

Final Evaluation of UNDP South Sudan Access to Justice and Rule of Law Project

October 2013 – September 2017

FINAL REPORT

Cécile Collin

Geoffrey Batali

18 June 2018

Acknowledgement

The evaluation team wishes to thank UNDP project team for their precious support and availability. The team extend its gratitude to all the interviewees, UNDP partners, donors, other agencies, State institutions and beneficiaries for allocating some time to the study and share their perspective.

Table of Contents

ACRONYMS	5
EXECUTIVE SUMMARY	7
1 INTRODUCTION	13
2 CONTEXT – DEVELOPMENT CHALLENGES	13
3 UNDP RESPONSE AND CHALLENGES	14
3.1 THE PROJECT	14
3.2 OBJECTIVE OF THE EVALUATION	16
3.3 SCOPE OF THE EVALUATION	16
4 THE EVALUATION: KEY POINTS OF THE METHODOLOGY	17
4.1 DATA COLLECTION	17
4.2 RISKS AND LIMITATIONS	18
5 RELEVANCE	18
5.1 STRATEGIC CONSIDERATION AND COMPARATIVE ADVANTAGE	18
5.2 CONTRIBUTION TO INFLUENCING NATIONAL POLICIES/STRATEGIES FOCUSING ON HUMAN RIGHTS PROTECTION, GENDER EQUALITY AND EQUITABLE SUSTAINABLE DEVELOPMENT	19
5.3 CONSISTENCE OF THE DESIGN, AND OF THE ACTIVITIES AND OUTPUTS WITH THE INTENDED OUTCOMES AND EFFECTS & RELEVANCE OF THE THEORY OF CHANGE	21
6 EFFECTIVENESS	24
6.1 ACHIEVEMENTS OF PROJECT RESULTS	24
6.2 RESULTS AT OUTCOME LEVEL	29
6.3 CONTRIBUTION OF OTHER UNDP PROJECTS, PARTNERS AND OTHER ORGANIZATIONS TO THE PROJECT RESULTS, AND HOW EFFECTIVE HAVE PROJECT PARTNERSHIPS BEEN IN CONTRIBUTING TO ACHIEVING THE RESULTS	32
6.4 POSITIVE OR NEGATIVE, INTENDED OR UNINTENDED, CHANGES BROUGHT ABOUT BY THE PROJECT'S WORK	33
6.5 GENDER CONSIDERATIONS	34
7 EFFICIENCY	35
7.1 EFFICIENCY AND COST EFFECTIVENESS OF THE IMPLEMENTATION STRATEGY AND APPROACHES, CONCEPTUAL FRAMEWORK AND EXECUTION	35
7.2 SENSITIVITY TO THE POLITICAL AND DEVELOPMENT CONSTRAINTS OF THE COUNTRY	37
7.3 TIMELINESS	38
7.4 ALTERNATIVE APPROACHES	38
7.5 PROJECT MANAGEMENT STRUCTURE	38
7.6 USEFULNESS OF THE MONITORING SYSTEMS AND ACCOUNTABILITY OF RESULTS	40
8 PARTNERSHIP STRATEGY	41
8.1 ADEQUACY OF THE PARTNERSHIP MODALITIES	41
8.2 COMPLEMENTARITIES AND OVERLAP WITH EXISTING PARTNER'S PROGRAMMES	42

9 SOCIAL INCLUSION	43
10 SUSTAINABILITY	44
11 LESSONS LEARNED AND BEST PRACTICES	45
12 CONCLUSIONS	46
13 RECOMMENDATIONS	47
ANNEX 1. EVALUATION MATRIX	50
ANNEX 2. LIST OF INTERVIEWEES	59
ANNEX 3. BIBLIOGRAPHY	62
ANNEX 4. OUTPUT RESULTS	64
ANNEX 5. OUTCOME RESULTS	73
ANNEX 6. FINANCIAL DATA	74

<i>Table 1: Contribution by year / by donor</i>	15
<i>Table 2: Evolution of the perception of SGBV evolution</i>	30
<i>Table 3: Crime statistics</i>	31
<i>Table 4: Expenditure by output in USD</i>	36
<i>Table 5: Size of PoC locations</i>	44
<i>Table 6: Completion of the targets. CPAP & CPD indicators, as per the project's annual reports</i>	64
<i>Table 7: Output results based on CPD annual targets and Annual Work Plans targets</i>	65
<i>Table 8: Details of budget available, expenditures and expenditure rate</i>	74
 <i>Figure 1: Intervention logic of the project document</i>	 22
<i>Figure 2: Project management structure</i>	39

Acronyms

A2JRoL	Access to Justice and Rule of Law
ACHPR	African Charter on Human and Peoples' Rights
ACRW	African Charter on the Rights and Welfare of the Child
AWP	Annual Workplan
BCPR	Bureau of Crisis Prevention and Recovery
CAT	Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishments
CBO(s)	Community Based Organization(s)
CDR	Combined Delivery Report
CEDAW	Convention on the Elimination of All Forms of Discrimination against Women
CES	Central Equatoria State
CPA	Comprehensive Peace Agreement
CPAP	Country Programme Action Plan
CPD	Country Programme Document
CRA	Compensation and Reparation Authority
CRC	Convention on the Rights of the Child
CSCAC	Community Security and Small Arms Control
CSO	Civil Society Organisation
CTA	Chief Technical Advisor
CTRH	Commission for Truth Reconciliation and Healing
DAC	Development Assistance Committee
DfID	Department for International Development
DPKO	Department for Peace Keeping Operation
EC	European Commission
ECC	Emergency Call Centre
EES	Eastern Equatoria State
EU	European Union
GIZ	Germany Society for International Cooperation
GoSS	Government of South Sudan
HCSS	Hybrid Court for South Sudan
ICF	Interim Cooperation Framework
IDLO	International Development Law Organization
IDP	International Displaced Person
IGAD	Intergovernmental Authority on Development
IGTCD	Inclusive Growth and Trade Capacity Development
IRC	International Rescue Committee
JCC	Justice Confidence Centre
JIP	Joint Integrated Police
JoSS	Judiciary of South Sudan
LKS	Lakes State
MoE	Ministry of Education
MoJ	Ministry of Justice
NBGS	Northern Bahr el Ghazal State
NGO(s)	Non-Governmental Organisation(s)
NPSSS	National Prison Service of South Sudan
PCRC	Police Community Relations Committee
PoC	Protection of Civilians
POPP	Programme and Operations Policies and Procedures

SPU	Special Protection Unit
SSNPS	South Sudan National Police Service
NBGS	Northern Bahr el Ghazal State
PoC	Protection of Civilians
ROAR	Results Oriented Annual Reporting
RoL	Rule of Law
SGBV	Sexual and Gender-Based Violence
SO	Strategic Objective
SOP	Standard Operating Procedures
SPLA	Sudan People's Liberation Army
SSNPS	South Sudan National Police Service
ToRs	Terms of References
UNDAF	United Nations Development Assistance Framework
UNDP	United Nations Development Programme
UNDSS	United Nations Department of safety and security
UNEG	United Nations Evaluation Group
UNMISS	United Nations Mission in South Sudan
UNFPA	United Nations Population Fund
UNHCR	United Nations High Commissioner for Refugees
UNHRDD	United Nations Human Rights Due Diligence
UNPOL	United Nations Police
UNV	United Nations Volunteer
UNWOMEN	United Nations Entity for Gender Equality and Women's Empowerment
UPR	Universal Peer Review
WBGS	Western Bahr el Ghazal State
WES	Western Equatoria State

Executive Summary

Introduction & Methodology

This study is an external evaluation of the Access to Justice project implemented by UNDP between Oct. 2013 and 2017 in South Sudan. During this timeframe, the country faced two severe crises in Dec. 2013 and July 2016, which strongly affected the project's dynamics. The country covers thirty two States and sixty four different ethnic groups and is also still in a statebuilding phase, with the legacy of the fight for independence, military rules throughout the institutions and a culture of violence. The evaluation mission was conducted in October 2017. The team conducted semi-guided interviews and focus groups in Aweil, Torit and Juba, in addition to the review of available documentation.

Findings

Relevance

The project builds on UNDP unique positioning and ability to engage with State institutions, and was then particularly relevant to national priorities, given the country context and to UNDP's mandate. Other comparative advantages include UNDP's technical legitimacy and skills in the sector, especially for a comprehensive and multi-layered approach, as well as its history in the country. UNDP was the sole partner of some institutions, or for operations on RoL in some States. It also triggered development dynamics while most of the international assistance concerned humanitarian aid. The project used a sector-wide approach. It addressed capacity gaps across the RoL institutions to avoid imbalances on the RoL chain that could create bottlenecks in the sector. Because of the crises, the project reduced staff presence to five States, while it extended the scope of its programme to conflict affected states (Jonglei and Lakes) through the use of CSOs as Implementing Partners (IPs).

The project was aligned with national frameworks and contributed to ratification of international human rights treaties and conventions and development of the institutional framework. . In practice though, there are a number of challenges that the country faces (resources, abuses and practices) which affect Rule of Law implementation compare with international standards.

The intervention logic was based on several baseline assessments and covered various levels of strategic objectives, both at institutional, organizational and operational levels. It consists in a holistic approach based on the Netherlands project documents, in complementarity with other types of support to RoL by other donors. **The intervention logic and results – albeit significant – were affected by the external contextual risks and limited capacities of the State to ensure its duties. The project approach was, however, pretty flexible. It adapted to the change of context and to needs/ opportunities in some institutions, with a broad spectrum of activities but with a lack of longer term development planning in the sector.** Workplans were drafted in a consultative manner with the beneficiary institutions, but not with all the project staff.

Effectiveness

The project implemented a relatively high number of activities: in January - August 2017 only, more than 78 activities were put in place, for a total number of beneficiaries of 5 736 women and 25 760 men¹. **The different methods and channels for capacity building combined various leverages on both the supply (knowledge, practices and processes with trainings and daily technical assistance) and the demand for justice (outreach activities), with some results on most of the aspects. The extent of those**

¹ Rule of Law project, Master Progress towards Targets.

results varied: limited on transitional justice, ID registration and mobile court – given the volatility of the context. Capacity building results included notably assistance to victims through paralegals, even after failure to get supports from customary courts. Results cover also the conception of knowledge products, equipment, building and rehabilitation of infrastructures, which represented a significant share of the budget. The project also supported the implementation of additional processes:

- case management system, mobile court (limitedly functional), ID registration (not complete),
- legal assistance with the Justice and Confidence Centers (which benefitted to around 1000 people),
- ECC (interrupted mid-2016 but which responded to around 15 000 cases, addressed 2500 medical emergencies between 2014-2016 and arrested 871 people in 2016 only),
- and the SPUs, which dealt with several hundred of cases.

Organizational changes contributed to the transparency and consistency of the procedures, notably detention periods: for example, stakeholders now know that people cannot be kept over 24 hours in preventive detention. This also led to a decrease in arbitrary arrests by various authorities, according to people interviewed. Duty bearers now feel guilty since they understand more the consequences of non-respecting the procedures and of compromises. **People are also increasingly reporting to the authorities and CSOs.**

Community policing had results in terms of a decrease in crimes. The approach was able to solve specific incidence of insecurity / criminality in some locations. The ECC also had similar results Juba.

The project also had results in terms of prevention, notably for SGBV, in creating demand for more security and police (some communities took initiatives and built themselves police stations in their location) and supporting State authority and legitimacy.

Collaboration with UNMISS/UNPOL, IDLO, UNFPA and UNWOMEN contributed to the results, while at internal level, there are limited synergies with other projects, such as CSAC and IGAD. There is no general framework for stabilization which articulates the different projects.

The contribution of the State consisted mostly in making land available and allocating staff for the new services. State instructors of various ministries were also used for the vocational training notably.

Some potential negative effects derive from the country legal and operational framework, such as the penal code which includes prosecution of adultery for which the SPUs were widely used, legal assistance to perpetrators, or detention challenges with the lack of resources to provide food to the detainees and ensure the referral mechanism. The project design was conceived to support assistance to women in relations to SGBV and legal aid, though it benefitted mostly to men concretely (around 2/3), reflecting the biases of the South Sudanese normative framework and practices.

Efficiency

The project could leverage more funds than originally planned in the project document, for the various Strategic Objectives. The project capacity to deliver was good, taking into account the interruption in 2013/2014 in relations to the crisis, as well as in July 2016.

The high level of staff turnover at both UNDP or partner's levels, constituted a strong limitation in the efficiency of the interventions and occurred at every level – from political to local level in the states -. After being trained, staff is often reallocated to other services or other institutions. Staff commissioned to attend trainings are not also

always the most relevant ones. Some staff were however able to replicate independently approaches that they found useful, such as a police commissioner who implemented community policing and sensitization activities in schools and hospitals in a state where he was newly affected, using his previous experience. Those results are not documented or consolidated.

CSOs could not include all the personal costs in the project, which required to ensure synergies with other sources of funding, and their staff sometimes worked on a volunteer basis, meaning that actually much more was provided than average for the same costs.

The sensitivity to the context was ensured through a conflict sensitivity analysis and a programme criticality assessment published in 2014, as well as an increased focus on SGBV, indicating an approach that allows to adjust and use the resources in an optimal manner. At the level of beneficiaries, the specificities and complexity of the context were not addressed systematically, since the interventions did not cover the whole of the country and focused mostly on some urban centers and neighbouring communities. At this stage there are limited data on potential direct or indirect barriers to access to justice for the various ethnic groups. Although a risk log was established as part of UNDP rules and regulations, the potential negative effects of the interventions and the risks related to the project activities were not all analysed, measured and monitored (such as the fact that legal aid supported perpetrators, that SPU mostly addressed adultery cases in some states instead of SGBV, or were not widely used because of the constraints / fear by women to access them).

Delays occurred in staff recruitment and building of infrastructures, notably because of the crises dynamics. The project management structure was not fully effective with only a few Project Board meetings – there were however RoL forum closely related to the topics - and variations in the work of the UNVs, with limited formalized capitalization and lessons learnt exchanges for project staff, CSOs or other similar structures such as SPUs or JCCs.

Despite frequent contacts with the various stakeholders and reporting based on the donor's expectations, **monitoring was limited** by the lack of a dedicated staff, limited visits and spot checks, notably for CSOs / partners, indicators not always appropriate to assess the project results and variations of the indicators over the years, inaccurate reporting (reports mention creation of SPUs desks in hospitals in some states, which was not done). A new M&E position is presently operational and a monitoring Dashboards are elaborated in a regular basis. **State partners, including at the Rule of Law level, were also not fully involved in the monitoring of the results, and faced limited accountability or investigation in case of misuse or theft of equipment.**

Partnership

Since UNDP is under direct implementation, there was no funding directly to State institutions. There has been capacity assessments of the MoJ, Judiciary and Ministry of Interior as part of using Letter of Agreement (LoA) but the needs in terms of organizational management for human resources, administration and finances, which are major weaknesses of the structures, are not clearly articulated with a capacity building plan and objectives on those subjects. Social workers and CSOs in charge of women protection were limitedly involved in the project, though they play a key role in the referral mechanisms for victims.

The project facilitated the collaboration between the various types of stakeholders, notably between CSOs in charge of legal aid and judiciaries, who were previously reluctant to let them access to courts, and with police stations, who contact the CSOs when somebody needs legal aid. This is also visible since the collaboration with the Juba College of Law led to the ascertainment studies being

prescribed texts in respect of the Customary Law course under the Bachelor of Laws programme.

Law societies were not involved in legal aid assistance activities.

There were no formal interactions with the SPLA as part of the project, since the focus was on rule of law institutions and given the context of an active conflict, but this implies that they were not sensitized on the rule of law challenges. Some interactions took place on an ad-hoc basis at the state level. They were not systematically involved in the rule of law forum. Occasionally, the good collaboration resulted also of some discussions and sensitization of the SPLA. This seems to be a rather ad hoc approach depending on the personality of the SPLA commander, highlighting again the lack of coherence of the governance chain.

Initiatives on some aspects, SGBV for example, are numerous and there is no clear mapping of all those interventions. Coordination is easier on some other activities, such as community policing with UNPOL/UNMISS and Saferworld, which has a different approach compared with UNDP. Overall, **there are risks of duplication regarding trainings**, and some interviewees – female police officers - indicated that they benefitted several trainings on similar or related issues, since there is no clear coordination with other RoL programmes. **A common / centralized approach to capacity building would be of particular interest, through capacity development plans at the institutions levels**, or databases of training participants and their positions, as part of human resources management procedures. Staff trained to become trainers could also be more precisely identified and used for the various international assistance projects.

Sustainability

There are elements of sustainability, because the project launched some dynamics and additional support from donors has been leveraged. In addition, the project has been working with existing statutory institutions and did not create new structures that could be unsustainable after the project. Given the lack of resources to maintain equipment and infrastructures, human resources and organizational practices are the main drivers of sustainability of the results. **Some interventions have been institutionalized**, at the police level, to a certain extent, such as the SPU and community policing, and as such form part of the institution strategy, with a potential for further extension. The capacity building efforts are not articulated with a more institutional and long-term planning, to which various organizations contribute and obviously the institutions approve all the efforts put in place. **There are also examples of knowledge replication and training of trainers.**

Recommendations

The following recommendations are addressed first to UNDP, but also to the various partners, in first stage State institutions, as well as donors.

Strengthen the prioritization of the support to vulnerable groups and to local dynamics as well as interventions with direct operational results on security and social fragilities.

1. Strengthen legal aid and support to victim for SGBV and human rights abuses. Ensure that legal aid to women victims in all the states are considered a priority to benefit from legal aid assistance, and that strong linkages are established for the referral of the cases by women associations / NGOs to JCC / structures in charge of legal aid. To file a claim and for prosecution, victims need support throughout, from entering to an SPU, so there should be support for it through women associations / NGOs / CBOs starting from the grassroots level.

2. Reinforce accountability chains, since they function at horizontal level, but more limitedly at vertical level.
 - This implies that that institutions contribute to maximize the results and investigate / hold the responsible accountable in case of theft of equipment or misuse of the resources. This means also that breaches at this level could affect the future interventions / collaboration with the entity and / or that conditionalities to the assistance are put in place.
 - Consider supporting mechanisms of accountability to the beneficiaries, through alert system from CBOs / community members.
3. Prioritize results-based management and action-oriented activities (incl. RoL forum), meaning that interventions with clear results should be prioritized and that all interventions should be undertaken – at UNDP and the partners levels – with a clear understanding of the expected concrete results. This means sharing a monitoring framework reflecting the various levels of results. All partners should be involved in designing and monitoring it, and share accountability for the results.
4. Dynamics of community policing should be expanded based on the initiatives of the institutions, since it provides clear benefits – to date – for the population, and that replication mechanisms already occur. Consider possibly linkages with traditional security practices in areas where there is no police force yet.
5. Support local initiatives, particularly when it relates to replication of some of the project activities, such as community policing, or possibly of some of the trainings with local facilitators. Even minimal support, such as awareness raising material, leaflet, pictures and billboard would bring some encouragements to develop those kind of self-reliance approaches. This would be also of interest in particular in areas where the project is not developed.

Integrate capacity building efforts into medium / long term through a strategy for the whole Rule of Law sector.

6. Conduct capacity assessment of the institutions to set up clear benchmarks / targets for improvement, potential conditionalities to ensure effectiveness and maximize the resources. Support linkages with broader civil service reform on the functioning of administration.
7. Integrate capacity building efforts into medium-long term planning, through a strategy for the whole of the Rule of Law sector, and linkages with institutions' capacity building plans. This should also be used to support the coordination and synergies of all the organizations operating in the sector. At the UN level, this could also constitute the basis for a joint programming, though ideally all partners and stakeholders should feed into this national strategy and plans.

Project management and monitoring / evaluation : Reinforce context understanding, engage deeper analysis, stakeholder mapping and political/conflict analysis using actual leverages for changes and that can feed into a broader stabilization framework

8. Reinforce the risk analysis systems to identify and mitigate potential negative effects. This should go with a continuous Do No Harm analysis to capture the effects of the interventions on conflict dynamics, and opportunities to play a role on the conflict drivers.
9. Reinforce monitoring and evaluation:

- By ensuring that there is a strong internal monitoring system for the various components of the project (support / monitoring of staff),
 - By ensuring that the indicators cover the various effects of the interventions, including replication, transformative results,
 - By verifying the accuracy and comprehensiveness of the data submitted in the monitoring system and reporting.
10. Consider writing situation analysis with key indicators on the level of the rule of law sector, to be disseminated widely based on the data collected (for example including level of case backlogs, coverage of the justice and police sector, level of overcrowding, number of cases of SGBV identified versus number of prosecution, evolution of the crime patterns, level of SGBV and human rights abuses by area, number of complaints, prosecution, sentences). Data could be collected through the rule of law forum.
 11. Support the drafting of a stabilization framework at UNDP level clarifying the articulation between the various projects on a short, medium and long-term basis.

Coordination and stakeholder's engagement should be adjusted on several aspects

12. Reinforce coordination with other agencies working in RoL to maximize the coverage of the interventions. In that respect, strategies to reach out to rural areas and non-targeted areas to be developed / strengthened. This should be first the responsibility of the State institutions.
13. Ensure that the different levels of the command chain are involved and committed to the interventions, as well as that they concur to the effectiveness of the project. Specific attention could be paid to the commitment of the hierarchy notably to ensure relevant human resources management. This should also include political stakeholders.
14. Extend and support the linkages and sensitization of defence forces on RoL, as a prevention measure and to facilitate processes / prosecution.
An option would be to use the participants rule of law forum and RoL structures as relays.
15. Increase the coordination between RoL forum at State and national levels.
16. Strengthen a participatory approach to the intervention design to involve State levels. Ensure that infrastructures supported will be used and maintained, by involving the engineers and direct beneficiaries in the various institutions.

1 Introduction

This document is the report of the external final evaluation of the UNDP's Access to Justice and Rule of Law project in South Sudan funded mostly by the Netherlands, for the period October 2013 to March 2017. During that period activities funded by other donors were also executed. Japan funding started indeed in March 2012 and Norway and the British Department for International Development (DfID) started in March 2013. The field work of the evaluation was undertaken by two independent consultants, from 25th September to 27th October, including a first week for the inception phase. This is the fourth deliverable of the study, after the inception report, a presentation workshop to the reference group, a debriefing / presentation of preliminary findings to the reference group. The document presents the key findings, lessons learned, conclusions and recommendations for the follow-up of the project.

The target audience of this evaluation is UNDP, State institutions, traditional institutions, partners & donors, Civil Society Organizations and if the report is public, any researcher and professional interested in the subject.

2 Context – Development Challenges

South Sudan, the most recent African country, ranks 181 on the Human Development Index 2015² before Burundi, Guinea or Burkina Faso but after countries like the Democratic Republic Congo or Mali. The country is divided now into thirty-two states (ten when the project was formulated), which are home to approximately sixty-four indigenous ethnic groups and eighty linguistic partitions. The major ethnic groups are Dinka, Nuer, Bari, Azande and Shilluk for a population of 11 million citizens.

The social and cultural patchwork inherent to South Sudan's social fabric was strongly affected by a conflict situation lasting for decades with recent episodes of violence in 2013 and 2016. This has sustained and reinforced a culture of violence, which affects the most vulnerable groups, notably women. There are still today numerous reports on human rights abuses and Sexual and Gender Based Violence (SGBV) in the country³, without clear sign of decreases, according to interviewees.

The crises of December 2013 and of July 2016 also interrupted ongoing interventions in international assistance, since most of the staff were evacuated due to security concerns, as well as the general dynamics of development in the institutions. It led to a reshuffling of the administration. Staff relocation and staff turnover in the beneficiary institutions influenced also the project dynamics. Insecurity remains significant in some areas and this affects the functioning of the institutions at local but also at central level, keeping high a culture of violence and military rules throughout the institutions.

Despite ongoing international support since its creation in 2011, the South Sudan institutions still face the challenges of a Statebuilding phase. The rule of law sector builds upon the legacy of military fight for the independence. Personnel in the law enforcement institutions largely come from the military structures. This affects both their performance in fulfilling their duties, their relationships with the civilians and their role in promoting State legitimacy.

While the administration used to function in Arabic, in the South Sudan system, the official language changed to English in 2011. Some mismatches are still visible since a number of civil servants do not speak English, and some records are kept in Arabic, while official correspondence should be in English.

The country functions under a common law system, with then an emphasis on the role of jurisprudence, while the texts of laws are still not all available even for the RoL institutions.

² http://www.hdr.undp.org/sites/default/files/2016_human_development_report.pdf

³ See for example, HRW 2017, *Soldiers Assume we are Rebels, escalating violence and abuses in South Sudan's Equatoria*, https://www.hrw.org/sites/default/files/report_pdf/southsudan0817_web.pdf

Access to laws remains limited, and the texts are not even found or available to the main institutions, although the laws have been passed by Parliament. The customary justice system still plays a major role, with specificities for each tribe and even an interpretation of the traditional laws and practices which differs depending on the judges - to a certain extent like for the formal justice. The coverage of the rule of law institutions is also restrained, with a scarcity of judges and prosecutors (none in some states).

The United Nations Department for Peace Keeping Operation (DPKO) force in country, UNMISS (United Nation Mission in South Sudan), is operating in the country under Chapter VII and the mandate shifted in 2014 from peacebuilding, including support to the State institutions, to protection of civilians (as well as monitoring of human rights violations and support to the implementation of the peace agreement).

The Government of South Sudan (GoSS)'s capacities are also affected by the economic context, in particular the shut-down of the oil production in 2012 and 2013 reduced the State budget and the general fuel shortage in the country affects the daily operations of the State institutions. The conflict after December 2013 led to an economic crisis.

Rule of law challenges are also numerous in this new country. State personnel endures frequent reshuffles, which adds to other challenges that the Human Resources management faces. In particular, the security forces are not fully identified and have not systematically received the education to perform their tasks. They are also influenced by the heritage of ethnic tensions.

In addition, assessments conducted before the start of the project indicate that prisons had overcrowding rate ranging from 130% to 551 % in 2013⁴. They highlight also the numerous risks of arbitrary judgements, given the lack of case management system, which compromises State legitimacy.

According to Mo Ibrahim Index⁵, in terms of governance, the country is performing almost as bad as Somalia, the poorest performing country in Africa and the country sees a deterioration of each of the four main indicators. This is the largest deterioration in all of Africa. For each of the 14 underlying criteria of the indicators, the country is in the bottom five, except on rule of law where it becomes 47th out of 54.

3 UNDP Response and Challenges

3.1 The project

The project was aligned to the 2012-2016 United Nations Development Assistance Framework (UNDAF) and Country Programme Document (CPD) Outcome Five: *“Access to Justice and the Rule of Law improves”*. In particular, in the UNDAF, the related objective was Outcome 5: *“Existence of a legal and regulatory framework for the provision of legal aid services to girls, boys, women and men (including for IDPs and other vulnerable groups)”*, which highlights then the access to justice for vulnerable groups. As of 2016, the project is aligned to the new UNCT Interim Cooperation Framework (ICF) Outcome Three: *“Peace and Governance Strengthened”*. At UNDP level, the project was under UNDP Country Programme Document, CPD Output 3.1: *“Functions and capacity of rule of law institutions enabled to deliver accountable, effective and equitable justice services”*.

⁴ Figures compiled by UNMISS ROLSISO/CAS and UNDP, May 2013

⁵ 2015, Ibrahim Index of African Governance, Country Insights
http://static.moibrahimfoundation.org/u/2015/10/02201451/46_South_Sudan.pdf

The project had five strategic objectives:

Strategic Objective	1. Increased access to justice through coordinated institutional presence at state and county levels.	2. Reduction in case backlog	3. Mechanisms to address prolonged and arbitrary detention established in rule of law institutions	4. Policy framework for the harmonization of the administration of traditional with the formal justice sector put in place	5. Capacity development and institutional strengthening
Main Activities	<ul style="list-style-type: none"> - Establishment of three additional Justice & Confidence Centers (JCCs) to provide mediation and referral services; and continue support to seven JCCs - Rule of law forum tackling specific issues at the State level 	<ul style="list-style-type: none"> - Support to the Case management system - Support to prisons 	<ul style="list-style-type: none"> - Pilot mobile court initiative - Discussion on alternatives to imprisonment through development of policy options - Vocational training for inmates - Rehabilitation of prisons, police training centers and university 	<ul style="list-style-type: none"> - Ascertainment studies on customary system - Support to the revision of the local governance act - National traditional leader forum 	<ul style="list-style-type: none"> - Support to Rule of law forum - SGBV sensitization, training & investigation - Rehabilitation of posts for the Special Protection Units

The project builds on previous interventions to support Rule of Law institutions, notably to South Sudan National Police Service (SSNPS), National Prison Service of South Sudan (NPSS), Ministry of Justice and Judiciary⁶.

The results and resources framework used as a basis for the interventions, was the one of the Netherlands project document, which amounted to USD 10,779,543 over a 3.5 year period. This results and resources framework was considered as the overall project document.

In the end, the total of the yearly budgets available between 2013 and October 2017 amounted to more than 37 million USD, for 26,89 million USD expenditures, from a broad range of donors, as indicated in the table below. In this timeframe, the largest contributions were : 13,8 million USD from the Netherlands, 8,4 million from Japan and 2,6 million from Norway.

Table 1: Contribution by year / by donor

	2013	2014	2015	2016
Japan	1 743 734	3 616 201	1 135 112	1 905 850
Netherlands		6 314 864	3 792 052	3 697 049
Norway	1 487 504	541 117	485 489	88 541
DfID		475 110	138 731	153 138
UNDP	1 155 086	1 198 465	1 732 423	418 694
BCPR	1 352 958			
BPPS			408 186	
UN Women	105 956			
USA	67 180			
EC	26 460			
UNHCR	4 646			

⁶ Based on the project document, previous interventions include Rule of Law forums, 17 Logistics Management Units, 11 Mobiles Forensic Units, construction of the Customary Law Centre, establishment of 6 JCC, implementation of Personal Registration Database Units for Police and Prisons and of Logistics Management Units, Crime Statistics, Community Based Policing Model and 72 Police Community Relationship Committees and State Community Policing Boards, 3 female dormitories, 5 Special Protection Units, ascertainment of customary laws, establishment of a case management system and support to legal aid delivery.

UNFPA	4 093			
British Embassy	2 533			
Others		84 663	56 465	32 260
Total	5 950 151	12 239 420	7 748 458	6 295 532
Expenditures	4 083 250	5 611 380	7 272 767	5 249 374

Source: annual reports

The Strategic Objectives slightly evolved over the course of the project, as well as the results framework, which did not affect the actual activities. For example, a Strategic Objective was originally dedicated to management.

The programme was recalibrated after the 2013 and 2016 episodes of violence, in order to apply the United Nations Human Rights Due Diligence (UNHRDD) policy, with an emphasis on community approach – mostly through community policing - and SGBV – through the support to the Special Protection Units (SPU) and legal aid.

3.2 Objective of the evaluation

The objectives of the evaluation are first accountability and lessons learned, in order to provide an analysis of the performance of the project. The evaluation aims to inform future interventions of UNDP on Access to Justice and Rule of Law. A new project document has already been designed for the second phase of the funding, starting October 2017, but the evaluation may inform further evolution of the interventions. The objectives of the ToRs are defined as such:

1. *“To determine the relevance and strategic positioning of UNDP support to South Sudan’s Access to Justice and Rule of Law and whether the initial assumptions remained relevant for the duration of the project;*
2. *The progress to date under each output and what can be derived in terms of lessons learned for future UNDP support towards capacity building and service delivery in Access to Justice and Rule of Law*
3. *The frameworks and strategies that UNDP and partners devised for its support on Community Security and Arms Control and capacity building of national institutions and whether they are well conceived for achieving planned objectives.*
4. *Review how the interventions succeeded to strengthen application of a rights-based approach, gender mainstreaming and participation of other socially vulnerable groups such as children and the disabled.*
5. *Assess the overall contribution of the project to the state of good governance, rule of law and human rights observance in the country of national institutions and whether they are well conceived for achieving planned objectives.”*

3.3 Scope of the evaluation

The final evaluation covers the period of **1 October 2013 - 31 March 2017**, in the following geographic locations - Central Equatoria, Eastern Equatoria, Western Equatoria, Northern Bahr el-Ghazal and Western Bahr el-Ghazal. Reference is made to the old states as the project was designed on those bases, but the interventions and the evaluation acknowledge the change in names.

4 The evaluation: key points of the methodology

4.1 Data collection

The evaluation used the criteria of relevance, effectiveness, efficiency and sustainability, and visibility in addition to partnership strategy, gender equality and human rights, taking into account the post-conflict and fragile nature of the country. The analysis was conducted according to the OECD Development Assistance Committee definitions of the evaluation criteria, in conformance with United Nations Evaluation Group (UNEG) evaluation norms and standards.

The 35 sub-questions of the ToRs formed the basis of the analysis. The evaluation matrix in the annex summarises evaluation questions from the ToRs, sub-questions, as well as indicators and means for verification.

Overall, the consultants had each 5 days for the inception phase, done in country, 15 days for data collection, and 5 days for the report writing.

The team reviewed projects documents, including yearly and some quarterlies reports, evaluation reports concerning the project, project statistics, documents on the context. The list is attached in annex.

The team visited two locations, Aweil and Torit, in addition to Juba. There was no United Nations Volunteer (UNV) in Wau for several months, hence the logistics and organization of the meeting would have been more difficult. Bor was not funded within the scope of this evaluation. There were less activities in Yambio.

The team interviewed a total of 95 people (see the list in annex 2), based on an interview guide drafted during the inception phase. The interviewees can be classified as follow:

- UNDP staff, management, operational, administration
- State agents at the central and different decentralized level in the different partner ministries
- Other partner organizations
- Civil society organizations, right holders, customary authorities
- Donors (Netherlands, Japan).

For the assessment, the evaluators held 7 focus group discussions with:

- Civil society members in Aweil
- Female from the police and judiciary participating in training in Juba
- Participants to a trauma healing training in Aweil
- Beneficiaries of the SPUs in Aweil and Torit
- Customary leaders, both participant and non-participants to trainings in Aweil and Torit

The evaluation team also did some direct observation by visiting the infrastructures, attending meetings and observing the availability of the equipment provided.

4.2 Risks and Limitations

Assumption / risk	Risk Level	Possible mitigating action
Project data not available	Low	Consultant to request currently available data during field phase
Baseline data not available	Medium	Collection of indicators and data that could constitute a baseline through frequent communication and contacts with beneficiary institutions Use of counterfactual questions such as “what is the project would not have been implemented”.
Lack of knowledge of the project, of the ToRs and key issues by some interlocutors	Low	Very careful identification of stakeholders with institutional memory
Absence of stakeholder engagement	Medium	Frequent communication with UNDP, and presentation of the team and evaluation purposes to local stakeholders
Competent informants not available (departed, on leave, out of area)	Medium	Frequent Communication with relevant beneficiary institutions through formal and informal contacts
Reluctance of the interviewees to talk openly	Low	“Chatham House Rule”, confidentiality and protection principles
Travel to project areas restricted due to poor security and lack of time	Low	Travel security planning. Remote data collection (phone interview), attention to those areas in the desk review.
Inability to communicate effectively with non-English speakers	Low	Local interpreter

5 Relevance

5.1 Strategic consideration and comparative advantage

The project was relevant in various aspects, since it met key needs for the implementation of the rule of law in South Sudan and to build local capacities in the sector while most of the stakeholders have a military background or limited needs. It aimed also to strengthen the State legitimacy by improving the performance of the justice sector and by addressing immediate security threats related to criminal behaviours, as well as to limit abuses on women. It was based on UNDP comparative advantage in country and its unique ability to collaborate directly with State institutions. This comparative advantage was reinforced further with the two crises of 2013 and 2016, which limited the possibilities for bilateral donors to support a conflict stakeholder, while it is UNDP's mandate, as a neutral and multilateral entity. Other comparative advantages include UNDP's technical legitimacy and skills in the sector, especially for a comprehensive and multi-layered approach, as well as its history in the country. According to State partners, UNDP's role is essential in the RoL sector and UNDP was in some cases their only partner, notably for prison or for some State level institutions. UNDP is also seen as the UN operational body necessary to complement UNMISS's mandate. According to one donor, the project raised the attention on Rule of Law by both the GoSS and donors “*Without UNDP, GoSS government would not have turned its attention to Access to Justice and Rule of Law (A2JRoL). Similarly, the donor engagement and dialogue, organized by UNDP, would not have been initiated if not for UNDP.*” UNDP was also the only instrument of the UN community doing development work since there is still a strong focus on humanitarian assistance.

The project also constituted in an approach both **integrated** involving all RoL institutions, with justice, judiciaries, prisons and police and **multi-layered** from national to state levels. The project supported coordination and strengthened linkages between the different stakeholders, in particular with the Rule of Law forum. Such an approach avoided imbalances at horizontal level between the institutions, which would hamper the overall Rule of Law functioning (for example, overcrowding of prisons in case of too many prosecutions). It also strengthened the governance chain vertically, from central to state levels.

The **geographic coverage** targeted key areas with some relative stability and with a focus on urban centers. Areas of intervention prior to 2013 conflict were the ten states,. Post December 2013, UNDP suspended field presence in Lakes, Warrap, Unity, Upper Nile, and Jonglei states and relocated staff. The presence of RoL and Law Enforcement advisors got reduced to five states. In the absence of UNDP field presence, UNDP engaged CSOs in Jonglei and Lakes. The key areas of interventions were Aweil Northern Bahr el Ghazal (NBGS), Wau Western Bahr el Ghazal (WBGS), Torit Eastern Equatoria (EES), Yambio Western Equatoria (WES), Bor (Jonglei) and Juba Central Equatoria (CES). This is logical given the focus on institution strengthening, and with the objectives to create champions / dynamics of success which could be replicated afterwards. This is also relevant to target the most populated areas and state services, as well as institutions at central level. However, this does not allow to support areas with the highest level of human right abuses and justice issues, i.e active conflict areas, where interactions between the various stakeholders of the Rule of Law sector could be developed.

Rural areas were targeted rather indirectly - essentially through trainings provided to customary leaders - and the coverage and quality of the justice and police system there is limited. Traditional community-based security mechanisms, **Monyo Miji**, have not been analyzed to date, nor included in the interventions, in contrary to customary justice, but the second series of the ascertainment studies addressed traditional mechanisms of conflict resolution.

5.2 Contribution to influencing national policies/strategies focusing on human rights protection, gender equality and equitable sustainable development

The project is aligned with national frameworks and contributed to a number of processes with the ratification of international human rights treaties and conventions as well as the development of the institutional framework. In addition, the national dialogue integrates the vision of the rule of law sector reforms and the project supported the development of different components of these strategic frameworks at the national level. The project contributes to the implementation of the Agreement on the Resolution of the Conflict in the Republic of South Sudan, signed 17 August 2015. It falls more specifically under Chapter I, through the support to the judiciary, Chapter II: Permanent Ceasefire and Transitional Security Arrangements related to the Joint Integrated Police; and Chapter V on Transitional Justice, Accountability and Reconciliation, although the latter is related to transitional justice, through the Commission for Truth, Reconciliation and Healing (CTRH), Hybrid Court for South Sudan (HCSS) and Compensation and Reparation Authority (CRA) and does not make reference to access to justice, functioning of the rule of law sector or specific needs of the vulnerable groups. It also feeds into the South Sudan National Development Plan 2011-2013 / Realising Freedom, Equality, Justice, Peace and Prosperity for All and prolonged until July 2016.

(Council of Minister's Draft, Juba, 5th July 2011)⁷, and to the Strategy to consolidate Peace and stabilize the Economy / National Development Strategy, July 2018-June 2021 (NDS Draft 0, version of December 2017)⁸. The project links up also to some extent with the South Sudan National Dialogue process⁹.

There is no other specific national policy / strategy document related to development, and in particular rule of law and law enforcement at a national level or for specific institutions/ issues.

A number of treaties were ratified by South Sudan over the course of the project implementation, as part of the outcome objectives "*support the ratification and operationalization of key human rights instrument*". This includes:

- The Convention on the Elimination of all forms of Discrimination against Women and Convention on the Rights of the Child (CEDAW), ratified on 31 October 2013,
- In 2014, African Charter on the Rights and Welfare of the Child (ACRWC) and the African Charter on Human and Peoples' Rights (ACHPR), Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishments (CAT) Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) and the Convention on the Rights of the Child (CRC).

The participation of South Sudan in the Universal Periodic Review (UPR) is also a form of contribution to the commitment to compliance with international benchmarks at strategic and political level. Follow up of the recommendations of the UPR is in place and a matrix for their implementation has been specifically drafted. South Sudan accepted 203 out of 233 recommendations made during its first exercise in November 2016¹⁰. This includes ensuring the consistency between the legal framework and international conventions.

Regarding transitional justice, some progresses happened with the Bill for domestication of international crimes and accountability in South Sudan approved by Council of Ministers and sent to the Assembly, as well as with the domestication of international crimes in the Transitional National Legislative Assembly. The legislative framework is being supported through the creation of a technical committee. This resulted from the

⁷ Pillar 4 on conflict prevention and security, including access to justice

⁸ Results Framework, Outcomes, NDS 1: Feel safe to go about their business and NDS 3: Access to basic services, which covers SDG 16: Promote peaceful and inclusive societies for sustainable development, provide access to justice for all and build effective, accountable and inclusive input

⁸ <https://www.ssnationaldialogue.o>

⁸ h2 Enforce the Law.

⁹ <https://www.ssnationaldialogue.org/>

¹⁰ Those recommendations are mentioned here since they also provide interesting insights for the follow up of the A2JROL, and relate to some of the issues identified in the evaluation. They include notably:

- in relations to human rights: "writing the first reports to the Treaty Boy on CEDAW, CAT and CRC, Development and Operationalization of the National Human Rights Action Plan on Human Rights; update the Human Rights Plan prepared by National Ministry of Education & Implement the National Policy and Action Plan on Human Rights, **Develop human rights indicators, including for economic, social and cultural rights, Review laws and policies to bring them in conformity with the human rights principles and international standards**",
- in relations to justice: "Reform the justice sector and strengthen the traditional dispute mechanisms, Report by the Special Rapporteur on independence of the Judiciary and submitted to the Human Rights Council, Percentage increase in budgetary allocation to the Judiciary",
- in relations to security forces: "Increase the level of awareness of human rights among security forces, Strengthen and enhance capacity of relevant organs that deal with accountability among security forces, including publication and trainings, Fully investigate and prosecute cases of extra judicial killings and disappearances, **Desist from violations of human rights, including attacks on civilians and unlawful killings, arbitrary arrest, abductions and harassment of journalist**, Ensure greater accountability and transparency of police and other security sectors personnel, including investigating and prosecuting officers, Prevent, investigate and prosecute cases of threats and harassment of human rights defenders and journalists, Take measures to ensure that jails, police cells and prisons are decongested by using by using alternative sentencing measures",
- in relations to SGBV: "**Desist from commission of sexual violence, use of harmful customs, discrimination against women and recruitment of children into SPLA and militias, Mitigation of sexual and Gender Based Violence**,"
- in relations to IDPs: "**Provide internally displaced persons with assistance, protect their rights, and continue to seek support to address the issue of internally displaced persons**, Adopt National Action Plan for rehabilitation of internally displaced persons, Resettle IDPs and address their economic, social and cultural rights,"
- in relations to social inclusion: "**Develop a comprehensive strategy to strengthen social cohesion and respect for racial, religious, tribal and ethnic diversity**, Implement Constitutional provisions on Bill of Rights, Develop national policy and action plan on equality legislation, Conduct a survey on diversity in the public service institutions, Increased efforts for disability mainstreaming in public service, Ensure fully functional institutions to ensure promotion of equality and non- ethnic discrimination."

development of several policy notes on transitional justice. The Commission for Truth Reconciliation and Healing has not been established however.

The project also contributed directly to the drafting of a draft Local Government (Amendment) Bill which will harmonize customary and formal court systems. It also contributed to the application of various customary laws, which started in 2015 and has been submitted to the Council of Ministers in May 2017.

In relations to SGBV, a communication was done by the President Office on the subject, through the Joint Communiqué on Conflict Related Violence, which is followed upon by a specific Joint Technical Committee. In addition, the SPLA code of conduct prohibits SGBV, according to interviewees of several institutions.

In practice however, despite strong commitments of the various institutions in the project, there are a number of mismatches between the project and the GoSS approach and practices to rule of law, largely linked to the past and current conflict situation.

First, the State budget is still largely dominated by military expenditures¹¹, and comparatively, little funding is allocated to RoL sector. Indeed, in the 2016/2017 budget, almost 11 billion South Sudanese pounds benefits to defence against 3.76 billion to Rule of Law institutions, for a total budget of 33.39 billion.

Second, armed forces commit a number of exactions, according to the various interviewees and dedicated studies¹², notably SGBV, because of the conflict situation. This shows that all stakeholders remain limitedly committed to mitigate such crimes. Soldiers are often perpetrators of the abuses and the command chain does not always collaborate with the civilian justice system. This varies however depending on the locations and some progresses were identified in some states on this, while it's still quite difficult in Juba, according to the CSOs.

Third, there were famous SGBV trials, involving SPLA against civilians in relations to violence against humanitarian aid workers in 2017¹³. They have been prosecuted in Juba by a specific military court, while crimes of defence forces against civilians are supposed to be addressed by civil courts, according to the SPLA code¹⁴. At the state level, some interviewees indicated that the roles were clear and that if a soldier would commit an offence to civilians, the commander would allow his transfer to the police authorities. The good collaboration resulted also of some discussions and sensitization of the SPLA. This seems to be a rather ad hoc approach depending on the personality of the SPLA commander, highlighting again the lack of coherence of the governance chain.

5.3 Consistence of the design, and of the activities and outputs with the intended outcomes and effects & relevance of the Theory of Change

The project design was based on several assessments, which provided baselines, such as a rapid prison assessment 2012. Some further assessments were done over the course of the project implementation, such as an assessment of the SPU in 2014. One

¹¹ Approved budget tables, Fiscal Year 2016/17, <http://grss-mof.org/wp-content/uploads/2017/05/Final-1617-Budget-and-NBP.pdf>

¹² OHCHR & UNMISS, January 2017. A Report on Human Rights Violations and Abuses of International Human Rights Law and Violations of International Humanitarian Law in the Context of the Fighting in Juba, South Sudan, in July 2016. Executive summary p3: UNMISS documented 217 victims of rape, including gang-rape committed by SPLA, SPLM/A-IO and other armed groups during and after the fighting between 8 and 25 July. According to victims' testimonies and witnesses' accounts, most cases of sexual violence were committed by SPLA soldiers, police officers and members of the National Security Services (NSS). They occurred mainly at the various checkpoints erected across the city during and in the aftermath of the fighting or during house – to – house searches that were organized by the South Sudanese security forces in many areas of Juba. In addition, many cases of rape including gang-rape were committed against internally displaced women and girls, especially when they would venture outside the UNMISS Protection of Civilians (PoC) sites to collect food or firewood or conduct other daily activities.

¹³ <https://www.theguardian.com/global-development/2017/may/31/soldiers-accused-rape-murder-trial-south-sudan-aid-workers-juba-terrain-hotel>

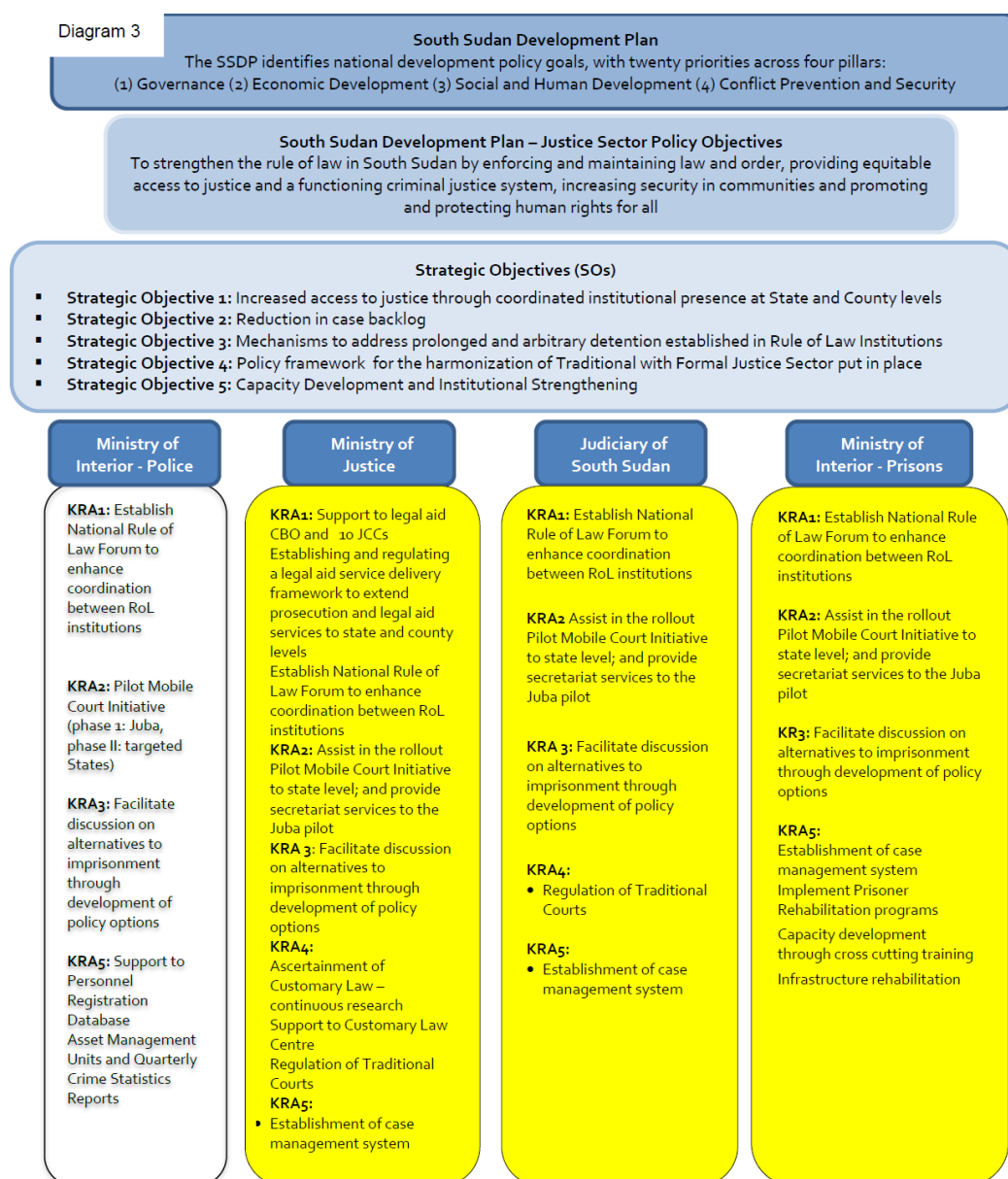
<https://www.reuters.com/article/us-southsudan-violence-idUSKBN18X1LC>

¹⁴ SPLA Code, Section 37 Jurisdiction of Military Courts "(4) Whenever a military personnel commits an offence against a civilian or civilian property, the civil court shall assume jurisdiction over such an offence."

of the limitations is obviously the lack of data in the various sectors of the rule of law, which the project aimed to compensate partly through the data management system, and ongoing support to the crime statistics.

The intervention logic was defined in the original project document for the Netherlands¹⁵, highlighting the support to various institutions, both at institutional and operational levels.

Figure 1: Intervention logic of the project document



Some SOs had a broad formulation: SO1 Increased access to justice through coordinated institutional presence at State and county levels, SO5 Capacity development and institutional strengthening. The legal aid component remained however relatively limited since CSOs grants amounted between 10 000 and 50 000 USD each, to 10 CSOs, despite the size of the overall funding (but those CSOs were able to provide sensitize and provide assistance to almost a thousand people). Two SOs are more specific and focused at the processes level: SO2 on case backlog and SO3 on prolonged / arbitrary detention, development and implementation of

¹⁵ The Netherlands did not fund the police component.

systems for crime statistics, inmates statistics and case management - with the development of several policy notes on case management and the development of Advocates Act which provides for legal aid.

This logical framework was complemented by additional components, notably infrastructure rehabilitation and building, funded by other donors, DfID, Japan and Norway¹⁶.

The programming did not fully integrate all underlying hypotheses, although the project document identified risks in this areas and suggested risk mitigation measures. The two crises in December 2013 and July 2016 strongly interrupted the project dynamics and led to some reshuffling of the project. However, this is not clear if there was a detailed conflict analysis before the design of the project and there was no contingency planning, notably to articulate rule of law interventions with the broader stabilization efforts.

In addition, the institutions cannot ensure their minimum duties (such as payment of civil servants) and the minimum maintenance to maximize the outputs of the project. Some interventions appear then relatively sophisticated – albeit compliant to international standards / benchmarks – given the lack of resources of the State. The Emergency Call Center (ECC) for example is related to a US model system, the implementation of IT systems would require a reliable access to electricity as well as some local IT skills for basic maintenance such as antivirus, or software updates. On several occasions, in the areas visited, the State officers could not use the computers because they were blocked by viruses. The project did however include trainings on IT skills, mostly for the use of computer, but this does not appear sufficient to cover all the aspects of maintenance or technical assistance and follow up in that respect. Also, the 2016 annual report indicates that *“Only 52 percent of the calls were responded to, largely due to the fuel shortages and SSNPS’ budgetary constraints. The PCRC in Gudele collected money from the community to assist the ECC in deploying in that neighbourhood, as it was seen as an essential service by community leaders.”* The State financial allocation was hence not consistent with the project results.

To some extent, at a lower level, State institutions tend to see / to use UNDP as a funding mechanism with constant requests for support for any intervention or need – including for stationary or any transportation -, which creates some pressure on the agency. The contribution of the State consisted in leadership of the board, hosting RoL project staff, or making land and building available.

The project approach was relatively flexible, by adapting to the changes of context, particularly volatile, and to needs/ opportunities in some institutions, but with a lack of longer term development planning in the sector. The spectrum of activities was particularly broad. According to some UNDP staff, this is due to the fluid nature of the context and the broadness of the activities compensates for the challenge of rigid planning. As such some interventions – albeit relevant given the context - do not fit explicitly in the overall logical framework, the SOs and their indicators, such as support to the College of law, which was relocated from Khartoum to Juba, the ECC (belonging to SO5 on institutional strengthening) and the vocational trainings to prisoners and staff, including the marginal support to Rajaf’s farm. The latter also reflects a rather pragmatic and opportunistic approach, based also on the donor’s policies. The rationales - relevant - are that vocational training and Rajaf’s farm are part of creating a rehabilitative prison environment (there has never been an official intention to involve in prison farms). On the other hand, the implementation of the transitional justice mechanism, was not clearly integrated in the intervention logic.

The **yearly workplans** were drafted after consultation with the beneficiary institutions at the Central level, and hence met their needs. This said, at the state level, UNVs indicate

¹⁶ Japan and Norway support existed actually before the October 2013 Netherlands agreement.

that they were not systematically involved in defining / revising the workplans, which limits the level of ownership.

6 Effectiveness

6.1 Achievements of project results

The project implemented a relatively high number of activities: in January - August 2017 only, over 78 activities were put in place, for a total number of 5 736 women and 25 760 men¹⁷ beneficiaries.

Some progresses took place for all of the strategic objectives, although quite restrained for what concern transitional justice, whose mechanisms are yet to be put in place. The level of achievement of the targets is in annex 4 for the general indicators at the Country Programme Action Plan (CPAP) / CPD level, and for the project output indicators. In general, almost half of those targets have been reached and exceeded, mostly in terms of number of training beneficiaries or outreach activities.¹⁸ Based on those indicators, the main gaps concern ID registration and transitional justice then. There were limited indicators related to the mobile courts, which did not function as such. Interventions not executed cover :

- some trainings of judges on international law and transitional justice - but some other trainings took place - ,
- organization of the national rule of law forum - the customary leader yearly forum was conducted on the other hand - ,
- development of policies and mechanisms to address alternative dispute mechanisms and detention options - but a position paper with recommendations for amendments on legislation was drafted.

Those indicators and the annual reports do not make reference to the evolution of the case backlog, but to the percentage of the cases recorded completed, with a target of slightly over 60% (often achieved).

The project put in place **capacity building initiatives through various tools, based on the general project objectives but with some level of flexibility for ad hoc support and opportunities.**

Capacity building took place in the various Strategic Objectives under the form of technical assistance and trainings. They were articulated to the implementation of the interventions in the various sectors, and as such - to some extent - the evolution of the availability of the statistics is an indicator of the capacity building results. There are however no intermediate indicators / targets out of those results and the activities implementation.

The number of trainings was particularly significant: 60 trainings (counting each participating institution as a separate training) in 2017 and 31 in 2016.

They supported the various processes and services implemented by the project, as capacities and knowledge to perform their duties, notably on the following topics:

- SGBV (382, including 293 women)
- Community policing (641 police personnel and community members, including 180 women)

¹⁷ Rule of Law project, Master Progress towards Targets.

¹⁸ Annual Report 2016

- ECC functioning (809 people, including 33 women)
- Case Management System (25 people)
- Principles of Law and Human Rights, as well as dissemination of the ascertainment studies for customary leaders (516 chiefs, including 74 women)
- International Justice and Human Rights
- Paralegals, for legal aid mediation purposes
- Trauma management (over 1000 people)
- Vocational trainings for inmates and returnees (557 inmates and prison personal in 3 benches of with new skills).

The project also provided some specific ad hoc support, for example on criminal investigation or on Traffic Laws and Regulations in 2013, and a comprehensive backing was provided to the Joint Integrated Police, in terms of SoPs, manual and training (5400 people).

The capacity building component also included a significant number of outreach activities to communities and schools by direct sensitization or through broadcasting messages on the radio, on community policing, rule of law, human rights and SGBV.

N°activities / beneficiaries	2016	2015	2014
Rule of Law	49 / 4066 people	26 / 1 526 people	39 / 2 479 people
Community Policing	31 / 2 449 people	37 / 5 192 people	18 / 1955 people

Pre and post tests were used and reveal a positive immediate impact of the trainings in terms of increasing knowledge of the subject matters. Some interviewees indicated however weaknesses in the adequacy of the audience (training in IT or English classes of beginner level to people with some experience). Some people also report the participation of wife of security / prison forces agents to some trainings, whereas they would not have to use the skills directly. This highlights the need to ensure that the hierarchy is committed to the capacity building efforts and that UNDP possibly triangulates the proposed list of participants to activities. In some cases, operational constraints prevent an immediate use of the knowledge gained (ex. training on computer science when there is limited or no access to a computer). Based on the focus groups conducted by the team (which could not cover the various types of trainings and areas of implementation given the broad spectrum of the project), this is mostly the case for skills requiring equipment, then IT.

Institutions interviewed highlight the usefulness of the **technical assistance** conveyed by the Chief Technical Advisors (CTA) and UNVs on a daily basis. The ToRs of those assistants were however not always very clear for the partners and in some cases, they were used as secretary or to transfer requests for funding / messages to UNDP.

This said, the different methods and channels for capacity building combined various leverages on both the supply and the demand for justice, which triggered **some changes and local dynamics towards Rule of Law**. Paralegals trained brought with success assistance to victims, even after failure to get supports from customary courts¹⁹ in case of divorce, or to keep properties after the death of the husband and refusing to marry one husband's brother as per the customs. This was done through mobilizing community members. This also contributed to increase the role of the training beneficiaries in their communities. For example, a paralegal became member of the Coalition of State Women and Youth organization in former Eastern Equatoria State. Besides, though the project did not plan for follow-up of the beneficiaries of the vocational trainings, according to the prison staff and training center personal, some developed businesses based on what they learnt with success.

¹⁹ http://www.ss.undp.org/content/south_sudan/en/home/ourwork/womenempowerment/successstories/Justice-women-South-Sudan.html

The project contributed to the drafting of a number of **knowledge products**, such as ascertainment studies, training manuals, guidelines, which constituted essential tools for Rule of Law implementation and which contributed to streamline the information and data on practices and normative frameworks. They are not always fully disseminated or available to local stakeholders though, notably in local languages (the latter was planned for the ascertainment studies).

Several **infrastructures** were built as part of the project. This includes:

- Renovations of prisons in Yei, Wau, Aweil and Juba
- Building of the vocational training centre close to Juba Central Prison
- Renovation of six SPUs in Aweil, Torit, Wau, Aweil, Rumbek, Munuki, Juba.
- Building of an SPU in Malakia (Juba)
- Renovation of the ECC
- Equipment of three community aid posts in (Rock City, Hai Mauna and Gudele)
- Relocation and equipment of Juba College of Law

No new facility was built for the Ministry of Justice (MoJ) / judiciary, since it was a component of previous interventions. The institutions indicated that they were not always involved in the full project design e.g. some police stations were constructed without the participation of police engineers, and some construction issues happened in various locations, such as in the prisons in Juba. According to UNDP, those issues may also relate to staff turnover, the new staff not being aware of what was done and decided in the past, since there is frequent communication, notably in the RoL forum. A joint project board/committee was also established for the construction of Juba college of law.

The infrastructures are also misused in some cases. For example, SPU rehabilitation rooms are used as detention centres, or the police station chief utilizes the SPU office, as well as the computer provided by the project. The team observed that SPU built within a police station included a specific jail for women, while there was already a custody for women in the police station, and hence the new cell was used as a storage space or not used. Also, some infrastructures were built in previous interventions – and were hardly used. This is the case of the Rumbek centre for customary law or some training facilities in Rajaf and Aweil.

In some cases, the rehabilitations were rather minimal and represented a small step forward before further potential interventions, which the institution cannot pursue actually. For example, in Aweil's prisons, the project built a fence for a potential prison field, which is not cultivated because of lack of seeds and tools.

The project provided equipment, to implement the case management system in particular, and to the various institutions supported. In most of the places and institutions that the team visited, they were still in place, though computers were not always useable because of viruses or outdated softwares. Cases of thefts occurred, including in several police stations (solar panels). In Aweil, the judiciary indicated that they received an empty box for the printer.

In terms of **processes and improvement of the services to the population**, some progresses happened to various degrees in relations to the diverse initiatives, as indicated below.

▪ **Case Management System, mobile court and arbitrary detention**

Some statistics are available on crimes and inmates. The case management system is not fully functional, and requires support from a UNDP consultant, but statistics are hardly consolidated or available for all the geographic areas and institutions, at each stage of the process (identification, registration, potential prosecution etc...)

The mobile courts could hardly be put in place but the RoL forum conducted specific actions to address issues of cases backlogs and overcrowding of prisons. Interviewees indicated that there was no concrete plan on how to implement the mobile court (in contrary to case management – based on the Ugandan model), and the system

sometimes did not achieve its full purpose. Judges were indeed only positioned in Juba Central prison, and addressing new cases, not specifically old ones to reduce the backlog. According to the interviewees, the system did not reach out to the states or to other courts, such as Appeal and Supreme Courts. The lack of visibility on the backlog of cases restrained also the most efficient tool of this system. UNMISS indicated to be able to provide for transportation of judges in the future in order to start reducing the backlog of cases at the states level.

In 2013, out of 6 573 cases a backlog of 4 778 (73%) cases were disposed off by the court, whereas 1 795 (27%) remained as the case backlog for the year.

In WES, expired detention warrants dropped from 51 (37 male, one female, 13 juveniles) at the beginning of 2014 to zero by December 2014. Yambio Central Prison ceased detaining suspects on the basis of warrants issued by traditional leaders. In WBGS, among other cases, five cases of murder were tried and completed and 238 suspects (117 female) who were held in prolonged and arbitrary were released. In NGS, 31 people (7 female) held in prolonged and arbitrary detention were released.

In 2015, while the target was to have 12% of recorded cases completed, 61% recorded cases at MoJ were actually completed and 26% recorded cases at the Judiciary of South Sudan (JoSS) were completed. The project supported the collection of data and analysis of 3 500 cases for MoJ and supported establishment of case management system at JoSS, including data collection and analysis for 1,571 cases. In 2015, in Western Bahr el Ghazal, the RoL forum facilitated the release of 11 remanded juvenile cases whilst in Northern Bahr el Ghazal, they facilitated the release of 129 inmates who were being arbitrarily detained and/or were imprisoned because they could not pay fines or civil debts. In Eastern Equatoria, prison authorities relocated 70 prisoners (all male) from Torit to Riwoto Prison to address overcrowding.

In 2016, 12 people were released from arbitrary detention in Aweil, 120 in Wau and 37 in Torit²⁰. The overcrowding of the prisons was reduced at the Juba Central Prison level from over 1500 to 957 in October 2017 according to the prison management.

▪ ID registration

The project put in place databases of the staff for the police and prison and started the process of issuing ID cards. The crises compromised the process since several thousand police staff fled and new recruits arrived.

In 2016, the targeted police personnel for completion of data verification process and issuance of identity cards reached 25 276, out of a total of 35 778 police personnel. Three states were excluded because of the ongoing conflict. 15 036 (59%) were issued identity cards. 15 202 prison personnel in ten states are registered and 6 347, (41.8%) personnel have completed the verification process and have been issued identity cards.

▪ Legal Aid & Justice Confidence Center (JCC)

The project assisted around 930 people in legal aid, of whom 2/3 of men. Legal aid was piloted in 2014 with only 6 beneficiaries, while objectives were exceeded in the following years. It overwhelmed expectations in 2015, when 161 people (67 female) received legal aid services in Central and Eastern Equatoria and Northern Bahr elGhazal states, against 30 planned and in 2016, with 769 (including 289 female) against 120 people targeted. JCC also conducted legal awareness raising activities in six states, reaching out to several thousand people. An estimated 82 000 listeners received radio broadcast messages on human rights, in particular the right to fair trials, equality before the law and freedom from torture. The team did not receive detailed statistics on the nature of

²⁰ 5th January 2017, UNDP Access to Justice Project, Progress towards targets.

the cases and support provided by the CSO (mediation, prosecution, support to a victim or not, ethnic group).

In some areas, CSOs get the cases since they have good connections with the police stations, who call them when cases arrive. This may imply some kind of competition between the various CSOs in Juba to be contacted by the police, while there is only one per site in the states. Legal aid is provided regardless of the nature of the issues, and the status of the victim (perpetrator or victim).

The evaluation team also noted a lack of synergies between partners in relations to legal aid. In the areas visited, members of the Rule of Law forum do not know the JCC (in some extent even the RoL advisor), and legal aid remains clearly insufficient to support victims.

▪ ECC

The ECC in Juba attended to almost 15 000 calls.

From 15 July to 31 December 2014, the ECC answered 6 083 calls including 810 medical emergency calls and 171 SGBV cases.

In 2015, there were 6 865 calls, including 2 442 crimes against body, 1 551 crimes against property, 1 363 medical emergencies and 328 SGBV.

In 2016, the ECC in Juba received 1 988 calls and responded to 1 037 calls, including 76 SGBV cases, 777 crimes against the body, 489 crimes against property, 143 traffic incidents and 404 medical emergencies. Only 52 percent of the calls were responded to, largely due to the fuel shortages and SSNPS' budgetary constraints²¹. The 2016 results are noticeable: the recovery of six vehicles, the arrest of 871 people and conviction of 560 of them, mostly for robbery / killing and looting. Seven cases of rape were apprehended, while four other perpetrators escaped. One serial killer was captured. Two children were rescued from human trafficking. The results also comprised arrest and killing of two soldiers that tried to escape for armed robbery at day time, and of three soldiers committing crimes. The force also arrested policemen committing offences, some of which were convicted. This highlights the significance of the ECC as an instrument to support rule of law.

Over 1 000 police officers were trained of whom 759 remained in the team, including 46 women. Their motivation was sometimes uncertain - and the number dropped - as they face significant risks during the interventions. Indeed, four officers were killed and eleven wounded. They got no incentives and even medication was difficult. To some extent, the responsibility of this type of intervention now shifted to the Joint Integrated Police (JIP)²², but there is no more emergency response.

The original target of people assisted was 25 000 in 2016 (while over 1 000 calls were indeed responded as indicated above) but the ECC stopped along with the 2016 crisis. Ad hoc alternative mechanisms were put in place, since some community leaders / members are more in contact with the population, - owing notably to community policing - and then contact directly the intervention forces of their area, and they react to this. Because of the crisis, the project could not implement the ECC planned in Wau.

▪ SPU

The team did not identify comprehensive statistics on the number of cases addressed by the SPUs. The number of cases recorded in some stations is relatively limited - only a few in a month in Juba -, which raises also questions on the need for specific facilities. On the other hand, in other areas, Aweil for example, more than 200 cases were recorded in the first 10 months of 2017, for which fines were paid, illustrating the usefulness and results of the protection unit. Looking at the statistics for the first quarter of 2017, most cases concern adultery however in WBGS (39 cases against 7 rapes and

²¹ Annual Report 2016

²² JIP is a mix unit of government and opposition personal and put in place as part of the Peace Agreement.

9 defamation) and NBGS (22 cases against 4 rapes, 9 defamations, 9 assaults and 11 domestic violence). Hence, the SPUs are not necessarily mostly used to support access to justice for women, but also to prosecute them.

Women indicated nonetheless that the SPUs were of great interest for them as a safe place where they could take refuge, which in the case of domestic violence would often occur at night. However, it was sometimes difficult for them to go there as they would be immediately identified as SGBV victim. For this reason, they would also sometimes prefer to go there at night to report cases, although this is hardly possible since SPU are not equipped to host women at night (no light, no room, guards asking the victims arriving in the evening – when the abuses most likely occur - to come back at day time...). This highlights the need for specific women centres more generally, not specifically for SGBV, which could be also used as shelters. Women also mentioned that they came to the SPUs since some people supported them to come here and that they would not necessarily dare to file a claim on their own. This highlights the need for support to victims even for those initial steps.

SPU desks are not in place at the hospitals in Aweil and Torit. In Juba, this is just being put in place by UNFPA, and implemented by IRC.

The functioning of the SPUs faces some challenges related to the availability of A forms, for which victims have to pay. In one SPU, the victims have to go to the market to print the form bring it back to the SPU, and then can go to the hospital with the form.

Also, there is still a lack of female investigators to be able to register the cases accurately since women would not be so frank with men than with women, though the professionalisms of the men agents in SPUs was confirmed by the victims interviewed.

External factors affecting the results

Out of the security issues and logistical challenges, the availability and management of resources by the government are major constraints, in terms of finances, tools, equipment and human resources for the various Rule of Law institutions. A four months judges strikes occurred in 2016/2017, which impacted negatively on the project dynamics.

Traditional practices remain strong and can provide more interests to the victims. Customary leaders and some police officers were sensitized to refer the SGBV cases to the SPUs but this is not done systematically, according to interviewees. Perpetrators would sometimes arrange with the police through bribery and then the case would be dismissed, or marriage arranged.

The needs remain also huge and several informants highlight the fact that the project is just “scratching the surface”.

6.2 Results at outcome level

Based on the CPD indicators, the level of progresses of the yearly targets at outcome level was on track in 2014-2015, except on the third indicator on transitional justice mechanisms, but out of track in 2016. This highlights the impact of the 2016 crisis, in delayed the results and breaking some of the RoL dynamics. The project had originally an ambitious goal of 16 governance and security reforms implemented, of which only 2 were actually passed (CTRH and domestication of international crimes in the Transitional National Legislative Assembly). Some progresses happened in 2014 and 2015 regarding the decrease of crimes, and particularly security perception, while this could not be measured in 2016. In annex 5 is a table which indicate the level of achievements of the targets.

The Community Security and Small Arms Control (CSAC) project commissioned perception studies in 2015 and 2016. According to these, the perception of the security

at the community level security and incidence of SGBV did not evolve much in two years, especially since the 2016 violence outbreak affected the situation. In the baseline, 39.6 percent of the interviewees observed that the rate of SGBV incidences decreased but in the endline only 19.4 percent noted a decline.

This is not a consistent trend for all the states, but there is no overall trend based on the project main areas of interventions.

Table 2: Evolution of the perception of SGBV evolution

Regions	SGBV Incidences over the past 2 years						Total
	Increased	Decreased	Moderate	Not sure	Don't know	No response	
Warrap	41	130	77	180	4	11	443
Eastern E	82	116	107	22	7	11	345
Western E	156	20	68	35	0	2	281
Jonglei	119	64	94	77	5	15	374
Central	99	28	220	98	26	15	486
Upper Nile	188	8	11	11	5	2	225
Lakes	33	120	100	90	3	11	357
Total	718	486	677	513	50	67	2511

Source (CSAC endline survey)

The studies also indicate an **upward trend was noted on confidence in police** ability to assure justice. Baseline was at 28.7 percent and endline was at 52 percent²³.

More generally, based on the evaluation team's interviews, organizational changes contributed to the transparency and consistency of the procedures, notably detention periods: stakeholders know that people cannot be kept over 24 hours in preventive detention. This also led to a **decrease in arbitrary arrests** by various authorities. Duty bearers now feel guilty since they understand more the consequences of non-respecting the procedures and of compromises. People are also increasingly reporting to the authorities and CSOs.

Community policing had results in terms of a **reduction in crimes**, according to the police staff. The approach was able to solve specific incidence of insecurity / criminality in some locations. The ECC also had similar results Juba.

This trend is confirmed by the overall crime statistics in the seven stable states, since they indicate a decrease of the five major crimes between 2013 and 2015²⁴ from 37 855 in 2013 to 27 588 in 2015 and 23 144 in 2016 for the total of crimes.

²³ The study also points out the remaining gaps for the access to justice of vulnerable groups, notably because of ignorance and lack of paralegal services and courts, which make justice far from the people. These gaps concern also the treatment of SGBV victims. Participants to the survey indicated the need to strengthen legal capacity, establish relevant laws, build capacity of law enforcement agencies to adequately deal with SGBV, establish safe havens for the victims and empower traditional leaders to deal with the SGBV cases instead of looking at them purely from a criminal perspective. The lack of justice system also contributes to the cycle of insecurity and violence since people break the law by seeking revenge. Respondents also emphasized the role of the elders, local administrators and religious leaders to assess security and rule of law. A recommendation was also to train more youthful police and members of the judiciary, to adapt to the new South Sudan. The study also highlights the lack of dependence of the justice system given the scarcity and low level of salary of judges.

²⁴ The evaluation team did not receive statistics for 2016/2017

Table 3: Crime statistics²⁵

	2013	2014	2015	2016
Major crimes ²⁶	37 855	29 089	27 588	23 144 (total)
Murder	1 318	2 068	1 395	
Theft	11 196	8 324	8 970	
Rape	971	665	669	1 614 (GBV)

Source : NPSS Crime Statistics. Data was not available for Unity, Jonglei and Upper Nile states.

The project also had some results in terms of **prevention**. Women interviewed indicate that SGBV or domestic violence were less of a threat since the perpetrators knew that they could be arrested and prosecuted if they committed such crimes / abuses.

The project played a role in reinstating some **State authority and legitimacy** by strengthening the Rule of Law sector: improvement in the normative framework and its implementation, abilities of the different institutions to perform their duties and increased access to justice for vulnerable groups in urban centres.

The ascertainment studies contributed to provide references and **streamline the different practices for customary justice within each ethnic group**, in a context where there are “customary courts under each tree” according to one interviewee, and many ways to interpret the customs, as well as a number of inadequacies with the formal justice system. The project supported in addition the implementation of the peace agreement, in particular mobilizing customary leaders for its implementation, and in bringing up expectations in that respect.

There are still serious needs in terms of **consistency and knowledge of the legal framework** by the practitioners notably. They indicate for example that some law texts have not been found, although they have been voted according to the official records. There is then a need for a specific repository, possibly online in order to be accessible throughout the communication network. Interviews also stress the limited coverage of courts and lack of judiciaries personal.

The Rule of Law forum constituted also in local mechanisms to **address specific localized rule of law issues**, such as the conformance of the customary courts.

The project also **created demand for more security and police**. Interviewees mentioned for example that in Apada, a community took the initiative of building a police station to ensure permanent presence of the police in their area. Some also supported the building of a dedicated building for the SPU.

Despite those progresses - which remain fragile and as such should be sustained -, the **challenges and needs** to Rule of Law implementation in South Sudan remain extremely high given the context. Some key informants of the State institutions even indicated to the team that “Rule of Law is a lie in the current situation and will never happen in a situation where soldiers are out of everything”. The political economy and power interests around the various positions also put a significant constraint on the governance dynamics.

²⁵ The team did not receive data for 2016, either in terms of crime or inmate statistics, and they have not been published for the whole, notably given the July crisis.

²⁶ Major crimes cover murder, grievous hurt, theft, cheating, and rape

6.3 Contribution of other UNDP projects, partners and other organizations to the project results, and how effective have project partnerships been in contributing to achieving the results

The project had linkages with various UN organizations based on their respective mandate, notably UNWOMEN on SGBV and in the development of the training manual for traditional leaders and actual training of traditional leaders, with UNMISS/UNPOL on community policing, UNFPA for the one stop shop of the SPU at the hospital and IDLO for the support to the Law Revision Committee. A coordination mechanisms exist amongst UN organizations, mostly documented for the early years of the project, but there is no integrated programming amongst UN organizations, around a common stabilization framework or peacebuilding plan designed by the State for example, as it would be the case when there is a peacebuilding fund for example.

Obviously, there are also direct complementarities with **UNMISS**, which has strong human resources capacities (in Aweil, while the UNDP rule of law officer is alone, there are around 8 people in charge of human rights and 12 on civil affairs). UNMISS however has not the mandate or technical capacities to implement projects directly. Nonetheless, they sometimes provide operational support to RoL institutions, for example by distributing A form on a daily basis.

At **UNDP level**, synergies were more on an ad hoc and operational basis than at strategic level, which would imply clear articulations / interactions / capitalization of the various projects within a strategic or stabilization framework. Synergies existed at the local level. In 2014, A2JRoL implemented the BCPR “Strengthening National Capacities for Early Recovery, Peace Building, and Reconciliation Programme” along with CSAC and Inclusive Growth and Trade Capacity Development (IGTCD) projects in Protection of Civilian (PoC) site 1 in Juba, CES and the IDP camp in Mingkaman, Lakes state. There is the potential for more synergies with CSAC, since it put in place support to mediation at the community level and establish peace committees. They could constitute relays for the RoL interventions, participate in some RoL forum, and convey cases to the justice system.

The UNDP Intergovernmental Authority on Development (IGAD) project also deployed a staff at the police service for civil service reform from a South South mentorship angle. Reports indicate the participation of IGAD’s automotive advisor in the technical committee for the vocational training Center, IGAD Information and Communication Technology specialist for the prison personnel registration, IGAD Civil Service Support Officers for assistance in inmate and crime statistics databases and support to SSNPSS and NPSSS on IT, communications, forensics sciences, automobile engineering, and financial management.

The only **contribution of the State** in the programming consisted in allocating some staff for newly created services, such as SPUs, and making land available, given the strong budgetary issues faced by the government. For the vocational training center in particular, instructors were sourced through the Ministry of Public Services, the Ministry of Education and the Ministry of Labour, based on curriculum used all over the country. This appears as a good practice. Infrastructures of the beneficiary institutions are not always used for the trainings, which induces further costs as there is a need to rent conference rooms in hotels or training centers. Providing such spaces – when available – could constitute a form of State contribution. However, the infrastructures of the beneficiary are not always conducive for conducting learning session.

On a specific note, at the government level, despite the lack of funding to the rule of law institutions, a rather sophisticated system is being put in place in Juba town through the Smart City implementation, funded by the government. This includes drone and video surveillance in town and requires significant financial and human resources.

Interviewees indicated that this system should be linked to the ECC, with an electronic map identifying the location of the individuals calling 777.

6.4 Positive or negative, intended or unintended, changes brought about by the project's work

The project covers a broad spectrum of interventions, in a complex context. As such, it is difficult to apprehend the various levels of effects accurately, highlighting the need for a strong and robust monitoring and risk management framework.

Some indirect effects concern activities put in place to ensure the project result's **intermediary steps to maximize the success** of the interventions. Those steps were not clearly outlined / defined originally. For example, the 2014 annual report indicates that to enhance service delivery and reduce ECC's response time, UNDP also supported the Juba City Council to install road names at 32 junctions in Juba city. A total of 64 streets, 123 avenues, and 45 junctions were identified for naming in three phases. This led also indirectly to defining bus stops.

Some **potential negative effects** appear in various areas of interventions.

In some cases, the activities of the project have the potential to put its **stakeholders at risk**. Youths part of community policing may be subject to threat if their collaboration with the police is known, which is in particular the case when they patrol with the police. In Apada, the youth leader involved in community policing got his house burnt, though the team could not investigate the circumstances of this problem and if there were other reasons than participation in community policing. For this general issue, UNDP staff indicated that a mitigation strategy was put in place, consisting in involving the youth or the community overall, and not identifying publicly the small group of youths who work regularly with the police.

Some negative effects also reflect the **general weaknesses and specificities of the legal and operational framework** for the RoL sector, notably the legal framework and customary justice practices. SPUs are used generally to address the cases involving women and juveniles, which means also - as indicated above - that cases of adultery are addressed by the SPUs. In Aweil, four women - including one with a baby - were in the SPU pre-trial detention for that reason. Adultery actually represented most of the cases addressed by the SPUs in some states, based on the 2017 ECC statistics.

The detention condition in the SPUs also mirrors the general livelihoods challenges in the country, and in prison in particular. In some cases, women and youth in custody are left without support and don't get food, the same occur with the juvenile. The team saw cases of youth who were there for more than a day without any food, since they don't always have relatives or even the SPU would not have the means to seek and inform the relatives systematically. To mitigate this, attention should be paid to prevent and reduced detention in those facilities, by providing an even more integrated support with follow-up on the referral mechanisms to the court, by ensuring also that relatives are informed of the detention, or social assistance NGOs / associations / CBOs if there are no relatives, or by linking the detention with the prison systems mechanisms (taking into account also their weaknesses).

Increased prosecution of some cases can also lead to prolonged detention since the police have limited - if any - transportation means from the custody to the court -. Such case was reported in Aweil in relation to the SPU activities.

Legal aid also includes support to the perpetrators, and not only to the victim, which is part of the rationale that justice must be accessible to everybody and then coherent with rule of law concepts. However, the balance of the support provided to the two types, perpetrator and victims was not obtained by the team. Besides, some CSOs indicated

that they provide assistance in mediation, and not prosecution, in the case of SGBV, depending on the wishes of the victims. Victims find indeed a more direct interest in getting financial compensation, notably given the poverty context. This is not coherent with the overall objective of the project on access to justice. Here again, statistics are not available. Customary practices and weak State institutions impact on the quality of the delivery. CSOs funded by the project did not have a consistent approach in ensuring the respect of formal justice system.

6.5 Gender Considerations

The project took into account gender both in its approach, content and results. Gender perspective was included in the **design, implementation and monitoring** of the access to justice interventions. The A2JRoL project took into account more specifically the needs of women with a specific angle on SGBV. The team did not identify either specific analysis on gender per se or specific sections on gender in some of the deliverables, such as the ascertainment studies, but those studies include gender as a cross-cutting aspect. In addition, there is no clear analysis of the specific needs of men, and other specific needs of women in relations to the South Sudanese context and the conflict settings. Men are indeed victims of specific types of violence, directly as the main actor of the conflict, or indirectly as victims of pressure to be involved in the conflict and commit violence, or victims of the conflict in their community. In some countries (Democratic Republic of Congo for example), some awareness and dialogue is initiated on the meaning of masculinity and relationships between masculinity and violence²⁷. During the implementation, **statistics were disaggregated** by gender and efforts were made to support the inclusion of female State officers in the various interventions, as well as women from the communities, notably for community policing. The project however promoted women participation, in some cases through request for specific ratio of women, or for trainings specifically dedicated to women. However, in terms of participation to the activities, the ratio between men and women is obviously influenced by the Human Resources structure of the various institutions, largely dominated by men. Some activities also benefitted mostly men, such as legal aid. **Gender marker** started being used as of 2016 in the UNDP Annual Work Plan, ROAR and CPD. They are also included in the new project document for the second phase, where the various outputs are rated 2 or 3, the highest grade, but the consistency of the rating cannot be assessed at this stage.

In terms of results, the level of **support to women** as victims remained rather limited to case registration and some legal aid. The team did not see the details of the results on prosecution of SGBV cases, notably for the **most vulnerable ones**. Women in the Protection of Civilians Camps (PoC) for example were not directly assisted though they are strongly affected by SGBV and have no access to justice. Regarding effects on SGBV, the crises limited the results since it resulted in renewed violence and abuses. Attention was then more to equity, by promoting women to access their rights and – broadly speaking - targeting the specific needs of women, than to equality, which would mean that both men and women get the same type of support. The results reflect however the legal framework (adultery, assistance to perpetrators) and customary justice remains clearly oriented to men dominance, in terms of access to land, dowry, marriage and inheritance.

The project also contributed to **women empowerment** by building the capacity of the female staff in the institutions, training paralegals and promoting their role in the governance mechanisms, such as the customary justice. Female paralegals trained have made some impact as detailed above. In 2015, A total of 106 cases were referred

²⁷ <https://etudesafricaines.revues.org/17290>

https://ec.europa.eu/europeaid/sites/devco/files/aap-gender-drc-action-fiche-20130621_fr.pdf

<https://core.ac.uk/download/pdf/29231317.pdf>

to court, 104 were resolved through mediation with the help of the trained social workers and 47 are under investigation in the Office of the Public Attorney.

In Western Equatoria, there was a significant improvement in customary courts handling more civil cases than criminal cases, as required by the law, and **showing increased respect for women's rights**. Eastern Equatoria set aside one day per week exclusively for cases affecting women. In Morobo, Central Equatoria, a woman was appointed to sit in the customary law court to advise on cases involving women.

Women are also now appointed as traditional leaders, which is new and increases the sensitivity to gender needs in the customary justice. As a result of the trainings, the number of women representatives in the customary courts in EES increased from 2 in May 2014 to 18 by December 2014. In 2016, 33 female traditional leaders were trained and this led to the appointment of 16 traditional leaders as judges in traditional courts²⁸. In some cases, one woman was even elected as chief of other customary leaders (Torit). Another new achievement is the progression of female cadets in the police academy. In Rajaf Police Academy, the director indicated that the number of female cadets amongst the top 50 is on the rise, and that they were increasingly performing better than the men in some categories.

Interestingly also, the ECC had also some specific results on women, since it supported the birth delivery by 436 women plus SGBV cases.

7 Efficiency

7.1 Efficiency and cost effectiveness of the implementation strategy and approaches, conceptual framework and execution

The various outputs had significant differences of budget, the smallest amount being logically for the output 3 of harmonization between customary laws and the legal framework. Based on the project structure and interviews, infrastructures and personal costs represented the main expenses²⁹.

In comparison with the amounts in the Netherlands project document, the difference in funding is relatively important for the first two outputs (see the table below), indicating that the project could leverage additional funding, as shown in the table below. Consequently, the results of the project team go beyond the sole results of this project, and their efficiency is higher than the project. Indeed, the rule of law project team developed other interventions based on the implementation of the peace agreement and the evolution of the context, such as the Joint Integrated Police.

The actual expenditure rate with respect to what was planned in the project document is relatively good. The highest budget delivery rate was in 2015 with 7,748 million USD and 91%, against 69% in 2013 and 70 % in 2014, with the interruption caused by the December 2013 crisis. The details by year and by output are available in annex.

²⁸ A2J Annual Report 2016

²⁹ The detail of each category of cost does not appear clearly in the Combined Delivery Report by Project (CDR) reports that the team consulted, and hence the actual cost per beneficiary cannot be calculated precisely by type of activity

Table 4: Expenditure by output in USD

	Planned (project document)	Budget available	Expenditures	Expenditure Rate
SO1: Increased access to justice through coordinated institutional presence at State level	1 520 577	8 643 540	6 737 752	78%
SO2: Clearance of case backlog and prolonged and arbitrary detention addressed	1 706 008	7 526 867	6 418 303	85%
SO3: Support harmonization of traditional with formal justice sector	690 150	2 225 850	1 484 082	67%
SO4: Capacity development and Institutional strengthening	4 686 496	12 267 476	9 653 106	79%
SO5: Project management (2013 only)	2 176 311	3 669 885	2 596 292	71%
TOTAL	10 779 542	34 333 618	26 889 535	78%

Source: Annual Reports & CDRs

The high level of staff turnover at both UNDP or partner's levels, constituted a strong limitation in the efficiency of the interventions and occurred at every level - from political to local level in the states -. This illustrates some weaknesses in the accountability chain at vertical level and potentially difficulties for ownership over the governance structure by the top authorities. After being trained, staff is often reallocated to other services or other institutions. Human resources management in the institutions is a challenge, despite the presence of very qualified staff at the top level in some structures. A strong human resources strategy and a capacity building / professionalization plan are also lacking.

Staff allocated to the training are not always of very high level in the hierarchy and then don't have necessarily decision power to be driver of changes in their institutions and ensure the dissemination and application of the training.

This turn over had occasionally positive advantages, when it concerns the management level, for the replication of practices. This type of result is not fully documented, measured though or integrated in the analysis of the project results, as mentioned above.

The project efficiency challenged to some extent the functioning of the CSOs. They reported that they could not always include their personal costs in their budget, and needed to ensure synergies with other projects to cover them. Some CSO staff also operated on a voluntary basis because of this constraint, even during a whole year. In particular, in the PoC in Juba, a young graduate provides some assistance voluntarily to his community, in relations with a CSO but without any further support yet.

The need for call for proposals based on UNDP procedures may sometimes contradict the overall institutional support request. For some trainings, external trainers had to be hired based on a competitive process, while potential trainers were identified in the institutions, which led to an increase in cost. It would then be relevant to ensure that preidentified staff from an institution can apply to those tender processes.

The project adapted to the challenges of equipment allocation and maintenance, by limiting this type of support. Most of the equipment (computers, printers etc..) were provided in the first years of the project. Also, the project stopped giving generators, hardly used given the fuel shortage, to instead provide solar panels, much more efficient.

Some key respondents regret that UNDP is not demonstrating sufficiently advantage in the field to hold donors to the programme, to communicate to the local authorities through its officers, or to produce the intended outcome scenario. They also mention the

need to strengthen a consultative culture, especially as the coordinator of the UNCT, notably towards donors when it comes to major programmatic decision, such as cutting contracted officers.

7.2 Sensitivity to the political and development constraints of the country

The project adjusted to the evolution of the context and as such took into account the political and development constraints of the country. Determining a strategic sequencing approach in a context where specific priorities will change rapidly and where legitimacy, social division/cohesion, incentives, and power dynamics are a serious issue, is a real challenge. Consolidating existing processes, focusing on medium-term plans that could yield pivotal change was the value UNDP brought to national counterparts.

A **conflict sensitivity analysis** was published in April in 2014 crisis³⁰. This analysis highlighted “the need to a disaggregated approach geographically with support limited to non-conflict states; closer engagement with civil society actors in the process of institutional reform and extension of justice services; integration with community focused conflict resolution and peace and reconciliation programmes; increased coherence in our state level interventions”.

The validity of the project, despite the crises, was also confirmed after the 2013 crisis through a programme **criticality assessment** of all the UN interventions in country³¹.

SGBV became a major focus of the project, which shows an attention to the conflict context and the level of abuses on vulnerable groups. The project followed upon the evolution of the context and opportunities / needs also by adding new components: two concept notes were developed one for the Joint Integrated Police (approximately 16 million USD) and one for Transitional Justice (approximately 8 million USD).

At the level of **beneficiaries**, the specificities and complexity of the context were not systematically addressed. The level of access to justice of the different ethnic groups has not been clearly analysed and there are limited data on potential direct or indirect barriers to access to justice for the various ethnic groups. There is no tribe disaggregated data in A2J services, which seems relevant given the sensitivity of the subject. As mentioned above, some major abuses are still not addressed, such as SGBV abuses around PoC, which bear a strong political aspect, notably in terms of perception of the equity of access to justice by the various communities. This said, the reduction of abuse is not the sole responsibility of this project, since it needs multi-stakeholder and multi-disciplinary actions. Stakeholders also indicate the interest of extending Rule of Law forum at the county or payam levels to solve local issues, while bringing also the institutions closer to the population. This could be done in some priority areas.

In terms of **processes**, a risk matrix was established as part of UNDP standard procedures. The project document and reports identified risks in a rather general manner and mostly those related to the project implementation or to the security context, than to the results / effects of the interventions, the targeting of beneficiaries and potential biases. Risks included in the matrix are: logistics, funding level, coordination, culture of impunity and security.

³⁰ UNDP, Access to Justice and Rule of Law Project, Conflict Sensitivity Assessment Report, 04/04/2014.

³¹ 90 Day Action Plan, 13/02/2014. The project fits into category 2 priorities: Promote Access to Justice and Rule of Law through capacity development and Institutional strengthening as well as Support Harmonization of Traditional with the Formal Justice Sector.

7.3 Timeliness

The timeliness of the interventions was obviously affected by the **two crises, and the volatile nature of the context**. Hence, interventions planned in 2014 suffered from delays since staff were evacuated and only returned in the second quarter of 2014 when the security situation improved slightly. The results related to the various activities implemented highlight the interest of starting to strengthen rule of law even in a conflict context though, notably to limit the abuses, clarify the norms and promote alternatives to conflict resolution through violent modes.

Out of the gaps identified in the effectiveness section, the evaluation team noticed in particular significant delays for:

- the female dormitory in Rajaf police training center started in 2014 and is still not finalized and handed-over since the Police requested additional work (fence, water, cafeteria, etc). The work was done in 2014 and 2015.
- the law revision commission proposal for the update of the Local Government Act have only been submitted in 2016 to the Parliament, while the review started in 2013/2014.

The **procurement procedures**, as part of UNDP general Programme and Operations Policies and Procedures (POPP), impact the delay of the interventions, since the process has to go through UNDP administration even for small amounts of less than 1000 USD. This is also a guarantee of reliability of the expenditures though.

7.4 Alternative approaches

Potential alternative approaches would include pooling of resources requiring maintenance (computer or vehicles for example, which could be allocated to RoL institutions / forum collectively, though the feasibility of such an approach would need further analysis). An option would be also to strengthen mentoring compare with ad hoc training, and ensure that the implementation of the training learnings is taken into consideration and monitored. This would mean for the CTA and UNV, strengthening the follow-up of the trainees and follow up on the training knowledge and practice implementation with a documented and formalized monitoring. This could form part of a longer-term capacity building plan for the various institutions.

Another approach could be also to target areas / sectors with the highest level of access to justice issues at the community level and put in place bottom up approach compare with top down institutional strengthening.

Community involvement in monitoring the access to justice issues could also be strengthened, with specific mechanisms for accountability to affected populations, such as watchdog / surveillance systems. This could constitute a first step for the governance chain and could be linked with the Rule of Law forum. This would be also a way to support data collection. A good strategy would be required to link up the two to have a mechanism for the state-level forums to feed up useful information and recommendations for the national level.

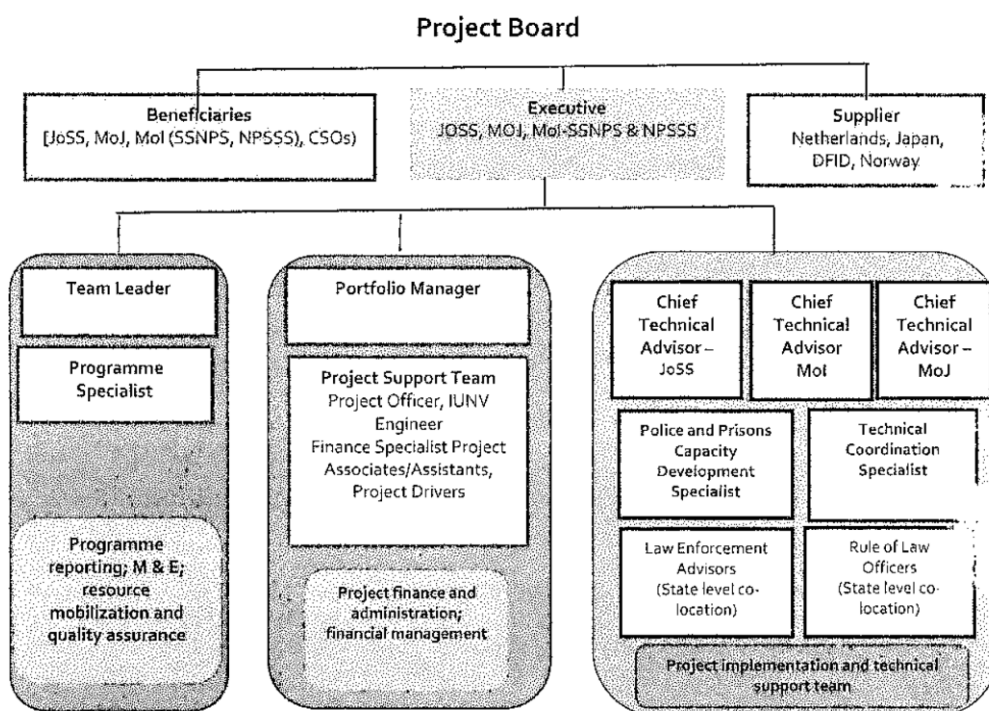
UNICEF has a system for collecting the point of view of the population, named UReport, which provides data on community through SMS questions. Such mechanism could allow to strengthen the integration of the population's perception in the programming, at least for population with communication access and update perception surveys.

7.5 Project management structure

The project was overseen by a **Project Board** with a standard structure, according to the POPP and specificities of the project. The Project Board is in charge of meeting on a quarterly basis to provide guidance and review the progresses and reporting. The

evaluation team received the minutes of only two meetings from the board, in May 2015 and March 2016, and the structure functioned limitedly. The multiplicity of the meetings and busy schedules of the members explain those issues, in addition to the project interruption due to the conflict. The stakeholders used to meet and discuss the project through other means, such as bilateral meetings and Rule of Law forum. The lack of meetings constitutes however a limitation to a formal planning and monitoring of the activities.

Figure 2: Project management structure



The **project structure** included a project management unit, covering core administrative functions and UNV deployed in the various states. Their work was supervised by UNDP Team Leader and programme specialist. There were strong delays in hiring relevant **staff**, leading to breaches in the project dynamics, not to mention hand-over / knowledge capitalization issues. Hence, the project manager only arrived in Autumn 2015. The M&E, reporting and resource mobilization was done within the project team, in contrary to what is on the diagram. The process to hire a Monitoring & Evaluation staff started in February 2016 and was completed in November.

The team leader and programme specialist played mostly a quality assurance role, and had a remote oversight on the project implementation.

The project deployed various technical advisors, CTAs at the national level, and UNVs at the State level, to provide day to day support to the institutions. At the time of the evaluation, there was no CTA at the Ministry of Interior level, since autumn 2016, and no CTA at the Judiciary of South Sudan (JoSS) since the second half of 2016. The role was partly filled by the project manager and the MoJ CTA.

The **UNV advisors** are supposed to be based at the partner's office but occasionally spend most of the time in UNMISS compound. Their presence was also sometimes irregular. The 2013 report indicates that "the project suffered from inadequate funding resulting in staff posts not being filled (for example Unity State lacks a Law Enforcement Advisor and a RoL Officer)". In Aweil, there is only a rule of law advisor and then there is no follow-up of the support to the police and prison. In Wau, there is no staff since the 2016 crisis. UNVs were originally hired to work as Rule of Law Officers or Law Enforcement Advisors. In case the two skill sets were not available, (Torit for example),

a Rule of Law Officer or Law Enforcement Adviser would perform both duties, while in some others they would only focus on their original mandate. There would then be no support or follow up on the other institutions and specific activities such as community policing. In those cases, some further clarifications would be useful on minimal tasks to be ensured in case of the absence of one advisor, and a strengthened support, in terms of tools, training, technical assistance. The UNVs do not always have a strong knowledge of all the institutions out of their original portfolio.

Although they receive a general briefing before deployment, UNVs indicated also that they were not always sure of the specific tasks that they should conduct, which meant that the assistance provided varied depending on the staff and their initiatives. Some UNV took the initiative to buy registers with their own money for example. One UNV indicated to have decided to do some day to day mentoring as it seems quite relevant but that there was no clear request for this. In some cases, they are also not fully aware of the project they inherit. For example, one UNV did not know the name JCC, although he was following-up on the CSO grant.

There are limited **formal lessons learned or knowledge sharing** exercise at the project level between UNVs (although there are interactions during yearly meeting to discuss the workplan), CSOs, or between structures implementing similar approaches, such as SPU or JCCs. The advisors are in touch with each other, more on a personal and ad hoc basis.

7.6 Usefulness of the monitoring systems and accountability of results

The consultants experienced a particular need to triangulate information collected by various sources. Indeed, there are sometimes contradictory statements on the achievements and results of the project interventions, notably between the Central and the state level. This is partly due to some staff turn-over and limited project knowledge capitalization, in addition to the context.

In the project, the M&E included constant **communication** at several levels:

- within the project team through weekly internal meetings in Juba, and
- frequent communication between project team in Juba and the UNV,
- as well as between UNDP staff and the partners, through participation in the activities, ad hoc visits and meetings.
- In addition, the team produced regular reporting quarterly and yearly, based on requirements of the various donors (hence up to 14 reports a year). Yearly reports were discussed and approved during the project board.

The **monitoring system** faced several limitations however:

- There was no staff in charge of M&E and follow up on the reporting. This was a requirement in the project document though, and was discussed at UNDP level but could not materialize before the start of the second phase of the project.
- M&E activities, such as monitoring visits and on the spot checks remain limited, in particular at the State level or regarding CSO grants. Some issues are not identified rapidly (thefts, malfunctioning), and the coherence of the project execution details could improve (by increasing the standardization of approaches between CSOs and UNV).
- Indicators do not capture the most significant aspects of the interventions. For example, outcome level indicators focus on the number of governance and security reforms implemented, which cannot give an indication of their effects, or focus on the legal aid framework being in place, which does not allow to measure the results of the assistance provided. There is no indicator to assess the evolution of the number of crimes / abuses committed by defence and security forces, or on the evolution of the SGBV cases identified by NGOs / SPUs / Social workers and

cases prosecuted. An indicator is also the participation of the media and CSOs to the transitional governance mechanisms, which does not link up with the coverage of those mechanisms and their effectiveness, or on the specific role of the CSOs and media in those mechanisms. Outcome level indicators also focus on transitional justice, while this was not the core of the project.

- Also, the targets and related indicators vary in nature and scope from one year to another, and hence it is difficult to assess the evolution of the project performance.

Monitoring of the results and of the achievements was developed end of 2016 and in 2017. In addition, in 2018, a new monitoring framework has been designed to track results more systematically in the various types of activities implemented. It should be ensured that this includes results at the outcomes level, including in terms of changes of practices, prosecution cases in relations to legal aid and dynamics created by the project.

In addition, the **reporting** was in some cases inaccurate. Some achievements cited in the report were actually not done, notably the SPU desks in the hospitals of Torit, Aweil - the SPU staff there never heard of them - and to a lesser extent in Juba. On the other hand, some activities are not reported upon in the reports, regarding training and workshops. This adds to the lack of documentation of the results at the outcome level.

At the **partner level**, the M&E system is also very weak. This restrains also ownership of the results. There is indeed no clear follow up and reporting – in the RoL forum for example – of the various and indicators of progresses / challenges.

There is no clear mechanism for accountability over the project implementation by partners, notably in the case of theft or misuse of the equipment, or allocation of the relevant staff personal.

On the linkages between the initiatives and the context, stakeholders indicate that the importance of such development initiatives has been insufficiently communicated to donors and international organizations, which tended to put more resources on quick response work or refrained from recognizing GoSS government as the authority to work on development initiative with. The convincing evidence on how A2JRoL would benefit and stabilize the local situation would have helped.

8 Partnership strategy

8.1 Adequacy of the partnership modalities

The collaboration with a broad range of partners allowed to address the multi-layer and comprehensive approach, though this could be further extended.

As UNDP programme is under **direct implementation**, no funding goes directly to the beneficiary State institutions, and this situation is unlikely to change the coming years given the context. There were general assessments of the partners in signing the Letter of Agreement but not clearly related with objectives for progresses as part of capacity building, notably their procedures in terms of human resources, administration and finances. Those are however major weaknesses of those structures and then de detailed analysis. Capacity building plan would be of interest to have a clearer picture of the gaps and provide adequate assistance, if necessary including on some of those aspects, as they hamper the technical implementation of the activities.

The involvement of the **social workers** is partial and their absence was noticeable in the SPUs visited, though they are supposed to be positioned there, and while they play a key role in the referral pathways. More broadly, **CSOs on women protection** / shelter were not involved in the project, while assuring their protection is key in the referral

mechanism. They also play a role in supporting women, similarly to reinsertion activities / vocational training implemented at Juba central prison.

In this vocational training center, the participation of Ministry of Education (MoE) is particularly noticeable, as it ensured that the approach is institutionalized, as well as the efficiency of the center. The Ministry of Health was also involved in some Rule of Law forum (Aweil for example).

Interviewees indicate that the project **facilitated the collaboration between the various types of stakeholders, notably between CSOs in charge of legal aid and judiciaries**, who were previously reluctant to let them access to courts, and with police stations, who contact them for legal aid.

CSOs were selected based on call for proposals, and are recurrent partners of UNDP, meaning that there is a rather **long-term partnership** (taking into account that those NGOs are still relatively new in the emerging nature of the country).

UNDP organized the transitional justice consultative process in coordination with the **law societies**. Law societies were however not involved in legal aid assistance activities, though they can play a significant role, including at the State level. For example, in some countries, such as Philippines, law societies are requested to deal with a certain number of cases pro bono to get their registration.

The main involvement of the **private sector** was during the ECC implementation, with partnerships with MTN, Vivacel and Zain, for the provision of the line 777.

There were no formal **interactions with the SPLA** as part of the project since it targeted rule of law institutions. This is normal to some extent given the context of an active conflict but SPLA play a key role in ensuring implementation of rule of law and in limiting abuses, and as such their sensitization, awareness and knowledge of the rule of law would be key in the South Sudan context. Some interactions took place on an ad-hoc basis at the State level. They were not systematically involved in the rule of law forum, where they could be observer to increase mutual understanding on the roles and responsibilities and challenges face by the various institutions. There are also potential articulations with the security forces for community policing, follow up on the evolution of the crime level, as well as with the prisons and judiciary / justice when perpetrators are soldiers or when soldiers need to report cases.

8.2 Complementarities and overlap with existing partner's programmes

Several stakeholders contribute to the **community policing**, notably UNPOL/UNMISS, with a relatively good level of coordination. Saferworld is also working strongly on the issue, and took over some of the communities where UNDP started the community policing, though their approaches can vary. For example, Saferworld's does not ask youth or community members to collaborate at operational level, for Do No Harm reasons. A key respondent indicated some overlaps on roles and responsibilities by UNDP and DFID in community policing.

The team could not obtain details on the **British Council project** on access to justice funded by DfID/ EU³² and its specific results, although they are clearly closely related to UNDP's interventions, with similar topics such as legal aid/ assistance to vulnerables and support to customary courts. Those are broad sectors in which stakeholders would not necessarily duplicate given the extent of the needs, the high number of customary courts.

There are **risks of duplication regarding potential trainings**, since some stakeholders interviewed indicated that they benefitted several trainings on similar or related issues. There are numerous trainings / awareness raising being conducted on

³² <https://www.britishcouncil.org/partner/international-development/news-and-events/improving-access-justice-and-legal-aid-south-sudan>

issues such as SGBV. There is overall no common / centralized approach to capacity building, with databases of training participants and their positions, as part of human resources management procedures. Notably, some staff benefitted several trainings in order to become trainers themselves, and they could be resource persons not only for a specific project but for all of the international assistance on rule of law.

Some **CSOs** also received other sources of funding, for example IsraAid, to provide legal assistance to SGBV victims, and to build the capacity of service providers who work with the most marginalized individuals. This includes social workers, church leaders, community leaders, medical personal and teachers. CSOs also organize occasionally some types of Rule of Law forum or trainings to the various institutions.

9 Social inclusion

The project board minutes indicate that the specific needs of **vulnerable groups** are considered as an essential cross-cutting issue (May 2015). This is done by the focus on SGBV, youths and women in relations with SPUs or some trainings, but the approaches to social inclusion are not detailed further.

The **youths** are included in the community policing but benefit indirectly of the intervention as part of the community, through improved security. Children were also reunited with their family in the early stages of the project. The project did not include the perspective of **children in conflict with the law and street children** – sometimes involved in small thefts - since it is also a specific subject on its own, according to the project staff. There are no reformatory schools in prisons yet and children coexist there with other detainees.

The project also included assistance to 250 **returnees** (89 female) in Wau for vocational training, at the beginning of the project, which was followed up by a refresher course.

Nothing was done specifically for what concern **disabled persons**, in terms of targeting, which in the case of South Sudan, could concern post-conflict cases and victims of human rights abuses and violence. Mentally ill are also usually put in prisons, instead of received adequate medical care. The annual report 2015 stipulates that UNDP facilitated the intervention of Handicap International in the prisons for the benefits of mentally ill. Data available on beneficiary of interventions do not indicate specific cases of disabilities though.

The coverage of the interventions is limited obviously (Aweil, Torit, Yambio, Juba, Wau, Bohr), and given the vast number of **ethnic groups**, 64, in the country, some of them would not be direct beneficiaries (those in the East and West border areas notably, such as Fertit, Bertal, Burum, Toposa, Nyangatom). This does not take count however of the social mix in the urban centers.

Some activities happened in the **PoCs**, though it remained rather limited, compare with the size of the various PoC locations:

- Community dialogue in Bentiu PoC (for less than 200 people)
- Training on Community Policing and on Community Security and SGBV in Central Equatoria
- Training on Community Policing in Jonglei

Table 5: Size of PoC locations

REGION	LOCATION	Number of civilians seeking protection
Central Equatoria	UN House PoCI & III	38,448
	Unity	
Unity	Bentiu	115,020
Upper Nile	Malakal	24,402
	Melut	651
Jonglei	Bor	2,532
Western Bahr El Ghazal	Wau	169
	AA	33,541
TOTAL		214,763

Source: UNMISS data Oct. 2017

The project never promised to provide justice in the PoCs given the lack of UNMISS mandate (beyond protection) and lack of formal justice institutions in the PoCs as the formal justice institutions are part of the conflict. People there hence have restrained access to justice, and cannot benefit from the national system.

10 Sustainability

UNDP clearly operates in a political arena. The project chose to operate through the selection of pivotal institutions to provide them sustained support on realistic sequencing of efforts since reform and transformation processes are very long-term processes. The project put in place some local dynamics, **local processes** in the rule of law sector and **mechanisms to address specific issues, with coordination and interactions** amongst the institutions and between institutions and the communities. There is no self-reliance and no maintenance at the State level for the RoL sector. Given the lack of resources to maintain equipment and infrastructures, human resources and organizational practices are the main drivers for the sustainability of the results.

Though new services were created, the project did **not create new institutions** and builds on existing longstanding structures. In addition, a certain level of ownership was ensured through the project board.

Some **interventions have been institutionalized**, at the police level, to a certain extent, such as the SPU and community policing, and as such form part of the institution strategy, with a potential for further extension. The ascertainment studies are also prescribed texts in respect of the Customary Law course under the Bachelor of Laws programme of the Juba College of Law. The law revision commission is mandated by the MoJ to draft a legal aid bill, which has not been done yet.

Some institutions indicate that they have **capacity building plans**, however those plans are hardly followed upon since there is no State budget to implement them.

There are also examples of **knowledge replication**. For example, a police commissioner who experimented the success of community policing decided to put this in place, including sensitization in schools aso..., on his own initiative after he was transferred to another State. Basic tools / visual support or small funding for such voluntary initiative would be of particular interest.

The project included some **training of trainers**, for example the trauma healing which allowed to reach out indirectly to over a thousand opinion leaders in the communities,

according to the project staff. Some trainers are also available in the law enforcement institutions in particular. They are sometimes used as resource persons for trainings and the involvement of **local trainers** is obviously a strong asset for sustainability.

The project was quite efficient in **leveraging other funding sources to complement gaps** and limitations of this current intervention. A new phase with a budget of 10,78 million USD from the Netherlands started in October 2017, constituting in a follow up of some interventions. It focuses on issues neglected or insufficiently developed in the previous phase, such as transitional justice and human rights and of key importance given the context, in particular the crises of 2013 and 2016. In addition, Germany is funding in 2017 a 1,35 million USD project focusing on the support to communities, in particular vulnerable groups, in the PoC in Juba and Bor. Besides, the US International Narcotic and Law Enforcement Affairs (INL) supports a 3,95 million USD project in 2016-2017 to strengthen SGBV referral paths. The repeated crises put however constraints of the context on the donors involvement in supporting State institutions.

The mid-term evaluation recommended the design of an **exit strategy**, which was never really put in place, given the context and the extent of the needs, since the project allowed to start dynamics which remain very fragile. Some key respondents in the State institutions indicated however the need to discuss with the counterparts about an exit strategy along the planning and implementation of the project, with a view to increase ownership and implementation of local alternative strategies when possible. Given the lack of resources of the State and the level of capacities, an exit strategy would hardly appear feasible though.

11 Lessons learned and best practices

- The project shows the interest to approach the RoL in a comprehensive and multi-layered manner so as to create local dynamics between the institutions.
- The actual needs for equipment and facilities and maintenance capacities have to be carefully analysed in order to be sure to allocate resources to the priorities.
- Organizational limitations on resources allocations in some sectors constrain the results, which implies that a broader civil service reform would be required (human resources in judiciary, justice, financial management generally).
- The commitment of decision makers / commanders within each institution is necessary to implement a proper capacity building strategy and ensure relevant allocations of resources, in first place human resources.
- Victims need support throughout to get support and have their case even to enter an SPU.
- The difficulties and lack of clear framework to measure capacity building highlights the needs to strengthened results-based management. This includes in first place to clearly identify and prioritize interventions with the most of results.
- The role of the rule of law sector in conflict affected / stabilization contexts may depend on the provinces. In conflict affected areas, awareness raising bears an interest to mitigate risks of abuses, and to find ways to solve issues through non-violent methods.
- The fragmentation of accountability illustrates the fragmentation of the governance and of the command chain. In such a context, expectations on the use of resources and accountability should be defined in details with the partners institutions prior to the interventions, and monitored.

12 Conclusions

The project consisted in a comprehensive approach supporting the whole of the justice chain from reducing crime and improving police / community relationships, access to justice for vulnerable groups, case management and reducing prolonged detention.

It was able to build on existing dynamics and previous interventions to bring forward the rule of law agenda amongst the State institutions, which still derive from the defence and military forces.

The project had some results at various levels: improvements in the legal and institutional framework, organizational processes within and between the various law enforcement institutions, strengthening the physical and technical capacities of the various agencies as well as to operational results for the beneficiaries. They remain however limited given the extend of the needs. Transitional justice mechanisms are yet to be implemented. In addition, the case management system and referral mechanisms are not fully functional. Mobile courts, which could address the limited resources of the judiciaries are not in place neither. The results are also linked to the overall governance system in South Sudan, which limit the access to justice for vulnerable groups (rural areas, PoC).

A2JROL has synergies with a number of other UNDP projects – not to mention other UN agencies and international organizations -, but those are sometimes ad hoc and not clearly articulated into a broader stabilization framework and a wider conceptualization of the role of the rule of law sector in stabilization framework, as well as its influence in insecure areas depending on the conflict drivers.

The project strongly suffered from the 2013 and 2016 crises, which include reshuffling of the institutions staff and dynamics. The management of the various resources does not fully support the project investment, notably in terms of staff turn-over or assets management. Besides, the GoSS makes limited resources available for RoL institutions, notably at the State level. The RoL forum constituted in a platform to address some of the issues faced locally and improved the linkages between the various components of the RoL but there is a need to strengthen accountability on the results by all the stakeholders involved.

The challenges that the GoSS faces - partly because of the economic crisis – weaken the legitimacy of the State. The non-payment of the civil servants contributes fragmentation of the governance chain and this increases the influence of individuals positioning on the overall system (staff turn-over based on individual interests of the hierarchy, inconsistency in the functioning of the institutions, lack of vertical accountability).

Some data and statistics were drawn at the various stages of the project. However, there is no fully consolidated data on some of the project achievements (legal aid, details of the case management, evolution of the inmates) and on the evolution of key trends (crime, SGBV for example) in relations also to the lack of a national statistical system. The various project results and the effects of the project albeit significant are then not all visible and clear. Indeed, the project had numerous results in terms of capacity building but there is no clear framework to measure progresses in that respect, around specific capacity building plans within each institution and clear targets. To date, there are no specific capacity assessments of the various institutions, and existing capacity building plans are limitedly used, or lacking. Those would be an useful resource for all the stakeholders. Linking capacity building activities with broader results, in a fragile and volatile context remains however a challenge.

The project illustrates the interest of addressing SGBV as an entry point to strengthen the whole of the rule of law chain, which proved relevant to address critical needs for women, as well as to promote justice, to tackle crime and to some extent conflict dynamics. Measures should be taken however to ensure that this does not strengthen a

normative framework unfavourable to women such as by prosecuting women for adultery, for which SPU are commonly used, or by bringing more support to perpetrators than to victims. For this, the analysis of risks and various levels of effects should be developed further. This has to go along with a reinforcement of results-based management, by prioritizing interventions bringing the most results to the population and providing support to the most vulnerable groups.

Given the complexity and volatility of the context, as well as the challenges of the country, a specific attention is required to check on feasibility before the implementation of activities. The project could promote simple, pragmatic, innovative and tailor-made approaches to the country, to take into account the scarcity of resources and capacities (for example, a joint data center, instead of having data centers within each institution, while there is a lack of competent staff at the various states levels to perform the duties, increased analysis and use of local resources, through training / use of local trainers notably). The creation of dynamics is also central and then interventions that are replicated naturally – such as community policing - have a specific interest.

13 Recommendations

The following recommendations are addressed first to UNDP, but also to the various partners, in first stage State institutions, as well as donors.

Strengthen the prioritization of the support to vulnerable groups and to local dynamics as well as interventions with direct operational results on security and social fragilities.

1. Strengthen legal aid and support to victim for SGBV and human rights abuses. Ensure that legal aid to women victims in all the states are considered a priority to benefit from legal aid assistance, and that strong linkages are established for the referral of the cases by women associations / NGOs to JCC / structures in charge of legal aid. To file a claim and for prosecution, victims need support throughout, from entering to an SPU, so there should be support for it through women associations / NGOs / CBOs starting from the grassroot level.
2. Reinforce accountability chains, since they function at horizontal level, but more limitedly at vertical level.
 - This implies that that institutions contribute to maximize the results and investigate / hold the responsible accountable in case of theft of equipment or misuse of the resources. This means also that breaches at this level could affect the future interventions / collaboration with the entity and / or that conditionalities to the assistance are put in place.
 - Consider supporting mechanisms of accountability to the beneficiaries, through alert system from CBOs / community members.
3. Prioritize results-based management and action-oriented activities (incl. RoL forum), meaning that interventions with clear results should be prioritized and that all interventions should be undertaken – at UNDP and the partners levels – with a clear understanding of the expected concrete results. This means sharing a monitoring framework reflecting the various levels of results. All partners should be involved in designing and monitoring it, and share accountability for the results.
4. Dynamics of community policing should be expanded based on the initiatives of the institutions, since it provides clear benefits – to date – for the population, and that replication mechanisms already occur. Consider possibly linkages with traditional security practices in areas where there is no police force yet.

5. Support local initiatives, particularly when it relates to replication of some of the project activities, such as community policing, or possibly of some of the trainings with local facilitators. Even minimal support, such as awareness raising material, leaflet, pictures and billboard would bring some encouragements to develop those kind of self-reliance approaches. This would be also of interest in particular in areas where the project is not developed.

Integrate capacity building efforts into medium / long term through a strategy for the whole Rule of Law sector.

6. Conduct capacity assessment of the institutions to set up clear benchmarks / targets for improvement, potential conditionalities to ensure effectiveness and maximize the resources. Support linkages with broader civil service reform on the functioning of administration.
7. Integrate capacity building efforts into medium-long term planning, through a strategy for the whole of the Rule of Law sector, and linkages with institutions' capacity building plans. This should also be used to support the coordination and synergies of all the organizations operating in the sector. At the UN level, this could also constitute the basis for a joint programming, though ideally all partners and stakeholders should feed into this national strategy and plans.

Project management and monitoring / evaluation : Reinforce context understanding, engage deeper analysis, stakeholder mapping and political/conflict analysis using actual leverages for changes and that can feed into a broader stabilization framework

8. Reinforce the risk analysis systems to identify and mitigate potential negative effects. This should go with a continuous Do No Harm analysis to capture the effects of the interventions on conflict dynamics, and opportunities to play a role on the conflict drivers.
9. Reinforce monitoring and evaluation:
 - By ensuring that there is a strong internal monitoring system for the various components of the project (support / monitoring of staff),
 - By ensuring that the indicators cover the various effects of the interventions, including replication, transformative results,
 - By verifying the accuracy and comprehensiveness of the data submitted in the monitoring system and reporting.
10. Consider writing situation analysis with key indicators on the level of the rule of law sector, to be disseminated widely based on the data collected (for example including level of case backlogs, coverage of the justice and police sector, level of overcrowding, number of cases of SGBV identified versus number of prosecution, evolution of the crime patterns, level of SGBV and human rights abuses by area, number of complaints, prosecution, sentences). Data could be collected through the rule of law forum.
11. Support the drafting of a stabilization framework at UNDP level clarifying the articulation between the various projects on a short, medium and long-term basis.

Coordination and stakeholder's engagement should be adjusted on several aspects

12. Reinforce coordination with other agencies working in RoL to maximize the coverage of the interventions. In that respect, strategies to reach out to rural

areas and non-targeted areas to be developed / strengthened. This should be first the responsibility of the State institutions.

13. Ensure that the different levels of the command chain are involved and committed to the interventions, as well as that they concur to the effectiveness of the project. Specific attention could be paid to the commitment of the hierarchy notably to ensure relevant human resources management. This should also include political stakeholders.
14. Extend and support the linkages and sensitization of defence forces on RoL, as a prevention measure and to facilitate processes / prosecution.
An option would be to use the participants rule of law forum and RoL structures as relays.
15. Increase the coordination between RoL forum at State and national levels.
16. Strengthen a participatory approach to the intervention design to involve State levels. Ensure that infrastructures supported will be used and maintained, by involving the engineers and direct beneficiaries in the various institutions.

Annex 1. Evaluation Matrix

Evaluations Questions (from the ToRs)	Sub-questions	Indicators	Data source / Means for verification
<p>Relevance</p> <p>1. To what extent is UNDP's engagement in Access to Justice and Rule of Law a reflection of strategic considerations, including UNDP's role in the particular development context in South Sudan and its comparative advantage vis-a-vis other partners</p> <p>2. Was the design of the project adequate to properly address the issues envisaged at project formulation?</p>	<ul style="list-style-type: none"> How were the strategies and programme elaborated? To what extent was the process participatory? To what extent is the programme and subsequent revisions consistent with national reference strategies and policies with UNDP strategies and policies? Are there gaps? To what extent do interventions need specific approaches, even possibly including discrepancies with international standards, to be relevant and efficient in the context? Which needs assessment and baselines were used to define the strategy? To what extent do the strategies meet the needs of the beneficiaries? How and to what extent have possible loopholes been filled and was the support to national capacities appropriate and relevant? Have some loopholes not been identified by UNDP and not addressed? 	<ul style="list-style-type: none"> Inclusion of the government in the formulation process Differences between UNDP strategy and national priorities / similarities, including different revisions. Project revision because of context evolution. Existence of needs assessment Adequacy of the strategy with needs indicators available Level of integration of lessons learned on UNDP strengths and weaknesses in the programming (mention of lessons learned in programme documents, repetition of possible issues). Extent of the gaps in needs analysis (coverage of the assessments, methodological limitations) Consistency between the different levels of expected results. 	<p>Desk review (project documents, evaluation reports, government strategies and policies, external organizations working on governance and vulnerable groups)</p> <p>KII with government partners, organizations working on the subject (including CSOs)</p>

<p>3. Are the activities and outputs of the project consistent with the intended outcomes and effects?</p> <p>4. To what extent was the theory of change presented in the outcome model a relevant and appropriate vision on which to base the initiatives?</p> <p>5. To what extent has UNDP capacity building support contributed to influencing national policies/strategies focusing on human rights protection, gender equality and equitable sustainable development</p> <p>6. To what extent was UNDP's selected method of delivery appropriate to the development context?</p>	<ul style="list-style-type: none"> ○ To what extent were the means and methods of the interventions adequate with the expected results? Was the results framework coherent with the strategies? ○ Are there cases where the strategies / programme design limited the potential results? Are there cases highlighting potential contradictions between the strategies implemented? ○ To what extent did national policies/ strategies evolve to integrate equity, human rights, gender ? ○ To what extent is there a balance between response to the needs of the different types of partners, communities and locations? ○ How representative and inclusive is the rule of law / access to justice process? Are there potential biases? ○ Are there groups excluded from the benefits? Which ones and to what extent? ○ To what extent can the most vulnerable and marginalized groups be reached? Which consequences can it have? ○ How is conflict sensitivity integrated into programming? 	<ul style="list-style-type: none"> ○ Existence of results not captured in the ToC. ○ Existence of results in the ToC, which are not verified ○ Possible / necessary gaps with the strategy depending on partners / areas / sectors ○ Inclusion of human rights, gender and sustainable development in policies / strategies ○ Rule of law / access to justice included in the national governance agenda, and clear efforts / progresses are made by the government to move it forwards. <ul style="list-style-type: none"> ○ Existence of other national policies and projects referring to rule of law. Ethnic groups not represented in the decentralized governance system ○ Geographical areas and groups of population not reached by the increase service delivery / results ○ Ability for women, IDPs, orphans, elders and other vulnerable to access justice ○ Existence of conflict analysis ○ Existence of a system to mitigate risk and ensure DNH 	
--	--	---	--

<p>Effectiveness:</p> <p>7. To what extent have project results/targets been achieved or has progress been made towards their achievement?</p> <p>8. How have corresponding outputs delivered by the project affected the project/CPD outcomes, and in what ways have they not been effective?</p>	<ul style="list-style-type: none"> ○ To what extent could the various levels of activities / outputs / outcomes be implemented? ○ To what extent do actual interventions meet the results framework's targets at this stage? What are the different levels of results of UNDP interventions visible at this stage? ○ To what extent do they contribute to South Sudan's development agenda? Are there results, which are not related to national development agenda? ○ To what extent was capacity built at an institutional / organizational level? ○ If planned action could not be implemented, is this documented and have results framework / AWP integrated those issues? ○ Why could some interventions not be implemented? To what extent could this be anticipated? ○ How could those difficulties be overcome? ○ To what extent have all possible leverages be used to overcome difficulties? ○ To what extent have lessons learned and best practices from other programmes been integrated? ○ To what extent has the chosen strategy help or hinder achievement of results? ○ How did the project's collaboration with UNDP or other projects help or hinder achievement of results? 	<ul style="list-style-type: none"> ○ Differences planned results & interventions / actual implementation and achievements ○ Level of coverage by UNDP and partners / gaps ○ recommendations of previous studies and assessments not integrated, or of similar programmes ○ Existence of pilot practices ○ Level of corruption at the different State services (testimonies/ studies) ○ Existence of nepotism practices ○ Human resources practices ensuring absence of conflict of interest ○ Equity and transparency of the selection / prioritization system for inputs management ○ Increased technical capacity of the organizations ○ Evolution of the staffing and financial resources ○ Problems in implementation and reporting for some type of partners ○ Level of recurrence of the difficulties in programming in South Sudan ○ Level of integration of the difficulties in the programming ○ Existence of capacity assessment / capacity development plans ○ Existence of training programme, ad hoc workshop, on the job training (joint work and level exchanges) 	<p>Desk review (AWP, results framework, technical and financial reports, MoU, minutes of meetings, performance and capacity assessments, partnership and communication strategies, reports on other rule of law programmes)</p> <p>KII</p> <p>Focus group</p>
--	---	---	---

<p>9. What has been the contribution of other UNDP projects, partners and other organizations to the project results, and how effective have project partnerships been in contributing to achieving the results?</p> <p>10. What were the positive or negative, intended or unintended, changes brought about by the project's work?</p> <p>11. To what extent did the project benefit women and men equally?</p>	<ul style="list-style-type: none"> ○ What are the other key stakeholders involved in the development agenda and how did their role evolve? ○ Are there other stakeholders contributing to capacity building of UNDP State and non-State partners? What is the extent of their contribution to capacity building? ○ What are the differences in the approaches and strategies between the development partners and what are the effects of those differences at the local level? Which practices should be harmonized and replicated? On which aspects /areas should coherence be strengthened? ○ To what extent is the structure of the partnership network appropriate for the strategy? How was partners' selection undertaken? ○ Are there potentially negative effects of the interventions? Which effects were not planned? How have they been integrated in the programming? ○ To what extent do results differ between men and women? How are cultural limitations overcome? 	<ul style="list-style-type: none"> ○ Existence of partners / projects with similar or related interventions, with which no coordination / communication took place ○ Level of inputs and results by other partners ○ Existence of gender disaggregated data ○ Differences of the level of results by gender and social category ○ Existence of bottlenecks / barriers affecting men or women specifically ○ Perception on the added value and contribution of UNDP compare with other stakeholders 	
---	---	--	--

<p>12. Is UNDP perceived by stakeholders as a strong advocate for improving access to justice in the Country?</p> <p>13. Taking into account the technical capacity and institutional arrangements of UNDP South Sudan, is UNDP well suited to providing access to justice and rule of law support in the country?</p>		<ul style="list-style-type: none"> ○ Comparative advantage / added value of UNDP 	
<p>Efficiency</p> <p>14. Has the project implementation strategy and approaches, conceptual framework and execution been efficient and cost effective? Are they sufficiently sensitive to the political and development constraints of the country?</p> <p>15. Has there been an economical use of financial and human resources? Have resources (funds, human resources, time, expertise, etc.) been allocated strategically to achieve outputs??</p> <p>16. To what extent were quality outputs delivered on time?</p>	<ul style="list-style-type: none"> ○ To what extent has cost-effectiveness been integrated in the programme? ○ To what extent have local resources been used? ○ To what extent the project leveraged partnership opportunities to advance value for money to reduce cost? ○ What was the delivery rate for AWP budget or from available resources? ○ Which were the delays? Why? ○ Which alternative approaches could be used? How sound were the rationales for the selection of a specific approach? 	<ul style="list-style-type: none"> ○ Evolution of cost effectiveness ratio (if calculable, staff / partners / interventions costs) ○ Average cost by beneficiary ○ Human resources required for implementation of the different activities ○ Level of collaboration at field level ○ At least 90% annual delivery rate ○ Existence of an analysis of various options ○ Gaps between planned timeframe and actual implementation ○ Delays in the implementation of activities 	<p>Desk review (technical report, partners reports, capacity assessments)</p> <p>KII</p> <p>Focus group</p>

<p>17. Could a different approach have produced better results?</p> <p>18. How is the project management structure operating?</p> <p>19. To what extent did monitoring systems provide management with a stream of data that allowed it to learn and adjust implementation accordingly? Did it help ensure effective and efficient project management and accountability of results</p>	<ul style="list-style-type: none"> ○ To what extent is monitoring and evaluation effective? Which were its effects on the programme? 	<ul style="list-style-type: none"> ○ M&E indicators used and shared with partners ○ Consistency of the M&E implementation & reporting ○ Existence of areas of the programme with no M&E ○ Existence and revision of IMEP, level of implementation ○ Risk monitoring documents ○ Existence of follow up of partners implementation compare to strategies 	
<p>Sustainability</p> <p>20. What indications are there that the project results will be or has been sustained, e.g., through requisite capacities (systems, structures, staff, etc.)?</p> <p>21. To what extent has a sustainability strategy, including capacity development of key national stakeholders, been developed or implemented?</p> <p>22. To what extent are policy and regulatory frameworks in place that will support the continuation of benefits?</p>	<ul style="list-style-type: none"> ○ To what extent the project achieved or is on the way to achieve financial, organizational and programmatic sustainability? ○ How the project used relevant national systems to sustain and/or scale-up results? ○ How the project strengthened national capacities to ensure national ownership? ○ To what extent have the activities and knowledge be institutionalized? ○ Has a replication mechanism been put in place? ○ To what extent is there evidence that the programme strategies, lead to better sustainability of the interventions? What are the bottlenecks to sustainability? How could they be mitigated? Why weren't they mitigated? 	<ul style="list-style-type: none"> ○ Ability to replicated the practices gained during the interventions ○ Existence of mechanisms to ensure institutionalization, capitalization and replication of the interventions & results of the programme. ○ Leverage effects on donors and other stakeholders ○ Main gaps in terms of community coverage ○ Level of means and commitment of community, local, national authorities for the interventions ○ Existence of other stakeholders likely to invest in the programme results 	<p>Desk review (project reports, reports of the partners, prospective reports on security, donors strategy in the country)</p> <p>KII</p> <p>Focus Group</p>

<p>23. How will concerns for gender equality, human rights and human development be taken forward by primary stakeholders?</p>	<ul style="list-style-type: none"> ○ Which other relays could be used to promote sustainability? ○ Could some exit strategies be implemented without losing the benefits of the programme? ○ Are there other organizations or State institutions able to take over the support for the sector results? ○ To what extent can the various Stat institutions be funded through GoSS resources? 		
<p>Partnership strategy</p> <p>24. To what extent were partnership modalities conducive to the delivery of outputs?</p> <p>25. Are there current or potential complementarities or overlaps with existing partners' programmes?</p> <p>26. How have partnerships affected the progress towards achieving the outputs</p> <p>27. Has UNDP worked effectively with partners to deliver on this current Initiative?</p> <p>28. How effective has UNDP been in partnering with civil society</p>	<ul style="list-style-type: none"> ○ How were partners selected and how were there capacities assessed? ○ To what extent were the most relevant stakeholders included in the interventions? Were some key players excluded and why? ○ How was the role of each counterpart defined? ○ To what extent can the current partnership structure ensure accountability to the final beneficiaries, and to donors? ○ To what extent is there coordination, exploitation of the synergies between the different programmes? ○ To what extent are there synergies and complementarity between the different international organizations and NGOs in supporting State and non-State partners? ○ Which are the effects of the partnership structure on the performance of the programme? ○ How did the collaborating within UNDP (e.g. inter/cross-unit), other UN agencies, the 	<ul style="list-style-type: none"> ○ Existence of capacity assessments & capacity building plans ○ Channels for partners recruitment allow to reach the most competent organizations ○ Timeliness and quality of the partners interventions and reporting ○ Support provided to the partenrs ○ Experience of the partners related to the activities conducted ○ Existence of minutes of coordination meetings / emails / sharing of project related documents between organization working on partner's capacity building (NL, DfID, Japan, UNDP, EU, WB, NGOs) ○ Frequency of the coordination meetings ○ Level of integration of the different claims related to the programme 	<p>Desk review (minutes of coordination meetings, project documents, reports by partners, civil society reports)</p> <p>KII</p> <p>Focus Group</p>

(where applicable) and the private sector to promote Access to Justice and Rule of Law in the country ?	<p>government, CSOs and private sector help in delivering results?</p> <ul style="list-style-type: none"> ○ How do the activities of our partners impact the project activities and results? ○ In which aspects was civil society and private sector involved? Are there missed opportunities? How effective was it and how should this evolve? 	<ul style="list-style-type: none"> ○ Reaction of the government following discussions / comments by donors / civil society / UNDP ○ Existence of duplication across the programmes, or joint programming of some activities ○ Workplans of the other programmes are available to the LSDP project staff and a State structure ensure coherence of the various initiatives 	
<p>Gender Considerations</p> <p>29. To what extent has gender been addressed in the design, implementation and monitoring of access to justice interventions? Is gender marker data assigned this project representative of reality?</p> <p>30. How were gender issues implemented as a cross-cutting theme? Did the project give sufficient attention to promote gender equality and gender-sensitivity?</p> <p>31. To what extent did the project pay attention to effects on marginalized, vulnerable and hard-to-reach groups?</p> <p>32. To what extent was the project informed by human rights treaties and instruments?</p>	<ul style="list-style-type: none"> ○ To what extent specific needs of male and women are taken into account at the various stages of the process? ○ Which are the potential obstacles for women to participate in the programme or have access to the benefits of the programme? ○ How is gender sensitivity included in the activities / training? Did it change some perceptions and practices of the participants? ○ To what extent can gender promotion affect the social fabric? ○ To what extent is the project coherent with the relevant HR treaties and conventions? And what is his contribution? Does the project has a clear gender mainstreaming strategy at project level? Has the project collected, analyzed and reported in a gender disaggregated manner? 	<ul style="list-style-type: none"> ○ Data disaggregated by gender ○ Number of women participating at the various stages of the program ○ Ability of women to raise their voice during the project activities and to access the programme outputs and basic services. 	<p>Desk review (minutes of meetings, content of the trainings project documents, reports by partners, civil society reports)</p> <p>KII</p> <p>Focus Group</p>

<p>33. To what extent did the project identify the relevant human rights claims and obligations?</p> <p>34. How were gaps identified in the capacity of rights-holders to claim their rights, and of duty-bearers to fulfil their obligations, including an analysis of gender and marginalized and vulnerable groups, and how the design and implementation of the project addressed these gaps?</p>			
<p>Social Inclusion</p> <p>35. How did the project consider the plight and needs of the vulnerable and disadvantaged to promote social equity, for example, women, youth, and disabled persons?</p>	<ul style="list-style-type: none"> ○ To what extent does the programme take into consideration the various needs of the different groups of population? ○ To what extent is equity included in the programme? ○ Which groups are potentially excluded and why? ○ To what extent does the current governance system affect human rights and equity? 	<ul style="list-style-type: none"> ○ Mention of human rights in the activities ○ Existence of ethnical / demographic / cultural bias in the programme ○ Geographical and sectoral coverage of the programme ○ Level of freedom of speech on the governance issues ○ Specificities of the human resources allocated to the programme and supported at local level 	<p>Desk review (minutes of meetings, content of the trainings project documents, reports by partners, civil society reports)</p> <p>KII</p> <p>Focus Group</p>
<p>Project visibility and communication</p>	<ul style="list-style-type: none"> ○ Does the project have visibility and communication strategy apart for mandatory reports? ○ To what extent the project is visible at national and sub-national level? 	<ul style="list-style-type: none"> ○ Systematic approach to visibility and communication ○ Existence of communication tools (press release, newsletter) ○ Level of outreach of the communication 	

Annex 2. List of interviewees

Name	Institution	Title
JUBA - State Institutions		
Gen. Abel Makoy	NPSSS	Former Director General
Col. Joseph Benjamin	NPSSS	Director of Inmate Affairs
Brig. Anthony	NPSSS	Director of prisons
Lt Gen. James Pui Yak Yiel	SSNPS	Deputy IGP
Maj. Gen. Henry Danima	SSNPS	Commissioner of Police - Maridi State
Maj. Gen. Pieng Deng	SSNPS	Former IGP
Maj. Gen. Atem Marol Biar	SSNPS	Principal of Rajaf Police College
Brig. Gen. Zacharia Michael	SSNPS-SPU	Chief Inspector of Police
James Dallkada	SSNPS-SPU	Director of SPU
Brig. Daniel Justin	SSNPS-SPU	Director moral orientation
Capt. Betty Meling Apollo	SSNPS-SPU	GBV Focal Person
2nd LA Simon Abura Ferevino	SSNPS-SPU	Central Division Malakia
Brig. Justin Bringi	SSNPS	Chief Inspector of Police - Malakia
Col. James Dak Karlo	SSNPS	Directorate of Training & Human Resource Dev.
Maj. Gen. Edward Dimistry	SSNPS-ECC	Director of ICT & ECC
Brig. Gen. Mangar	SSNPS-ECC	D. Director ICT and ECC
Maj. Michael	SSNPS-ECC	ICT Operator
Chan Reec Madut	JOSS	Chief Justice
Ruben Madol	JOSS	Former Deputy Chief Justice
James Bong	JOSS	Secretary
Jeremiah Swaka	MOJCA	Former Undersecretary
James Mayen Oka	MOJCA	Current Undersecretary
Counsel Saburi	MOJCA	D. Director of Case Management
Philip Makoy	Office of the President	Advisor
Del Rumdit	Local Government Board	Director General Traditional authority
Esther Ikere	MGCSW	Undersecretary
Changkuoth Beal	Law rev. Commission	Executive Director
Karlo Kiir Deng	Law rev. Commission	Deputy Director
Victor Lado	Human Rights Comm.	Executive Director
Kujo D. Modi	Human Rights Comm.	D/Director for planning
Samuel Yang	Human Rights Comm.	Admin & Finance
Sabuni Samuel	Vocational Training Center	Director
Focus Group Discussion 14 women attending IT and English training		
CSO		
Taban Romano	HRI	Executive Director
Joseph Edward	IPCA	Executive Director
Flavia Dickson	IPCA	Psychosocial Support Assistant

James Wani	IPCA	Probono Lawyer
Margaret Chandia	IRC	Program Manager
Samuel L	JUBA HOSPITAL	Doctor GBV
Gordon Lam	DRI	Executive Director
Gatwech	Legal Assistance - Juba PoC	Volunteer
FGD, 3 women and 2 chiefs	Juba PoC	
UNDP		
Julie van Dassen	UNDP	Project Manager RoL
Lealem Berhanu Dinku	UNDP	Team Leader
Kennedy Chibvongodze	UNDP	Team Leader
Ernest Yeboah	UNDP	Law Enforcement Advisor
Ali B. Sesay	UNDP	Justice Advisor on Case Management
Dr Rowland Cole	UNDP	Senior Rule of law Advisor
Basil Buga Nyama	UNDP	Project Management Specialist IGAD
Fiona	UNDP	Law Enforcement Advisor
Lucy Elundah	UNDP	Law Enforcement Advisor
Judy Wakahiu	UNDP	CSAC Project Manager
External Stakeholders		
Irena Angelova	UNMISS-HRD	Human Right Officer
James Arguin	UNMISS - RoL	Director, Rule of Law Section
Julius Lemako	UNPOL JIP	JIP Coordinator
Fatty Sambujang	UNPOL	Team Leader Community Policing
Tatyana Nykulets	UNPOL	Community Policing officer
William Khor Wollyang	UNPOL	Police Advisor
Outi Lappalainen	UNPOL	Police Advisor
Koji Ito	Japan	Former Undersecretary
Stefano De Leo	Netherlands	1st Undersecretary
AWEIL		
Tarkuo Weah	UNDP	Rule of Law Officer
Simon Gober	LGA	Deputy Governor
FGD Traditional Leaders 8 men 3 women		
Joseph Murun	JoSS	Director of Legal Administration
Elizebeth Henry Angok	Mother and Child	Regional Director
FGD 15 male and female, participants to a sensitization training by Mother and Child		
Justine Chikazhi	UNMISS UNPOL	Community Policing officer
Carine Tememi Fouma	UNMISS/Gender & Human Rights	Human Rights Officer
Garang Buk	HeRY - JCC	Program Director
Santino Anei	HeRY - JCC	Team Leader
Bulis Ngualle	HeRY - JCC	Legal Officer

Mawien Ayom Reec	HeRY - JCC	M&E Officer
Achan Garang Deng	HeRY - JCC	Project Assistant
Luka Madhieu Kuot	Saferworld	Coordinator Community Policing
Col. Deng Akol	NPSSS	Director of Aweil Central
Capt. Arkangelo Abuok Atem	NPSSS	Deputy Director of Aweil Central
Brig. John Angok Deng	NPSSS	Director for Administration
Maj. Gen. Gurang Lewk	NPSSS	Director Prison
Brig. Luken Dirt	NPSSS	Deputy Director Prison
Maj. Gen. Elia Kosta Faustino	SSNPS	Commissioner
Capt. Adim Ayok Adim	SSNPS	Director of Community Policing
Capt. Ayak Agiu Bol	SSNPS-SPU	GBV Focal person
Deng Ajiing Dau	SSNPS-SPU	Counselor
Marko Makol Agok	SSNPS-SPU	Counselor
FGD Trauma Training - 7 people (5 men, 2 women)		
FGD SPU Beneficiaries - 8 women		
TORIT		
John Wani Lado	Legal Administration	Head of Legal Administration
Jackson Marino Wani	Legal Administration	Legal Counsel
Abraham Awan Akuen	Legal Administration	Legal Counsel
Alfred Iado Jada	Judiciary	Judge
Maj. Mathew Ochan Jacob	SSNPS-SPU	Director Community Policing
Cpl. Susan Ihure Allam	SSNPS-SPU	GBV Focal Person
Cpl. Paska Iromo Marko	SSNPS-SPU	GBV Focal Person
Susan Ading Roben	COTAL	Sub Chief
Mathew Oduma Ofoto	COTAL	Head Chief
Eneriko Jacob Ogworo	COTAL	Paramount Chief
John Madalina Titto	COTAL	Chair Person
John Jino Jacob	PCRC	Deputy Chairman
Albino Bayi	PCRC	Chairman
Rose Jabar	PCRC	Member
Discussion 2 women at SPU		
FGD 5 customary leaders, including 2 women		

Annex 3. Bibliography

AUTHOR	TITLE	YEAR
UN	UNDAF 2014-2019	2014
UNDP	Country Programme Document 2016-2017	2016
UNDP	The National Development Strategy	2018 /2021
UNDP	90 Day Action Plan & Indicative Short-term Programming	2014
UNDP	Support to Access to Justice and Rule of Law Programme - Project document 2013-2017	2013
UNDP	Project Document GIZ	2017
UNDP	Access to Justice and Rule of Law Project, Conflict Sensitivity Assessment Report	April 2014
UNDP	Rapid Assessment Survey in 2012 of the prisons	2012
UNDP, Infotrak	Access to Justice and Rule of Law, perception survey	August 2013
UNDP	Endline Study for Community Security and Arms Control Project	2017
UNDP	Access to Justice Project, Progress towards targets	January 2017
UNDP	Access to Justice and Rule of Law Annual Report	2013, 2014, 2015, 2016
UNDP	Bi-annual Progress Report	2016
UNDP	Access to Justice and Rule of Law Project Quarterly Progress Report	Dec. 2014, May 2015, May 2016
UNDP	A2J Project Annual Work Plans	2013, 2014, 2015, 2016
UNDP	CDR	2013, 2014, 2015, 2017, Oct. 2017
UNDP	Project Board Minutes, 2015-2016	
Sadie Xinxin Yang, Harriet Kuyang Logo	Access to Justice and Rule of Law Project Mid-Term Evaluation Report	2016
Richard M Chiwara, Batali Geoffrey	Outcome 1 & 5 Evaluation Report	2017
UNDP	Support to Access to Justice and Rule of Law in South Sudan, Project Document 2017-2010	2017
UNDP	DfID - BCPR Strengthening National capacities for Early recovery, peacebuilding and reconciliation in South Sudan. Project Document	2014-2015
UNDP	Emergency support to women and vulnerable groups in conflict prone(phase2) - project final report	2016
UNDP	Ascertainment study Vol.2 & synthesis	2016
Social Development, SSNPS, MGCSW	Report on the Assessment of the Special Protection Units	2014
HRW	Soldiers Assume we are Rebels, escalating violence and abuses in South Sudan's Equatoria	2017
MoJ	Universal Periodic Review Implementation Matrix	2016
	Improving police community relations through community policing project	

SSPS (ECC)	Crime Statistics Report	2014, 2015
(FHRI) NGO	Increasing Access to Justice and Rule of Law.	2016
HeRY NGO	Increasing Access to Justice and Rule of Law as Part of Human Rights Promotion in Aweil	2016
UNDP	Emergency support to conflict affected people and vulnerable groups in Juba and Bor - Project Document	2017
HeRY NGO	Client and case follow up information	2016
GoSS	SPLA Act	2009

Annex 4. Output results

Legend:

- Green, target achieved
- Orange, target partially achieved (over 50%)
- Red, non-achieved

Table 6: Completion of the targets. CPAP & CPD indicators, as per the project's annual reports

	2014		2015		2016	
5.1 Improved capacity of rule of law institutions to provide criminal justice services at state and national levels	(CPAP)		(CPAP)		(CPD)	
	Two states and five counties offering prosecutorial and legal aid services.	Prosecutorial services available in 7 State capitals and 36 counties. Each state has a legal aid unit with 2 legal officers. Legal aid forms developed but legal aid only provided in Juba due to lack of funds.	7 states and 15 counties offering prosecutorial and legal aid services	20 counties in 8 states offer prosecutorial services and legal aid.	25,000 vulnerable persons (women, men, juveniles) provided with emergency police response services.	1,037 (4%) citizens in Juba provided with emergency police response services.
	Eight SPU and Community Policing mechanism functional in five counties of five states.	8 SPUs functional in 5 counties of 5 states CES, WES, EES, WGS and NGS. Community Policing mechanisms (PCRCs) reactivated in CES, EES, WGS and NGS	15 Special Protection Units (SPUs) and community policing mechanism functional in 7 counties of 7 states.	12 SPUs and 47 community policing mechanisms functional in five states.		
	Vetting and screening process for prisons personnel initiated	SOP for data validation, vetting, screening and issuance of identity card finalized	55% of vetted and screened prisons personnel deployed at national, state and county levels.	5% of prison personnel completed the verification process		
5.2 Increased awareness and demand for justice.	30 men and 10 women with access to legal aid	6 persons (2 women) provided with legal aid services	45 men, 20 women with access to legal aid	161 people (67 female) assisted in Central and Eastern Equatoria, Northern Bahr el Ghazal states.	600 persons (50% female) accessing legal aid services, disaggregated by sex.	769 (289 female) people accessed legal aid services.
	Female and male survivors provided with Transitional Justice services to address their grievance	Transitional justice measures not in place. UNDP supported MoJ to conduct stake holders' dialogue.	10 men, 15 women survivors provided with transitional justice services to address their grievances.	No transitional justice services provided as formal grievance mechanisms not yet established. Interest of the perception survey for this.		

Table 7: Output results based on CPD annual targets and Annual Work Plans targets

Target 2014	AWP	Results	Target 2015	AWP	Results	Target 2016	AWP	Results
4 case management system at national and state levels established	MoJ legal aid attorneys in seven states providing services for serious cases, particularly for women and vulnerable groups	Two legal aid attorneys deployed to legal administration offices in 10 states ICT equipment and legal aid forms supplied to MoJ for use in the 10 states.	4 case management system at national and state levels	30 (15 female) persons with access to legal aid.	A total of 161 people (67 female) received legal assistance in CES, EES, and NGS through UNDP-funded CSOs. Sixty cases (26 female) received legal representation in the statutory courts during trial.	4 case management system at national and state levels	120 persons benefitting from legal aid and legal services.	769 persons (289 female) accessed legal aid services.
4 CBO capacity assessment completed								
1 rule of law coordination forum at national and 10 at state levels	CBOs in seven states providing quality legal services including awareness raising, alternative dispute resolution, legal aid and/or mediation, particularly for women and vulnerable groups	3 CBOs, through the established JCCs conducted awareness raising activities reaching out to 140 (50 female) people.	1 rule of law coordination forums at national and 10 at state levels	Additional 100 social workers and 100 police personnel (50% female) from five states trained in SGBV	Forty-seven (23 female) social workers and 97 (42 female) police personnel from five states were trained in SGBV	1 rule of law coordination forums at national and 10 at State levels	Number of police and social workers trained and deployed to SPUs in five states: Additional 25 social workers and 100 police	221 (58 female) police and 170 (100 female) social workers were trained in SGBV and deployed to SPUs Juba, Yambio, Torit, Wau Aweil, and Kuajok.
	Eight functional SPUs with co-located legal aid attorney/ prosecutor providing services in seven states to 50 survivors of violence.	Eight SPUs are providing services to the vulnerable groups, including women and children in five states CES, WES, EES, WGS and NGS		ECC established & operational in Wau and Juba ECC operational	· Establishment of ECC at Wau in progress. · Juba ECC remained operational. A total of 6,385 calls were responded to by the ECC Juba, including 306 related to SGBV, 670 related to traffic violations, and 1,266 medical emergencies.		ECCs in Wau and Juba operational.	Juba ECC remained operational. Operationalization of Wau ECC faced challenges due to technical difficulties with the server.

	300 vulnerable group members trained in vocational training skills and 300 people from Juba accessed Police through Pilot Emergency Call Centre in Juba	<ul style="list-style-type: none"> 200 returnees (138 male, 62 female) trained in carpentry, masonry, electrical, tailoring, computer and auto mechanic and 200 tool kits procured and transported to Wau for distribution to 200 trained returnees. Refresher training for 200 trained returnees and training for 50 additional returnees in Wau agreed with vocational training center. Conducted two weeks paralegal training for 40 (31 male, nine female) returnees on legal aid services in Wau. The trainees were mostly returnees. 6,083 people of Juba accessed Police through Emergency Call Center in Juba 		200 returnees complete refresher course; 30 returnees complete vocational training courses and receive toolkits	250 returnees (89 female) received training in two batches in seven courses, including auto mechanics, carpentry, electrical work, tailoring, computer skills, masonry and welding in Wau and were provided with toolkits female) of the returnees who had completed the initial training in Wau, to solidify the skills learnt.			
				Additional 60 police personnel and 40 community members (30% female) trained in three states on community policing.	58 (22 female) community members and 80 (29 female) police personnel were trained on community policing.		Number of police and community members trained on community policing: Additional 60 police personnel and 40 community members (30% female)	133 (31 female) police personnel and 163 (41 female) community members trained on community policing in Juba, Torit, Wau, Aweil, Bor, Mingkaman and Kuajok.
	Transitional justice or reconciliation processes in place	40 male, three female judges and 30 prosecutors (26 male, four female) equipped with competencies in international criminal justice (accountability component of transitional justice). o Transitional justice workshop hosted by MoJ with support from		25 judges trained on international law and transitional justice	No judges were trained on international law and transitional justice. 72 personnel from MoJ, NPSSS and SSNPS (nine female) were trained on human rights monitoring and international criminal justice.			

		UNDP. o Annual forum on dispute resolution and peace and reconciliation hosted by the Local Government Board (LGB).						
				50% of eligible personnel issued with police identity cards.	15% of eligible personnel issued with police identity cards		Percentage of police personnel issued with identity cards.	43.9% of police personnel issued with identity cards to improve administration and personnel management.
				4 crime statistics reports published.	Three (2014 Q4, 2015 Q1 and Q2) reports published.		Quarterly Crime Statistics Reports published.	Two quarterly crime statistics reports (January to March and April to June 2016) prepared. Following the July crisis, and significantly exacerbated by the deteriorating economic situation in the country, communications between states and centre for the provision of accurate crime statistics did not allow for their production.
· 25% reduction in backlog	Five case/inmate management systems (JoSS, MoJ, NPSSS, SSNPS, CBOs providing legal services) at national and state level with quarterly reports issued	o Three functional case/inmate management systems o Case management monthly reports submitted to MoJ from EES, WES, Warrap, WGS, Lakes, and NGS states o Monthly inmates statistics reports submitted by NPSSS personnel in seven states to the Director General of Prisons o Monthly crime statistics submitted by SSNPS personnel in seven states to the IGP and MoJ o Quarterly crime statistics reports published.	· 25% reduction in backlog	MoJ, JoSS, and Prisons case management system operational	· Case management system is functional. Supported the collection of data and analysis of 3,500 cases for MoJ. · Supported establishment of case management system at JoSS, including data collection and analysis for 1,571 cases for JoSS. · Supported collection and compilation of monthly inmates' statistics for prisons.	· 25% reduction in backlog	Case Management System for MoJCA, Judiciary of South Sudan Operationalisation of ICT CMS system in 2 states and HQ (MoJCA, JoSS, NPSSS) (JoSS) and Prisons operational at national and seven states.	20 (5 female) support staff of the MoJCA from 10 states trained on ICT-based case management system. o 5 support staff (2 female) who work at the Office of Legal Administration and Public Prosecution in Aweil benefitted from CMS mentoring sessions. o 2015 case management report published.

20% release of detainees from arbitrary and prolonged detention			20% release of detainees from arbitrary and prolonged detention	12% of recorded cases completed	· 61% recorded cases at MoJ were completed. · 26% recorded cases at JoSS were completed.	20% release of detainees from arbitrary and prolonged detention	Percent of recorded cases that are completed. MoJCA: 65% JoSS: 30%	63% of cases recorded by MoJCA were completed.
	7 state level rule of law coordination forums held on a monthly basis and linkages to national level institutions strengthened through Annual RoL Forum	39 rule of law forums conducted in five states (WES, EES, WGS, CES and NGS) with attendance of 947 (299 female)		60 rule of law forums conducted at state level	32 forums were conducted with 906 (291 female) participants.		Number of rule of law forums conducted at state level. 48	20 rule of law forums were conducted in Aweil, Torit, Wau and Yambio with 495 (129 female) participants.
				1 national rule of law forum conducted and results published	The national rule of law forum was postponed to early 2016.		National Rule of Law Forum conducted in Juba. 1	The national forum was not conducted due to changes in senior leadership of key rule of law institutions. Instead, one Justice, Law and Order Forum (JLOF) meeting was held in Juba in November 2016 under the leadership of MoJCA.
	About 1500 community members reached through community outreach programmes	2,479 people (802 female) reached through 39 community outreach and awareness raising activities		50 outreach activities conducted at state level	136 outreach activities including rule of law, community policing and PCRCs were conducted reaching a total of 9,228 (4,281 female) people.		Number of outreach activities conducted at state level. 100	49 outreach activities were conducted at state level for 4,066 (1,934 female) community members.
	Two studies published on the application of traditional law	o Vol 1 and 2 of the studies has been published and launched. Vol 3 is under print. o Finalized the editing and designing of the Access to Justice and Rule of Law Perception Survey 2013	Customary law study at community level completed.	Customary laws of five communities documented	Ascertainment studies for six communities and reports for 10 communities completed.	4 Customary Law Forums organized by the Center	Customary laws of communities of South Sudan documented. 6 printed and distributed	5 ascertainment studies are in print. o Study on Harmonisation of Customary Laws and the National Legal System in South Sudan completed.

	Twenty-two communities covered with ascertainment study or validated	<ul style="list-style-type: none"> o Customary laws of 14 communities ascertained and validated. o The ascertainment of customs of other 10 communities has been commissioned and is on-going. 						
	One traditional leaders training manual published	<ul style="list-style-type: none"> o One thousand copies of manual for training of traditional leaders printed. o Traditional training manual circulated and used for five trainings in Torit, Yambio, Aweil, Wau, and Mingkaman. 		1 additional national traditional leaders forum conducted	Annual customary law forum conducted in Juba for 45 (15 female) traditional leaders.		Number of national traditional leaders' forums conducted. One	One national traditional leaders' forum conducted.
2 Customary Law Forums organized by the Center	One customary law forum organized by the Customary Law Centre	Annual forum held in Juba due to security concerns at Rumbek.		70 traditional leaders (25% female) trained	194 traditional leaders (23 female) trained on women's rights, gender justice, and the bill of rights were conducted.		N° of traditional leaders trained (segregated by gender) on South Sudanese laws, international standards and dispute resolution. 150 (25% female)	133 (33 female) traditional leaders trained on women's rights, gender justice and the bill of rights.
90% prison personnel ID cards issued and new staff registered	Five prisons renovated, two SPUs established, and Juba University College of Law handed over to GRSS	Renovation of three prisons at Juba, Yei, and Wau started <ul style="list-style-type: none"> o Renovation of two SPUs in Juba and Torit started. o University of Juba handed over; discussion for official inauguration ongoing 	2 selected prisons renovated	Alternative detentions mechanism agreed.	Mechanisms not agreed on. A thematic meeting for prison overcrowding was organized, which passed fifteen policy, operational and administrative resolutions to be implemented by a technical committee on prison overcrowding.	1 selected prisons renovated	Existence of alternative to detention mechanism. Policy/legislation on alternative to detention mechanism drafted.	A position paper on amendments to national legislation and other for criminal procedures to reduce arbitrary and prolonged detention in South Sudan initiated.

• 2 selected prisons renovated	500 rule of law personnel trained on case management, substantive and procedural laws, alternatives to detention/dispute resolution, human and women's rights, traditional justice and international law ¹³	<ul style="list-style-type: none"> o A total of 470 Rule of Law personnel were trained (329 male, 141 female) o 40 judges (37 male, 3 female) and 30 public prosecutors (26 male, 4 female) trained in international criminal justice and human rights. o 193 police personnel and social workers (116 male and 77 female) trained through SGBV training. o 207 police personnel and community members trained (150 male and 57 female) trained through community policing training. 		3 prison renovations completed.	Renovation of Juba, Wau, and Yei prisons was completed		3 prisons renovated.	Two prisons renovated: <ul style="list-style-type: none"> o Construction of chain link fence at Aweil Central Prison. o Vocational Training Center at Juba Central Prison renovated and equipped.
	Policies and procedures developed to improve functionality and coordination for rule of law institutions at national levels are implemented at state level	<ul style="list-style-type: none"> o A total of 2 bills and 4 agreements were developed to improve functionality of Rule of Law institutions o Case management policies and procedures established at national level are being implemented at state level and improved functionality of state level RoL institutions. o SSNPS Directorate of Legal Affairs revised 2 bills and 4 agreements. 						
75 prisoners trained in 3 states			150 prisoners in 5 states trained	50 inmates provided with vocational training.	Training has not commenced. Vocational training workshop tools, machinery and selection of trainers under procurement. Renovation of vocational training workshop at Juba Central Prison ongoing.	200 prisoners trained in 2 states	100 inmates provided with vocational training	<ul style="list-style-type: none"> o 134 (9 female) inmates and 92 (22 female) prison staff graduated from the vocational training in eight trades. o 143 (8 female) inmates undergoing vocational training in eight trades.

	Policies & mechanisms developed to address alternative dispute mechanisms and detention options & implemented in five states	While developing revised policies and mechanisms to address alternative dispute mechanisms at national level, LEAs and RoLOs co-located at state level have provided training, advice, and analysis to state RoL institutions based on best practices.		100% prison personnel registered	The national Joint Registration Committee was reactivated, and 5% prison personnel verified as per approved policy and SOP.		100 % of prison personnel registered	15,202 prison personnel in ten states are registered.
	250 RoL institution personnel trained in Human Rights	143 rule of law personnel trained on human rights.						o 41.8% personnel have completed the verification process and have been issued identity cards.
				2 additional SPUs renovated.	Renovation of Wau, Awiel, and Rumbek SPUs completed.		3 SPUs renovated.	6 SPUs were renovated: o Construction of a new SPU, water and sanitation facilities in Malakia Police Station, Juba. o Provision of solar power and electrical works for Northern Division SPU, Juba. o Electric works maintenance in Munuki, Juba. o Renovation of SPU building at Wau Central Police Station and provision of solar power and o Solar power provided for Mukhtar SPU in Wau. o Procurement process initiated for provision of solar power for Malakia and Gumbo police station.

							5 community aid posts established.	Facilities for 3 community aid posts in Juba (Rock City, Hai Mauna and Gudele) were completed. Works included finishing of incomplete buildings, construction of toilet facilities, and septic tank, solar power supply, provision of water supply/ borehole, submersible pump, water tower and tank and chain link perimeter fencing.
--	--	--	--	--	--	--	------------------------------------	--

Annex 5. Outcome results

Related strategic plan outcome 3. Countries have strengthened institutions to progressively deliver universal access to basic services	2014	2015	2016
Indicator 1. Number of targeted governance and security reforms implemented Baseline: 0 Target: 16	Legal and regulatory framework for the provision of legal aid revised Legal aid strategy, action plan, processes, procedures, and legal aid forms developed and adopted. Advocates Act in force.	Legal and regulatory framework for the provision of legal aid in place · Regulatory framework in place; Advocates Act (2013), Legal Aid Strategy (2011) and Code of Criminal Procedure Act (2008). · Printing of Advocates Act completed.	16 targeted governance and security reforms implemented · 2 governance and security reforms implemented a) establishment of the CTRH. b) domestication of international crimes in the Transitional National Legislative Assembly.
	Ratification of key human rights instruments agreed on	Key human rights instruments CEDAW, CRC, and the Kampala Convention ratified	
	<ul style="list-style-type: none"> o ACRWC o African Charter on Human and Peoples' Rights (ACHPR) o CEDAW o CAT o Convention on the Rights of the Child (CRC) 	<ul style="list-style-type: none"> · CEDAW ratified on 31 October 2013. · Bill for domestication of international crimes and accountability in South Sudan approved by Council of Ministers. 	
Indicator 2. Percent of citizens who report increased personal safety and security (disaggregated by gender) Baseline: 32.7% (30% female) Target: 50% (52% female)	Two percent (2%) decrease in major crimes reported According to the Crime Statistics Reports 2014, number of five major crimes (murder, grievous hurt, theft, cheating, and rape) in 7 stable states decreased by 23% in 2014 as compared to 2013 for seven stable states.	5% reduction in major crimes reported · Major crimes reported reduced by 5% from 29,089 in 2014 to 27,588 in 2015.	50% (25% female) of citizens report increased personal safety and security Police Community Relationship Committees (PCRCs)
Indicator 3. Percentage of transitional governance mechanisms with the participation of civil society organizations (CSOs) and the media Baseline: 0 Target: 80%			80% of transitional governance mechanisms with the participation of CSOs and the media · Civil society TJWG established. · Civil society representatives included on the technical committee of the CTRH.

Annex 6. Financial data

Table 8: Details of budget available, expenditures and expenditure rate

		2013			2014			2015			2016			2017			Total		
		Budget	Expenditures	Rate (%)	Budget	Exp.	Rate (%)	Budget	Exp.	Rate (%)	Budget	Exp.	Rate (%)	Budget	Exp.	Rate (%)	Budget	Expenditures	Rate (%)
Output 1	Access to justice	743 734	441 639	59	2 056 612	1 223 328	59	1 802 539	1 718 480	95	1 819 107	1 472 031	81	2 221 548	1 882 274	85	8 643 540	6 737 752	78%
Output 2	Reduction of case backlog	144 376	138 360	96	2 633 903	2 394 137	91	1 471 456	1 529 691	104	1 852 313	1 442 306	78	1 424 819	913 809	64	7 526 867	6 418 303	85%
Output 3	Support harmonization	1 329 621	851 386	64	328 764	192 823	59	371 023	308 984	75	90 500	84 038	93	105 942	46 851	44	2 225 850	1 484 082	67%
Output 4	Capacity development	62 535	55 573	89	3 029 334	1 801 091	59	4 103 440	3 715 611	91	2 533 612	2 250 729		2 538 555	1 830 102	72	12 267 476	9 653 106	79%
Output 5	Coordination & institutionalization	3 669 885	2 596 292	71													3 669 885	2 596 292	71%
	TOTAL	5 950 151	4 083 250	69	8 048 613	5 611 379	70	7 748 458	7 272 766	94	6 295 532	5 249 104	83	6 290 864	4 673 036	74%	34 333 618	26 889 535	78%