**Mid Term Evaluation**

**The Integrated Governance Programme 2016 – 2020**

**The Republic of Maldives**

**FINAL - 18 December 2018**

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# **Introduction**

The mid-term evaluation of the Integrated Governance Programme, Phase II, was organised by UNDP Maldives in November 2018. A mission was composed of one external evaluator who was accompanied by a UNDP official from the regional headquarters in Bangkok. The mission team leader visited the Maldives in the period from 22-27 November. The Bangkok regional office representative joined the mission for two days on 22-23.

The mission was able to meet with all major stakeholders in the programme and with the UNDP team in Male. The mission wishes to extend its sincere thanks to the many people who made time in their agendas - and in a busy period of government transition - to meet with the delegation and to share their views and insights. The mission also wishes to extend its appreciation to all members of the UNDP office, who made this evaluation possible and supported it throughout the process.

The draft evaluation report was submitted to UNDP Maldives on 8 December 2018. The report expresses the views of the external evaluator only and is not in any way an official statement of the UNDP or any of its partners in the Maldives.

# **Executive Summary**

The Integrated Governance Programme Phase II was launched by the end of 2015 for a project period from 1 January 2016 to 31 December 2020.

The mid-term review coincides with a change of government in the Maldives. Among many partners there’s an expectation that key initiatives of the programme, which were stalled during the first half of Phase II, may now be reactivated.

**Programme objectives**

The programme has a coherent set of objectives that could deliver major gains when taken together and implemented. The objectives are integrated and cuts across major sections of public policy and civil society engagements in local governance. The programme is based on two key result areas, as follow:

1. *Increased Voice and Citizen Participation:* Focus is on civil society participation in policy development, transparency of governance processes and women’s participation in the public sphere.
2. *Enhanced Access to Justice & Protection of Human Rights:* Focus is on legal aid, prevention of sexual and gender-based violence, capacity building of justice sector and treaty reporting.

The programme is commended for having garnered wide support and participation from government counterparts and civil society organisations. Partners include main actors in political and administrative life of the country and its civil society. Nevertheless, political circumstance and budget restraints have limited the number of active partners.

**Programme funds**

The programme budget is USD 6,296,700, of which 5,317,000 were unfunded at project inception.

Real expenditures have been significantly lower. Thus, total expenditures from 1 January 2016 to 25th Nov 2018 amount to USD 1,499,228, equivalent to a budget implementation rate is 23.8 % after almost 3 years of project life.

**Programme deliverables**

The programme has made important gains in both key result areas and in most of the defined outputs. The programme has made a visible contribution to promoting governance and democratic processes in the Maldives.

Delivery under the programme is dependent to significant extent on political climate. It is clear that the programme has been hampered by adverse political developments and by government priorities outside its control

At the same time, some expected deliverables could not be met, and there are several major deliverables pending political approval. These outputs include the National Human Rights Action Plan, the Gender Equality Policy, the Gender Action Plan, the Bill on Public Defender’s Act and the Bill on the Legal Profession Act.

The strongest and most sustainable results of the IGP Phase II are found in a) prevention of sexual and gender-based violence, b) access to justice, including in preparing pro-bono and para-legal services, and c) civil society engagement. In all three areas, the programme has strong and committed counterparts in the Attorney General’s Office, the Family Protection Authority, the private legal sector and in civil society.

The evaluation notes that a new programme partnership, and potential areas of cooperation, has been initiated with the National Counter-terrorism Centre. UNDP has extended substantial support to the Centre on public consultation and international networking.

The evaluation also notes that several partnerships have been uneven in the sense that cooperation and commitment has varied over time. Thus, initial cooperation with the judiciary seems to have faded, while cooperation with the Elections Commission never reached the levels expected.

**Conclusions**

The evaluation finds that the IGP is strong on conceptualisation and in partner relationships. But impact is assumed to be low and several major deliverables have yet to materialise and depend on political circumstances.

The change of political context is a major opportunity to realign and repurpose the scope of the programme. The new political agenda and cabinet appointments hold the promise of delivering some of the major strategic outputs of the project.

This report finds that IGP would benefit from a refocusing of activities. Specifically, the IGP should be narrowed down with fewer objectives and fewer partners. At present, there are too many inactive partners and too few funds. Even an inflow of new funds would not in itself turn IGP into a successful programme, because the wide scope of objectives that cannot easily be met.

**Recommendations**

It is recommended that UNDP takes a strategic and pragmatic approach to narrowing the scope of the programme. This approach would combine key UNDP’s development objectives with an assessment of best performing agencies and organisations. Thus, the report suggests that a repurposed programme with focus on two result areas:

1. Access to Justice and gender mainstreaming
2. Human Rights monitoring and the UPR process.

The report sketches the main objectives and partners of the above result areas.

# **Programme Setting**

## **Political Context**

The Maldives has a short history of democratic institution building, which in most accounts has the 2008 presidential elections as its starting point. In 2018 there was one more peaceful transfer of power through democratic elections. The intervening 10 years showed an uneven democratic transition marred by political repression and contentious elections. Thus, the ouster of the then president in 2012 and the subsequent elections in 2013 are disputed.[[1]](#footnote-2) The repressive nature of the presidency of Mr. Yameen is widely acknowledged and had, as will be seen, direct influence on the implementation of the UNDPs governance programme.

In recent history, the Maldives has built up democratic institutions and a legislative framework to support the rule of law. However, government institutions remain susceptible to political pressure and interference, and the judicial system remains inadequate as an independent branch of state power.

Political parties, media and associations are active and diverse, and are undoubtedly a determining factor in the democratic successes of the country. However, strong-arm tactics, unlawful repression of the opposition and a climate of intimidation towards opposition figures and associations have persisted.

Presidential elections in September 2018 produced a clear win for the opposition candidate, Mr. Solih, from the MDP. After some dithering, the incumbent president decided to respect the election outcome and a peaceful transfer of power took place on 18 November this year.

The incoming coalition government has announced a 100-day manifesto of reforms that promises to restore many of the reforms and political rights that were stalled under the previous president. The fact that the government is a broad coalition may impinge on its ability to implement its programme. Parliamentary elections due in March 2019 will determine the relative strengths of the coalition partners and will be an indication of which way the reform programme is heading.

The Integrated Governance Programme Phase II was launched by the end of 2015 and is presently at mid-term. The mid-term review coincides with the above shift in the politics of the Maldives. Among many partners there’s an expectation that key initiatives of the programme, which were stalled during the first half of Phase II, may now be reactivated.

The present mid-term review is, for once, a timely opportunity to assess the strategies, partners and deliverables of the Integrated Governance Programme. The present report will inform an upcoming mission by the UNDP to revisit the programme and to recommend adaptations in the light of past experience and the current situation.

## **Programme Overview**

The first phase of the Integrated Governance Programme was active in the period 2012-15. Prior to the first phase, UNDP ran a total of 9 different projects many of which had project coordinators seconded to host ministries. The IGP was rightly seen as a means of focusing activities, rationalising implementation and making better use of diminished funding.

The second phase of the IGP was formulated in the end of 2015 in a period where the previous government was taking back powers from local governments and beginning to repress voices of opposition. In response, the IGP phase II had a focus on decentralisation and citizens voice as a way of maintaining the programme objectives in the then prevailing political climate. Also, the prospect of scheduled local elections in 2017 and 2018 gave legitimacy to the programmatic push for decentralisation.

The first phase of the IGP was focused on institutional capacity building and included several of the government partners that have continued into phase 2. Given political developments, the IGP phase II was reoriented towards citizens’ participation and general awareness raising. At the same time, access to justice and justice sector reform were maintained based on promising partnerships.

### Programme Structure

The IGP phase II was formulated with two main result areas to capture the focus on citizens’ participation in governance processes and a focus on justice reform**.** The two result areas are in turn divided into 7 outputs, as follows[[2]](#footnote-3):

1. **Increased Voice and Citizen Participation**

* Capacity of civil society to contribute to policy development and democratic discourse
* Transparency and accountability of governance processes
* Representations and participation of women in public sphere

1. **Enhanced Access to Justice & Protection of Human Rights**

* Legal aid mechanism
* Referral mechanisms to address Sexual and Gender Based Violence
* Treaty body reporting and implementation
* Capacity of legal & justice sector institutions

The programme document has a coherent set of objectives that would deliver major gains when taken together and implemented. The objectives are grouped in an analytical order, which implies a valid theory of change. The objectives are supported by an extensive situation analysis and assessment of possibilities for intervention.

Nevertheless, the programme document is, in hindsight, overly optimistic. A combination of adverse political development and programming hubris resulted in an overstatement of expected deliverables.

The project also suffered shortfalls in funding in part because third party funders withheld contributions in view of the deteriorating political climate. Interviews with main donors for this report were not held as these are based outside the Maldives. The IGP was buoyed by additional support from UNDP’s own sources. Even so, the programme remains significantly underfunded.

### Budget

The programme budget is USD 6,296,700, of which 5,317,000 were unfunded at project inception. The project period is 1 January 2016 to 31 December 2020. The average annual project expenditure based on the initial budget is ca. USD 1,26 mil.

Real expenditures have been significantly lower. Total expenditures from 1 January 2016 to 25th Nov 2018 amount to USD 1,499,228, or an average of slightly over USD 500,000 per year. The budget implementation rate is 23.8 % after almost 3 years of project life.

Funding deficits at present call for cutting part of the programme and for focusing activities. Options for resizing or repurposing the programme are discussed in section 6. Conclusions, below.

### Partners

The programme is commended for having garnered wide support and participation from government counterparts and civil society organisations. The very scope of the IGP is witness to UNDP’s ability to maintain meaningful dialogue and exchange with Maldivian society.

Main stakeholders from the political, administrative and civil life are represented in governance mechanisms of the project, and an even larger number are designated implementation partners. These partners include:

|  |  |
| --- | --- |
| ***Voice and Citizens’ Participation*** | ***Rule of Law and Access to Justice*** |
| Local Government Authority | The Judiciary |
| Ministry of Gender and Family | Prosecutor General’s Office |
| Family Protection Authority | Maldives Police Service |
| Women’s Development Committee | Min of Home Affairs |
| Elections Commission | Maldives National University |
| Civil Society | President’s Office |
| Min. of Youth and Sports | Attorney General’s Office |
| Political parties | Human Rights Commission |
| Information Commissioner’s Office | Anti-Corruption Commission |
| Other independent institutions | Civil Society |

The UNDP has established strong and what appear to be sustainable partnerships in programme implementation. Key partners are mainly in the areas of: a) gender equality and prevention of gender based violence, and b) access to justice.

Thus, UNDP has partnered well with the Family Protection Authority, the Ministry for Gender and with civil society partners including two civil society organisations, Hope for Women and Transparency International Maldives, as well as partners in youth and cultural organisations. A significant achievement was the UNDP support to the national NGO forum and the resulting action plan, which has underscored UNDPs partnership with civil society.

The Attorney General’s Office (AGO) has remained a key partner throughout the programme phase I and II, while cooperation with the Human Rights Commission and the Anti-corruption Commission and the Prosecutor General’s Office have been less productive. Cooperative relations with the private legal sector are strong and complement those of the AGO.

A new partnership with the National Counter-Terrorism Centre under the Ministry of Defence arose during Phase II and has permitted the UNDP to share international experience on prevention of violent extremism and civil society consultation processes.

That being said, a number of UNDPs programme partners remained so mostly in name. For various reasons, the programme in Phase II has not managed to enter into meaningful cooperation, or has not been able to sustain such cooperation, with the following key partners: The Elections Commission, The Police Service the Supreme Court, Parliament, the political parties, the Local Government Authority, and some other partners of lesser prominence in the programme setup. The president’s office has not held a coordinating function in the programme the way it was foreseen.

For some partners, cooperation was prominent during Phase 1 or early in Phase II, but has since diminished. This is the case for the Supreme Court, the Election Commission and the secretariat of the People’s Majlis. The Prosecutor General’s Office was an important partner in the roll-out of the criminal procedure code in 2016-17, but has since receded into the background.

UNDP would no doubt be able to call upon these agencies again, should there be a relevant foundation for cooperation and some funding to undertake meaningful activities.

The current status of partnerships within the IGP is dynamic and may change in the future. UNDP’s decision to engage in programme partnerships should also base itself on assessment of the relative capacities and commitment of these partners to engage in collaboration.

The relative strength of partner relations will inform recommendations in this report on options for future adaptation of the programme. Suffice it at this point to underline that the main successes of the programme so far are in promotion of gender equality, specifically in prevention of gender-based violence, and in access to justice. Other successes have been in supporting civil society networks, although measurable impacts of these networks is difficult to ascertain.

The extent and nature of cooperation with the various partners is described briefly in section 4 on Programme Deliverables

### Programme Governance

The programme governance structure comprises a Board and two technical committees, one for each of the two result areas.

The Board has met several times during the first year of the programme in 2016, once in 2017 and not in 2018. The Programme document foresees and UNDP rules require an annual board meeting. Minutes are recorded for all meetings

Technical Committee meetings prepare and validate the annual work plans and exist to settle any technical coordination issues. Committee meetings have taken place in 2016 and once in 2017, where the two technical committees merged, which seems a rational use of time. No meeting has yet been held in 2018, although several bilateral planning meetings were held with partners.

The mid-term evaluation finds that the governance structure functions in an adequate manner.

# **Programme deliverables and findings**

The programme has made important gains in both key result areas and in most of the defined outputs. The programme has made a visible contribution to promoting governance and democratic processes in the Maldives. At the same time, some expected deliverables could not be met, and there are several major unfinished deliverables, in particular strategies, action plans, and pending bills.

Delivery under the programme is dependent to significant extent on political climate. It is clear that the programme has been hampered by adverse political developments and by government priorities outside its control.

However, the IGP seems to have taken a long term view of its governance objectives, and the same seems to be the case for the key partners in the programme. Hence UNDP is well positioned to developing the programme and make adaptations that are necessary for better coherence and better impact.

The following chapter reviews the main achievements of the programme and makes assessments on the viability and future potential for UNDP support. The programme operates with seven key outputs, which are further divided into 29 separate works streams. The most important of these will be reviewed in more detail in below.

## **Result Area 1 - Increased Voice and Citizen Participation**

### Citizen’s Voice and Participation

Citizen’s voice and participation covers a number of activities in which UNDP has extended support to various organisations and community initiatives. Most of the activities are viewed as platforms for social dialogue and awareness-raising. One output provided for three grants given to Maldivian NGOs, including Hope for Women, while another output supported women’s political participation in the political sphere.

The initiatives on citizens’ voice have value and meaning in themselves as a means of supporting democratic processes. The activities may also have contributed to the capacity and presence of NGO beneficiaries. However, without the supporting presence of government interventions, it would seem that the activities have reduced institutional anchorage and sustainability.

To this reviewer, it seems that the IGP did not manage to establish the link between social dialogue and the overarching objective of promoting decentralisation. Evidence shows that the programme was unable to engage with the local government authority during phase II. Hence, the programme’s stated aim of promoting decentralisation and local decision-making did not materialise.

The IGP has awarded three medium term grants to NGOs based on a competitive call for proposals. Grants were awarded to Hope for Women and two other organisations. All three grants were completed.

The IGP has supported several citizens’ and youth awareness and promotion events with various private and public partners. These events include Film for change, youth leadership and local community initiatives and social innovation called *Miyaheli* in partnership from Ooredoo, and international IT company.

### Gender equality

*The Ministry of Gender, Family and Social Services* (its present name) is a key partner of the IGP. Two major outputs of the project are pending in the ministry, namely the Gender Policy and the Gender Action Plan. The ministry, by its own admission, seems to fight an uphill battle in promoting gender policies, and specifically gender mainstreaming and gender budgeting. The latter two are major policy initiatives but seems not to have seen any substantial progress. At present, there is a new incoming minister and some alignments of functions between new ministries.

This report tends to believe that the Ministry of Gender should remain a formal partner in the IGP. However, support to the gender policy and gender strategic plan as part should not be written into the project objectives. Support should be extended to more action-oriented activities with a firm policy foundation that is less dependent on the political context.

*The Family Protection Authority* has been able to capitalise well on the support provided by IGP. It has extended its outreach and relevance to victims of sexual and gender-based violence and has extended its collaborative efforts with other government service providers. The staff is relative small, but appears motivated and empowered.

### Gender Mainstreaming of programme deliverables

Gender equality is prominent in the objectives and activities of the IGP and the programme has taken many commendable initiatives to promote women’s rights in the political and institutional life of the country.

A major research on *Maldives Women’s Access to Justice* was released by UNDP in 2017, which is a best practice action-oriented study that can inform policy-making and programming in this area.

The extent to which the programme has been able to gender mainstream its own main deliverables is not ascertained in this report. Thus, it would seem that gender impact analyses were not done for the bill on legal aid, the national human rights action plan and the action plan on counter-terrorism. For the latter, gender-mainstreaming work is reported to begin in January 2019.

The responsibility for gender mainstreaming belongs to the government and the owner of the various bills and plans. However, it’s not clear to what extent the UNDP actively considered supporting gender impact analysis and what possibilities existed to provide technical input for which the UNDP is clearly well-equipped.

### National Counter-terrorism Centre

The UNDP has opened a partnership with the National Counter-terrorism Centre under the Ministry of Defence in a joint effort to promote Prevention of Violent Extremism (PVE). There is evidence that the Centre has benefitted from UNDP technical expertise in particular on community consultation and access to intergovernmental networks. The Centre is planning to produce a national action plan on PVE, which will receive continued support under the programme in 2019. Thus, the inputs of IGP appear to be sustainable. The activity is funded by a Japanese grant.

Political and religious radicalism is a risk factor taken seriously by government. Religion is an important presence in the political, social and legal life of the country. The Maldives has a history of being a recruiting ground for jihadists travelling abroad. The constitution maintains Islam as the only permissible religion and upholds a ban on all other religions in contravention of accepted internal human rights norms.

## **Result Area 2: Enhanced Access to Justice and Protection of Human Rights**

### Attorney General’s Office

The Attorney General’s Office has been the key partner of IGP result area 2 on access to justice. The AGO appears to have been guided by a long-term vision of justice reforms that is important for the sustainability of IGP outputs. The AGO remains a key ministry in access to justice, human rights monitoring and in legal reform, including bill on legal aid, on the draft National Human Rights Action Plan.

The IGP has collaborated with the Attorney General’s Office in the drafting of the bill on legal aid and the establishment of the Public Defender’s Office. The bill has been successfully consulted and drawn up, but was left pending during the previous government. The incoming government has appointed a new attorney general who is reported to be in favour of tabling the bill as a matter of priority. Should the bill be voted into law, it would be a major strategic outcome of the IGP.

A second pending bill is on the Legal Profession Act on the setting up of the Bar Association. This bill has received support from the UNDP in the form of conferences and commentary. The bill would establish the first Bar Association in the Maldives and set out rules on membership, governance and accreditation.

The bill has been pending under the previous government, apparently on a question of Supreme Court representation on the board of governors in the new bar association. It is reported that the new attorney general is keen to promote the bill. Should the bill be voted into law, it would be a major strategic outcome of the IGP.

The AGO is the lead agency for the Draft National Monitoring Framework for HR, which include Portal on human rights monitoring, undertaken in cooperation with the Human Rights Commission and the Ministry for Foreign Affairs, and with support from the Danish Institute for Human Rights. The IGP has been active in supporting this activity in the context of supporting the Maldives in reporting and follow-up under the UPR process.

### Legal Aid and Establishment of a Bar Association

The IGP has been supported by a committed group of legal professionals. The legal profession is not yet organised in a formal way, although the pending bill on the Legal Profession Act may lead to the formation of a Bar Association in the near future. The legal profession appears to have the strength to support legal aid through a future Public Defender’s Office, and to lead a pro-bono network of lawyers with geographical outreach, too. The legal profession and one major NGO, Maldives Law Institute, appears able to support further development of para-legal activities in the country.

### Human Rights Commission

The Human Rights Commission has few activities with the programme and it appears to struggle with its mandate and public profile. At present, UNDP is planning to support the third reiteration of the national human rights report *The Right Side of Life*. The HRC has a clear mandate in promoting human rights monitoring and specifically the UPR process. Still, it is likely that the AGO is a stronger partner in obtaining the necessary data

The HRC has undergone a UNDP sponsored capacity assessment in the summer of 2018. While the report is confidential, it is assumed that the recommendations will take time to implement. At present, UNDP is in a situation where it’s relevance as a supporting partner for HRC has diminished. The UNDP must make its own assessment of the HRC as a future partner. At present, the HRC has cooperation with India, Malaysia and China mainly on investigation techniques.

### The Judiciary and the Judicial Academy

The IGP collaborated with the Judiciary in 2016 and 2017 on the roll out of the Criminal Procedure Code. The Judiciary was part of the coordination committee headed by AGO for CPRC roll-out. There has been no substantial judicial reform cooperation, and cooperation between justice sector institutions appears to be difficult. There is no sector reform initiative or other structure that could serve as the foundation for a judicial reform programme. There are no current activities with Supreme Court and court system.

In Phase I, the IGP supported the roll-out of Penal Code, which was followed up in 2016-17 with the roll-out of the Criminal Procedure Code (CPRC). Both codes represented major steps in the legal development of the country and were the first formal codification of these major legislative areas into Maldivian law. The UNDP provided significant technical assistance to develop training materials for the Judiciary and a bench book, as well as tailored training for prosecutors and attorneys.

Nevertheless, the efforts by UNDP to provide relevant training material for the CPRC has so far not met with an adequate response from the Supreme Court. The training materials have not (yet) been adapted to the Maldivian legal system or caselaw, nor has the draft Bench Book been translated into Dhivehi. Further, the refusal of the supreme court to collaborate with other justice sector institutions at training level is a disappointment from a sector development perspective.

The Judicial Academy is current partners in the programme and has provided continued legal education activities with IGP support. Budgetary resources remain very limited and there’s little scope for operational activities.

The Pro Doc envisaged two major justice reform activities, a case management system and justice system data collection (output 2.4.4) These activities have not taken place half-way into the programme. Given the technical demands of such initiatives and the current level of cooperation within the justice system, it seems unlikely that this activity will take place.

### Pro-bono work and Para-legal Education

UNPD has supported 3 successful conferences on pro-bono work in 2018, each with participation of some 60 legal practitioners in Maldives. The outcome has been a proposal for establishing a clearing house for pro-bono work and a series of related proposals e.g. to overcome the geographical challenges of the Maldives through e-links and by having delegated legal advisors on some of the islands supported by mentors and attorneys on the main island.

The pro-bono work appears to be ably supported by a group of attorneys and is a sustainable output of the programme.

UNDP has supported the development of para-legal services in cooperation with the Maldives Law Institute, which has developed a basic manual, material on key laws and various forms. Para-legal services are based on volunteers and community members. The UNDP input appears sustainable, in particular taken in conjunction with legal aid and pro-bono activities.

### Clinical Legal Education

The UNDP has provided international technical support to establishing clinical legal education at the National University of the Maldives. Initiatives are under way in several areas, including internships and teaching methodology. A curriculum in clinical legal education has not been developed yet. Family Legal Clinics were held in several islands, but plans for holding legal aid clinics were postponed due to elections.

### Anti-Corruption Commission

The IGP cooperation with the ACC consists of support to a pilot of a community-led social audit program carried out in November 2017. The IGP foresees further support to implementation of the ACC strategic plan, but so far it has not materialised. At present, the ACC is not a major partner.

# **Finance**

The following table shows a breakdown of programme expenditures at output level.

|  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- |
| **Integrated Governance Programme, phase II** | | | **2016** | **2017** | **2018**  **(Jan - Nov 25th)** | **2016-18** | |
| **Programme expenditures** | | | **Expenditure** | **Expenditure** | **Expenditure** | **Total Expenditure** | **%** |
| **Increased Voice and Citizen Participation** | Output 1.1 | Capacity of civil society to contribute to policy development and democratic discourse | 61,049 | 139,884 | 51,203 | 252,136 | 17 |
| Output 1.2 | Transparency and accountability of governance processes | 14,126 | 60,672 | 27,126 | 101,924 | 7 |
| Output 1.3 | Representations and participation of women in public sphere | 25,999 | 40,205 | 24,837 | 91,041 | 6 |
| **Enhanced Access to Justice & Protection of Human Rights** | Output 2.1 | Legal aid mechanism | 21,586 | 0 | 20,322 | 41,908 | 3 |
| Output 2.2 | Referral mechanisms to address Sexual and Gender Based Violence | 77,696 | 0 | 10,948 | 88,644 | 6 |
| Output 2.3 | Treaty body reporting and implementation | 17,095 | 3,903 | 13,170 | 34,168 | 2 |
| Output 2.4 | Capacity of legal & justice sector institutions | 59,863 | 0 | 28,404 | 88,267 | 6 |
| **Programme Management** | | | 124,109 | 161,105 | 152,438 | 437,652 | 29 |
| **Funding Window** | | | 0 | 264,020 | 99,468 | 363,488 | 24 |
| **TOTAL** | | | **401,523** | **669,789** | **427,916** | **1,499,228** | **100** |
| PVE - Japan | |  |  | | **133,603** | **133,603** |  |

Total expenditures from 1 January 2016 to 25th Nov 2018 amount to USD 1,499,228. The budget implementation rate is 23.8 % as against the programmed budget after almost 3 years of project life.

# **Conclusions**

The Integrated Governance Programme hangs in the balance. On the one hand, it has strong sides in conceptualisation and in partner relationships. On the other hand, impact is assumed to be low and several major deliverables have yet to materialise and depend on political circumstances.

But there are clear reasons for optimism. The change of political context is a major opportunity to realign and repurpose the scope of the programme. The new political agenda and cabinet appointments hold the promise of delivering some of the major strategic outputs of the project.

The programme covers more ground than it can sustain. Therefore, it is unlikely that continuing in the same track will yield the expected results and attain the programme objectives. The funding situation has shown a significant shortfall and it is questionable whether the programme in its current shape can attract significant new funding.

**The strong and weak points of the IGP**

The programme is at turning point where refocusing of objectives and activities can take place. This report will make recommendations on main areas in which activities can be realigned, below in section 8.

The strong points of the IGP can be summarised as follows:

* Theory of change and conceptualisation of programme is right.
* Expected deliverables are strategic, but are pending political developments.
* UNDP has maintained good working relations with the partners.
* UNDP has managed to adapt and innovate its activities to political situation.
* UND has achieved continuity of activities in difficult circumstances.

The weaknesses of the IGP can be set out as follows:

* Range of partners is too dispersed.
* Partner capacity is often low (mostly with government. institutions).
* Funding situation is scarce.
* Impacts are thin.

The IGP has a solid conceptualisation in the programme document and in the circumstances leading up to the formulation of the programme in 2015. The combination of citizens voice, local governance, women’s empowerment and justice improvements is a valid choice of objectives.

Likewise, the expected outputs of the programme are strategic and sustainable if carried out. These outputs are strategic plans, action plans, draft laws, coordination mechanisms and various forms of citizens’ empowerment.

It is evident that the programme has faced political upheavals in the country as such and in the ability or willingness of several partners to engage with the programme. It is equally evident that the UNDP has been able to maintain access to and cooperation with key partners of the programme. It is assumed that most of these partnerships, even inactive at present, could be reactivated given a viable and adequately funded programme interface.

Similarly, the UNDP has managed to adapt activities to changing political context and to maintain activities despite major finding shortfalls.

The weaknesses of the programme are found in the idea itself of making an integrated programme, which sought to include all existing and some potential partners in one programme. The result was a dispersal of partners which, combined with a major funding shortfall, led low impact and a sense that the programme has overreached itself.

**Summary of programme strategic areas**

A summary of the outcome of the five main strategic areas of the IGP, as they were outlined in the programme document, would show the following:

* **Decentralisation** did not work and it is unlikely that momentum can be rebuilt during the remainder of the programme.
* **Justice** worked well insofar as access to justice is concerned. The Attorney General’s office has emerged as key partner along with strong support in the legal profession. There is little scope for a judicial reform programme at present given the lack of sector cooperation.
* **Human rights** implementation and monitoring is a key strategic feature of UNDP programmes. The IGP would need to be selective in which activities it engages in because of the relative strengths of the agencies and civil society. The programme has focused on human rights monitoring and this area seems to offer strategic opportunities in the future.
* **Gender equality** has official government backing, it has reached advanced stages of planning and policy formulation and it has some good results on the ground. Support to victims of gender-based violence has been successful, with several areas of potential support available.
* **Planning** comprises some of the key pending deliverables of the IGP. The IGP has supported the planning process up to and including the tabling of plans and bills. In the future, it would be risky for the programme to depend too much for its outcomes on political processes. In that sense, the IGP should “hand over” the pending outputs to the responsible government agencies and focus on more action-oriented initiatives in areas where it has comparative strengths.

**Strategic opportunities**

The IGP is at a strategic turning point brought on by the change of government in November 2018 and the upcoming elections in March elections 2019. Incoming ministers and changes to government structures (e.g. on decentralisation and planning) may bode well for the future of the programme. Process and consultation are therefore of key importance in the future of the IGP.

This report intends to show that IGP would benefit from a refocusing of activities. Specifically, the IGP should be narrowed down with fewer objectives and fewer partners. At present, there are too many inactive partners and too few funds. Even an inflow of new funds would not in itself turn IGP into a successful programme, because the wide scope of objectives that cannot easily be met.

The IGP can take a strategic and pragmatic approach to narrowing the scope of the programme. This approach would combine key UNDP’s development objectives with an assessment of best performing agencies and organisations.

# **Recommendations**

The report makes the following three main recommendations:

1. The IGP would benefit from a refocusing of activities. The programme should be narrower in scope with fewer objectives and partners. The refocusing of the programme should be based on a combination of UNDP strategic objectives with best performing agencies and institutions from the programme.
2. A repurposed IGP programme could have two components, loosely sketched out below:
3. **Access to Justice and gender mainstreaming**

To formulate an integrated programme of access to justice built on the most sustainable outputs of the IGP, to include: legal aid, women’s access to justice, pro-bono legal representation, prevention of gender based violence, promoting para-legals, capacitating Women’s’ Development Committees, and legal education / clinics.

Gender mainstreaming in access to justice should be promoted at all levels, including: legislation, administrative procedures, planning, policy making, service delivery and equal participation of women in all access to justice activities.

*Key objectives:*

*Key partners:* AGO, Public Defenders unit, the legal profession, para-legal organisation, Family Protection Authority, PGO

1. **Human Rights monitoring and the UPR process**

This activity would support human rights monitoring through the portal that is under establishment within the Attorney General’s Office. The focus should be on monitoring under the UPR process and follow up on recommendations. Further support to human rights activities would depend on a detailed assessment but might include specific activities under the Human Rights Commission and initiatives to coordinate UPR follow-up. CEDAW follow-up might be singled out for particular attention, as might features relating to access to justice.

*Key objectives:*

*Key partners:* AGO, HRC, Ministry of Gender.

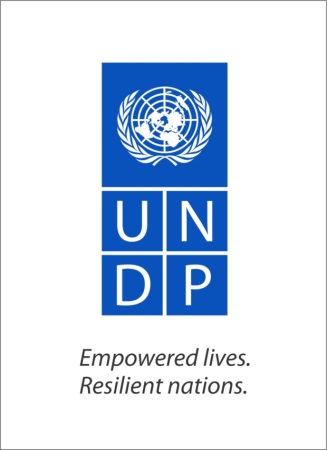
1. To create a separate project for Prevention of Violent Extremism. The project is thematically different from the rest of the programme and need not be considered as part of the IGP. The project as a separate line of funding already and will need collaboration with other UN agencies.

# **Appendices**

## **Schedule of Interviews**

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| **Interview schedule**  **Mid-term evaluation of IGP, Maldives – 18 – 22 November 2018** | | | | | |
| **Time** | **Institution** | | **Contact person** | **Attendees** | **email** |
| **Wed 21st** |  | |  |  |  |
| 09:00 – 10:00 | UNDP programme management | | IGP team | Aishath Rizna (ARR – Governance), Shamha Naseer (Programme Analyst – IGP),  Hamna Shareef (Programme Officer – IGP)  Nabeeh Asim (Programme Assistant – IGP) |  |
| 10:15 – 11:15 | Human Rights Commission | | Wajdha and Fazla | Ms Aminath Eenas  Mr Mohamed Zahir  Ahmed Ameen | [wajdha@hrcm.org.mv](mailto:wajdha@hrcm.org.mv)  [fazla@hrcm.org.mv](mailto:fazla@hrcm.org.mv) |
| 11:30 – 12:30 | Family Protection Authority | | Zeenath -  Ibahath- | Zeenath Shakir  Aishath Ibahath | [zeenath@fpa.gov.mv](mailto:zeenath@fpa.gov.mv)  [ibahath@fpa.gov.mv](mailto:ibahath@fpa.gov.mv) |
| 12:30 – 13:30 | Lunch | | | | |
| 13:30 – 14:30 | Anti – Corruption Commission | | With commissioners (FP is Ghaniya) | Ikleela Ismail | [mariyam.ghaniya@acc.gov.mv](mailto:mariyam.ghaniya@acc.gov.mv) |
| 15:00 – 16:00 | Bar Association / lawyers | | Premier Chambers  Maumoon Hameed/  Naaif  Husnu Suood  Ibrahim Riffath (TBC) | Maumoon Hameed  Husnu Al-Suood  Al-ha Ali Rasheed  Aminath Sharahath | [maan@premier-chambers.com](mailto:maan@premier-chambers.com)  [naaif@premier-chambers.com](mailto:naaif@premier-chambers.com)  [suood@suoodanwar.com](mailto:suood@suoodanwar.com)  [riffath@hisaanriffath.co](mailto:riffath@hisaanriffath.co) |
| 16: 30 – 17:30 | NGO representatives –  Transparency Maldives | | Mariyam Shiuna  Aiman Rasheed  Fazla Abdul Samad | Mariyam Shiuna | [aiman.rasheed@transparencymaldives.org](mailto:aiman.rasheed@transparencymaldives.org)  [fazla.abdulsamad@transparencymaldives.org](mailto:fazla.abdulsamad@transparencymaldives.org) |
| **Thurs 22 Nov** |  | |  |  |  |
| 09:00– 09:45 | Member of Programme Board (@ UNDP main meeting room) | | Aminath Nashia, Finance ministry | Aminath Nashia (Resource Mobilization Executive) | [aminath.nashia@finance.gov.mv](mailto:aminath.nashia@finance.gov.mv) |
| 10:00 – 11:00 | Attorney General’s Office (@ AGO office) | | Sultana Shakir / Faena | Sultana Shakir,  Maziya | [faena@agoffice.gov.mv](mailto:faena@agoffice.gov.mv) |
| 11:15 – 12:15 | National Counter Terrorism Center (@ UNDP main meeting room) | | Major Ibrahim Naeem | Major Ibrahim Naeem | [naeem@mndf.gov.mv](mailto:naeem@mndf.gov.mv) |
| 12:15 – 13:15 |  | | | | |
| 13:15 – 14:15 | Ministry of Gender and Family (@ ministry of gender and family) | | MOGF -Aminath Shirani Naeem  Mariyam Sidhmeen | Aminath Shirani Naeem  Mariyam Sidhmeen | s[hirani@gender.gov.mv](mailto:hirani@gender.gov.mv)  [sidhmeen@gender.gov.mv](mailto:sidhmeen@gender.gov.mv)  [gender@gender.gov.mv](mailto:gender@gender.gov.mv) |
| 14:30 – 15:30 | Attorney General’s Office (former)  (@ UNDP sea view meeting room) | | Hawwa Shafeea Riza | Hawwa Shafeea Riza (Worked in AGO formerly) | Shafeea.riza@gmail.com |
| 15:30 – 16:30 | Local Governance  (@ UNDP sea view meeting room) | | Ahmed Shukry Hussain | Ahmed Shukry Hassan (Worked in Local Governance Authority) | sunmoon\_dm@hotmail.com  ahmedshukryhussain@gmail.com |
| **Sunday 25 Nov** |  | |  |  |  |
| 0845 - 0945 | Majlis Secretariat | | Niusha – Secretary General | Niusha | [niusha@majlis.gov.mv](mailto:niusha@majlis.gov.mv) |
| 10:00 – 11:00 | Maldives National University | | Imran Sayed/ Dean Ali Zahir | Imran Syed | [imran.syed@mnu.edu.mv](mailto:imran.syed@mnu.edu.mv)  [ali.zahir@mnu.edu.mv](mailto:ali.zahir@mnu.edu.mv) |
| 11:30 – 12:30 | Prosecutor General’s Office | | Aishath Shiufa | Bisham | [Aishath.shiufa@pgoffice.gov.mv](mailto:Aishath.shiufa@pgoffice.gov.mv) |
| 12:30 – 13:30 |  | | | | |
| 14:00 – 15:00 | Election Commission | | Nadhiya Abdulla | CANCELLED | Nadhiya.abdulla@elections.gov.mv |
| 15:30 – 16:30 | NGO representatives –  Hope for Women | | Anwar/Nuzuha  /Saeeda | Saeeda  Anwar | [coordinator@hopeforwomen.org.mv](mailto:coordinator@hopeforwomen.org.mv)  [saeeda@hopeforwomen.org.mv](mailto:saeeda@hopeforwomen.org.mv)  [hope@hopeforwomen.org.mv](mailto:hope@hopeforwomen.org.mv)  [aa.ahmed.anwar@gmail.com](mailto:aa.ahmed.anwar@gmail.com) |
| 16:30 – 17:30 | Party representatives (MUO) | | MDP:  Focal Point – Anas (TBC)  PPM:  Nadhira (Maumoon faction) (TBC)  JP: Aminath Shalin (confirmed)  Adhaalath:  Focal Point - Shareef (confirmed) | Ahmed Shareef – Adhaalath Party (SG)  Ahmed Nasheed- Adhaalath Party (chair strategic committee)  Ahmed Sameer –Jumhooree Party (SG) | [secretariat@mdp.org.mv](mailto:secretariat@mdp.org.mv)    [ppmaleem@gmail.com](mailto:ppmaleem@gmail.com)  [foreign@jumhooreeparty.org.mv](mailto:foreign@jumhooreeparty.org.mv)  [admin@adhaalath.org.mv](mailto:admin@adhaalath.org.mv) |
| **Monday 26th Nov** | | | | | |
| 09:00 – 10:00 | | **Department of Judicial Administration** (Please meet Hamna there) (High Court building next to Supreme Court) | Ahmad Maajid  Make sure email is copied to  Eman | Ahmad Maajid | [ahmadmaajid.an@gmail.com](mailto:ahmadmaajid.an@gmail.com)  [aishatheimanlatheef@gmail.com](mailto:aishatheimanlatheef@gmail.com)  [aishatheman@judicialacademy.gov.mv](mailto:aishatheman@judicialacademy.gov.mv) |
| 10:15 – 11:15 | | Saifullah (Ecocamp), Nafha (Film for Change), Zulfina (Miyaheli) (Meeting @ Sea View UNDP Maldives) | Hamna | Saifullah (Ecocamp), Nafha & Lugmaan (Film for Change), Lafha & Muthu (Miyaheli) |  |
| 11:30 – 13:00 | | Lunch | | | |
| 13:00 – 14:00 | | Ooredoo (Rizna will accompany) | Noora Zahir | Noora Zahir  Mariyam Falak Ahmed |  |
| 14:30 – 15:30 | | UNDP programme management:  Debriefing and next steps. |  | Aishath Rizna, Ayesha Junaina Faisal, Hamna Shareef, Shamha Naseer, Nabeeh Asim |  |
| **Tuesday 27th** | | **departure** | | | |

## **Terms of Reference**



**Terms of Reference for Mid Term Evaluation of the Integrated Governance Programme 2016 - 2020**

**BACKGROUND AND CONTEXT**

The Maldives is a young democracy attempting to build on considerable economic and human development gains, but simultaneously still challenged by deep socio-economic, environmental and political issues. As part of the peaceful democratic transition, a new constitution was ratified in 2008. In recent years progress has been made towards democratic governance, rule of law and human rights in Maldives. These included the enactment of the Gender Equality Law, Penal Code, Criminal Procedure Code and establishment of independent institutions under the new Constitution.

Overall, however, important challenges remain, particularly around strengthening participation, transparency, accountability and rights-based approaches to development, as well as of mainstreaming environmental sustainability[[3]](#footnote-4). The development of effective and inclusive governance institutions and processes, consolidation of the rule of law, and evolution of an informed civil society and an independent, professional media remain nascent.[[4]](#footnote-5).. With low public confidence in the judiciary more than two-thirds of Maldivians prefer to settle disputes outside of court. Issues relating to democratic institutions of the State have received considerable international attention in recent years, and the Government has publicly stated that such a high level of scrutiny has hindered the emergence of home-grown democratic institutions in the country.

In response to the evolving governance challenges, the Government and UNDP rolled out Phase II of the Integrated Governance Programme to consolidate support to democratic governance processes in a rapidly evolving political context. The IGP is aligned with the Government’s own priorities for UN support for the period 2016-2020, including: strengthening institutional capacities for legislative reform, enhancing access to justice and rule of law, strengthening good governance across state institutions, civil society development and the private sector, and decentralization.

Maldives is also having Presidential Elections on 23rd September 2018, which makes this evaluation timely and critical. Ensuring IGP alignment with governance priorities of the new administration will be essential for UNDP to remain relevant in its interventions. Based on the recommendations of this evaluation UNDP will be able to immediately offer support to the new administration to ensure essential governance reform interventions are delivered.

**EVALUATION PURPOSE**

As the programme has reached its mid-term, to assess the continuing relevance of focus areas, make course corrections, and to ensure that resources are being mobilized and utilized effectively, it is timely that a review of the IGP is conducted. Towards this end, UNDP is seeking the services of the Global Policy Network to assess IGP performance against targets and table forward-looking recommendations.

##### EVALUATION SCOPE AND OBJECTIVES

The evaluation will cover the support provided under IGP over the period January 2016 – September 2018. The evaluation will also table recommendations for realignment and resource mobilization, as necessary.

The main objectives of this review are;

1. Review the support that have been provided and planned under IGP, in relation to the targets;
2. Assess IGP’s support to the partners including government and other groups, contextualizing it to the current political environment
3. Assess the effectiveness and relevance of UNDP’s partnership strategy in the governance sector
4. Table recommendations on any course corrections that may be necessary both in terms of focus (IGP outputs and targets) as well as processes and partners to ensure that UNDP support remains relevant to the changing political context of the Maldives.

##### EVALUATION QUESTIONS

Following are some questions that this evaluation can look into which can also be refined in consultation with the stakeholders and the evaluator.

* Were stated result areas and outputs achieved as per the work plan prioritized?
* What progress was made by IGP toward the relevant CPD outcomes?
* What factors have contributed to achieving or not achieving intended outputs and outcomes?
* To what extent have IGP outputs and assistance contributed to outcomes?
* Has the UNDP partnership strategy been appropriate and effective?
* What factors contributed to effectiveness or lack thereof?

**E. METHODOLOGY**

The evaluation will address the above evaluation questions. These questions will also guide the presentation of the evaluation findings in the report. The evaluation will be conducted at the outcome level and the following approach will be used;

* a Theory of Change (ToC) approach will be used in consultation with stakeholders, as appropriate. Discussions of the ToC will focus on mapping the assumptions behind the programme’s desired change(s) and the causal linkages between the intervention(s) and the intended country programme outcomes.
* An assessment of the achieved outputs and the extent to which these outputs have contributed to the intended project’s objectives. Both positive and negative, direct and indirect unintended outputs will also be identified.
* The sustainability of results will be examined under evaluation question
* Special attention will be given to integrate a gender equality approach to data collection methods. To assess gender across the project, the evaluation will use the gender marker and the gender results effectiveness scale (GRES).

**G. EVALUATION PRODUCTS (DELIVERABLES)**

* Evaluation inception report
* Draft evaluation report
* Final evaluation report

**H. EVALUATION TEAM COMPOSITION AND REQUIRED COMPETENCIES**

The evaluation will be carried out by UNDP’s Global Policy Network’s regional governance expert.

**I. EVALUATION ETHICS**

The evaluation will be conducted in accordance with the principles outlined in the UNEG ‘Ethical Guidelines for Evaluation’.

**J. IMPLEMENTATION ARRANGEMENTS**

The evaluation will be carried out by UNDP’s Global Policy Network’s regional governance expert. The mission will report to UNDP RR and will be supported by the ARR Governance and respective Programme Officers. A briefing and debriefing meeting will be organized with UNDP senior management at the beginning and end of assignment.

**K. TIME FRAME FOR THE EVALUATION PROCESS**

The review is expected to take place from 28th October 2018 for a period of 2 weeks. A one week in country mission will take place and one week to complete the report of the evaluation. The final report must be submitted no later than 11th November 2018.

**L. APPROVAL**

Approved by:

*Aishath Rizna*

Signature

Name and Designation

Date of Signing

*Shoko Noda*

Signature

Name and Designation

Date of Signing

1. A definition of a democratic society current in the World Bank some twenty years ago is as follows: a democratic society is one in which there has been two consecutive, peaceful transfers of powers through free elections. The Maldives has successfully accomplished two transfers of powers, but it is disputed if these are in fact consecutive (bearing in mind the regime-change of 2012-13). [↑](#footnote-ref-2)
2. Abbreviated for purposes of clarity. [↑](#footnote-ref-3)
3. National Human Development Report, op.cit. [↑](#footnote-ref-4)
4. United Nations Common Country Assessment, op.cit. [↑](#footnote-ref-5)