justice sector since 2008, and the recognition by national actors of its combined efforts on justice service delivery, capacity building, institutional strengthening and infrastructure building. Overall UNDP is also considered an honest broker, and therefore it is in a position to leverage more with regards to the responsiveness of the justice system institutions to the intents of the RoL&J. Whilst this needs to continue to

be done through respecting the principle of ownership, it should not prevent UNDP from playing a more demand role (but not imposing), for e.g. on the state commitment to maintain the infrastructures recently built or rehabilitated.

The partnership between UNIOGBIS and all relevant UNCT with contributions to reform of the justice sector is now living an overall positive mood with the unblocking of the Joint Programme due to start in early 2017. Nonetheless, the fact that it took three years for this initiative to become viable should raise circumspection with regards to the pace of planning and implementation. Commitment must remain unabated to the Joint Programme, but mechanisms should be enacted to avoid any hiatus in UNDP intervention in RoL&J in the country deriving from delays in the start of implementation of the Joint Programme.

VII. Recommendations

A. To the UNDP Country Office

GENERAL

- Conduct a realistic long-term projection for rule of law development in Guinea-Bissau as a base to develop a roadmap for support to justice sector reform and to inform the overall theory of change of the next phase of rule of law programming, desirably under the UN Joint Programme.
- Integrate and articulate, to their full extent, the political risks in the rationale and in the theory of change of the upcoming UNDP support initiative, including for instance how to accommodate for disruption or discontinuity of partnerships, funding, leadership and ownership.
- Include a conflict transformation and social change based approach in the design of the theory of change of the upcoming phase of support, and factor-in a more realistic and ambitious-levelled intent.
- As a matter of priority, address the gap between rights awareness and rights fulfilment, which is likely to widen if the current formulation of the RoL&J and its articulation with broader interventions is not changed.
- Build on the existing knowledge about non-formal legal systems in Guinea-Bissau by supporting the alignment of traditional and religious mechanisms and norms with international human rights standards. Target should go beyond training leadership and justice actors, to add a missing element of working on local civilian oversight and local justice and security governance.
- Facilitate the articulation of a nationally owned discourse and agenda on dealing with the past, building on consistent achievements on raising awareness of rights and small gains in combating ordinary, albeit serious forms of impunity as a foundation for bottom-up processes of reconciliation and closure.
- Support organisational strengthening of CSO partners, including assistance to the improvement of their internal reporting and monitoring mechanisms, as an investment in the effectiveness and efficiency of the partnerships. In addition, support the development of CSO capacity to undertake objective monitoring of justice service delivery as an important contribution to increase the demand for quality justice service delivery.
- Develop a coherent approach to strengthen civilian and external oversight of justice and security providers, as well as to reinforce internal institutional mechanisms of integrity and accountability in the respective institutions.

SPECIFIC

1) ENSURING POLITICAL COMMITMENT

- Ensure political commitment from all relevant stakeholders through consultation and sharing of the final document before project approval takes place, in order not to jeopardize the implementation of activities.

2) SEEKING A MORE INTEGRATED APPROACH TO JUSTICE SUPPORT

- Reinforce justice sector institutions in areas where the CAJ are established in order to improve their integration in the particular regional justice sector landscape, and to reduce tensions between the TAJ and other justice system actors. In particular, continuity in the criminal chain should be sought in one region, before expanding further CAJ into other regions. This does not mean that UNDP should disperse its limited resources; it has built significant capacities and reputation in access to justice and therefore should continue working in this area. Rather UNDP should use its leverage as a solid contributor to the field of rule of law to seek complementarities/synergies with other UN agencies and donors so as to harness their support for other justice sector institutions in the regions where the CAJ are located.
- Complement and link the access to justice line of engagement with a corresponding commitment to accountability and integrity, as well as efficiency, of the courts, in particular at local level, so as to effectively contribute towards strengthened public confidence in courts.
- Support the government in identifying priorities in the Justice Reform Programme (2015-2019) and jointly advocate for other donors support, including in the area of infrastructures where others may be better equipped than UNDP.
- Advocate towards government establishment of a counterpart fund to carry out maintenance of justice sector infrastructure, which on its turn could encourage further partners to provide support for infrastructural works.

3) PROMOTION OF DIALOGUE AND COORDINATION BETWEEN JUSTICE SECTOR ACTORS

- Use leverage to promote dialogue between formal justice sector institutions - in particular between the Supreme Court, the Attorney-General and the Ministry of Justice - on a number of crucial topics where a stalemate has been preventing a well-functioning justice system. Discussions could take place within the framework of the National Council for Judiciary Coordination on subjects like the design, implementation and management of an integrated sectoral statistics database, professional inspections and respective requirements, management of financial income deriving from the provision of justice related services, infrastructure maintenance and the set-up of a counterpart fund to that effect, clarification of the scope and limits of competence of the TAJ, as well as of the provision of mediation services, and its legal framework. Should the National Council for Judiciary Coordination falter in holding regular meetings, then the Steering Committee set-up

for the next phase of programming should promote these substantive discussions, as well as provide space to invite members of other ministries (e.g. Ministry of Finance) to seek solutions to eventual problems encountered during implementation.

4) STAFFING

- An upcoming phase of programming should contemplate the reinforcement of the management team for the purposes of reporting, monitoring, undertaking of field visits to support implementation partners in planning, and to verify performance and challenges *in loco*. The team should also provide better information to national partners about UNDP processes and timings, to help to reduce bottlenecks encountered in procurement and finance.
- Consider breaking the CTA P5 post into two positions since the quality of a senior advisor that harnesses recognition by its high ranking justice professional peers is not necessarily commensurate with the equally demanding criteria inherent to a senior programme manager. Accordingly, one position could be filled by a high-ranking retired magistrate, with an advisory role on strategic issues at the level of the Supreme Court, but also interacting with the Attorney General's Office and the MinJus. This position could be considered for a limited number of days per year in a backstopping regime (for instance: a visit of two-three weeks every three months). The other position would be created for strategic and operational management, and overseeing of project implementation - including support on technical matters - and be filled permanently by a professional co-located within the Ministry of Justice. Whilst this may be difficult to operationalise in a constrained UNDP resource environment, investment in developing partnerships willing to contribute to this solution should be considered.

5) INTERFACE BETWEEN FORMAL AND INFORMAL JUSTICE SYSTEMS

- In light of the prevalence of customary actors and local leadership in the provision of justice services to the majority of the Bissau-Guinean population, it is recommended that a specific output on promoting the interface between formal and informal justice systems be added to the design of the project going forward, instead of subsuming this work under another component.
- Build on the existing compilation of customary law in Guinea-Bissau to ground activities that enhance constructive interactions between State and non-State justice providers. Activities targeting formal and informal justice providers should go beyond a purely normative approach of "teaching" international and national principles, standards and norms, to work from within the informal systems as potential vehicles for social change. This entails a nuanced consideration of how the codified customary norms can be linked to actions aimed at influencing customary decision-making towards more inclusive, participatory and accountable mechanisms and processes.
- Reassess the target of the activities related to informal/non-State justice providers to include community leaders and other prominent local representatives in order to maximise impact, and build-in local governance dynamics conducive to mutual oversight.

- Envisage comprehensive training for customary authorities and community leaders. International norms and standards of human rights, including those linked to protect the rights of women and children, are crucial but to have meaningful translation in practice they need to go beyond awareness raising. Skills that include matters of leadership, conflict resolution, mediation, evidence appraisal, due process in customary decision-making, and natural resource management, should integrate the training syllabus.

B. To the UNDP Country Office and National Stakeholders

1) CONSOLIDATING RESULTS

- Consolidate the results achieved thus far in order to promote sustainability of the project and implement important activities foreseen but discontinued or not implemented altogether. This includes:
 - Providing the TAJ with all necessary working tools, continuous training and resources to allow them to maximise the impact of their interventions.
 - Developing a strategy to guide awareness raising campaigns, including regular interventions in all Regions where the CAJ operates, and diversification of CSO subcontracted as implementing partners for purposes of maximisation of impact, ownership and long-term sustainability. The strategy should equally consider increasing campaigns specifically targeting women/children and other vulnerable groups in remote areas, and envisaging partnerships with women and youth organisations working at grassroots level.

2) LEGAL AID

- Hold a national conference on legal aid service as soon as possible, in order to explore different models with implementing partners and beneficiaries before considering entering into a renewed partnership with the Bar Association, and prior to the approval by the Council of Ministers of the draft decree transforming the GICJU in a Public Defenders Office. This would provide for an opportunity to “do it right from the onset”, ensuring that it is based on transparent discussions and contribution from all stakeholders before the adoption of any particular model.

3) CENFOJ

- Consider partnerships between the CENFOJ and peer institutions from CPLP countries, allowing for a reinforcement of CENFOJ training delivery capacities and exchange of experiences in Bissau. This collaboration could also include assistance to the required and urgent evaluation of the role, resources, capacities, curriculum, pedagogy and materials of the CENFOJ, with a view to improving its performance.
- In the immediate, concentrate mainly on specialised and continuous trainings, given the foreseeable budgetary difficulties that will prevent state recruitments of new staff on a large scale, and re-assess before changing course.

- Insist in obtaining a counterpart to the support provided by UNDP from the government, which should at least commit the state to paying CENFOJ staff salaries, and to posting and remunerating professionals trained at the CENFOJ.
- Implement gender-based corrective actions for enrolment of more women as trainers and trainees in the CENFOJ capacity building work.

4) MONITORING/REPORTING

- Implement the monitoring framework as originally planned, with a view to factor-in learning into the project - informing decisions and supporting corrective measures at regular intervals - and not solely as a response to corporate requirements of project accountability.
- Constitute a joint UNDP/GICJU team to conduct regular visits to the field, in order to provide required support to the TAJ, closely monitor statistics and progress on achieving indicators, as well as review implementation of activities and lessons learned from them.
- Disaggregate baselines, targets, and indicators by gender in the next phase of the RoL&J.

5) COMMUNICATION STRATEGY

- Develop a clear communication strategy which articulates the contributions of the project in the justice sector to a broader process of social transformation and peacebuilding, and to that effect include in its development and implementation state partners, as well as CSOs, including youth and women organisations. The communication strategy should exhibit clarity of messaging, provide visibility to the project interventions, and entail appropriate means of dissemination according to national and international audiences, and rural and urban targets.

C. To UNDP Headquarters:

- Assess and further define roles and protocols of collaboration between UNDP and UN agencies with a view to foster and systematise joint programming in support of rule of law. Blockages and limitations to coordination and even coherence of purpose within the UN System – which by no means are unique to Guinea-Bissau - need to be tackled at country-level programming, whilst also being addressed at headquarters by UNDP, above and beyond the debate over the technical and operational dimensions of the interventions. The Global Programme/RoL has shown consistent commitment to partnership-building during its Phase I and II, notably so with enabling arrangements for close collaboration with DPKO. That effort needs to be complemented with an equivalent emphasis on defining modalities of work with other key stakeholders within UN peace architecture, potentially giving priority to deepen the conversation with the DPA. The Global Programme has to further assess, articulate and frame in policy, guidance, protocols and procedures the modalities of interaction within the context of Special Political Missions, taking a broader perspective to specific joint programming.

- Assess the full implications of the HIPPO report for the Global Programme. The HIPPO called for a fundamental shift in UN peace operations, one that recognises the primacy of politics and that privileges prevention and mediation over crisis management and peacekeeping and stabilisation. It is not clear what this means in practice for the type and modalities of support from the Global Programme to country offices in priority countries where the presence of a UN mission potentially hampers the ability of UNDP to use the full range of its toolset for peace, as abundantly illustrated by the case of Guinea-Bissau. For the same reason, the Global Programme has to better understand how a refocus on mediation and prevention reflects on the inherently political dimension of justice reform.
- Support the articulation of a fundamental peacebuilding approach to justice reform. Country-level support to rule of law is not always imbued and coherent with a clear peacebuilding agenda, and a transformational intent of activities and outputs. Helping to develop a clearer peacebuilding logic to each project will contribute to better performance by the UN peacebuilding architecture, as intended.
- The GFP and the Global Programme should further assist to clarify the remit of UNDP on rule of law and justice assistance in Guinea-Bissau, by coordinating with the relevant partners, on how to clearly integrate police and corrections reform within holistic justice system reform. In theory the new GFP facilitated UN Joint Programme addresses this, but thus far the formalised or implicit division of labour between UNDP and UNIOGBIS has prevented complementary investment on the demand side, with support to the supply side of the justice system. Seen from the perspective of the Global Programme Phase III - unless changed - this state of affairs is likely to result in very limited contribution to several core programmatic areas until 2020, including on community security, and capable and effective justice and security institutions.
- The Global Programme RoL and the GFP should remain closely involved in the provision of support and of oversight during implementation of the recently approved UN Joint Programme, to ensure that direction towards a sustainable rule of law system is maintained in Guinea-Bissau.

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Annex I: Evaluation Plan

Evaluation plan

1. Introduction

The International Security Sector Advisory Team (ISSAT)⁸³ will undertake a final evaluation of the Rule of Law and Justice (RoL&J) Project (2014-2016)⁸⁴ of the United Nations Development Programme (UNDP) in Guinea-Bissau. The evaluation is carried out by ISSAT on the request of the UNDP Country Office (CO) in Guinea-Bissau. The RoL&J project falls under an earlier phase of the UNDP Global Programme for Justice, Security and Human Rights with the title *Strengthening the Rule of Law and Human Rights for Sustaining Peace and Fostering Development* (henceforth the Global Programme RoL or simply GP/RoL). Whilst meeting corporate requirements for evaluating a project at country level, the final evaluation of the RoL&J project presents the opportunity to pilot an evaluation methodology that meets also the specific needs of ISSAT's support to the Global Programme RoL. This support involves at its core the conduct of a series of evaluations – from which the Guinea-Bissau RoL&J project is the first – with the intent to build an evidence base to better inform a range of interventions planned and conducted under the Global Programme RoL.

This evaluation plan explains in detail the methodological approach adopted in order to meet the different requirements of this exercise, based on ISSAT's methodology for supporting the programme cycle in justice and security sector reform⁸⁵. ISSAT's methodology is aligned with UNDP corporate guidance for evaluation and coherence as well as with evaluation norms and standards for the whole UN System⁸⁶. This plan addresses the evaluation objectives, scope, methodology framework (including type and approach, criteria, questions, policy coherence, programmatic areas, data collection methods and limitations), evaluation steps, timeline, proposed list of interviews, structure of the report, and expected evaluation outputs.

The evaluation is carried out by a team of ISSAT experts consisting of Anícia Lalá (Security and Justice Sector Reform Advisor), Pedro Rosa Mendes (SSR Officer) and Pascale Vander Espt (Senior Justice Expert and Evaluator).

⁸³ ISSAT is a division of the Geneva Centre for Democratic Control of Armed Forces (DCAF).

⁸⁴ The programme run originally from 2014-2015, but was extended a further year, closing at the end of 2016.

⁸⁵ A detailed explanation of ISSAT's evaluation methodology for JSSR can be accessed online at <http://issat.dcaf.ch/Learn/SSR-Methodology-Guidance/Support-Programme-Cycle/Evaluate>

⁸⁶ See UNEG, *Norms for Evaluation in the UN System*, 2005, available at <http://www.unevaluation.org/document/detail/21>; and UNEG, *Standards for Evaluation in the UN System*, 2005, available at <http://www.unevaluation.org/document/detail/22>

2. Objectives

The aim of this evaluation is twofold:

- iii. to inform the design of the next phase of the UNDP Guinea-Bissau RoL&J project, and the implementation of Phase III of the Global Programme RoL (2016-2019) with strategic recommendations, thus implying a forward-looking learning exercise, and
- iv. to meet the corporate requirements for accountability and performance appraisal of the UNDP Guinea-Bissau RoL&J project, thus looking back at the results of the project against its intended goals.

The primary focus of the evaluation is to generate learning. As per the Terms of Reference agreed, the evaluation will strive to draw accumulated knowledge, good practice and identify lessons from the RoL&J project in Guinea-Bissau, to input into its next programming phase. This learning from direct experience will also support the Phase III of the GP/RoL in bridging country experiences and global knowledge. Hence, the methodology proposed for the evaluation responds to the need of improving UNDP support to rule of law programming at country and global level.

The overall objectives for ISSAT are:

- Undertake country and project specific relevant evaluations, and provide those programmes with operationally relevant recommendations to guide future implementation;
- Analyse the approaches and contribution of country programmes, undertaken in different development, political and security contexts, towards aggregated impact at the Global Programme RoL level;
- Assess the extent to which UNDP country approaches, structures, programmes, and projects have contributed to progress against the overall Theory of Change of the Global Programme RoL, and identify evidence of innovation and success in programming implementation;
- Build on the evaluations to provide UNDP with good practice in rule of law programming.

In doing this, ISSAT retains the crucial goal of helping country offices improve the monitoring of programmes, and ameliorate longer-term programming from an evidence-based position.

3. Scope

The primary object of the current evaluation is the UNDP Guinea-Bissau RoL&J project, covering the period 2014-2016, in order to assess its contribution to strengthening rule of law, human rights and access to justice in Guinea-Bissau during that period. Additionally, and where relevant, the analysis will take into consideration other projects, activities, and funding arrangements that directly contributed to the same outcomes of the *umbrella-project*. Furthermore, the UNDP Guinea-Bissau RoL&J project will be examined in light of the programming priority areas of Phase II of the Global Programme RoL (2012-2015)⁸⁷:

1. Access to security and justice during an on-going conflict or immediate post-crisis recovery

⁸⁷ UNDP 2011, *Strengthening the rule of law in crisis-affected and fragile situations: a UNDP global programme for justice & security (2012-2015)*.

2. Women's security and access to justice
3. Capacity development of key justice and security institutions
4. Transitional justice
5. Armed violence reduction and citizen/community security
6. Rule of law for economic recovery.

This will allow the development of recommendations for the next phase of programming of the Guinea-Bissau RoL&J project, in view of its coherence with the respective Country Programme Document (CPD) and the third phase of the Global Programme RoL (2016-2019)⁸⁸.

4. Evaluation framework

The evaluation methodology proposes a framework geared to produce knowledge, promote learning and its incorporation in the upcoming phase of programming. Through following these steps a potential for generation of policy implications is also facilitated. The articulation of the dual core objective of the evaluation as indicated above requires careful consideration of the type and approach of evaluation, evaluation criteria and questions, policy coherence, programmatic areas, data collection methods and limitations. Outlining these aspects provides guidance for the development of the evaluation narrative and recommendations, and through reflecting on them the evaluation is strengthened as a learning and accountability tool for the RoL&J project.

a. Type and Approach

The final evaluation of the Guinea-Bissau RoL&J project is an outcome evaluation, one of the most common under the category defined by UNDP as decentralized evaluations⁸⁹.

Table 1: Elements of an outcome evaluation

Outcome Evaluation for UNDP ⁹⁰	
Focus	Outcomes (whether, why and how the outcome has been achieved, and the contribution of UNDP to a change in a given development situation)
Scope	Broad, encompassing outcomes and the extent to which programmes, project, soft assistance, partners' initiatives and synergies among partners contributed to its achievement
Purpose	To enhance development effectiveness, to assist decision making, to assist policy making, to re-direct future UNDP assistance, to systematize innovative approaches to sustainable human development

The focus on outcomes allows for moving away from assessing project results against project objectives towards an assessment of how these results contribute, together with the assistance of partners, to a change in justice and security conditions. For the evaluation of the RoL&J project, it

⁸⁸ UNDP 2016, *Global Programme on Strengthening the Rule of Law and Human Rights for Sustaining Peace and Fostering Development 2016-2019*.

⁸⁹ For details on types of evaluation see UNDP 2009, *Handbook on Planning, Monitoring and Evaluating for Development Results*; and UNDP 2002, Evaluation Office, *Guidelines for Outcome Evaluators*.

⁹⁰ Adapted from UNDP 2002, *op.cit.*

entails a two-step mapping: first, mapping the path to each outcome (from inputs to outputs, and to outcome), and then, conducting an outcome evaluation analysis. This requires starting from a given outcome to identify the agencies responsible for it, and the activities that lead to the results considering the substantive influences along that path, in an exercise that allows for tracing back outcome to its substantive influences. The ripple effect mapping will be useful to carry out the former exercise, as well to assess a number of variables, including those listed in the mandate Terms of References (ToRs):

1. Whether progress was made towards outcomes or if these were achieved;
2. Extent to which the partnerships contributed to the outcomes;
3. Extent to which key cross-cutting issues and UN principles of gender equality, rights-based approach and human development have been mainstreamed and addressed in the design, implementation and results;
4. Contribution of the RoL&J project (2014-2016) to the respective CPD outcomes;
5. UNDP added value;
6. Relevance of eventual unexpected effects and unintended outcomes.

The ISSAT team adopts a participatory and iterative evaluation approach, involving the UNDP Country Office throughout the design and implementation of the evaluation phases. The evaluators will engage with the different Bissau-Guineans state and non-state project stakeholders and beneficiaries, and with relevant RoL&J UN and non-UN international partners through semi-structured interviews and focus groups. Efforts will be undertaken to balance analysis of the usually predominant capacity building institutional approach with that of service delivery, through engaging with, and incorporating the views of the communities and other beneficiary groups in the evaluation. In addition, gender and human rights lenses will be present throughout the collection and analysis of data, as well as in the drafting of the recommendations. Context will be the object of main consideration given that it affects significantly the outcomes of the RoL&J project implementation in Guinea-Bissau. Yet, a non-deterministic stance will be adopted to allow capturing how the RoL&J project implementation has also affected the context over the years. Outcomes, however, might have been achieved only through a confluence of justice and rule of law support efforts by different partners. This implies looking at the interactions, mutual influence, interdependence and power relations that permeate project implementation and change management in this field of work. To overcome a positivist drive in the search for unidirectional causality of outcomes, recurrence will be made to contribution theory, aiming to ascertain whether the main principles and evaluation criteria were met, rather than looking for 100% fidelity in implementation.

b. Criteria and questions

The information gathered and analysis generated are structured according to the five OECD-DAC **evaluation criteria**, also adopted by UNDP, and looking as well at monitoring, comparative advantage, and the relevant cross-cutting issues:

- Relevance;
- Effectiveness;
- Efficiency;
- Sustainability;
- Monitoring;

- Comparative advantage;
- Cross-cutting issues.

The evaluation questions (EQ) and sub-questions (SQ) are as follows:

Table 2: Evaluation questions and sub-questions

EQ.1 RELEVANCE
To what extent is the RoL&J project adopting a context-sensitive approach?
SQ.1 To what extent was the project responsive to well identified needs of communities, and the groups most affected by exclusion, violence and discrimination, in particular women and children?
SQ.2 To what extent has the project been able to adapt and learn during delivery, and to cope within a fast changing environment with challenges to the Rule of Law, Justice delivery and Gender equality?
SQ.3 To what extent does the project address pertinent cross-cutting issues under the RoL Global Programme?
EQ.2 EFFECTIVENESS
To what extent has the project contributed towards its planned outcomes?
SQ.1 To which degree did the project improve access to justice in local and/or rural communities, a more effective justice service delivery at community level and enhanced justice sector coordination and governance?
SQ.2, Are the activities of the project likely to contribute to its intended effects of improved access to justice/legal assistance for women, children and other vulnerable groups?
SQ.3 Are the activities of the project consistent with its intended effects of improved confidence in the court system, reduced impunity throughout the country and reductions in SGBV against women and children?
SQ.4 Have any particular project components succeeded significantly, and what contributed to their success?
EQ.3 EFFICIENCY
To what extent is the project maximising the outcomes it achieves?
SQ.1 Are the results of the project and the benefits attained by local people and State justice institutions proportional to the efforts invested?
SQ.2 Is the project organisation structure adequate?
SQ.3 Has the project considered alternate models of implementation to assess its efficiency?
SQ.4 To what extent did the project harness political capital from other UN partners to drive the RoL agenda during the implementation period?
EQ.4 SUSTAINABILITY
To what extent are the outcomes, or the progress achieved, likely to endure beyond the duration of the project?
SQ.1 Are local stakeholders likely to institutionalize and continue the project achievements after external funding ceases?
SQ.2 Has the project been designed with a view to handing-over responsibilities to nationals?
SQ.3 To what extent has the project considered the ability of its partners to maintain financially the outputs implemented or intended?
SQ.4 To what extent did the UNDP take in consideration national and local political dynamics and cultural dimensions on programming?
EQ.5 MONITORING
To which extent did the project build and maintain a monitoring framework as a mechanism of accountability and a learning tool for ongoing and future programming?
SQ.1 Does the project have good monitoring indicators assessing its progress towards outcomes?

What is the quality of the monitoring practice?
SQ.2 How is the monitoring framework used to inform project decisions during implementation?
SQ.3 How has the project monitored and made improvements regarding non-state justice, gender and human rights?
EQ.6 COMPARATIVE ADVANTAGE
To which extent does this project utilize UNDP's comparative advantages in the Justice and RoL area, to coordinate interventions on Justice with the broader JSSR process?
SQ.1 How has the project used UNDP's comparative advantage in soft advocacy, pool funding and partnerships, to achieve project outcomes?
SQ.2 What is the UNDP added-value in undertaking this project as regards to facilitating inter-donor cooperation, complementing their actions to fulfil CPD outcomes, and influencing their practice?
SQ.3 To which extent is the project successfully contributing to the UNDP Global Programme on RoL, as well as taking full advantage of GFP and PBF?
EQ.7 CROSS-CUTTING ISSUES
How has the project addressed cross-cutting issues?
SQ.1 Have gender, human rights and non-state justice been mainstreamed in the design and implementation of the project?
SQ.2 To what extent does the project design and implementation incorporates SGBV prevention, mitigation and protection, and engages women as change agents as well as beneficiaries of its outputs/outcomes?
SQ.3 To what extent does the project address pertinent cross-cutting issues under the RoL Global Programme?

These questions relate to each of the evaluation criteria, as illustrated in Table 3, below:

Table 3: Evaluation questions in relation to evaluation criteria

	EQ1	EQ2	EQ3	EQ4	EQ5	EQ6	EQ7
Relevance	X						X
Effectiveness		X		X		X	X
Efficiency			X				
Sustainability	X		X	X		X	
Monitoring					X		
Comparative advantage			X			X	X
Cross-cutting issues	X	X					X

c. Policy coherence

The Global Programme RoL aims at ensuring coherence of programming policies with the United Nations Development Group (UNDG)⁹¹. Above the various forms of direct support⁹², the Global Programme has an explicit intent of serving as a vehicle for translating different whole-of-system policy initiatives and arrangements into actual programming in the area of rule of law, to foster coherence and leverage resources. Therefore, an important aspect to the evaluation of the RoL&J is to assess the extent to which the project aligned with, and contributed to advancing the UN goals

⁹¹ UNDP 2011, *Strengthening the rule of law...*, p.5.

⁹² In practice, the Global Programme channels direct assistance to UNDP Country Offices in the form of technical assistance, strategic support and field visits, as well as by seeding and allocating funds. A more detailed description of the different forms of support from the Global Programme is presented in the first annual report 2009.

through three key policy initiatives, and the extent to which project outputs were linked to some form of programme support. The policy initiatives are the following:

Gender

UNDP recognises that advancing gender equality and empowering women is a precondition to achieving sustainable development. One priority area since the creation of the Global Programme RoL is that of the Eight-Point Agenda for Women's Empowerment and Gender Equality in Crisis Prevention and Recovery with a strong focus on women's security and access to justice⁹³. Advancing gender equality and empowering women are cross cutting components of the UNDP Strategic Plan 2014-2017, and the Programme supported organizational efforts to mainstream gender across all outcome areas, including the elaboration and use of institution-wide tools for gender mainstreaming and monitoring progress. The Guinea Bissau RoL&J project specifically aimed at addressing structural violence and discrimination against women and creating conditions for emancipation and participation⁹⁴.

Human Rights

UNDP uses a Human Rights-Based Approach (HRBA) to all its programmes. UNDP played a strong role in the establishment of Human Rights Up Front initiative (HRuF)⁹⁵ and aims to support operationalisation of the initiative by following up on the implementation of country level recommendations. The UNDP Strategic Plan 2014-2017 (most relevant for the RoL&J) prioritises work on human rights and the human rights-based approach to development programming as an engagement principle for the organisation in all three development pathways – sustainable development, democratic governance, and resilience-building. UNDP co-chairs the HRuF initiative (alongside United Nations Department of Political Affairs (UNDPA)). The human rights lens is important for the evaluation also in terms of tacking stock of how the RoL&J project navigated a difficult period in Guinea-Bissau, a country with a deep-seated legacy of impunity.

Global Focal Point

UNDP pays close attention to ensuring sufficient preparedness and engagement to secure the best possible outcomes in terms of collaborative work globally, and a shared understanding of roles and responsibilities in delivering results on the ground. To that end, UNDP prioritised deepening the partnership with the Secretariat regarding peacebuilding and integration into UN peacekeeping mission settings, including through its responsibilities (with DPKO) of Global Focal Point (GFP) for Police, Justice and Corrections Areas in the Rule of Law in Post- Conflict and Other Crisis Situations⁹⁶.

⁹³ Cf UNDP 2011, *op.cit.*, p.5. In 2009, UN ACTION designated UNDP as a co-lead with OHCHR and DPKO to coordinate the UN system-wide preparations for rolling out Security Council Resolution 1888 Operative Paragraph 8 under the leadership of the Special Representative of the Secretary-General (SRSG) on Sexual Violence in Armed Conflict.

⁹⁴ UNDP 2014, Rule of Law and Justice project document, p.7.

⁹⁵ The UN Secretary-General launched the Human Rights Up Front initiative in 2013 to "improve UN action to safeguard human rights around the world." See <http://www.un.org/sg/humanrightsupfront/>

⁹⁶ The Global Focal Point builds on findings from a process initiated in 2010 by UN Secretary-General Ban Ki-moon, who appointed a Senior Advisory Group to review the civilian capacity available within the UN system to respond in the immediate aftermath of conflict. Following the independent review, the 2011 Report of the Secretary-General on

The Global Programme RoL is positioned as the primary financial platform to support the GFP and, from the perspective of UNDP, “all investments in the Global Programme RoL are investments in the Global Focal Point”⁹⁷. One particular point for the evaluation of the Guinea-Bissau RoL&J project is to look at whether the project outcomes were interfered (positively or negatively) by the circumstance of the country having a UN special political mission and not a peacekeeping mission, and potential lessons on how to build synergies using the GFP arrangement.

d. Programmatic areas

UNDP’s global rule of law and human rights assistance continues to emphasize enhancing physical and legal protection of people and communities, ensuring legal representation, access to justice, and empowering communities and civil society. It seeks to develop capacities of justice and law-enforcement institutions, and ensure that security providers are subject to civilian oversight. Particular emphasis is placed on tackling sexual and gender-based violence and improving justice, security and human rights for traditionally marginalized, socially-excluded and oft-stigmatized groups in situations affected by conflict and fragility⁹⁸.

In order to maximise the ability to provide strategic, forward-looking recommendations and lessons, the evaluation has to analyse the positive outcomes, as well as the shortcomings, of the Guinea-Bissau RoL&J project considering alignment with programming priority areas of the second-phase of the Global Programme RoL (2012-2015)⁹⁹:

1. Access to security and justice during an on-going conflict or immediate post-crisis recovery
2. Women’s security and access to justice
3. Capacity development of key justice and security institutions
4. Transitional justice
5. Armed violence reduction and citizen/community security
6. Rule of law for economic recovery.

Interrogating the RoL&J from this perspective will highlight relevant continuities and potential gaps in the country-global programming continuum explicitly sought by the Global Programme RoL. It will also bring to light country-level contextual nuances and dynamics that are important to approach a global rule of law agenda with flexibility, and to provide further entry points for local ownership of UNDP-supported interventions. Additional dimensions that will constitute object of analysis, and relevant to the Global Programme RoL objectives include:

- a. Identification of elements with potential for upscaling and replicability elsewhere;
- b. The adoption of conflict sensitive and change management approaches, including risk management and mitigation;
- c. Strategic dimension of the project including its relevance, good practice in Monitoring and Evaluation (M&E), and national ownership;

Civilian capacity in the aftermath of conflict¹ identified key areas for strengthening overall UN responses to conflict-affected situations. Within the rule of law sector, the areas of police, justice and corrections were identified.

⁹⁷ UNDP 2016, *Global Programme on Strengthening the Rule of Law...*, pp.28-30.

⁹⁸ *Idem*, p.14..

⁹⁹ UNDP 2011, *op.cit.*, pp. 18-24.

- d. Coherence of programming policies, including UN principles implementation strengthened through coordination and joint programming, and UN partnerships and system arrangements such as the GFP.

e. Data collection methods and analysis tools

The following methods will be used to collect, structure, and analyse data:

- Document Review and Analysis (Project documents as well as other potentially relevant studies and surveys).
- Semi-structured interviews, undertaken with informed consent, and ensuring anonymity and confidentiality.
- Focus groups sessions.
- Direct observations (especially through visits to the regions).

The use of the abovementioned different methods will allow for triangulation of the information, contributing to the validity of the findings and recommendations. The following tools will be used to facilitate generation of analysis and recommendations:

- End of day debrief sessions amongst the ISSAT team to analyse daily gathered data.
- Review of critical incidents during the project existence, as well as those related to the fieldwork per se.
- Outcome mapping analysis.
- Ripple effect mapping.
- SWOT analysis.
- Theory of Change (to assist the design of next phase of the country RoL&J project design).

f. Limitations

The political instability in Guinea-Bissau has implications in the practical conditions for undertaking an evaluation, mostly weakening the predictability of the field mission. Whilst the overall situation is peaceful, the power struggles that triggered earlier political and constitutional crisis were not resolved. Moreover, the limitations of service provision in basic areas are causing heightened social tensions, as shown by recent demonstrations. Beyond the security risks, such a context is less conducive to open and candid sharing of opinions and information, potentially limiting the extent of participation of some stakeholders in the evaluation.

The constitutional crisis from 2012 to 2014, following a military coup d'état, and the heavy impact on both the national agenda for development and on the commitment and opportunities for engagement of key international partners, also created discontinuities and obstacles, which impacted on the RoL&J project. It is likely that the interruptions, setbacks, and challenges to the programme cycle reflect in less robust baseline studies and indicators, and monitoring reports for the umbrella project and other related projects/activities. In general the country lacks data; the generation of primary data is compromised by the unstable political context, and the existing sparse secondary data is usually unreliable. Hence, basic data such as that generated through statistics and perception surveys (when existing) lacks accuracy affecting also the RoL and Justice areas of work.

Another difficulty might arise in attributing clearly to the RoL&J project results linked as well to other projects/support initiatives in this area, particularly where joint programming might be at stake. Hence, to avoid deadlock in searching for direct causality, the approach adopted is one of looking for indicators that account for significant contribution.

Finally, a direct limitation to the evaluation is the turnover in office of national officials and representatives or focal points for donor agencies and organisations.

1. Evaluation steps

Phase 1: Desk review and development of the evaluation plan

- Document analysis (full list in Annex I):
 - Project documents for the implementation of the RoL&J project;
 - Monitoring documentation for the RoL&J project (*e.g.*, Annual Project Reports, Annual Work Plans, field visits reports, and/or Standard Progress Reports, quarterly progress updates if available, agendas and minutes for annual reviews as well as any documentation on data collection where relevant);
 - Documents from related projects and funding arrangements concurring to the RoL&J project outcomes, as per the list suggested by UNDP CO in Bissau, which includes:
 - Strengthening Justice and Security Sector Reform (MDG-F);
 - Rule of Law & Justice (MPTF);
 - Strengthening Rule of Law & Law Enforcement in Guinea-Bissau (INL);
 - Strengthening Public Confidence in the Justice System (MPTF).
 - Country Programme Action Plans (CPAP);
 - Baseline data for the RoL&J, UNDAF, CPD, and Global Programme RoL as relevant and available;
 - Project documents for the Global Programme RoL Phase II and Phase III, as well as annual reports under Phase II;
 - UNDAF and CPAP documents for the RoL&J implementation period and for the next phase of the project.
- Preparation of a list of interviews.
- Drafting a detailed Evaluation Plan, including a methodology framework (this document).
- Undertake outcomes analysis and mapping for the RoL&J project.
- Carry out interviews with non-resident experts pertinent to the evaluation, such as Carlos Sangreman and Silvia Roque.
- Draft an Inception Report (time allowing).
- Organise fieldwork logistics.

Phase 2: Field mission in Guinea-Bissau

- Initial meeting with UNDP CO leadership and main RoL&J project manager in Bissau.
- Individual interviews (following protocol as per Annex II) with UNDP leadership, RoL&J project management staff, stakeholders, partners and beneficiaries:

UNDP COUNTRY OFFICE

- Maria do Valle Ribeiro, Deputy Special Representative of the Secretary General (DSRSG) and UNDP Resident Coordinator
- Gabriel Dava, UNDP Deputy Resident Representative – Operations

- Kanil Lopes, Programme Analyst RoL&J
- Giovanni d'Amato, former Programme Manager RoL&J (phone interview)

UN PARTNERS

- UNIOGBIS:
 - Head of the RoL and Security Institutions Unit (ROLSI)
 - Head of the Justice and RoL Section, under ROLS
 - Head of the Gender and Human Rights Unit, which also represents the Office of the United Nations High Commissioner for Human Rights (OHCHR)
- UNODC
- UN Women
- UNICEF
- PBF

NON-UN INTERNATIONAL PARTNERS

- Funders of UNDP RoL Programme:
 - Embassy of Spain/Spanish Cooperation
 - Netherlands Embassy/SNV
 - Embassy of Japan
 - Representative of the US State Department or the NFL
 - AfDB
- European Union Delegation in Bissau
- World Bank
- Consulate of Turkey
- Consulate of Germany
- SwissAid

NATIONAL STAKEHOLDERS

State Institutions

- Ministry of Justice (MoJ):
 - General Directorate of Justice Administration
 - GICJU- Coordinator of the Office of Information and Legal Consultation (responsible for the CAJs)
 - Access to Justice Centres (CAJ) coordinators (at least those of Bissau Velho and Bairro Militar, also Mansoa and potentially Canchungo);
 - Judiciary Police
 - CENFOJ
- Ministry of Interior (MoI):
 - Interview with central Ministry authorities
 - Visit to police stations in areas where CAJs exist, both in Bissau and in the regions
- Ministry of Women, Family and Social Cohesion
- Parliament:
 - Commission on Legal Affairs, Constitutional Matters, Public Administration and Human Rights;
 - Commission on Children and Women issues
 - Association of Women Parliamentarians
- Attorney General
- Superior Council of the Magistrates of the Attorney General's Office
- President of the Supreme Court

- Superior Council of the Judiciary
- President of the Court of Audit

Non-state Actors

- BAR Association
 - Trade Union of the Judiciary Magistrates (ASMAGUI)
 - Faculty of Law, Bissau:
 - Loureiro Bastos
 - Fodé Abulai Mané, also from the National Institute of Studies and Research (*Instituto Nacional de Estudos e Pesquisa – INEP*) besides teaching at the Faculty of Law
 - Leading legal/access to justice/criminal experts
 - Traditional, customary and/or religious leaders
 - One in each region visited, and where the CAJs are present
 - Régulo de Biombo (Bissau)
 - One religious authority (or inter-faith body working on issues of national dialogue, reconciliation and/or transitional justice)
 - Régulo from Antula and Prabis
 - Individual interviews with CSOs which work as UNDP partners under the RoL&J project;
 - Citizens from the communities that benefitted from the project.
- Focus groups with:
 - Representation from UN agencies on the value of the UNDP RoL&J project and past, current and future programming/project synergies;
 - Focus groups justice/RoL/Women's and children's rights; Civil Society Organisations working in Access to Justice, capacity building of justice institutions, gender and human rights (suggestions: RENLUV, AMIC, Comité para o Abandono de Práticas Nefastas, LGDH, representatives from *Casa dos Direitos*, MANITESE, Comissão Justiça e Paz).
 - On-site observations and consultations outside Bissau in two regions where the RoL&J project had targeted interventions.
 - Initial analysis of the data collected, reflecting the perception of stakeholders, partners, and recipients of the project about key outcomes, and questioning the results of the RoL&J from the perspective of the next phase of implementation, and its potential for contributing to the Global Programme RoL.
 - SWOT Analysis of the RoL&J project.
 - Draft recommendations for the next phase of the RoL&J project design.
 - Final debrief with UNDP CO leadership and main RoL&J project manager in Bissau.

Phase 3: Analysis and synthesis of data collected and drafting of the evaluation report.

- Draft the first version of the evaluation report.
- Analyse comments by UNDP CO and HQ on the first draft report.
- Integrate comments and draft the final evaluation report.

Phase 4: Validation workshop with UNDP CO in Guinea-Bissau.

2. Timeline

Key milestones as follows:

- 7 to 18 Nov.: Desk analysis, Methodology, Logistics;
- 26 Nov to 11 Dec.: Field mission in Bissau and regions;
- 12 to 22 Dec.: Analysis, synthesis, first draft of the evaluation report;
- 22 Dec. to 06 Jan.: Receive comments and suggestions from UNDP CO and HQ on the first draft of the evaluation report;
- 20 Jan.: Submission of Evaluation Report (provided comments are sent back to ISSAT within abovementioned dates);
- 27 Jan.: Submission of Executive Summary in Portuguese;
- Week of 6 to 10 Feb.: Validation workshop in Bissau.

3. Proposed list of interviews

See Section 5, above, for intended stakeholders; a final list of actual interviews carried out will be included on the Evaluation Report as annex.

4. Structure of the report

- Executive summary (Portuguese)
- II. Executive Summary and Key Recommendations
- III. Acronyms
- IV. Introduction
- V. Objectives and Methodology
- VI. A time of crisis: context and challenges 2014-2016
- VII. Assessing the outcomes of the RoL&J
 - a. Findings:
 - i. Relevance
 - ii. Effectiveness
 - iii. Efficiency
 - iv. Sustainability
 - v. Monitoring
 - vi. Comparative advantage
 - vii. Cross-cutting issues.
 - viii. Lessons for the next phase of the project
 - b. Lessons from the Global Programme Phase II
 - ii. On process
 - iii. On management
 - iv. On partnerships
 - v. On monitoring
 - c. Good practice from supporting RoL in Guinea-Bissau
- VIII. Recommendations:
 - a. To UNDP CO
 - b. To UNDP HQ, including on GFP and the Global Programme on RoL
 - c. To national stakeholders
 - d. To international partners
- IX. Annexes

5. Expected evaluation outputs

- A pre-deployment evaluation plan outlining a methodology framework and country/project evaluation criteria, as well as global relevant criteria.
- Inception report completed just prior to fieldwork, drafted on the basis of the review of project documents provided by the country office (time allowing).
- SWOT analysis of the RoL&J project.
- Debrief session with relevant country office leadership and management at the end of the fieldwork, including recommendations for subsequent phase of UNDP CO programming on RoL, as well as a reflection about global relevant evaluation criteria and lessons.
- A first version of the evaluation report by 22 December;
- Final evaluation report in English, including recommendations for the next phase of programming (submitted by 20 January 2017).
- An executive summary of the report, including recommendations in Portuguese (submitted by 27 January).
- Presentation of findings at a validation workshop (to be held in February 2017).

Annex II: List of interviews

Interviews during field mission in Guinea-Bissau 28.11.2016 to 11.12.2016

Name	Organisation/Institution
UNDP	
Maria do Valle Ribeiro	UN Resident Representative in Guinea-Bissau
Gabriel Dava	Deputy Resident Representative
Kanil Lopes	Programme analyst, RoL&J, UNDP
Taino João Monteiro	Programme associate, Local Economic Development (LED) , UNDP
Giovanni D'Amato	Former project manager, RoL&J UNDP
National institutions and counterparts	
Juliano Fernandes	Coordinator, Office of Information and Legal Consultation (GICJU)
Ansumane Sanhá	Coordinator, CAJ Bissau Velho
Kadafy Sanhá	Assistant, CAJ Bissau Velho
Degol Mendes	General Directorate of Justice, Ministry of Justice
Julião Vieira Insumbo	Vice-director, CENFOJ
Alfredo Quidom	Deputy head, Permanent Committee on Women and Children Committee, ANP
Luis Olundo Mendes	Minister of Justice
Cabi Sanhá	Coordinator, CAJ Mansoa
Seco Biagué Nbar	Legal technical advisor, CAJ Mansoa
Autá Fenda Malam Mané	Assistant, CAJ Mansoa
Antonio Tanatua	Representative of the Section Committee, Dugal
Juvenal Mané	Administration secretary, Mansoa
Loa Fran	Police Commissioner, Mansoa



THE INTERNATIONAL SECURITY SECTOR ADVISORY TEAM
THE GENEVA CENTRE FOR THE DEMOCRATIC CONTROL OF ARMED FORCES

Carlos Nhaté	Deputy head, Permanent Committee on Legal and Constitutional Matters, Human Rights and Public Administration, ANP
Bernardo Mário Catchura	Coordinator, CAJ Bairro Militar
Satu Biai	Legal technical advisor, CAJ, Bairro Militar
Paulo Sanhá	President, Supreme Court
António Sedja Man	Attorney-General
José Biague Badô	Deputy Attorney-General
Filomena Mendes	Director, Judiciary Police
Jorge Ribeiro	Deputy director, Judiciary Police
Pedro Mendes	Administrator Canchungo
Vitorino Mário Nhaga	Police Commander Canchungo
Nicolau Farã Gomes	Representative Attorney General Office Canchungo
Mário Bié	Judge at the Court of Canchungo
Alaj Mamadou Mané	Clerk, Court of Canchungo
Adelino Francisco Sanca	Counsellor Judge at the Court of Audit
Amadeu Correia	Director General of Supervision and Control, Court of Audit
Alvaro Oscar Pereira	Director General of Planning, Budget and Management, Court of Audit
Frankling Vieira	Cabinet Director of the Counsellor President, Court of Audit
Samarise Barbosa	Judge of law; Member of the Advisory Board of ASMAGUI
Injonalo Indi	Judge of law; Secretary General of ASMAGUI
Monica Indami	Judge of law; President of the Advisory Board of ASMAGUI
Civil society organisations and academics	
Miguel de Barros	Tiniguena
Gueri Gomes Lopes	Rede Nacional da Juventude (RENAJ)



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Vitorino Indequê	Vice-President LGDH
Filomena Ferreira	Casa dos Direitos
Aissatu Camara Injai	RENLUV President
Toneca Silá	RENLUV Programme Officer
Maria Aniquela Forbs	RENLUV Coordinator Thematic Group Health
Fodé Abulai Mané	Researcher, INEP, Faculty of Law
Augusto Mário	President of the LGDH
Luís Vaz Martins	Chairman of the National Council of the LGDH
Sílvia Roque	Researcher, Centre for Social Studies, University of Coimbra (Portugal)
Carlos Sangreman	Researcher, Centre for African and Latin American Studies, ISEG, University of Lisbon (Portugal)
Janílsia Correia	Regional Children Parliament Canchungo
Glauciana Turé Fofana	Regional Children Parliament Canchungo
Jacqueline Pereira Barreto	Associação Guineense para o Bem Estar da Família; Associação Feminina “Computadores di Paz”.
Traditional, religious and informal leaders	
Issufo Ussene	Imam, Bissau
Brahima Camará	Imam, Bissau
Issufo Camará	Imam, Bissau
Fernando Baticã Ferreira	Régulo Canchungo
CAJ users	
Ructa Mané	Mansoa
Segunda M'Bali	Mansoa
Mom Culute	Mansoa
Marcos Imbonde na Sandjela	Mansoa
Afef Abou Hossun	Bairro Militar, Bissau
Celi Indjai	Bairro Militar, Bissau





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THE GENEVA CENTRE FOR THE DEMOCRATIC CONTROL OF ARMED FORCES

Malan Sanhá	Bissau Velho, Bissau
Sécuna Mané	Bissau Velho, Bissau
Juliana Diata	Bissau Velho, Bissau
Sorai Alfredo Dimas Cá	Bissau Velho, Bissau
Romão Gomes Roberto	Canchungo
Cassiana Djaló	Canchungo
Quintino Vicente Com Mendes	Canchungo
Elsa João da Silva	Canchungo
Partners in the UN System	
Sónia Polonio	UNICEF
Janet Murdock	PBF
Marco Carmignani	REASG
Yasmine Cabral	Human Rights Section, UNIOGBIS
Mário Maia Moreira	UNODC, UNIOGBIS
Antero Lopes	Head of ROLSI, UNIOGBIS
Judith Mirembe	Gender Affairs Unit, UNIOGBIS
Bubacar Touré	Gender Affairs Unit, UNIOGBIS
Bilateral and multilateral partners	
Lurdes Caiado	Embassy of Portugal
Col. Costa Caio	Embassy of Portugal
Cristina Pol	EU Delegation, Bissau



Annex III: Agenda for field mission

Draft Agenda of ISSAT Evaluation Mission – Guinea-Bissau – 26th November to 10th December 2016

Date	Hour	Organization	Venue
28 th November 2016	08:30	Driver pick-up everyday with exception of 1 st December-Visit to Mansoa and 7 th December- Visit to Canchungo	Hotel Império
	09:00-10:00	Preliminary Briefing with Gabriel and Kanil (review agenda, outstanding matters, administrative issues, evaluation approach)	UN Building – 4 th Floor
	10.30-12:15	Kanil Lopes Revision of agenda for the field mission	UN Building – 4 th Floor
	12.15-13:00	Lunch	Bissau
	13:00-14:30	Gabriel Dava – DRR/P	UN Building – 4 th Floor
	15:00-18:00	Collective Mapping/reconstitution Theory of Change RoL&J project Kanil, Taino	UN Building – 4 th Floor
29 th November 2016	09:00-10:00	Judith Mirembe UNIOGBIS Gender Affairs Officer –(w. Bubacar Touré)	UNIOGBIS
	10.00-11:00	Security briefing – Francisco Grana and Yaya Touré	UNIOGBIS
	11:30-13:00	Juliano Fernandes – Coordinator of the Office of Information and Legal Consultation (GICJU) (w. Ansumane Sanhá, coord. CAJ Bissau Velho and Kadafy Sanhá, admin. assistant CAJ Bissau Velho	GICJU – Bissau
	13:00-13:45	Lunch	Bissau
	14:00-15:30	Degol Mendes - General Directorate of Justice	Ministério da Justiça



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		(LAA+PVE)	
	16.00-18:00	Julião Vieira Insumbo, vice-director CENFOJ (LAA+PVE)	Palácio da Justiça
	17:00:1800	Kanil Lopes (MEP)	UN Building – 4 th Floor
30 th November 2016	09:00-10:30	Alfredo Quidom, MP, deputy chair, Specialised Committee Women and Children, ANP (LAA, MEP) (Cont.) Julião Vieira Insumbo, deputy-director CENFOJ (PVE)	National Assembly - Bissau
	10:45-11:45	Bank to Cash DSA's (unsuccessful attempt)	
	12:00-13:15	Lunch	Bissau
	13:30-15:00	Luis Olundo Mendes, Minister of Justice	Ministério da Justiça
	15:45-17:30	Focus groups with CSOs: Tiniguena – Miguel de Barros RENAJ - Gueri Gomes Lopes LGDH – Vitorino Indequé Casa dos Direitos – Filomena Ferreira	Casa dos Direitos
1 st December 2016	07:30-18:30	Visit to CAJ Mansoa 07:30-08:50 – Pick-up and travel to Mansoa 09:00-10:00 - Interview with CAJ Cabi Sanhá + Seco Biagué Nbar (note: Auta, admin.assist) 10:00-12:00 – Interview with beneficiaries: Ructa Mané (MEP)	Mansoa





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		<p>Segunda M'Bali (LAA)</p> <p>Mom Culute (LAA)</p> <p>12:00-13:00- Lunch</p> <p>13:15-14:00 Interview with rep from the Village Committee from Dugal, Antonio Tanatua/'Futsau',</p> <p>14:10-15:10- Interview with Local Admin rep, Juvenal Mané, 'admin.secretary'</p> <p>15:20-16:20- Interview Police Commissioner, Loa Fran</p> <p>16:30-18:30 Return to Bissau</p>	
2 nd December 2016	10:00-12:30	<p>Carlos Nhaté, MP, deputy, Permanent Committee on Legal and Constitutional Matters, Human Rights and Public Administration (MEP)</p> <p>Visit to CAJ Bissau Velho (PVE)</p> <p>Visit to CAJ Bairro Militar (LAA)</p> <ul style="list-style-type: none"> - Interview with CAJ coordinator, Bernardo Mario Catchura, TAJ Satu Biai - Interview with Muslim religious leaders (Imams Issufo Ussene, Issufo Camará, Brahim Camará) - Interview with CAJ beneficiary, Afef Abou Hossun - Interview with CAJ beneficiary, Celi Indjai 	Bissau
	12:30-13:30	Lunch	Bissau
	14:00-15:30	<ol style="list-style-type: none"> 1. President of the Audit Office ("Cour de Comptes"), Dionisio Cabi (PVE) 2. President of the Supreme Court, Justice Paulo Sanhá (LAA, MEP) 	Palácio de Justiça
	16:00-17:00	Embassy of Portugal: Lurdes Caiado and Col. Costa Caio (MEP)	Bissau





THE INTERNATIONAL SECURITY SECTOR ADVISORY TEAM
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	17:30-19:00	Gabriel Dava – DRR/P	UN Building – 4 th Floor
3 rd December 2016	Saturday	Work Day - Systematisation of Interview Information	
4 th December 2016	Sunday	Work Day - Systematisation of Interview Information	
5 th December 2016	09:00-09:45	PNUD- revisit the agenda with Kanil, and subsequently time w/him to go over Monitoring Practice and expand until 11:15 if possible (ESP lead)	UN Building – 5 th Floor
	10:30-11:15	Sonia Polonio, UNICEF	UN Building – 5 th Floor
	11:30-12:15	Janet Murdock, PBF (MEP)	UN Building – 5 th Floor
	12:20-12:50	Lunch	UNIOGBIS
	13:00-14:00	Marco Carmignani, REASG	UNIOGBIS
	14:15-15:15	ESP and LAA work at the Hotel	
	16:00-17:00	Yasmine Cabral, UNIOGBIS Human Rights Section	UNIOGBIS
	17:15-18:15	Mário Maia Moreira – UNODC (MEP)	UNIOGBIS
6 th December 2016	10:00-11:00	RENLUV (MEP + ESP) Model Police Station Bairro Militar (LAA)	Bairro Militar de Bissau
	11:30-12:30	Attorney General Office (ALL)	Palacio da Justica
	12:45-13:45	Lunch	
	14:00-15:00	GB League of Human Rights (ESP)	
	14:15-15:15	Director of the Judiciary Police (LAA)	





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	15:00-16:00	Antero Lopes - Head of the RoL and Security Institutions Unit (ROLSI) (MEP)	
	15:45-16:45	Noémia Cabral Gomes – Trade Union of the Judiciary Magistrates (ASMAGUI) (ESP)	
	16:30-17:30	Maria do Vale Ribeiro, UNDP RR/RC (LAA + MEP)	
7 th December 2016	07:30-20:00	<p>Visit to CAJ Canchungo</p> <p>07:30-09:45 – Pick-up and travel to Canchungo</p> <p>10:00-11:00 - Interview with CAJ</p> <p>11:00-12:00 - Interview with 4 beneficiaries</p> <p>12:00-13:00 - Lunch</p> <p>13:15-14:15 - Interview with traditional leader</p> <p>14:30-15:15 - Interview with Local Admin rep</p> <p>15:30-16:30 - Interview Police Station Commander</p> <p>16:45-17:45 - Interview Attorney General Rep / Court Judge</p> <p>18:00-20:00- Return to Bissau</p>	
8 th December 2016		Day for De-briefing preparation	Bissau
9 th December 2016	14:30-16:30	Debriefing to UNDP RR/RC (+ Gabriel Dava and Kanil Lopes)	UN Building – 5 th Floor
	15:30-16:30	<p>Fodé Abulai Mané – Researcher INEP/ (LAA + PVE)</p> <p>EUDEL – Cristina Pol (MEP)</p>	



10 th December 2016	Saturday	Work on Draft Report	
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Annex IV: Questionnaires for interviews

QUESTIONNAIRE

I. Questions to UNDP Country Office

1. Qual foi a principal motivação e a lógica da criação projecto RoL&J?
2. Quais os principais pressupostos em que se baseou o projecto?
3. Que lições de outros projectos e programas foram tidos em conta no desenho do RoL&J? Que outras intervenções concorreram para os mesmos objectivos durante a implementação do projecto?
4. De que forma foram identificadas as necessidades dos principais destinatários do projecto: comunidades, grupos desfavorecidos e excluídos, e actores da justiça (formal e informal)?
5. Que entidades e parceiros tiveram papel relevante na escolha dos eixos prioritários de intervenção do projecto?
6. De que forma descreve os principais resultados do projecto?
7. Que balanço faz dos resultados do RoL&J em relação aos recursos investidos?
8. Quais foram os factores de sucesso nas áreas em que o projecto atingiu os objectivos pretendidos?
9. Quais foram os principais obstáculos à implementação do RoL&J?
10. Considera a estrutura de projecto adoptada a mais adequada? Houve adaptações da estrutura de gestão durante a implementação do projecto?
11. Em que medida o projecto adoptou os mecanismos de monitoramento previstos?
12. Que obstáculos ou dificuldades se apresentaram para o cumprimento do quadro de resultados?
13. Que tipos e fontes de financiamento foram usadas no decurso do projecto?
14. O projecto conseguiu mobilizar todos os fundos necessários ou houve estrangulamentos/carências durante a implementação? Se sim, como foram resolvidas?
15. Qual a participação do Governo ou outra instituição pública guineense no financiamento do projecto ou de alguns dos seus resultados?
16. Descreva e analise a contribuição do Programa Global Estado de Direito e Justiça do PNUD durante a identificação, planeamento e implementação do RoL&J.
17. Descreva e analise a contribuição do RoL&J para o Programa Global Estado de Direito e Justiça do PNUD.
18. Descreva o tipo de colaboração com outros parceiros do Sistema das Nações Unidas (UNIOGBIS, OHCHR, UNWOMEN, UNICEF, UNODC e outros relevantes.) e identifique as áreas em que foi mais frutífera.
19. Os eixos do projecto continuam a ser pertinentes no actual contexto guineense?
20. De que forma podem os ganhos do RoL&J ser garantidos e consolidados no futuro?
21. Que lições foram identificadas durante a implementação do projecto e quais são pertinentes para outros contextos onde actua o PNUD?
22. Em que medida o projecto RoL&J serviu iniciativas e mecanismos transversais ao Sistema das Nações Unidas, como o GFP, PBF e HRuF?

II. Questions to national stakeholders:

a) Questions to national counterparts and public institutions:

1. Descreva o seu papel e envolvimento com o projecto RoL&J.
2. De que forma foram identificadas as necessidades dos principais destinatários do projecto: comunidades, grupos desfavorecidos e excluídos, e actores da justiça (formal e informal)?
3. Foi envolvido/a em algum processo de consulta com vista ao desenho do projecto? Considera que a sua contribuição foi valorizada?
4. A identificação de prioridades corresponde ao diagnóstico de carências e necessidades efectuado pela instituição que representa?
5. De que forma descreve os principais resultados do projecto?
6. De que forma o projecto influenciou as oportunidades de participação e inclusão de grupos mais desfavorecidos na comunidade, sobretudo mulheres e crianças?
7. De que forma o projecto melhorou a competência dos agentes do Estado envolvidos na administração da justiça (Polícia, PGR, tribunais, prisões CAJ)?
8. Que balanço faz da actividade dos CAJ?
9. Quais foram os factores de sucesso nas áreas em que o projecto atingiu os objectivos pretendidos?
10. Que factores limitaram o impacto do projecto?
11. Qual a participação do Governo ou outra instituição pública guineense no financiamento do projecto ou de alguns dos seus resultados?
12. Na sua percepção, que melhorias e/ou retrocessos na situação de direitos humanos podem ser relacionadas com o projecto?
13. Os eixos do projecto continuam a ser pertinentes no actual contexto guineense?
14. Indique, por ordem decrescente de relevância, a importância da contribuição do PNUD para os projectos conjuntos quanto aos seguintes *inputs*:
 - Mobilização de fundos
 - Advocacia e influência
 - Aconselhamento técnico
 - Coordenação
 - Diálogo político e mediação
 - Recursos humanos
 - Modelos de gestão (incluindo monitoria e avaliação).
15. De que forma podem os ganhos do RoL&J ser garantidos e consolidados no futuro?

b) Questions to civil society organisations and experts:

1. Descreva o seu envolvimento e contribuição com o projecto e o PNUD.
2. De que forma foram identificadas as necessidades dos principais destinatários do projecto: comunidades, grupos desfavorecidos e excluídos, e actores da justiça (formal e informal)?
3. Foi envolvido/a em algum processo de consulta com vista ao desenho do projecto? Considera que a sua contribuição foi valorizada?

4. Descreva o tipo de parceria com o PNUD no quadro deste projecto. A quem coube a iniciativa de procurar essa parceria?
5. Quais são as principais preocupações de justiça e segurança nas comunidades?
6. A quem recorrem as pessoas na comunidade para resolver um conflito?
7. A identificação de prioridades corresponde ao diagnóstico de carências e necessidades efectuado pela instituição que representa?
8. Haveria outras áreas onde o empenhamento do PNUD teria feito mais sentido?
9. Quais foram os factores de sucesso nas áreas em que o projecto atingiu os objectivos pretendidos?
10. De que forma o projecto influenciou as oportunidades de participação e inclusão de grupos mais desfavorecidos na comunidade?
11. De que forma o projecto melhorou a competência dos agentes do Estado envolvidos na administração da justiça (Polícia, PGR, tribunais, prisões CAJ)?
12. Que balanço faz da actividade dos CAJ?
13. Na sua percepção, que melhorias e/ou retrocessos na situação de direitos humanos podem ser relacionadas com o projecto?
14. Os eixos do projecto continuam a ser pertinentes no actual contexto guineense?
15. De que forma podem os ganhos do RoL&J ser garantidos e consolidados no futuro?
16. Indique, por ordem decrescente de relevância, a importância da contribuição do PNUD para os projectos conjuntos quanto aos seguintes *inputs*:
 - Mobilização de fundos
 - Advocacia e influência
 - Aconselhamento técnico
 - Coordenação
 - Diálogo político e mediação
 - Recursos humanos
 - Modelos de gestão (incluindo monitoria e avaliação).

c) Questions to traditional, religious and/or informal authorities:

1. Como começou a sua interacção com o projecto? Tinha anteriormente colaborado de algum modo com acções apoiadas pelo PNUD?
2. Contribuiu com alguma sugestão para a elaboração e execução do projecto? Essa contribuição foi levada em conta?
3. De que forma foram identificadas as necessidades dos principais destinatários do projecto: comunidades, grupos desfavorecidos e excluídos, e actores da justiça (formal e informal)?
4. A identificação de prioridades corresponde ao diagnóstico de carências e necessidades efectuado pela instituição que representa?
5. Quais são as principais preocupações de justiça e segurança na comunidade?
6. A quem recorrem as pessoas na comunidade para resolver um conflito?
7. Que benefícios identifica para si ou para a comunidade que, na sua perspectiva, sejam produto do projecto?

8. Que alterações ocorreram na forma de exercer as suas funções na comunidade? Pode dar exemplos concretos?
9. De que forma o projecto influenciou as oportunidades de participação e inclusão de grupos mais desfavorecidos na comunidade?
10. Quais foram os factores de sucesso nas áreas em que o projecto atingiu os objectivos pretendidos?
11. Que alterações identifica na eficácia e competência dos agentes do Estado (Polícia, tribunais ou outros)?
12. Que balanço faz da actividade dos CAJ?
13. Acha necessária a continuação do projecto no futuro? Nos mesmos moldes ou com alterações?
14. De que forma podem os ganhos do RoL&J ser garantidos e consolidados no futuro?

III. Questions to partners in the UN System

1. Qual o papel da organização que representa no projecto? Participou na identificação, no planeamento, na implementação?
2. De que forma foram identificadas as necessidades dos principais destinatários do projecto: comunidades, grupos desfavorecidos e excluídos, e actores da justiça (formal e informal)?
3. Foi envolvido/a em algum processo de consulta com vista ao desenho do projecto? Considera que a sua contribuição foi valorizada?
4. A identificação de prioridades corresponde ao diagnóstico de carências e necessidades efectuado pela instituição que representa?
5. Descreva o tipo de parceria com o PNUD no quadro deste projecto. A quem coube a iniciativa de procurar essa parceria?
6. Quais foram os factores de sucesso nas áreas em que o projecto atingiu os objectivos pretendidos?
7. Na sua percepção, que melhorias e/ou retrocessos na situação de direitos humanos podem ser relacionadas com o projecto?
8. De que forma podem os ganhos do RoL&J ser garantidos e consolidados no futuro?
9. Qual a participação do Governo ou outra instituição pública guineense no financiamento do projecto ou de alguns dos seus resultados?
10. Os eixos do projecto continuam a ser pertinentes no actual contexto guineense?
11. Identifique a mais-valia do PNUD em projectos conjuntos, sobretudo no apoio ao Estado de direito, direitos humanos e promoção da igualdade de género? (CPD, PBF e GFP)
12. Indique, por ordem decrescente de relevância, a importância da contribuição do PNUD para os projectos conjuntos quanto aos seguintes *inputs*:
 - Mobilização de fundos
 - Advocacia e influência
 - Aconselhamento técnico
 - Coordenação
 - Diálogo político e mediação
 - Recursos humanos

- Modelos de gestão (incluindo monitoria e avaliação).

13. Em que medida o projecto RoL&J serviu iniciativas e mecanismos transversais ao Sistema das Nações Unidas, como o GFP, PBF e HRuF?

Table 4: Questions in relation to stakeholders interviewed

Questions (37)	UNDP CO Guinea- Bissau	National stakeholders			UN System
		State	Non-State		
			OSC	Tradit. & Religious	
Question common to all groups (4)					
Question specific only to one group (17)					
1. Qual foi a principal motivação e a lógica do projecto RoL&J?	X				
2. Quais os principais pressupostos em que se baseou o projecto?	X				
3. Que lições de outros projectos e programas foram tidos em conta no desenho do RoL&J? Que outras intervenções concorreram para os mesmos objectivos durante a implementação do projecto?	X				
4. De que forma foram identificadas as necessidades dos principais destinatários do projecto: comunidades, grupos desfavorecidos e excluídos, e actores da justiça (formal e informal)?	X	X	X	X	X
5. Que entidades e parceiros tiveram papel relevante na escolha dos eixos prioritários de intervenção do projecto?	X				
6. De que forma descreve os principais resultados do projecto?	X				
7. Que balanço faz dos resultados do projecto em relação aos recursos investidos?	X				
8. Quais foram os factores de sucesso nas áreas em que o projecto atingiu os objectivos pretendidos?	X	X	X	X	X
9. Quais foram os principais obstáculos à implementação do projecto?	X	X			
10. Considera a estrutura de projecto adoptada a mais adequada? Houve adaptações da estrutura de gestão durante a implementação do projecto?	X				



11. Em que medida o projecto adoptou os mecanismos de monitoramento previstos?	X				
12. Que obstáculos ou dificuldades se apresentaram para o seguimento do quadro de resultados?	X				
13. Que tipos e fontes de financiamento foram usadas no decurso do projecto?	X				
14. O projecto conseguiu mobilizar todos os fundos necessários ou houve estrangulamentos/carências durante a implementação? Se sim, como foram resolvidas?	X				
15. Qual a participação do Governo ou outra instituição pública guineense no financiamento do projecto ou de alguns dos seus resultados?	X	X			X
16. Descreva e analise a contribuição do Programa Global Estado de Direito e Justiça do PNUD durante a identificação, planeamento e implementação do RoL&J na Guiné-Bissau.	X				
17. Descreva e analise a contribuição do RoL&J para o Programa Global Estado de Direito e Justiça do PNUD.	X				
18. Descreva o tipo de colaboração com outros parceiros do Sistema das Nações Unidas (UNIOGBIS, OHCHR, UNWOMEN, UNICEF, UNODC e outros relevantes.) e identifique as áreas em que foi mais frutífera.	X				
19. Os eixos do projecto continuam a ser pertinentes no actual contexto guineense?	X	X	X	X	X
20. De que forma podem os ganhos do RoL&J ser garantidos e consolidados no futuro?	X	X	X	X	X
21. Que lições foram identificadas durante a implementação do projecto e quais são pertinentes para outros contextos onde actua o PNUD?	X				
22. Descreva o seu papel e envolvimento com o projecto RoL&J.		X	X	X	X
23. Foi envolvido/a em algum processo de consulta com vista ao desenho do projecto? Considera que a sua contribuição foi valorizada?		X	X	X	X
24. A identificação de prioridades corresponde ao diagnóstico de carências e necessidades efectuado pela instituição que representa?		X	X	X	X



25. De que forma descreve os principais resultados do projecto?		X		X	
26. De que forma o projecto influenciou as oportunidades de participação e inclusão de grupos mais desfavorecidos na comunidade, sobretudo mulheres e crianças?		X	X	X	
27. De que forma o projecto melhorou a eficácia e a competência dos actores judiciais?		X	X	X	
28. Que balanço faz da actividade dos CAJ?		X	X	X	
29. Na sua percepção, que melhorias e/ou retrocessos na situação de direitos humanos podem ser relacionadas com o projecto?		X	X		X
30. Indique, por ordem decrescente de relevância, a importância da contribuição do PNUD para os projectos conjuntos quanto aos seguintes <i>inputs</i> : <ul style="list-style-type: none"> • Mobilização de fundos • Advocacia e influência • Aconselhamento técnico • Coordenação • Diálogo político e mediação • Recursos humanos • Modelos de gestão (incluindo monitoria e avaliação). 		X	X		X
31. Quais são as principais preocupações de segurança e justiça nas comunidades?			X	X	
32. A quem recorrem as pessoas na comunidade para resolver um conflito?			X	X	
33. Haveria outras áreas onde o empenhamento do PNUD teria feito mais sentido?			X		
34. Que alterações ocorreram na forma de exercer as suas funções na comunidade? Pode dar exemplos concretos?				X	
35. Descreva o tipo de parceria com o PNUD no quadro deste projecto. A quem coube a iniciativa de procurar essa parceria?			X		X
36. Identifique a mais-valia do PNUD em projectos conjuntos, sobretudo no apoio ao Estado de direito, direitos humanos e promoção da igualdade de género? (CPD, PBF e GFP)					X
37. Em que medida o projecto RoL&J serviu iniciativas e mecanismos transversais ao Sistema das Nações Unidas, como o GFP, PBF e HRuF?	X				X

Annex V: Review of activities and products

OUTPUTS

OUTPUT 1: Access to justice and justice service delivery at the community level improved	
ACTIVITIES	RESULTS ACHIEVED: YES/NO/PARTIALLY
Activity 1.1.: Support 5 CAJ (SAB, Oio, Cacheu and Bafata) established to provide free legal aid to the population, particularly to women and children (2014+2015+2016)	PARTIALLY: The continued financial and technical support from UNDP to these 5 CAJ has enabled more than 8000 citizens to benefit from legal aid services. The CAJ have helped to awaken the consciousness of populations in terms of access to justice and human rights. However, the project did not meet its targets in terms of reaching out to women (no statistics are available for children), due to poor outreach/awareness raising.
Activity 1.2.: Support provision of pro-bono legal assistance and representation in Courts through National Bar Association (micro-grant schemes) (2014+2015).	NO: There has been a lack of provision of pro-bono legal assistance and representation in courts by attorneys-at-law during the implementation period of the project. Indeed, the agreement with the Bar Association that lasted 3 months in 2013 was not renewed during the implementation period of the current project.
2016 (Activity 1.2): Creation and functioning of a new CAJ in the South of the country (Buba) to provide free legal aid services to the population.	YES: The functioning of the new CAJ will be effective as of December 2016.
2016 (Activity 1.3.): Creation and functioning of a new CAJ in the East of the country (Gabu) to provide free legal aid services to the population.	NO: UNDP has decided to create an autonomous project with PBF funds for the rehabilitation works and functioning of a new CAJ in Gabu in 2017.
Activity 1.3.: In collaboration with UNWOMEN, ensure access to justice for victims/survivors of SGBV through differentiated, skilled and free health support, crisis counselling and psycho-social assistance provided by specific cells (CAVs-Célula de Atendimento às Vítimas). (2014+2015).	NO.
Activity 1.4.: In liaison with UNWOMEN and UNICEF, support awareness raising campaigns to promote women's and children's access to justice in order to empower them to understand and claim their right to justice (2014).	PARTIALLY: The Legal Aid Technicians periodically carry out awareness raising campaigns to promote women's and children's access to justice (continuation of a former activity, carried out under the 'Mainstreaming Human Rights' project). However, this activity was not carried out in liaison with UNWOMEN and UNICEF, due to a lack of collaboration with UNWOMEN and UNICEF.
Activity 1.5.: Technical support for drafting regulation to enable mobile legal jurisdictions to operate in accordance with parameters established by law and by the Higher Council of Magistracy (DGTTF) (2014).	YES: Technical support was provided by an international consultant recruited by the project. A draft law regulating the mobile courts was produced; it has remained at draft stage.
Activity 1.6.: Establish 3 pilot mobile courts and	NO: There was no political will from the Government to

strategic support to fixed courts to reduce case backlogs (2014+2015→activity 1.4., continued support).	implement the mobile courts. There was no specific support to fixed courts to reduce case backlogs, as the mobile courts are considered by UNDP to constitute the strategic support to fixed courts to reduce case backlogs.
2015 (activity 1.5): Technical support to review the legal framework for the Community Courts to: (i) increase their competence versus Regional Courts in both civil and criminal cases; (ii) establish minimum standards of education required for Community Court Judges.	NO.
Activity 1.7. Technical support to finalise legal framework for mediation and conciliation under ADR mechanisms scheme, to decongest Community Courts workflow (2014).	YES: The same consultancy (mobile courts) produced a document on penal mediation, but there was no political support for it.
Activity 1.8. : Deliver training on ADR mechanisms to appointed Legal Aid Technicians on duty at the CAJ (2014).	YES: In-take courses were provided on ADR mechanisms to the new Legal Aid Technicians and refresher courses to the ones already in function.
2015 (activity 1.6) and 2016 (activity 1.5): In liaison with the OHCHR, develop training modules tailored for community leaders on conflict resolution, respect for human rights standards in decision-making processes, and how to collaborate with the formal justice sector.	PARTIALLY: TAJ provide trainings in the Regions to traditional leaders, religious leaders and local administrations on respect for human rights standards and delineating competences between formal and informal justice sector. No modules were developed and the activity takes place without involvement of the OHCHR.
2015 (activity 1.7): Based on customary law research findings, develop detailed training modules on customary law and traditional conflict resolution practices for formal justice actors (judges and prosecutors) (+ continued in 2016: include Legal Aid Technicians and Civil Society Representatives, activity 1.7).	NO: These detailed training modules are planned to be developed at a later stage (extension of the project and/or new RoL-J), in the framework of the CENFOJ, as a follow-up of the Study on customary law. UNDP had difficulties of finding a valid interlocutor as the Association of Régulos (traditional leaders) with which it intended to collaborate is not legally registered.
2015 (activity 1.8): Based on Customary Law research findings, develop a detailed training module for Legal Aid Technicians and Civil Society representatives on customary law and traditional conflict resolution practices.	PARTIALLY: The initial take-in course for Legal Aid Technicians includes some training on that topic, but no detailed training modules were developed.
2016 (activity 1.6): Under Ministry of Justice supervision, organize a national conference on legal aid service.	NO: The GICJU Coordinator has not been available to carry out this activity. This activity may be carried out at a later stage, probably under a new RoL-J project.
2015 (activity 1.9): Support the revision of the legal framework for the GICJU as an autonomous legal aid institution.	YES: A draft was submitted to the MoJ, but has not yet been approved by the Council of Ministers (political decision).



2015 (activity 1.10): Conduct Access to Justice Study in 4 regions (SAB, Cacheu, Oio and Bafata) based on the findings of the Access to Justice Assessment published in 2011.	NO: The Study is considered to be an update of the one conducted in 2011, but was not carried out.
Activity 1.9: Organise a workshop on the customary law codification research (conducted in liaison with the Law Faculty) to foster debate of legislative revisions options to explore potential mechanisms of interface between Customary Law and State Law. (2014).	NO: There was no valid interlocutor. The 'Associação de Régulos' is not a legally registered association. UNDP plans to carry out this activity in 2017, when a valid interlocutor will be identified.
2016 (activity 1.4.): Organise a workshop to foster national debate on possible ways to promote effective and constructive interface between formal and informal justice systems.	NO: There was no valid interlocutor. The 'Associação de Régulos' is not a legally registered association. UNDP plans to carry out this activity in 2017, when a valid interlocutor will be identified.
Activity 1.10 (2014) and 2015 (Activity 1.11): Rehabilitation of premises and equipping of two Community Courts in Oio and Cacheu Regions, where the CAJ have already been established.	PARTIALLY: Construction (not rehabilitation) of one Community Court in Mansoa (Oio Region). Preference was given to construction on land belonging to the State, instead of rehabilitation. At the time of evaluation, construction works were being finalised. A Community Court was also constructed in Cacheu Region; the Court is already in use but has not been equipped. Preparations are also underway to start construction of a Community Court in Bubaque (Bolama Region), where there is currently no CAJ.
Activity 1.11: Support to the GICJU to produce relevant and accurate statistics on legal aid service delivery, with particular focus on cases affecting Vulnerable Groups (women and children) to support public policy formulation on access to justice for these groups and preventing violence against women (2014).	PARTIALLY: GICJU collects data and produces statistics, but they are very partially disaggregated by gender, and there is no analysis. The lack of data is sometimes a constraint for further analysis by UNDP.
OUTPUT 2: Skills competencies of Justice Sector Actors enhanced	
Activity 2.1.: Support the CENFOJ to organize a seminar, in collaboration with the Law Faculty, on compliance with the Bangalore Principles of Judicial Conduct (2014).	PARTIALLY: In 2015, UNDP provided support to both magistracies for the elaboration of a Code of Conduct, based on the Bangalore Principles of Judicial Conduct. The CENFOJ organised a seminar for judicial magistrates including the compliance with the Bangalore Principles, with the assistance of Portuguese and Brazilian trainers. For the Public Ministry, support was provided by the CENFOJ to the Trade Union of Prosecutors; a compilation of rules was prepared in 2015, but the seminar did not yet take place, as the Public Ministry did not present a plan to organise the training.
Activity 2.2.: Support CENFOJ to ensure it is fully staffed and equipped for adequate working	YES: All operational running costs of the CENFOJ are supported by UNDP.



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conditions (2014) +2015 and 2016→activity 2.1. continued.	
Activity 2.3.: Assistance and supervision for judges and prosecutors <i>stagiaires</i> during their probation period, including final evaluation report for Superior Councils (2014).	YES: Two groups of 14 and 16 interns completed their probation period with the assistance of a CENFOJ trainer. A final evaluation report was drafted for Superior Councils.
Activity 2.4.: At the CENFOJ, deliver complementary courses (refresher trainings), on both criminal and civil law matters, to magistrates (judges and prosecutors) currently appointed for Community Courts (2014) +2015→ activity 2.2: including for private lawyers. +2016→ activity 2.2: including complementary courses on administrative law and including court clerks as beneficiaries of complementary courses.	YES: Complementary courses (refresher trainings) were provided on civil and criminal law matters for magistrates in office at Community Courts and other magistrates in office (judges and prosecutors), judicial officers, and private lawyers. Themes included: Administrative Law, Trafficking of human beings, SGBV, enforcement of sentences and security measures, money laundering and financing of terrorism, themes of civil law and civil procedural law, themes of criminal law and criminal procedural law, Family law and Juvenile law. A specific course was provided for the Military Judiciary Police of UNIOGBIS (May-July 2016).
2016 (activity 2.3): Workshop on case management and record (expat trainer) intended for the Directorate of Justice Administration, Supreme Court and General Attorney's Office.	NO: Lack of time and slow financial/contractual procedures at UNDP prevented the CENFOJ from carrying out this activity.
2016 (activity 2.4.): Programme Exchange Visit.	YES: 1) A group of 12 magistrates (6 judicial magistrates + 6 prosecutors) visited the Brasilia/Federal Court in November 2016 for a training on organised crime and money laundering. 2) A partnership was established with the 'Centre de formation judiciaire' in Dakar (Senegal) for a one week specific training planned in December 2016 for another group of 14 magistrates (7 judicial magistrates + 7 prosecutors) on measures to combat organised crime. 3) A group of Brazilian trainers provided training to 60 prosecutors at the Brazilian embassy in 2016. 4) 7 Guinean trainers received a Training of Trainers at the 'Centro de Estudos Judiciários' (Portugal) in criminal matters (September/October 2016); 3 of them were still in training in December 2016.
Activity 2.5. Establishment of a functioning and updated Law Library at the CENFOJ (2014+ continued in 2016→activity 2.5).	NO: Lack of consistent information on available stocks at the FNAC in Portugal allowing planning orders. Funds for this activity were diverted to other budget lines/activities.
Activity 2.6. In liaison with UNWOMEN and in collaboration with the Law Faculty, support CENFOJ to develop a Journal on Gender Jurisprudence to raise awareness and disseminate information and guidance on SGBV cases and	NO: There was a lack of coordination between UNDP and the Law Faculty/UNWOMEN.





trends for practitioners and the public (2014).	
2015 (activity 2.3). In liaison with UNICEF and in collaboration with Law Faculty, support CENFOJ to develop a Journal on Law and Jurisprudence related to Juvenile Justice.	NO.
2015 (activity 2.5.). Design and implement gender-based corrective actions in order to increase the number of women enrolled in the CENFOJ training programme.	NO.
2015 (activity 2.6). In liaison with the Law Faculty of Bissau, support the development and launch of the first in house Master of Laws (LLM) accredited by the Lisbon Law Faculty.	NO.
Activity 2.7. In collaboration with UNWOMEN and UNICEF at the CENFOJ, design and deliver complementary courses tailored for magistrates on duty at the Community Courts, on implementing legislation related to the protection of women and children (law against GFM, domestic violence law, child rights bill). (2014)	PARTIALLY: An initial discussion took place with UNWOMEN and UNICEF, but the collaboration with these agencies did not materialise. The CENFOJ provided refresher courses tailored for magistrates on duty at the Community Courts on implementing legislation related to the protection of women and children, without the inputs from UNWOMEN and UNICEF.
OUTPUT 3: Justice sector Coordination and Governance enhanced	
Activity 3.1. Strengthen CSO's capacity to ensure objective monitoring of justice service delivery, to be in full compliance with the rule of law and human rights standards, especially in regard to SGBV related cases (2014) (continued in 2016→activity 3.3).	NO: There was a Partnership with the Observatório dos Direitos Humanos through signature of a micro-grant agreement to bring together various organisations working in the area of human rights to join efforts to monitor justice service delivery, especially in regard to SGBV cases. CSO's capacities in the area were not reinforced as its basis was a Study to be carried out by the Observatório dos Direitos Humanos (LGDH) in collaboration with CESA (Portugal) end of 2014/2015. The Study was intended to lead to the development of a Judicial System monitoring tool to measure the quality of justice service delivery. However, the Study itself was not considered to be of sufficient quality by UNDP to be published and disseminated, as the selected criteria of evaluation were not considered to be appropriate. Additional elements were not provided by the consultants.
2015 (activity 3.2): Develop a Judicial System Monitoring knowledge management tool for CSOs.	NO: The development of a Judicial System Monitoring management tool for CSOs was to be based on the above-mentioned Study, which was not considered by UNDP to be of sufficient quality.
2015 (activity 3.3): Support CSOs to launch a public information and awareness campaign on	PARTIALLY: Awareness-raising campaigns take place in these Regions, but not on Justice Sector Reform



Justice Sector Reform process in Cacheu, Oio and Bafata Region.	processes.
2015 (activity 3.4): In liaison with the Ministry of Justice and both Superior Councils of Magistracies, support creation of a Judiciary database for updated data available on the backlog of cases at the Community and Regional Courts (continued in 2016→activity 3.1.: include the General Attorney Office).	NO: It is foreseen that a new PBF project will support the creation of the database in 2017.
Activity 3.2. In collaboration with UNODC Regional Office, organize a workshop on strengthening anti-corruption implementation capacities through the UNCAC self-assessment (2014).	NO. UNODC had only had an administrative representative in the country in 2013 to 2015. They have reopened since short.
2016 (Activity 3.2.): Conduct Baseline Study in Bissau and 2 Regions (Cacheu and Oio) to collect data related to efficiency and effectiveness of Justice Service Delivery in Guinea-Bissau (updated data on backlog of pending cases).	NO. (this activity is an update of the 2011 Study on Access to Justice).
2015 (activity 3.1): Support the establishment and functioning of a permanent Justice Dialogue Platform (judicial actors, academia, civil society, women and youth organizations and traditional leaders) to better identify possible ways to enhance interface between traditional and formal justice systems.	NO: There were no political conditions to reunite all justice sector actors. In addition, there was no valid interlocutor for traditional justice.



Annex VI: Review of indicators

Output 1: Access to Justice and Justice Service delivery at the community level improved

Indicator 1 (2014): Number of beneficiaries (disaggregated by gender) that recur to Legal Aid services provided by the CAJs in the Regions of Oio, Cacheu, Bafata and SAB.	Baseline 2014: Since September 2011 to September 2013, the CAJs have assisted over 3.525 beneficiaries (21% women).	Target 2014: By December 2014, the number of beneficiaries that recurred to Legal Aid services increased by 40% and 25% of beneficiaries are women. This means that in order to reach its target, the CAJ should assist minimum $3.525 + 1410 (=40\%) = 4935$ beneficiaries, of which 25% are women.	Target 2014 was reached/not reached: The number of beneficiaries was increased by <u>1788 users</u> , reaching a <u>total of 5313 users</u> . The target was reached as to the number of beneficiaries that recurred to legal aid services. However, the percentage of women has reportedly not exceeded 21%.
Indicator 2015: Unchanged in 2015	Baseline 2015: Unchanged in 2015	Target 2015: By December 2015, the number of beneficiaries that recurred to Legal Aid services increased by 60% and 30% of beneficiaries are women. This means that in order to reach its target, the CAJ should assist minimum $3.525 + 2.115$ (60% increase) = 5.640, of which 30% are women.	Target 2015 was reached/not reached: The number of beneficiaries was increased by 1722 users in 2015+ 1788 users (2014)= 3510. 3525 (baseline)+ 3510= <u>7035 users</u> . The target was reached as to the number of beneficiaries that recurred to legal aid services. However, the percentage of women has reportedly not exceeded 21%.
Indicator 2016: Number of people who benefited from legal aid services. However, there is no longer a	Baseline 2016: Since the establishment of Legal Aid mechanisms in Guinea-Bissau (September 2011), 7.313 people have	Target 2016: <u>8.813</u> people have access to free Legal Aid Services in Bissau and 3 Regions (Oio, Cacheu and Bafata).	Target 2016 reached/not reached At the time of the evaluation, statistics were only available until end of October 2016: 1004 users had been assisted. 7035+ 1004= <u>8466 users</u> had benefited from the services of the CAJ, while the target is at 8.813.



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disaggregation by gender included in the indicator.	been assisted with free Legal Aid in the capital of Bissau and 3 Regions (Oio, Cacheu and Bafata). No disaggregation by gender in the baseline. Note: the baseline of 7.313 does not correspond to the figures provided by the GICJU. Based on the figures provided and calculations of the Team, only 7035 users had been assisted by the CAJ by the end of 2015.		Even taking the higher baseline figure of 7313 used as reference by UNDP: $7313+1004=8317$ users. In both cases, the target had not yet been reached at the end of October 2016. If the number of persons recurring to legal aid services remains stable in November and December 2016, it is <u>unlikely that the target will be reached by years end.</u> A minimum percentage of women beneficiaries is no longer a target in 2016.
Indicator 2 (2014): Existence of Mobile Courts' (UJIL) legal framework.	Baseline (2014): Mobile Courts (UJIL) legal framework inexistent in Guinea-Bissau.	Target 2014: Regulation to enable mobile legal jurisdictions to operate in the Regions, available (drafted, approved and adopted).	Target 2014 reached/not reached Regulation was drafted, but not approved nor adopted by the authorities.
Indicator 2 (2015): Rate of cases handled by the Mobile Courts (UJIL), which have already received a legal and judicial assistance from CAJs.	Baseline (2015): Mobile Courts (UJIL) legal framework available in Guinea-Bissau but absence of data on cases handled.	Target 2015: 35% of cases handled by the Mobile Courts have already received legal and judicial assistance from CAJs.	Target 2015 reached/not reached: Mobile Courts could not be set up due to non-approval and adoption of the Regulation by the authorities.

Output 2: Skills and competencies of Justice Sector Actors enhanced.

Indicator 1 (2014): Percentage of the judges and prosecutors <i>Stagiaires</i> that have successfully completed their probation period.	Baseline 2014: In the first quarter of 2013, 14 <i>auditores judiciais</i> (that had successfully completed the first edition of the intake career courses for magistrates held at CENFOJ in	Target 2014: 75% of judges and prosecutors <i>Stagiaires</i> have successfully completed their probation period.	Target 2014 reached/not reached: 100% of judges and prosecutors <i>Stagiaires</i> have successfully completed their probation period.
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	2012) were appointed as judges and prosecutors <i>Stagiaires</i> by their respective Superior Councils.		
Indicator 1 (2015): Percentage of the judges and prosecutors <i>Stagiaires</i> (that have successfully completed their probation period conducted by their respective Superior Councils) newly appointed as magistrados de carreiras (definitive appointment).	Baseline 2015 unchanged.	Target 2015: 75% of the Magistrates <i>Stagiaires</i> were newly appointed as career magistrates (definitive appointment).	Target 2015 reached/not reached: 100% of the Magistrates <i>Stagiaires</i> were newly appointed as career magistrates.
Indicator 1 (2016): Number of newly appointed Magistrates by Superior Councils of Magistracy.	Baseline 2016: In 2015, 13 Magistrates <i>Stagiaires</i> were officially appointed as judges and prosecutors by their respective Superior Councils (2 nd edition of the in-take career courses for Magistrates).	Target 2016: 75% of the Magistrates <i>Stagiaires</i> were newly appointed as career magistrates (definitive appointment).	Target 2016 reached /not reached. 100% of the Magistrates <i>Stagiaires</i> were newly appointed as career magistrates. However, 8 Judicial Magistrates that were appointed had been waiting for a posting since 2 years.
Indicator 2 (2014+2016): Existence of a law library at the National Judicial Training Centre.	Baseline (2014+2016): Absence of a law library at the National Judicial Training Centre.	Target 2014+2016 Law Library available at the National Judicial Training Centre. In 2016: +fully functioning and updated.	Target 2014 and 2016 reached/not reached:
Indicator 2 (2015): Jurisprudence on SGBV cases used in courts.	Baseline 2015 The Law Faculty has the only juridical review in Guinea-Bissau.	Target 2015 CENFOJ developed thematic in-house Journal on Law and Jurisprudence in collaboration with the Law Faculty.	Target 2015 reached/not reached:



Output 3: Justice Sector Coordination and Governance enhanced.

Indicator 1 (2014): Judicial System Monitoring Programme launched under NGO micro-grant scheme.	Baseline 2014: Absence of Judicial Monitoring by CSOs.	Target 2014: Available mechanisms to ensure objective monitoring of the administration of justice to be in full compliance with the Rule of Law and Human Rights Standards.	Target 2014 reached/not reached:
Indicator 1 (2015): Existence of data on performance of "Tribunais de Sector" in Cacheu, Oio and Bafata.	Baseline 2015: Absence of updated data on the functioning of the "Tribunais de Sector" in Cacheu, Oio and Bafata.	Target 2015: Publication of data on performance of Tribunais de Sector in Cacheu, Oio and Bafata.	Target 2015 reached/not reached:
Indicator 1 (2016): Existence of a monitoring mechanism of justice sector system	Baseline 2016: No database of justice sector.	Target 2016: A database system is established and functioning.	Target 2016 reached/not reached:
Indicator 2 (2014): First Judicial System Monitoring Report developed and published in Guinea-Bissau by CSOs.	Baseline 2014: Absence of Judicial Monitoring by CSOs.	Target 2014: Civil Society exercises its oversight function (watchdog function) over the Judiciary.	Target 2014 reached/not reached:
Indicator 2 (2015) Number of quarterly meetings of permanent <i>Justice Dialogue Platform</i> organized.	Baseline 2015: Inexistence of Permanent <i>Justice Dialogue Platform</i> .	Target 2015: At least 3 Permanent Justice Dialogue Platform meetings organized (composed by Judicial Actors, Academia, Civil Society, Women and Youth organisations and traditional leaders) to better identify possible ways to enhance interface between traditional and formal justice systems.	Target 2015 reached/not reached:



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THE GENEVA CENTRE FOR THE DEMOCRATIC CONTROL OF ARMED FORCES

Annex VII: Statistics produced by the GICJU/CAJ

GICJU /GABINETE DE INFORMAÇÃO E CONSULTA JURÍDICA														
QUADRO ESTATÍSTICO DE SETEMBRO 2011 A OUTUBRO 2016														
Designação	Sexo		Crianças/ adolescentes, jovens e adultos			Nacionalidade		Casos encaminhados para CAJ, através de:						RESUMO
	M	F	0-18	18-35	36+	Guineense	Estrangeiro	LGDH	Polícia	Iniciativa do utente	Iniciativa do TAJ	Outros	Total	Resolvidos
Atendimento CAJ	5534	1525	456	3383	3220	6726	332	1367	365	2738	1211	1378	7059	Indefinidos
Atend/Esquad./PAS	1102	305	128	833	446	1352	55	408	37	175	481	302	1407	Remetidos ao tribunal
Total Geral (CAJ + ESQUADRA)													8466	CAJ
Total de casos de consulta jurídica													8466	8466
Total de casos de informação													1412	CAJ
Total de casos de consulta jurídica													7054	CAJ
Total de casos de informação													1412	O.J. Estado
Comentário														
Nº de consulta jurídica no CAJ –													5547	
Nº de consulta jurídica nas ESQUADRAS +PAS													1407	
Total de Consulta Jurídica –													7054	
Nº de casos de informação no CAJ –													867	
Nº de informação nas ESQUADRAS +PAS													545	
Total de casos de informação –													1412	
Total Geral													8466	
% Participação de LGDH –													21	
Sistema Estadual de Justiça-Práticas registadas													100	
Polícia													78	
Tribunal													22	
Problema													100	
Intervenção													100	
Atendimento: nas Esquadr./Tribunais													100	
Total													100	
Consultas jurídicas													100	
Informação													100	
Esquadras													100	
Polícia Judiciária													100	
PAS													100	
SOMA TOTAL													100	
DATA													100	
VISTO													100	
Feito por:													100	
Dr. Juliana Augusta Fernandes / Coordenador do GICJU													100	
Kadafy SANHÁ / Ass. Admin. Financeiro													100	





Annex VIII: SWOT analysis

STRENGTHS <ul style="list-style-type: none">• Clear intent on justice service delivery to vulnerable groups.• Usefulness and relevance of the project widely recognised in the Bissau-Guinean context.• Leading partner in the area of Rule of Law in the country, both for other donors and national counterparts.• Ability to mobilise funds during the entire implementation period, securing continuity of programming in Rule of Law.• Engaging with civil society for the implementation of interventions.• Flexibility and capacity of adaptation.• Strong monitoring framework.	WEAKNESSES <ul style="list-style-type: none">• Lack of sustainability of project, as government does not contribute to the financing of CAJ or CENFOJ.• UNDP lacks institutional relations with the Ministry of Finance; therefore advocacy has not yielded results.• Lack of clarity of the role of TAJ.• Insufficient outreach to women, and in geographic outreach in regions where most cases of gross violations of SGBV occur.• Insufficient engagement with networks and/or organisations working specifically on Gender and Child- rights' issues.• Despite mainstreaming of human rights, implementation has fallen short. In addition, the investment in the human rights component as a programmatic area has been limited given the division of labour agreed with UNIOGBIS which leads on this angle.• Essential components and interventions of the project suffered shortcomings in implementation (Awareness Raising Campaigns, Representation of CAJ users in Regional Courts and above).• The Governance/Coordination component of the Project was not implemented at all.• Poor monitoring practice.• Poor communication strategy.• The GFP arrangement has had limited results in building synergies in the area of Rule of Law across the UN system given context specificities.
OPPORTUNITIES <ul style="list-style-type: none">• Access to Justice is now one the components of the Strategic Plan of Government.• In spite of the political instability, the judiciary is a stable branch of the State in Guinea-Bissau and their decisions are respected.• Donors in general increasingly interested in funding Access to Justice.• INL/BAD/PBF fund contributions.• UNIOGBIS expected to	THREATS <ul style="list-style-type: none">• Impact of the project depends significantly on actions beyond its control.• Political instability.• Donors' funding interests may shift to combating transnational crime and terrorism, creating a gap between donor supply and local demand on justice reforms.• Lack of clear conflict transformation approach might alienate PBSO and put PBF funding at risk.• Phasing out of UNIOGBIS without a

<p>downsize/restructure/exit, therefore role of UNDP expected to increase in Rule of Law → more leverage to negotiate with government; coordination role expected to be carried out by UNDP.</p> <ul style="list-style-type: none"> • Normative framework for transformation of GICJU in a legal aid institution prepared and sent to Council of Ministers. • Civil society organisations can be used to enhance and sustain monitoring mechanisms. • For the first time in a major political crisis, the Bissau-Guinean military have not (yet) intervened. • ECOWAS presence as a deterrent and international partner' efforts preventing escalation. 	<p>transitory period may leave UNDP unprepared to take on additional programming responsibilities.</p> <ul style="list-style-type: none"> • Appetite of bilateral and multilateral partners to take over significant stakes on rule of law programming from UNIOGBIS without coordination. • Stalemate between Ministry of Justice and Supreme Court makes any attempt to support the reform of the sector (Inspections, treasury...) very difficult. • Budgeting of the operational costs CAJ/CENFOJ is not a priority of successive governments. • Lack of predictability of the TAJ careers may cause a brain drain.
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