



**MID-TERM EVALUATION REPORT ON**  
**STRENGTHENING ACCESS TO JUSTICE AND HUMAN RIGHTS**  
**PROTECTION PROJECT IN TANZANIA**

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**Disclaimer:** This Mid-term Evaluation has been drafted by the National consultants referred to herein above. The views expressed in this document are those of the authors and do not necessarily represents the views of UNDP and other institutions.

<b>Project Title:</b>	<b>Strengthening Access to Justice and Human Rights Protection in Tanzania</b>
ATLAS ID:	00099427
Corporate Outcome:	People, particularly women and other vulnerable groups, have improved access to responsive and accountable justice and human rights protection mechanisms.
Corporate Outputs:	<p><b>Output 1:</b> Justice Sector coordination and data management enhanced for a more inclusive, accountable, and evidence-based policy and law-making process.</p> <p><b>Output 2:</b> Women and other vulnerable groups enjoy enhanced access to justice and are empowered to demand respect for their rights; and</p> <p><b>Output 3:</b> Strengthened the role of national authorities (MoCLA, NPS, and CHRAGG) and civil society organisations in the promotion and protection of human rights and women’s access to justice.</p>
Country:	Tanzania
Project Dates:	Start: 15 July 2017 Planned End: 30 June 2021
Project Budget:	USD 7,995,000
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Implementing Partner:	Ministry of Constitutional and Legal Affairs (MoCLA)
Responsible Parties:	Commission for Human Rights and Good Governance(CHRAGG) and National Prosecution Services (NPS)

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**Table of Contents**

**LIST OF ACRONYMS** ..... 5

**EXECUTIVE SUMMARY** ..... 6

**1.0 INTRODUCTION**..... 12

    1.1 Description of the intervention being evaluated ..... 13

    1.2 Evaluation Objective, purpose, and scope ..... 13

**2.0 MTE METHODOLOGY** ..... 15

    2.1 Evaluation Approach ..... 15

    2.2 Data collection methods..... 15

    2.3 Data analysis ..... 16

    2.4 Study Limitations..... 17

**3.0 EVALUATION FINDINGS**..... 17

    3.1 Relevance ..... 17

    3.2 Effectiveness ..... 22

    3.3 Efficiency ..... 32

    3.4 Impacts ..... 34

    3.5 Sustainability..... 37

    3.6 Partnerships..... 43

    3.7 Cross-Cutting issues..... 45

**4.0 RECOMMENDATIONS AND LESSONS LEARNED**..... 48

<b>5.0 References</b> .....	52
<b>6.0 Appendix</b> .....	53
6.1 Interview Protocol by stakeholders Group.....	53
6.2 Quick -response survey.....	57
6.3 Survey Protocol for Training /Capacity building participants .....	60

## LIST OF ABBREVIATIONS AND ACRONYMS

A2J	Access to Justice
CEOs	Chief Executive Officers
CSOs	Civil Society Organisations
CHRAGG	Commission for Human Rights and Good Governance
CGI	Commissioner General of Immigration
CEDAW	Convention on the Elimination of all Forms of Discrimination Against Women
CPD	Country Program Document
DCI	Director of Criminal Investigation
DPP	Director of Public Prosecutions
DCEA	Drug Control and Enforcement Authority
FGM	Female Genital Mutilation
GBV	Gender Based Violence
IEC	Information Education Communication Materials
IJA	Institute of Judicial Administration
LSF	Legal Service Facility
LST	Law School of Tanzania
LASP	Legal Aid Service Provider
LGA	Local Government Authorities
MTE	Mid-term Evaluation Exercise (MTE)
MoCLA	Ministry of Constitutional and Legal Affairs
MTEFs	Mid-Term Expenditure Frameworks
M&E	Monitoring and Evaluation
NCJF	National Criminal Justice Forum
NHRI	National Human Rights Institution
NPS	National Prosecutions Service
OECD/DAC	Organisation for Economic Co-operation and Development’s Development Assistance Committee
PS	Permanent Secretary
PWA	Persons with Albinism
PCCB	Prevention and Combating of Corruption Bureau
SDGs	Sustainable Development Goals
TLS	Tanganyika Law Society

TISS	Tanzania Intelligence and Security Service
TANLAP	Tanzania Network of Legal Aid Providers
TPCF	Tanzania Pastoralist Community Forum
TPF	Tanzania Police force
ToR	Terms of Reference
UN	United Nations
UNDP	United Nations Development Programme
USD	United States Dollar
UPR	Universal Periodic Review

**EXECUTIVE SUMMARY**

**Introduction**

Strengthening Access to Justice and Human Rights Protection in Tanzania Project (hereinafter “Access to Justice Project” or “A2J Project”) is designed to address challenges that people in Tanzania, particularly women and other vulnerable groups are facing. It was noted that, women and other vulnerable groups in Tanzania are confronted with challenges in accessing responsive and accountable justice and human rights protection mechanisms. The broad objective of the A2J Project is to pursue strategic initiatives to strengthen the ability of justice and human rights institutions (particularly the Ministry of Constitutional and Legal Affairs (MoCLA) and two institutions falling under it – the National Prosecutions Service (NPS) and the Commission for Human Rights and Good Governance (CHRAGG)), to deliver accountable justice and human rights protection and address the plight of women and other vulnerable groups. MoCLA is a main implementing Partner together with UNDP. The project sought to achieve the above objective through four results:

- Justice Sector coordination and data management are enhanced for a more inclusive, accountable, and evidence-based policy and law-making process.
- Women and other vulnerable groups enjoy enhanced access to justice and are empowered to demand respect for their rights; and
- Strengthened the role of national authorities and civil society in the promotion and protection of human rights and women’s access to justice.

The Midterm Evaluation was conducted using UNDP/OECD DAC Evaluation Criteria of the relevance, effectiveness, efficiency, impact, sustainability, partnership, and cross-cutting issues (i.e., Gender equality and Human rights). The Consultants employed a mixed approach in data

collection, where both qualitative and quantitative data were collected. The following methods of data collection were used: Desk/Literature review; Key informant interview; Group Interview, and Survey.

## **Findings**

**Relevance:** A2J Project is relevant and in line with Sustainable Development Goals (SDGs), specifically goal 5 (Gender Equality); goal 10 (Support the Marginalized and Disadvantaged by reducing inequality and Leaving No One Behind); and goal 16 (Peace, Justice, and Strong Institutions). In summary, these three goals encourage the countries to promote peaceful and inclusive societies for sustainable development, provide access to justice for all and build effective, accountable, and inclusive institutions at all levels. With this context, A2J becomes relevant because it offers a promising solution for overcoming the access to justice and human rights mechanism barriers that affect more women and vulnerable groups in Tanzania. As far as A2J project is one of the solutions to overcome these barriers, it becomes relevant in the context of Tanzania. Reducing gender inequality and women empowerment is one of the strategic objectives of the country's development path as provided in the Tanzania Development Vision 2025, The National Five-Year Development Plan 2016/2017-2020/2021 and even the Judiciary Strategic Plan 2016-2021. Thus, the project is very relevant to national development.

The A2J is also highly relevant to the UNDP Strategic Plan 2014-17 which proclaims, *inter alia*, "helping countries to achieve the simultaneous eradication of poverty and significant reduction of inequalities and exclusion." A2J Project outputs and the outcome are also coherent with the UNDP objectives as stated in the outcome 2, of the above mentioned Strategic Plan, and Output 2, Pillar III, UNDP 2016-2021, and Country Program Document (CPD) for the United Republic of Tanzania 2016-2021.

**Effectiveness:** Even though the project had a slow start-up, it has performed well across all three outputs. All activities performed during the Project implementations were geared towards achieving the expected three outputs. Factors which had a positive influence on Project success include: stakeholders' buy-in, especially the Government of Tanzania and its relevant institutions such as MoCLA, NPS, CHRAGG, and Police; strong coordination and collaboration between

UNDP, IP, RPs and other stakeholders such as Civil Society Organisations (CSOs) and other donors such as DANIDA; the use of multiple approaches in building the capacity of IP, RPs, and targeted CSOs both in terms of financial support, infrastructure acquisition, training of key staff, experience sharing, joint meetings, and leveraging of technical support. These approaches and strategies used during the project design and implementation were remarkably effective, as reported by most stakeholders interviewed. However, the project has too many ambitious activities that cannot be achieved using the planned budget and within the stated duration.

**Efficiency:** This Mid-term review of the past three years of project implementation shows that the expected results, as stated in the UNDP Results Framework, have been largely achieved promptly, notwithstanding the delay of funds, slow start-up - particularly for the first year of the project implementation, and weakness in implementing some activities which were expected to be accomplished within the first three years. It was also noted, that there was an efficient and strategic allocation of resources (in terms of the fund, time, and expertise) to achieve the relevant outputs as well as project outcomes. However, one of the weaknesses observed is that the Police Force and Prison Services, which are key players in the criminal justice sector were not included as responsible party like NPS and CHRAGG. These are two main institutions which individuals would meet when accessing criminal justice.

UNDP has a robust monitoring and evaluation system. However, there is no baseline data for each indicator which could be taken into consideration during the initial stage of the M&E system design. Moreover, the A2J has too many indicators, some are difficult to track, and many are unrealistic.

**Sustainability:** This was entrenched mainly through (1) comprehensive based discussion in the design of the program, (2) working with existing government structures, and (3) capacity strengthening of stakeholders as well as the support provided to their respective institutions. The following indicators or elements give assurance that, to a great extent, the intervention made by the project will continue after the expiry of the Project period. These indicators include, first, the technical support given – Staff who have been trained will continue to leverage the necessary skills and support. Second, various protocols have been developed through the project. These include strategic plans and/or action plans, various specialized strategies, guidelines, and infrastructures.



The project also purchased working equipment such as desk and laptop computers, printers, scanners, cameras, etc. All these initiatives contribute to continuation of the project activities beyond the project lifespan. Despite all these efforts, the financial stability of the supported institutions and government is posing serious challenges to the sustainability of the project activities. There is a doubt whether the government annual budget allocations will be adequate to sustain some of the interventions, unless institutions themselves have the capacity to fund raise.

**Cross-cutting issues:** The A2J Project addressed the pressing needs of women, children, and other vulnerable groups in accessing justice and improving the protection of their human rights. This was to ensure no one is left behind as far as the access to justice and human rights protection are concerned. However, the A2J interventions benefited all citizens where the intervention was conducted. Supported institutions were supported financially to enable them to provide legal aid services to women, and other vulnerable groups as well as other citizens. This and other interventions were designed to enhance the protection of the rights of women and other vulnerable groups in accessing justice and have their human rights protected. Furthermore, the Project was geared to ensure institutional and technical capacity building to improve the selected justice institutions. Many activities within the project indicate that gender equality issue was fully considered during the project design and implementation. For example, in 2019, the project conducted a 16-day awareness-raising campaign to end gender-based violence; Legal Aid weeks during the Project cycle focused more on giving legal aid to women and vulnerable groups. However, one of the weaknesses noted is that A2J Project Progress Reports did not capture sex disaggregated data indicating the percentage of increase in legal awareness, legal assistance and legal aid services; and number of women, children and vulnerable groups' cases referred to legal aid partners as required by the project indicators.

## **Impacts**

Overall, the project has produced incredibly positive results and has achieved its objectives around the three domains of change specified in the M&E results framework: Overall performance (Impact) is registered in the following positive performances by the respondents:

- 90% of trained participants reported that their working environment was conducive for them to exercise what they learned.

- 97% of the trained participants reported that UNDP capacity helped them to perform their roles better at work.
- 98% of the trained participants reported that they had improved their working performance after the training.

## Recommendations

- **Recommendations #1:** For future plans it is important to have baseline data. The availability of appropriate baseline data, realistic indicators, and targets are always critical for performance evaluation. In the future, UNDP needs to refine the indicators, set realistic targets for each indicator, and where possible collect the baseline data for each performance indicator before the project implementation.
- **Recommendation #2:** Behaviour change is critical. UNDP should continue to provide financial support for awareness-raising activities about access to justice and human rights protection to justice sector, CSOs, women and other vulnerable groups. This behaviour change intervention should employ strategies that will reach hard to reach population in remote areas.
- **Recommendations #3:** To facilitate more collaboration and partnership with other external stakeholders there is a need for the UNDP and MoCLA to consider publishing the project achievements to popularize the project and receive feedback from beneficiaries and other external stakeholders. Furthermore, the UNDP and Project Partners should conduct more learning meetings to share lessons learned, challenges encountered and project achievements.
- **Recommendation #4:** UNDP needs to make sure that funds are available immediately after the annual work plan is approved. These will enable the partners to conduct the planned activities in a timeline manner. Moreover, the UNDP, MoCLA, and CHRAGG, should convene a meeting with the Treasury to discuss the best way on how the project money from UNDP could be channelled as quickly as possible to implementing partner and responsible parties.
- **Recommendations #5:** MoCLA, NPS, CHRAGG, and targeted CSOs should be supported to design an M&E system at the National, Regional, and District levels (where it may be deemed necessary to capture project success in terms of number and percentages). This will enable the Project Partners to easily measure strengths and weaknesses existing in the implementation of the project as well as measuring project performances.

- **Recommendations #6:** UNDP needs to establish and maintain a dialogue with implementing partner and responsible parties, other donors, and CSOs to find solutions for the financial needs to sustain current and future A2J project activities. If there is something critical to focus upon is the building of capacity of these institutions to be able to raise fund from various sources. UNDP should assist these national institutions in developing resource mobilization strategies to fund more activities and increase project coverage.
- **Recommendation #7:** The A2J project should consider the Police Force and Prisons Services as among key implementing/responsible parties. This is due to the fact that most challenges related to access to justice and human rights protections occur when individuals meet with these institutions. The Judiciary has its own mechanisms to strengthen access to justice to women and other vulnerable groups. It may not be urgent to include it now. However, coordination meetings with them may be important to address any gaps within these institutions when the need arises.
- **Recommendations #8:** To increase the project intensity in the next phase of the project implementation, UNDP needs to focus on a few manageable activities based on the availability of the funds. UNDP and its partners can focus on a few tangible and impact activities.
- **Recommendation #9:** There is a need for the Government of Tanzania, through the legal sector and School of Law to think of developing a curriculum/course purposely to prepare certified court language interpreters to maximize understanding of law and court proceedings for the wider benefit of the public and marginalized groups.
- **Recommendation #10:** Future capacity building activities relating to improving access to justice should place more focus on enhancing the capacity of legal aid service providers at every region and district levels. UNDP and partners should map and collaborate with all CSOs which have programs on legal aid that empower and assist legal aid units and paralegals across the country. LSF and TLS are good examples.
- **Recommendation #11:** To honour the gender aspects of the project, all project progress report should try as much as possible to capture sex disaggregated data which will help to measure the project success in terms of showing improved access to justice and better service by the justice and human rights institutions, and also showing the number of women in targeted districts bringing their cases to the formal justice system.

## 1.0 INTRODUCTION

Strengthening Access to Justice and Human Rights Protection in Tanzania Project (from now on referred to as “the Project” or “A2J Project”) was designed to address challenges that people in Tanzania, particularly women and other vulnerable groups are confronted with in accessing responsive and accountable justice and human rights protection mechanisms to claim their legal and human rights, as well as resolving their grievances. The broad objective of the project was/is to pursue strategic initiatives to strengthen the ability of Justice and Human Rights Institutions (particularly the Ministry of Constitutional and Legal Affairs (MoCLA) and two institutions falling under it – the National Prosecutions Service (NPS) and the Commission for Human Rights and Good Governance (CHRAGG) – to provide effective and accountable public service delivery in the justice and human rights sector, as well as to improve access of communities, particularly women and other vulnerable groups, to available justice and human rights protection mechanisms. In the designing of the project, the following outcome was envisaged: People, particularly women and other vulnerable groups, have improved access to responsive and accountable justice and human rights protection mechanisms. Furthermore, the following three outputs were expected:

- Justice Sector coordination and data management enhanced for a more inclusive, accountable, and evidence-based policy and law-making process.
- Women and other vulnerable groups enjoy enhanced access to justice and are empowered to demand respect for their rights; and
- Strengthened the role of national authorities (MoCLA, NPS, and CHRAGG) and civil society in the promotion and protection of human rights and women’s access to justice.

This is a Report of the Mid-Term Evaluation of the Project, which was conducted from Mid-June to Mid-July 2020. It was conducted when the World was confronted with the Covid-19 pandemic. For Tanzania, during the Evaluation exercise at least, the disease had subsided.

### **1.1 Description of the intervention being evaluated**

Apart from assessing the Project effectiveness and efficiency, among other things, the Evaluation Team reviewed the M&E framework and noted that the M&E framework, together with other Project documents, provide a clear understanding of the outcomes that are expected from the project interventions. In other words, in the opinion of the Evaluation Consultants, the Project intervention logic and documents provide an adequate framework for both project-level evaluation and the program-level synthesis of key performance review information. However, looking at the Project Document, the Project indicators are too many to track and to examine progress towards the achievement of the project outcome. Besides, there are no indicators that are derived from baseline surveys.

This Mid-term Evaluation Exercise (MTE) is aiming at giving UNDP, implementing partners (both Implementing Partner (MOCLA) and Responsible Parties (CHRAGG and NPS)) and other stakeholders' opportunities to determine what components of the project and its aspects worked well. And if not why, and to make informed decisions in planning the remaining implementation phase. The purpose of this evaluation was to test the primary objectives set out in the Project Document. The UNDP is interested in undertaking the Mid-term Evaluation, whose results will be used for Program/project improvement, sustainability plans, gaining continued support from management, assessing replication of program successes, and for designing new activities. The Mid-term evaluation was inevitable, given the need for accountability, identification of challenges, and generation of best practices needed to inform the future of this project and future similar programs.

### **1.2 Evaluation Objective, purpose, and scope**

The scope and objectives of Evaluation are consistent with the UNDP Development Framework. This Evaluation was guided by the principles which examine the promotion of Gender Equality and Equity, Women empowerment, Rights-based approach, Human development as appropriate; and leaving no-one behind - consistent with Sustainable Development Goals (SDGs). The

evaluation assessed the extent to which the project has contributed to gender inclusion, equality and equity, and women empowerment in the pursuit of the overall objective of enhancing access to justice and human rights protection for women and vulnerable groups in Tanzania.

The overall objective of the Mid-term evaluation was to review progress towards the project objectives and outcomes, assess the efficiency and cost-effectiveness of how the project has moved towards its objectives and outcomes, and provide recommendations and lessons learned for the remaining period of the project implementation. In a nutshell, the MTE invoked the following evaluation criteria of relevance, effectiveness, efficiency, sustainability, partnership, human rights, and gender equality. The recommendations contained in this report are aimed at improving the strategies, implementation mechanisms, and management efficiencies of the next phase of the project implementation, that is to say, between 2020 and 2021. The present Evaluation covered the first cycle of the project implementation, from 2017 -2019, and holistically reviewed and systematically analysed recorded achievements and the accompanying strategies. This exercise will enable the UNDP to deliver on its mandate as appropriate.

The Terms of References (TORs) directed the Evaluation Team to assess the following:

1. The extent to which the project is making progress towards the achievement of its overall objectives.
2. The degree to which the development objectives and outputs of the project are being achieved.
3. Review the implementation of the project monitoring and evaluation framework, systems, and processes.
4. Describe and assess the efforts of stakeholders in support of the implementation of the project.
5. Describe the management processes – how are Project activities changing in response to new conditions encountered during implementation, and were the changes appropriate?
6. Review the clarity of roles and responsibilities of the various institutional arrangements for overall Project management and implementation and the level of coordination among relevant players.
7. Examine and evaluate the extent to which the impact of the project has reached the intended beneficiaries.

8. Assess the likelihood of continuation and sustainability of Project outcomes and benefits after completion of the project - analyse how far the system of exit policy in the project ensures the viability of the project benefits.
9. Review the risk assessment and management of the project.
10. Describe key factors that shall require attention to improve prospects for the sustainability of project outcomes and the potential for replication of the approach.
11. Describe the main lessons emerging from the project regarding local ownership.

## **2.0 MTE METHODOLOGY**

### **2.1 Evaluation Approach**

This Mid-term Evaluation Exercise employed a blended approach to data collection. It was necessary to use mixed methods of evaluation due to various reasons. First, most of the valuation questions had multiple parts that required mixed methods of data collections. Second, the Evaluation Exercise was conducted during the Covid-19 pandemic. Third, the need to generate accurate and reliable information.

Some of the questions required the use of desk review to answer, other required individual interviews or group interviews, and other required surveys. It was, therefore, necessary to use different methods to address each part. The blended approaches or methods also enabled the Evaluation Consultants to elicit information from multiple sources, creating an opportunity to triangulate trends and themes. Additionally, the mixed approach helped to improve the accuracy and relevance of reported impacts by listening to the life experiences of the project implementing partners, participants, and beneficiaries. Indeed, the Evaluation exercise was wide-ranging, consultative, and participatory, entailing a combination of comprehensive desk reviews, analysis, as well as individual and group interviews.

### **2.2 Data collection methods**

To answer the proposed evaluation questions, the Evaluation Consultants used the following methods: Desk/Literature review, Key informant interview, Group Interview (Focus Group discussion), and Survey. The details for each method are provided below, and all data collection tools can be found in Appendix I in this report.

- **Desk review:** The documentary review was conducted to provide an understanding the Project context and background, Objectives, expected outcomes and outputs, the extent to which the project had been implemented by reviewing Annual Progress Reports, and other relevant information. Through this method, the Evaluation Consultants were able to identify the stakeholders and beneficiaries, collect qualitative and quantitative data, formulating interview questions, completing the evaluation matrix, and validating and cross-checking preliminary findings. The Consultants approached the assignment with great zeal by reviewing the Project Document, Annual Progress Reports, Laws made as part of Project implementation, various Strategies developed, Assessment reports conducted, and other various documentation relevant to the project.
- **Key informant interview (KII) and Group Interview:** These interviews provided rich and contextual insights into the Project design and implementation. The key informant and group Interviews were conducted firstly, through Zoom meetings; secondly, telephone interview; and thirdly physical face-to-face interview. The choice of method depends on availability for the interview through any of the above methods. The following person was interviewed: UNDP staff, MoCLA officials, NPS officials, CHRAGG officials, beneficiary groups (school teachers, CSOs, and paralegals).
- **Surveys:** The Mid-term Evaluation conducted two short surveys. The first survey looked at the general conclusion for the evaluation criteria, and the second survey measured the effectiveness of the capacity building under the project.

### 2.3 Data analysis

Data analysis was overseen by a lead consultant to ensure proper comparison analysis. The purpose was to identify commonalities and disparities among different people and where necessary trying to understand the reasons for any disparities. Qualitative data from the field study were transcribed and summarised, in addition to data collected from secondary data sources. Each summary report was discussed and checked for quality by the Evaluation Consultants and assistant researchers for consistency and accuracy. The team employed content analysis to analyse the data. Data were categorized and examined against the thematic areas of relevance, effectiveness, efficiency, impact, sustainability, partnerships, human rights, and gender equality. The analysed data was used as the basis for formulating assessment findings, lessons learned, and recommendations.



## 2.4 Study Limitations

Due to COVID – 19 pandemic, the Consultants were unable to meet with many respondents physically for a face-to-face interview. This reduced the chance of eliciting other relevant information or data which ordinarily could easily be elicited by an interviewer on one on one interview. To mitigate this challenge, phone and zoom interviews were preferred combined with the documentary review. However, efforts were made to increase response rates through having a backup list of respondents and conducting face to face interviews with those respondents who were ready to do so, while taking health precautions like wearing face masks.

## 3.0 EVALUATION FINDINGS

The findings of this report are discussed under each of the Evaluation Criteria of Relevance, Effectiveness, Efficiency, Sustainability, Partnership Strategy, and Cross-Cutting Issues, which include Human Rights and Gender Equality. Finally, the report records the Impact and Lessons learned.

### 3.1 Relevance

The criterion of relevance was assessed based on three domains: (1) the extent to which the activities designed and implemented are suited to Tanzania justice sector objectives and priorities, the country program’s outputs and outcomes, United Nations Development Assistance Plan 2016-2021 (UNDAP II), the UNDP Strategic Plan and the SDGs; (2) the extent to which lessons learned from other relevant projects were considered in the project’s design.

**Consistency with national development priorities:** Violence against women and girls is one of the most prevalent human rights violations in Tanzania. Gender-based violence (GBV) undermines the health, dignity, security, and autonomy of its victims, yet it remains shrouded in a culture of silence.<sup>1</sup> Responding to violence against women and ensuring equal protection of all citizens regardless of gender is one of the strategic priorities of the Government of Tanzania. Various strategic documents in Tanzania have prioritized advancing gender equality and women’s empowerment.<sup>2</sup> For example, one of the strategies contained in the Tanzania Development Vision

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<sup>1</sup> See, UNFPA Tanzania, *Gender Based Violence*, available at <https://tanzania.unfpa.org/en/topics/gender-based-violence-10>.

<sup>2</sup> See, Section 3.1 of the *Tanzania Development Vision 2025*; Section 2.13 of the *National Five-Year Development Plan 2016/17-2020/21*; *National Plan of Action to End Violence Against Women and Children in Tanzania 2017/18-2021/22*.

2025 for the realization of high-quality livelihood for all Tanzanians includes “Gender equality and the empowerment of women in all socio-economic and political relations and cultures.”<sup>3</sup>

Several barriers hamper women and other vulnerable members of society from accessing justice and human rights protection. Financial constraints, low level of understanding among many players in the justice sector on the rights of women and the need to take special measures of protection for women and girls, limited availability of legal aids, and inadequate gender sensitivity culture among the public have been mentioned as paramount problems<sup>4</sup>. Due to these barriers, women and other vulnerable groups have limited access to responsive and accountable justices and human rights protection mechanisms.<sup>5</sup>

In the above context, A2J Project is quite relevant because it is one of the strategies of reducing gender inequality and ensuring women’s empowerment. The project is consistent with Tanzania Development Vision 2025, National Five-Year Development Plan for Tanzania, and many other National Strategies and Action Plans. All respondents who were interviewed during this Mid-Term Review where of the view that the project has “hit the nail on the head.” To overcome barriers related to accessing justice, particularly to women, girls, and other vulnerable groups, it is appropriate to guarantee legal aid services to them. To ensure national authorities are human rights and gender-sensitive, capacity building is inevitable. Implementation of the Project is not only consistent with the National priorities but a right move towards protection, respect, and fulfilment of human rights as guaranteed in various International and Regional human rights instruments. Besides, Tanzania needs a better, effective and accountable public service delivery in the justice sector and human rights protection and promotion consistent with UN Sustainable Development Goals (SDGs); in particular, goal 5 (Gender Equality); goal 10 (Support the Marginalized and Disadvantaged); and goal 16 (Peace, Justice and Strong Institutions). In summary, these goals require countries to promote peaceful and inclusive societies for sustainable development, provide access to justice for all and build effective, accountable, and inclusive institutions at all levels. SGDS is the blueprint for achieving a better and more sustainable future for the whole World.

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<sup>3</sup> Tanzania Development Vision 2025.

<sup>4</sup> See for example, *United Nations Development Action Plan (UNDAP) 2016-2021* p.31.

<sup>5</sup> See also, *Tanzania National Human Rights Action Plan (NHRAP) 2013-2017*.

The A2J Project was premised on the UNDP’s global comparative strengths and built on existing lessons learned and best practices within the rule of law, justices, and human rights systems in Tanzania. Desk review and key informant interview results indicated that the Project strategy was designed to reflect the main findings, lessons learned, and recommendations from Midterm evaluation of the “Support for the National Human rights Priorities in Tanzania (May/June 2016);” and UNDP - sponsored “Capacity Needs assessments of the Commission on Human Rights and Good Governance (June 2016)”. Before the actual A2J implementation, UNDP also conducted a baseline survey to inform the project design. All these documents which contained highlighted strengths and weaknesses in accessing justice and human rights protection in Tanzania were used as benchmarks for designing the current project. Baseline survey information, for example, informed the design of interventions that could help to strengthen the criminal justice sector. One such intervention that is vividly indicated in the Project Document is Sub-output 1.2, namely: “Coordination, collaboration and technical level cooperation between justice and security sector institutions strengthened to inform policymaking and increase access to justice.” In the opinion of UNDP and supported by respondents interviewed from Implementing Partner (IP) and Responsible Parties (RP), A2J Project was built on existing lessons learned, best practices, and based on the stakeholders’ immediate priority.

UNDP conducted a consultative meeting with the Criminal Justice Sector’ stakeholders between May 2015 and the first half of 2016. These stakeholders included the relevant Ministry, Departments and Authorities (MDAs) of the Government of Tanzania, including the Ministry of Constitutional and Legal Affairs (MoCLA), Commission for Human Rights and Good Governance (CHRAGG), Attorney General Chambers, Office of Director of Public Prosecutions (DPP) (now National Prosecutions Service (NPS)), Tanzania Police Force, Tanzania Prison Services, as well as Civil Society Organisations (CSOs). The consultative meetings with stakeholders helped the UNDP to identify and incorporate the stakeholders’ priorities in the Project design as well as working strategically with them to plan interventions. The information gathered from the different stakeholders indicated that the consultative meetings were very comprehensive and had sufficient flexibility to allow every stakeholder to propose his/her priorities.

The field interview with staff from IP and RPs proved that there is a huge demand for both technical and financial assistance in the areas falling within the scope of the A2J Project. These

stakeholders also pointed out that there is a need to include other players in the Criminal Justice sector, such as Police and Prisons, as responsible parties, especially because access to legal aid services begins from the time when an accused person is under Police custody or Prison detention. Almost all stakeholders wished the project would be re-designed by narrowing the scope of interventions/activities to reflect the available funds. It was their view that the money disbursed by UNDP for implementation of Project activities is not commensurate with Annual Work Plans.

**Consistency to SDGs:** As stated above, the A2J Project, as implemented jointly by the UNDP, MoCLA, and other partners, contributes to the implementation of SDGs, particularly Goals 5, 10, and 16. These goals call for the countries to promote peaceful and inclusive societies for sustainable development, provide access to justice for all and build effective, accountable, and inclusive institutions at all levels. Women, children, persons with disabilities, people living with HIV/AIDS, and Persons with Albinism (PWA) in Tanzania are experiencing some sort of discrimination and violence, harmful traditional practices such as female genital mutilation (FGM), early and forced marriage, and inequality. These vulnerable groups, particularly women, face discrimination and sometimes gender-based violence from home, in the community, and as well as from public institutions. To address access to justice and enhance protection of human rights and hence ensuring gender equality, A2J Project instituted different approaches and intervention measures.

The project strengthened the capacity of intended right holders, particularly women and vulnerable groups, through accessing available legal aid services, awareness-raising, and training. Furthermore, the A2J Project created awareness among public officials on the need to be sensitive to the rights of vulnerable persons, including ensuring Legal Aid Services are available to them so that they can easily access justice and human rights protection mechanisms. The UNDP also participated in the commemoration of legal aid weeks, where it had an opportunity to create awareness among the public on how indigents and vulnerable individuals can seek and access legal aid services. For instance, the theme for the 2018 Legal Aid Week celebration was “Equal access to legal aid for all women and girls,” with a particular focus on addressing the barriers that limit

women's and girls' access to legal aid.<sup>6</sup> In summary, the A2J Project outcome and its outputs are very highly relevant and well aligned with SDG Goals 5, 10, and 16.

**Consistency to UNDP Strategic Plan:** The UNDP Strategic Plan 2014-17 proclaims the following vision at the cover page: “helping countries to achieve the simultaneous eradication of poverty and significant reduction of inequalities and exclusion.”<sup>7</sup> A2J Project outputs and the outcome are coherent with the UNDP objectives as stated in the outcome 2, of the above mentioned Strategic Plan, and Output 2, Pillar III, UNDAF 2016-2021, and the UNDP Country Program Document (CPD), particularly considering its contribution to ensure:

- National governance is more effective, transparent, accountable and inclusive;
- A strong system of democratic governance meets citizen expectations for voice, development, the rule of law, and accountability; and
- Citizens have improved access to and are better served by the justice system and human rights reporting mechanisms.

The A2J Project specifically focuses on access to justice, particularly concerning women, people with disabilities, and children, who are the most at risk and vulnerable population in Tanzania. The A2J Project contributes to redressing challenges or barriers that hamper women and other vulnerable people from accessing court systems and other human rights protection mechanisms, including the Commission for Human Rights and Good Governance (CHRAGG). This is done through affording them available legal aid services, awareness-raising of their rights, and awareness about available mechanisms for vindicating their rights. Given this commitment, the A2J Project intervention is strongly relevant to UNDP focus as highlighted above, as it tries to reach the most deprived and vulnerable people and remove barriers that limit them from realizing their rights.

Data gathered during the Evaluation exercise evidenced that the A2J Project is aligned not only with UNDP focus in the areas of access to justice and human rights but also with the needs of the recipient country-Tanzania. Many respondents reported that A2J Project offers appropriate

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<sup>6</sup> Ministry of Constitutional and Legal Affairs, *Strengthening Access to Justice and Human Rights Protection in Tanzania, Annual Progress Report*, 2018 p. 19.

<sup>7</sup> See UNDP Strategic Plan 2014-17 at p. 11.

solutions to the problems it aims to address. For instance, to ensure smooth provision of legal aid services across the country, the project funded the Office of the Registrar of Legal Aid, something which enabled the coordination of Legal Aid Service Providers (LASP); training of LASP; infrastructure improvement of the Office of Registrar; training of Legal Aid Assistant Registrars, etc. A total of 139 Legal Aid Assistant Registrars were oriented on their roles and responsibilities as provided for and in support of the implementation of the Legal Aid Act, 2017 and its Regulations and ten (10) legal aid providers were selected and funded to enable them to provide legal aid services to women and other vulnerable groups.<sup>8</sup>

### **3.2 Effectiveness**

This section presents the status of achievement of the Project outputs and major factors influencing the achievement or non-achievement of the objectives. This section is discussed and presented under the expected results (guided by the evaluation questions) as outlined in the Project results framework.

Both qualitative and quantitative data collected enabled the Evaluation Consultants to provide an overall assessment of the A2J Project effectiveness. However, of all measured indicators, none of them has a baseline value. Furthermore, no M & E report indicating quantitatively the performance to each indicator as per project document. Due to a lack of baseline and target values, it is difficult to conclude quantitatively whether A2J Project is either lagging, successfully achieved its targets, or exceeded them. However, desk review and stakeholders interviewed termed the A2J Project intervention measures as effective. The following are the general project achievements discussed in detail per each project outputs.

#### ***Output One: Justice Sector coordination and data management enhanced for a more inclusive, accountable, and evidence-based policy and law-making processes***

Under output one, the A2J Project has, to a large extent, accomplished the planned activities within the reporting period. The project was successful in undertaking a baseline survey of the Criminal Justice sector. The baseline survey aimed at identifying and analysing factors that impede access

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<sup>8</sup> See, The Ministry of Constitutional and Legal Affairs, *Strengthening Access to Justice and Human Rights Protection in Tanzania, Annual Progress Reports*, 2017, 2018 and 2019.

to justice in the criminal justice sector and other challenges within the sector. This survey was part of the Project implementation and has informed the MoCLA and other criminal justice institutions setbacks that are confronting the sector. As a result of this study in the year, 2019 MoCLA convened a series of co-creation meetings with all criminal justice stakeholders and CSOs with a view of adopting the Criminal Justice Transformation Action Plan. The Evaluation Team was informed that the Action Plan has already been prepared and is awaiting approval of the government before launching.

Also, through the support of the A2J Project, the Legal Aid Act, 2017, and Legal Aid Regulations, 2018, were enacted. The law-making process of these two laws was very inclusive. The Act is chiefly aimed at enhancing the provision and coordination of legal aid services in the country. Annual Progress reports and respondents from MoCLA and NPS also reported that Assessment of the National Criminal Justice Forum (NCJF) - capacity and operations - was conducted as part of A2J Project implementation. The study aimed at undertaking a comprehensive assessment of the capacity, relevance, and operational effectiveness of the NCJF as a platform for communication, coordination, and cooperation among institutions and stakeholders in the criminal justice sector. Briefly, this assessment was geared at identifying the strengths and weaknesses of the NCJF, which is the central inter-criminal justice institution. Under this Forum, chaired by the Director of Public Prosecutions (DPP), all chief executive officers (CEOs) of justice institutions are members. Following the Assessment Report, the National Prosecutions Service Act, 2008 was amended through the *Written Laws (Miscellaneous Amendments) (No.2) Act, 2018*. Through this amendment, the membership to the NCJF was expanded, and scope broadens from the National level down to the District level. The composition of the NCJF at the National level is now consisting of the DPP (as Chairman); the Inspector General of Police (IGP); the Chief Registrar of the Judiciary of Tanzania; the Director-General of Tanzania Intelligence and Security Service (TISS); the Director-General of the Prevention and Combating of Corruption Bureau (PCCB); the Commissioner-General of Immigration (CGI); the Commissioner General of Prisons (CGP); the Commissioner-General of the Drug Control and Enforcement Authority (DCEA); the Commissioner of Social Welfare; the Chief Government Chemist; the Chairman of the National Parole Board; the Director of Community Service; the Director responsible for legal services in the Ministry responsible for local government; the Director responsible for justice monitoring in

the Ministry responsible for legal affairs (MoCLA); and the Director of Criminal Investigation Department – Police (DCI) who serves as the Secretary of the Forum.<sup>9</sup> To address the problems relating to the top-down approach, the scope of the Forum was widened. The Forum starts at the District level, then the Regional level, and finally the National level. It is designed in this way to ensure that the agenda items for discussion in the National Criminal Justice Forum emanate from the lower level. The National level Forum will be responsible for issuing policy directives and other guidelines for implementation from the lower level. This is another positive achievement of the A2J Project.

Similarly, as part of strengthening the NCJF, the A2J Project conducted a consultative meeting to facilitate the establishment of thematic groups of the NCJF. The meeting also aimed to discuss challenges faced by women, children, and other vulnerable groups. In addition to the above meeting, the A2J Project conducted a consultative meeting to discuss the development of compliant mechanisms in national criminal justice institutions. Furthermore, to improve the workflow of the NCJF Secretariat, the A2J program enhanced the functional capacity of the NPS - where the Secretariat is sitting - through the provision of equipment and accessories for use in the coordination of the NCJF. The equipment and accessories provided include laptops and Multitask printers. To further strengthen the M&E system, the A2J Project provided training and other forms of support to operationalize the Secretariat to coordinate and monitor the implementation of NCJF actions. The training was critical to reinforcing the capacity of the Secretariat members in developing frameworks that link activities to outcomes and impacts and in developing indicators that effectively improve the Criminal justice performance. The Criminal justice sector was also supported in developing web-based database management even though it is still at the infancy stage. The system is aimed at enhancing data collection, management, and analysis across the Criminal justice sector.

Under the output one, the A2J Project also supported the NPS in the development of a five-year Strategic Plan (2019 – 2023). The development of this high-level National document involved all stakeholders across the country. In reinforcing the delivery of justice services, the A2J Project

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<sup>9</sup> Section 27 (2) of the National Prosecutions Service Act, 2008 as amended by section 57 of the *Written Laws (Miscellaneous Amendments) (No.2) Act, 2018*.



supported the NPS and MoCLA to conduct inspection visits to prison facilities and other places of detentions. The inspection visits were conducted to provide an on-the-spot assessment of the situation of the facilities and to undertake interventions and provide for an opportunity to make cross-sector policy decisions to alleviate problems in prison detention and police holding cells. The inspection visits targeted the following geographic locations, including Geita, Kagera, Kigoma, Lindi, Mara, Mtwara, Mwanza, and Singida regions. During these inspection visits, the inmates were allowed to raise their complaints and concerns to the inspection team on several challenges. Issues raised include unlawful detention, delayed investigation processes, and the imposition of stiff bail conditions. The MoCLA Permanent Secretary (PS) representative, who was interviewed, pointed out that they still require regular visits and support from the project to conduct more inspection visits. They also highlighted that in the absence of regular inspection, it would be difficult for them as a responsible Ministry to know the strengths and weaknesses of the criminal justice system as a whole and prison facilities in particular, which may inform the necessary reforms. The Annual Progress Reports illustrate that during the visits, the DPP and his team managed to release several prison inmates through the issuance of *nolle prosequi*.<sup>10</sup> For example, in Mara, Mtwara, and Lindi, a total of 215 prisons were released by the DPP through *nolle prosequi*, and 45 files were recalled to the DPP for his scrutiny.

***Output 2: Women and other vulnerable groups enjoy enhanced access to justice and are empowered to demand respect for their rights***

The second output aimed at enhancing women and other vulnerable groups to enjoy access to justices and ensuring that they are empowered to demand respect for their rights. Interview with stakeholders' highlights that the A2J Project accomplished many of its planned activities in this respect. Between 2017 and 2019, the A2J Project supported the dissemination of the Legal Aid Act and Regulations. This activity was carried out in synch with the commemoration of the Legal Aid Week. The A2J Project used a legal aid week as a platform to sensitize the public on the rights that accrue from the legislation and provision of legal aid services to the indigent population in the targeted zones. These interventions were conducted in seven zones where a legal aid week was commemorated. These zones include Central Zone in Dodoma Region, Northern Zone in Arusha

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<sup>10</sup> This is usually a formal notice issued by the DPP indicating his or her intention to drop the charges against the accused.

Region, South Zone Mtwara Region, Lake Zone Mwanza region, Eastern and Coastal Zone Dar es Salaam Region, Western Zone in Kigoma Region and Southern Highland Zone in Rukwa Region.

During the commemoration, women and vulnerable groups were reached through Television and Radio adverts, discussion, and phone-in programs, legal aid provision as well as through various discussion and consultations. For example, in 2018 alone, a total of 50,000 people was reached with different forms of legal aid services throughout Tanzania. Stakeholders interviewed highlighted that women and the vulnerable group were provided with needed legal advice, and others received their outstanding claims without going into further litigation. They appreciated the timely support sorting out and settling their long-standing problems.

The project also trained public officials on the provision of legal aid in criminal proceedings. A total of 25 (13 men and 12 women) of high and middle-level personnel from the Criminal Justice sector received a basic orientation on the Legal Aid Act, 2017. The training focused more on how various legal aid services can be provided in criminal cases, including to people who are in custody in accordance with the legislation. Similarly, the A2J Project supported the preparation of training Curricular and Manual for paralegals through joint efforts of MoCLA and the Law School of Tanzania (LST). Stakeholders validated the developed materials before being printed and distributed for use. A total of 25 (15 men and ten women) representatives of MoCLA, the LST, Tanzania Network of Legal Aid Providers (TANLAP), the Tanganyika Law Society (TLS), and the Institute of Judicial Administration - Lushoto (IJA) participated during the validation of the developed materials. Training programs were also conducted in 2018, in which the project trained a total of 139 Assistance Legal Aid Registrars from eight regions of Tanzania. The Assistant Registers were trained on their roles and responsibilities as provided for and in support of the implementation of the Legal Aid Act, 2017. The MoCLA selected officials, LAPS, and other relevant actors in the legal aid sector were also trained on this legislation.

The A2J Project has been making continuous effort to make sure that women and vulnerable groups have access to justice and human rights protection services. In 2018, the A2J Project provided support to identified legal aid providers to deliver legal aid services to vulnerable groups, especially women and children, and persons living with disabilities. Ten of these legal aid

providers were selected by the method of the competitive grant review process for the receipt of grants for the provision of legal aid services in the criminal justice system. The expected roles and responsibilities of these selected legal aids providers include legal representation and provision of other legal aid services to indigent persons, women, and other vulnerable groups facing criminal charges or navigating through the criminal justice system. The provision of legal advice and counselling services to the population on issues of law and procedures and the provision of a broad spectrum of support to the vulnerable and impoverished individuals became the focus of the project aimed at empowering women and needy persons.

It is also reported in the Annual Progress Report that the A2J Project facilitated the development of Memorandum of Understandings (MoUs) between MoCLA, TPF, and TPS regarding the facilitation of the provision of legal aid services to people in custody.

To ensure that legal aid providers are known and recognized by government authorities, the project supported the development of a Web-based Registration and Performance Monitoring System. It is an online system where all legal aids service providers can do self-registration from any location in the country provided, they have access to the internet. The system is also relevant for monitoring the performance of legal aid providers. This web-based registration and performance monitoring system is a critical tool in enabling the MoCLA to reduce cost and monitor the performances of legal aid providers as well as in tracking progress towards the full implementation of the Legal Aid Act 2017 and its Regulations in the country.

To reflect and take stock of the project achievements and lessons learned, the UNDP organized the Legal Aid Conference, which is the first-of-its-kind event. The conference was an opportunity for the stakeholders to reflect on the critical achievements of the project in implementing the Legal Aid Act 2017 and took stock of the outstanding issues to be addressed. The project also supported a similar meeting in 2019, to enhancing the capacity of the Ministry to effectively coordinate the provision of legal aid services at the sub-national. In this regard, the project supported the establishment of regional coordination mechanisms in five pilot regions, including Kagera, Mara, Tanga, Dodoma, and Songwe.

The project supported the commemoration of law week in 2018 and 2019, where a total of 1018 people received legal aid in its various forms in the legal aid booths. A total of 1389 local government leaders were reached to understand the legal aid services system under the Legal Aid Act. In 2019, the UNDP, in collaboration with MoCLA, conducted two inspection visits to selected communities on the availability and quality of legal aid service provision. The visits were aimed at assessing legal compliance and standard operating procedures by legal aid administrators and providers in the targeted regions.

### **Output 3: Strengthened role of national authorities and civil society in the promotion and protection of human rights and women access to justice**

Strengthening the role of national authorities and Civil Society in the promotion and protection of human rights and women's access to justice is a key component in the justice sector. The A2J Project has made significant efforts to strengthen the institutional capacity of some of the national Criminal Justice Institutions (i.e., MoCLA, in particular, the Office of the Legal Aid Registrar and NPS) and the National Human Rights Institution (NHRI) (i.e., CHRAGG). Capacity building of these institutions in terms of expertise, equipment, other infrastructures, and operational protocols such as Strategic Plans, Action Plans, and various specialized strategies have been developed. The capacity building for these national institutions was conducted in the direction of fulfilling the National Development Priorities and UN Sustainable Development Goals, in particular, goal 5 (Gender Equality); goal 10 (Support the marginalized and disadvantaged); and goal 16 (Justice and Strong Institutions).

The support rendered under the project aimed at making sure these institutions can monitor, coordinate, report, investigate, and collect data properly in order to support the smooth operation of criminal justice and human rights sectors and hence ensuring accountable and responsible justice to all. For example, the A2J Project carried out a number of strategic initiatives to support CHRAGG to becoming an effective human rights champion institution. The capacity building for CHRAGG was crucial in making it a better partner in collaboration with CSOs to monitor protection, respect, and promotion of human rights in Tanzania, with a special focus on women, children, and other vulnerable members of the society. For example, between 2017 and 2019 A2J project assisted CHRAGG to develop a Five-Year CHRAGG's Strategic Plan: 2018/19 –

2022/2023, develop a Stakeholders Engagement Strategy, review CHRAGG's Communication and Visibility Strategy and develop a Quick Response Strategy for CHRAGG. Alongside this support, the project supported MoCLA in the development and adoption of a new National Human Rights Action Plan (which is yet to be finalized and approved by the government at the time of writing this Evaluation Report).

The A2J Project trained CHRAGG's budget officers on project Planning and fundamentals of monitoring and evaluations. The training aimed to improve the capacities of planning and budgeting officers for effective planning, budgeting, and monitoring and evaluation, including the development of valid indicators that would comprehensively monitor the impact of CHRAGG's interventions and budget. In total, 22 (14 men and eight women) Planning and Budgeting Officers attended the training. CHRAGG was also supported in similar intervention by the A2J Project, where its staff was trained on reporting writing skills. The reporting writing training aimed at enhancing practical skills on report writing as a response to the challenges faced by the Commission in the preparation of good Annual Reports.

Moreover, the human rights investigation capacity of the Commission was also enhanced through the conduct of a three-day training session on human rights investigation techniques. The training was aimed at reinforcing the capacity of the Commission to effectively investigate and report incidences of human rights violations and abuses in accordance with international standards and best practices. The training was attended by 35 participants comprising of Directors and Human Rights Officers of the Commission and representatives from related government agencies with human rights mandates.

However, there are concerns from external stakeholders that CHRAGG is still not adequately visible as a National Human Rights protector and defender. Various incidences of violations of human rights and principles of good governance have been noted by these stakeholders for the past three years, yet the Commission intervention was not seen. It is told that this reduces the confidence of stakeholders to the Commission. Increased international donor support depends on the ability of the Commission to deliver on its mandate.

In the institutional capacity support, women and vulnerable group challenges were also on top of the list. For example, the A2J Project conducted a Consultative Meeting in countering brutality and killings of Persons with Albinism (PWA). The meeting focused more on reinforcing measures to end the killings and brutality committed against PWA. Moreover, the meeting also aimed at developing strategies for the protection of PWA. A total of 31 participants (Men 18 and 13 women) and 16 journalists attended this meeting. The meeting was attended by top officials from CHRAGG, the Ministry of President Office Regional Administration and Local Government, the Judiciary, and the Office of the Attorney General. Interview with stakeholders, particularly CHRAGG and the CSOs officials, revealed to the Evaluation Consultants that CHRAGG has an effective partnership with CSOs having signed 20+ MoUs with them, all with the aim of strengthening monitoring of human rights violations and awareness raising.

Initially, the A2J Project provided support to conduct a broad-level assessment of the existence and capacity of potential organizations. This assessment was carried out in recognition of the important role and contribution of CSOs in the promotion, protection, and preservation of human rights and principles of good governance in Tanzania. In addition to the above-discussed achievements, the A2J Project also supported the MoCLA and COSs in the following deliverables:

- Publishing the UPR and other Treaty Bodies, including CEDAW Committee, Progress reports, and disseminate them. However, the reach of dissemination is narrow.
- Drafting and publication of the Second National Human Rights Action Plan, (it may be called NHRAP 2020 -2025 if adopted this year).
- Procured a vehicle to facilitate sustainable regular inspection of prisons and places of detention located in every remote area and country outreach.
- Coordination meetings between CHRAGG and CSOs on NHRAP and UPR follow-ups.
- Organized a national dialogue on human rights (economic, social, and cultural rights) in Arusha between the Government and CSOs.
- Supported quarterly coordination meetings and forums between CHRAGG and CSOs on discussing human rights issues and assessing the status of human rights in Tanzania.
- Supported to the investigation, report, and follow up of human rights abuses.

- Supported CHRAGG to address land disputes between pastoralists and farmers, including sensitize the government at LGAs level to carry out general land stock and implement land management administration framework at the country level.
- Supported the creation and dissemination of innovative human rights messages to the public etc.

The capacity of Justice Sector coordination and data management has been enhanced to a reasonable extent. It is hoped that through the MoCLA Criminal Justice Transformation Action Plan (to be launched any time from now), Criminal Justice Sector coordination, data management, and sharing shall be the number one priority. Further, some challenges related to project outputs have been identified. For instance, it has been noted that a system of regular visits to the place of detentions may iron out many challenges in the criminal justice sector; such as delay investigations, unnecessary restrictions in granting Police and Court bails, victimization of some accused persons by the law enforcement officials, poor infrastructures in detention facilities, and ineffective correction and rehabilitation progress for inmates. So, firstly, regular joint inspection visits to prisons and police cells need to be conducted across the country; secondly, the supported institutions need to have well trained and dedicated staff who are capable of guaranteeing accountable and responsible justice and human rights protection to the people.

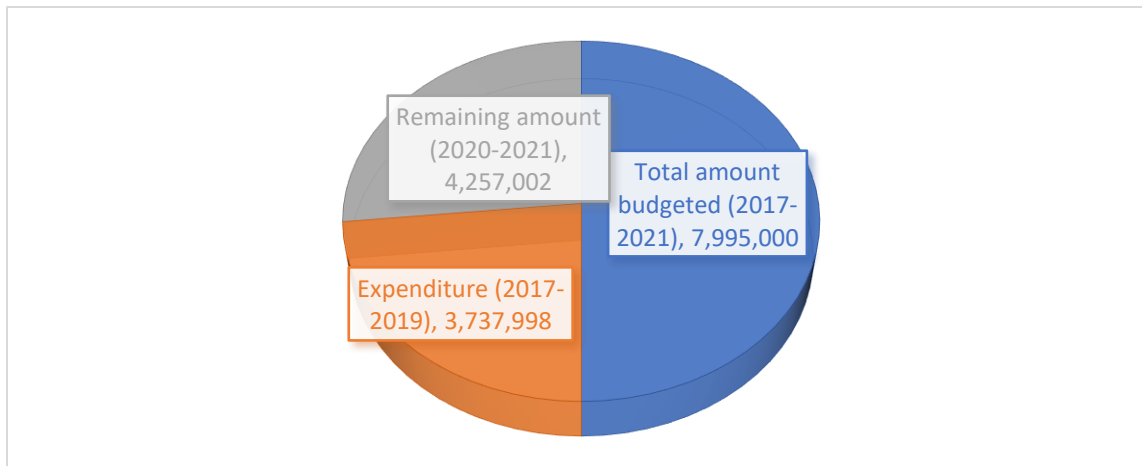
Approaches employed in project implementation were effective to a reasonable extent. Collaboration, partnership, capacity building, and the like ensured the successful implementation of the project. In the next phase, UNDP and partners need to consider and prioritize activities that are capable of being implemented than having a menu of activities in the Project Document, which cannot be implemented. Another more effective strategy is to map other institutions such as the Legal Service Facility (LSF) and other big NGOs who are offering legal aid services and monitor human rights in the country and have collaborated with them without duplicating efforts. For instance, during the Evaluation Exercise, it was found that LSF has been implementing a more or less similar project called LSF Program on Access to Justice in Tanzania since 2016. Synergy could be leveraged between the current Project and LSF Project with a view of reducing efforts duplications and, hence saving financial resources.

### 3.3 Efficiency

The Evaluation Consultants assessed the efficiency of the resources allocated to achieve the relevant project outcome as well as project outputs. The Consultants also assessed the project implementation strategy and how the project was executed.

The Evaluation results indicate that the Project did a good job of allocating resources strategically to achieve the planned results, though the project delayed during the first year of implementations. However, all partners interviewed raised the concern about the delay in the receipt of funds. The partners reported that the fund delay caused them to postpone some activities, having to use funds from other sources, and cancelled some interventions.

The UNDP/MoCLA estimated cost of about US\$7,995,000 for implementing the Project for five year-period 2017-2021. Of this estimated amount, US\$3,737,998 (47%) has been used to implement the project between 2017 and 2019. This amount of money was spent based on the approved work plans and budgets. Any changes and choice of priority in the project implementation was discussed, and adjustments were made to fit the need. Interviews with stakeholders and UNDP staff and Consultants' assessment indicate that funds were used reasonably and efficiently to achieve all these results.



**Figure 1: Project Expenditure for Access to Justice for the Period Jan 2017- July 2019**

Commitment between UNDP, partners (CHRAGG, NPS, MoCLA, and CSOs), in terms of project management, understanding the mandates, and collaboration culture between them resulted in good trust and good partnership building. The project steering committee (the Project Board) was



an essential factor in the success of the project. The Board was made of both government and non-government members. The engagement of the Board was necessary to ensure the buy-in- of the stakeholders, proper management and sustainability of the project interventions. This is a plus in the Project design and implementation.

The presence of a robust monitoring and evaluation system also contributed to the success of the program. UNDP monitoring and evaluation (M&E) system can be rated good but need more improvement to meet the required standards. The UNDP, in partnership with MoCLA, CHRAGG and NPS, conducted several monitoring and evaluation meetings to discuss the best way to address challenges in the justices and human rights protection.

Desk review of Annual Reports informed this Evaluation that, each activity which was implemented was documented immediately through Activity Report and finally featured in the Annual Progress Report. What is missing is the milestone reached per each indicator. By and large, all three Annual Progress Reports (2017-2019) are well written. This documentation has helped to take stock of all activities performed and compared with the financial resources used. Despite these strengths, the UNDP M&E system has the following challenges:

- There are too many indicators that cannot be tracked throughout the life of the project. Most of them are not qualified to be indicators, but they are rather activities. For example, one of the indicators states, “number of meetings held by JSF.” This indicator cannot indicate the project’s success. It cannot measure the results of the interventions or assistance provided.
- No baseline survey was conducted to inform the Country Situation on Project’s areas of focus before the project was developed. This could alleviate the problem of unrealistic indicators. The baseline assessment conducted during the Project implementation focused more on the criminal justice sector in Tanzania. It provided an in-depth analysis of the functionality and limitations of the criminal justice sector in Tanzania. However, indicator data were not captured during the survey. This is the reason why all indicators have no baseline data, which constrains “before and after” comparison to quantify the overall performance of the A2J Project. In addition to this,
- The current indicators have no target set for each Project implementation per year. Besides, some achievements cited in the report were not supported by numbers. For example, the

Annual Progress Report of 2017 on page 3 makes the statement to the effect that “A total of xxx copies of the Act has been distributed at all levels.” It appears that no information is available on the total number of copies of the Legal Aid Act distributed across the country to the targeted stakeholders.

- Further observation is that all Annual Progress Reports reflect only activities conducted by the UNDP and National authorities. It is expected that many activities are being done at the district and village levels but are not reported. For example, if the project intended to support women and other vulnerable groups to access justice and have the protection of their human rights, how many of them have been the beneficiaries since the start of the project? Which types of cases, etc.

### **3.4 Impacts**

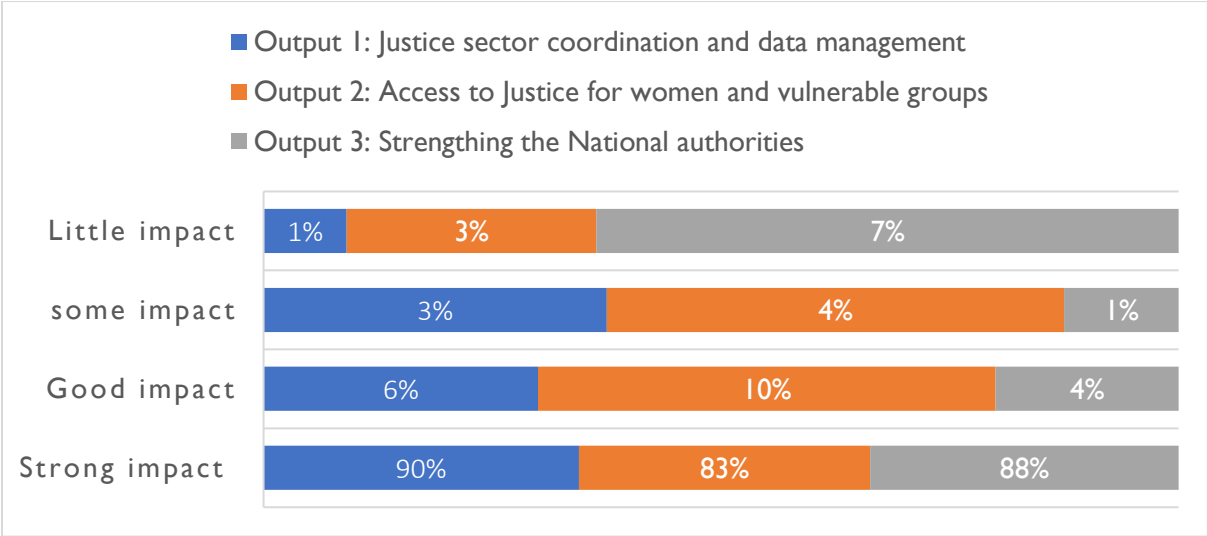
Discussion of the “Effectiveness” Section of the Project provided clear evidence that the A2J Project has made significant contributions to the achievement of the long-term results. Almost all institutions’ leaders interviewed expressed their gratitude to UNDP and were largely satisfied with the support provided. MocLA, CHRAGG, NPS, and COSs leaders, acknowledged the support rendered under the UNDP financed project and express their views that until completion of the project, the intended outputs would be realized.

However, at this juncture, it is difficult to realize the actual project’s impact taking into consideration the following factors: First, no study has been conducted to document testimonies, case studies or success stories about Project implementation to women and other vulnerable groups. Second, no study has been conducted to compare the strengths and weaknesses of the IP, RPs, and Selected Legal Aid Providers before the Project implementation and after the project. Third, a limited period from Project commencement in July 2017 to December 2019. Individual and institution capacity building may take several years to show impacts.

Nevertheless, the Evaluation Team conducted a quick - response survey of stakeholders interviewed on their perceptions of the level of the project impact on the justice sector across outputs 1, 2, and 3 (The survey is attached in this Report as annexure). Respondents were asked to

provide their opinions about the A2J Project’s impact on three outputs. The figure below indicates that most of the stakeholders confirmed that the project had a strong impact across all three outputs.

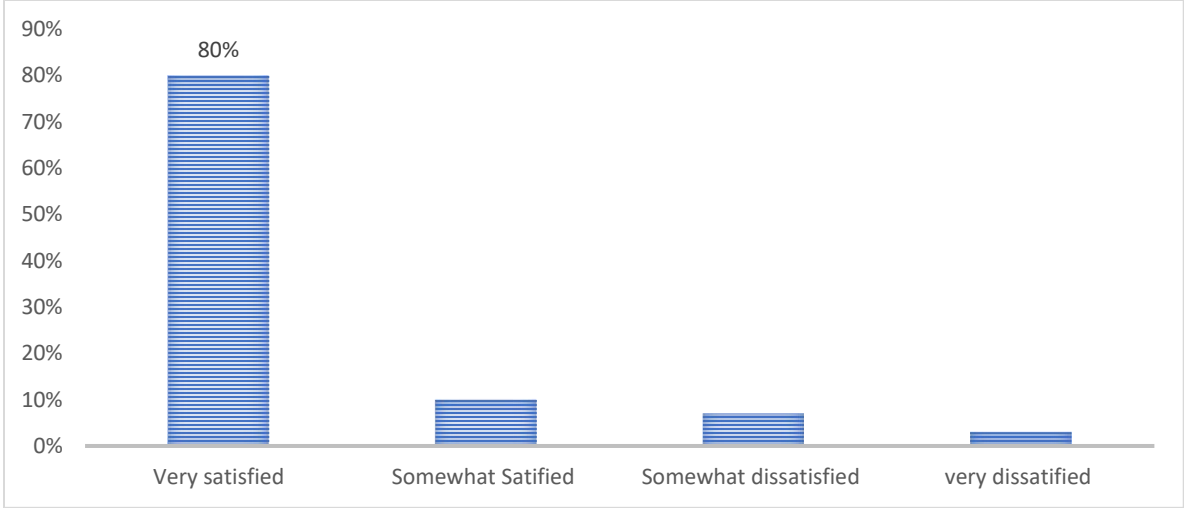
**Figure 2: Stakeholders’ perception of the level of the impact of Outcome 1, 2 and 3**



Respondents under each group were also asked for their opinion on the following question: “What is your overall satisfaction level with the impact of the A2J Project on the justice sector in Tanzania?” As figure 2 below shows, stakeholders in all groups reported a good level of satisfaction with the overall impact of the A2J Project on the justice sector in Tanzania. There were

comments from stakeholders from justice institutions that the level of satisfaction would be higher if the project were not delayed during the initial stage of the Project implementation and if money would be disbursed and reach implementers timely.

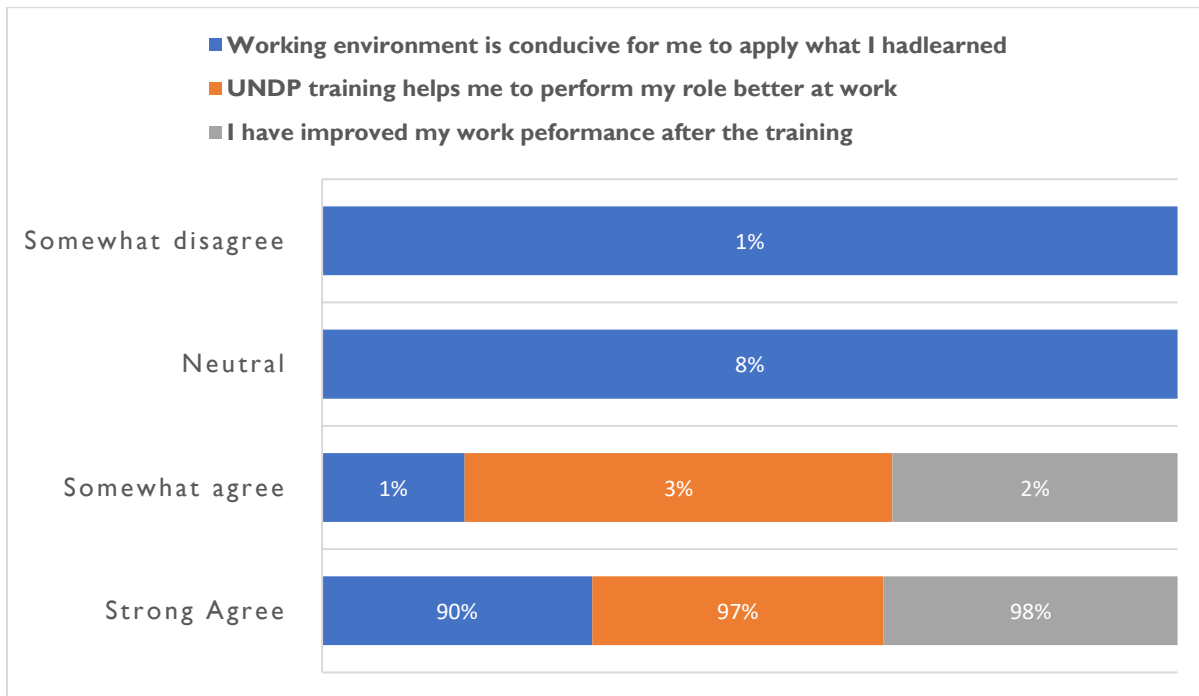
**Figure 3: Stakeholders’ overall satisfaction with the impact of the A2J Project on the justice sector**



In terms of capacity building, beneficiaries recounted overwhelming lists of benefits associated with each capacity building /training received. For example, secondary school teachers who were trained about Human Rights, CHRAGG’s staff who received capacity building training, CSOs personnel who attended various training and meetings, and Assistant Registrars who were trained, indicated their appreciation for the UNDP sponsored capacity building they received. They acknowledge that the training opportunities have re-shaped their understanding, improve their skills, and improved their performance. To measure the impact of the training provided, the Evaluation Team asked participants if the training had helped them to perform their roles better at work. Their assessment is as follows:

- 90% reported that their working environment was conducive for them to exercise what they learned.
- 97% reported that training helped them to perform their roles better at work.
- 98% reported that they had improved their working performance after the training.

**Figure 4: Training participant’s perceptions on the impact of training/capacity building**



The qualified legal aid provider beneficiaries acknowledged the benefits they have received through the Project. According to some of them, not only has the Project provided opportunities for them to carry out their work much better, but it has also significantly built their capacity for offering legal aid services per the required standards. For the school teachers, they appreciated the training opportunities that have re-shaped their understanding of human rights, and this has helped them to establish and manage school human rights clubs.

### 3.5 Sustainability

The Project was implemented through National Implementation Modalities (NIM)<sup>11</sup> to leverage the Tanzania justice and human rights system in order to enhance national ownership and sustainability. The Consultants reviewed the sustainability of the A2J Project outcome and outputs as a critical component of successful and sustainable scaling up. Sustainability was assessed using three questions, viz., the likelihood of the Project activities/interventions to continue beyond the

<sup>11</sup> See, for example, United Nations Development Programme (UNDP) and European Commission, *Implementation Modalities*, available at <https://www.ec-undp-electoralassistance.org/wp-content/uploads/2018/08/ec-undp-jtf-20-our-trainings-2011-brussels-day-3-6-katarzyna-wawiernia-ricardo-godinho-gomes.pdf>

project life span and gaps if any (including risks such as - social, political, legal frameworks, policies, governance structures, and environment) that may jeopardize the sustainability of the Project and if so, what changes if any should be made to promote long term sustainability.

It is the finding of the Evaluation Consultants that the A2J Project's sustainability was entrenched mainly through: (1) general consultative meetings before the design of the Project. This ensured buy-in by all relevant national stakeholders; (2) working collaboratively with existing government institutions and structures in Project implementation and monitoring. These two elements above increased local ownership of the Project and attracted government support; (3) Capacity strengthening of relevant stakeholders in terms of providing expertise, equipment, infrastructure, working protocols (Strategic and Action plans, other specialized strategies, Standard Operating Procedures, and the like) offers support to the implementing partners even beyond the Project duration. It is expected that the relevant MDAs will budget activities in line with Project activities within their Mid-term expenditure frameworks (MTEFs) after the expiry of the Project period.

The Evaluation Consultants assessed the sustainability criteria using the following three criteria: 1) Institutional Sustainability, 2) technical sustainability, and 3) Financial sustainability. The details of each of these criteria are discussed below as follows:

#### **a) Institution Sustainability**

The A2J Project focused more on strengthening the role of National authorities and civil society in the promotion and protection of human rights and women's access to justice. The aim was to improve the capacity of the MoCLA, NPS, and CHRAGG to coordinate, monitor, and report on human rights and follow up on the implementation of UPR and Treaty Bodies recommendations.<sup>12</sup> For example, to promote the sustainability of these institutions in delivering effective, responsive and accountable justice and human rights protection, the A2J Project developed the following documents within CHRAGG: A Five-Year CHRAGG's Strategic Plan: 2018/19–2022/2023; Stakeholders Engagement Strategy; CHRAGG's Communication and Visibility Strategy; and Quick Response Strategy. Within MoCLA, the Project supported establishment of the Office of Registrar of Legal Aid, provision of technical and infrastructure development, coordination of Legal Aid Service providers, preparation of the Second National Human Rights Action Plan, etc.

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<sup>12</sup> See UNDP/MoCLA Project Document and all Project Annual Progress Reports 2017 – 2019.

Other initiatives made by the AJ2 project to build the sustainability of the National authorities was the distribution of the logistical support (e.g., desk and laptops computers, printers, scanners, and cameras). This support, for example, enabled the Secretariat of the National Criminal Justice Forum under the NPS to function more efficiently in planning, coordinating, implementing, and reporting on the activities of the NCJF and improved the workflow, planning, and coordination capacity of the NCJF. The interviewed officials were of the view that supported institutions would continue using these strategies, expertise, policy and legal frameworks, logical support, and other facilitation acquired during the Project period beyond the Project life span. Achievements recorded can be replicated without a huge amount of funds as well as human resources requirements. In this case, the government need to allocate a reasonable number of budgets to these institutions to avoid regressive measures.

As to the promotion of human rights to women and other vulnerable groups, the Project has attempted to scale up, among other things, legal aid services, awareness-raising, and establishment of School-based Human Rights Clubs. The sustainability of these clubs, for example, is assured for as long as the changer makers are involved – these are mainly teachers, students, and school authorities. Teachers from selected secondary schools received training on human rights and how to facilitate and manage human rights clubs. The clubs shall be the breeding ground to a new generation of citizens who are human rights and gender sensitive. We would like to recommend more training to teachers on human rights and the establishment of human rights clubs across the country. The Annual Progress Reports document other assistance rendered which may facilitate sustainability, including distribution of Information, Education and Communication (IEC) materials such as human rights manuals, flyers, brochures, and other human rights handbooks on Civil and Political rights, economic, social and cultural rights, child’s rights, etc. Currently, these IEC materials are in use at the school level and will be passed from one generation to another after the end of the Project.

Arguably, the formation of school-based human rights clubs and the distribution of IEC materials will enhance the sustainability of the project initiatives. Also, the NPS, MoCLA, and CHRAGG are institutions that will continue to carry out project activities beyond the Project life span since they are government institutions. However, without financial support from the UNDP or other

development partners, these institutions will not be able to implement the project results /outcome if the government budget is inadequate.

**b) Technical sustainability**

The UNDP strongly supports the sustainability of the A2J Project activities in terms of technical aspects. To strengthen the local capacity of the staff in managing the A2J Project interventions, UNDP made the following efforts to ensure program sustainability beyond the project life span:

- a) Trained one hundred and thirty-nine (139) Assistant Legal Aid Registrars in 15 regions of Tanzania. The training primarily focused on increasing the awareness of the Assistant Registrars on the Legal Aid Act 2017 and its Regulations as well as discussing their primary responsibilities in the implementation of the two instruments.
- b) The capacity of the CHRAGG budget officers has been enhanced in the area of Planning and M&E as well as report writing skills, which are all critical to the effective functioning of the CHRAGG.
- c) A total of 300 officials in the criminal justice sector have been reached with key messages on legal aid and have been provided with an orientation on their roles in the provision of the legal aid services.

The trained personnel will continue to apply these technical skills beyond the lifespan of the program. There is, however, the need for continuous training because there is a possibility of staff turnover, which may hamper the effectiveness of these institutions. The officers who have received training should be designated as Trainers of Trainees to offer training to other staff in their respective institutions. This can be done under the supervision of the Project Board or Secretariat. Most of the interviewed stakeholders suggested several interventions (discussed below) that can be taken further to support the project implementation as well as technical sustainability.

- **Inclusion of the Prison and Police in the project implementation:** Only three government institutions were supported financially and technically to strengthen its access to justice and human rights mechanisms. These institutions include CHRAGG, NPS, and MoCLA. Stakeholders commented that the Police and Prisons are important players and need to be included in the project implementation as key players.



- **Inadequate infrastructure:** Despite efforts made to building capacity of Government institutions, much is needed to be done to improve infrastructure to bring them to reasonable standards. This can be done by the government itself or through other support. For example, most of CHRAGG branches in Mwanza, Mbeya, and Zanzibar, need repairs and improvements to bring them to reasonable standards. UNDP, in collaboration with the government, needs to create a budget a line for office maintenance as well increase branch offices. The CHRAGG staff recommended that the availability of branch offices would enable them to reach hard to reach population, particularly women and other vulnerable groups. Furthermore, the continued support from national and international stakeholders is still highly needed to build the sector infrastructure at the grass-root level (at district as well as at the ward levels) where the legal services are highly needed.
- **Capacity building:** Consulted stakeholders affirmed that only a few legal aids staff received capacity-building support from the A2J Project, taking into consideration that the project is not covering all regions. Recommendations given by stakeholders was that legal aid officers working at the region, districts, and community level need to be trained, and this need continued international and Government support if the project outcomes are to be sustained.
- **Outreach activities:** The Annual Progress Reports indicated that there are awareness-raising activities that were conducted in some secondary schools and during the Legal Aid Commemoration Weeks. This awareness-raising failed to reach hard to reach population, particularly women and other vulnerable groups living in hard to reach areas. The challenges reported by stakeholders were that institution (e.g., CHRAGG) has no budget line to conduct outreach activists, and there are no supported grass-roots community activists (focal persons) to conduct awareness-raising. The presence of the community focal persons could continue to stimulate debates in the community about access to justice and human rights when A2J is completed.
- **Language barriers:** Despite all efforts made to offer women and other vulnerable groups legal aid services, the stakeholders pointed out that breaking down language barriers to Legal aid services is paramount if A2J Project outcomes are to be sustained at the grass-root level. For example, most of the legal materials, including judgments of the courts, are written in English. The needs of limited-English-proficient women and other vulnerable groups go beyond access to legal aid advice. Failure to communicate in English can create difficulties in all aspects of a

person's life. It was reported that women and other vulnerable groups are denied their rights due to language barrier /poor interpretations from existing legal interpreters/translators. Confusions are always arising from the inability to understand legal documents, court proceedings, and legal jargon (a challenging task even for native English speakers and people with legal backgrounds). Language interpretations from native language to Kiswahili and finally to English and vice versa is another stumbling block.

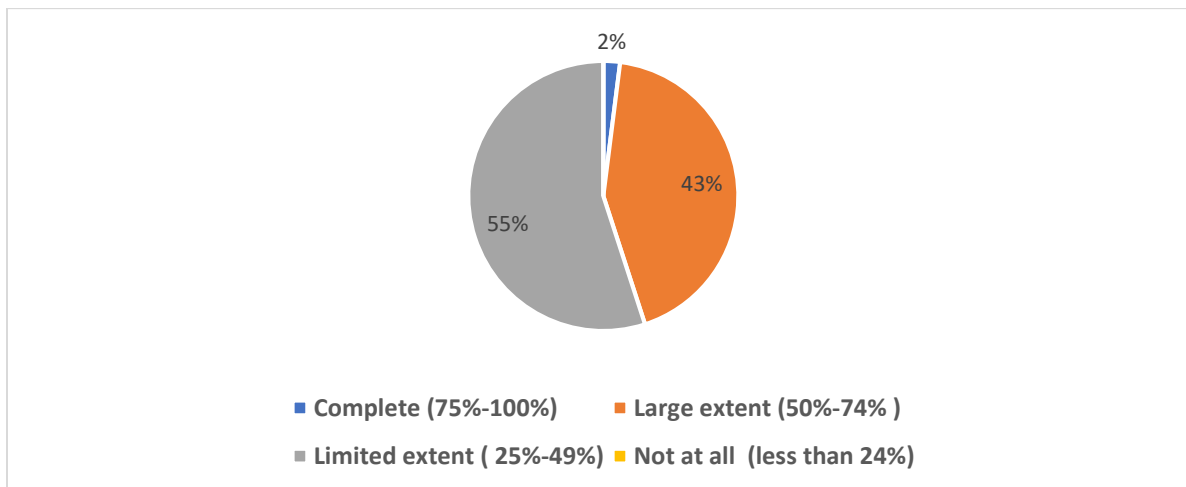
Stakeholders interviewed pointed out that there have been a number of causes where community members/vulnerable group members (non - English speakers) are unwilling to demand their rights, leaving them open to abuse or denial of their rights because of inability to understand legal documents. Consulted stakeholders recommended that the UNDP and Government of Tanzania, through the legal sector and school of law, should think of developing a curriculum/course purposely to prepare certified court language interpreters. In this course, the language interpreters will be made aware of their responsibilities to lawyers as well as their clients, particularly women and other vulnerable groups, making sure that court interpretations are complete and accurate.

### **C. Financial Constraints**

While stakeholders appeared to be committed and willing to continue to sustain the project activities, their level of funding and capacity is varied. There are institutions that have partners who are supporting their various activities (e.g., CHRAGG and MoCLA). Still, other institutions (like NPS) have no other sources of fund other than government funding. These need to be supported to have resource mobilization strategies.

The Consultants conducted a quick response survey for all stakeholders sampled. The stakeholders were asked to give their opinions on the extent to which they think the changes introduced into the Tanzania justice sector by the A2J Project will be sustained/ maintained by government institutions or the Government of Tanzania as a whole. As indicated in Figure 5, most of the stakeholders believed that the project results would be sustained to a limited extent (25%-49%) and followed by stakeholders who felt that the project results would be sustained to a large extent. Few (2%) felt that the project results would be sustained completely by government institution funding. Based on these findings, further international support (UNDP) support will be required to increase the level of sustainability to 75% through 100%.

**Figure 5: Stakeholders' thinking of the sustainability of the project outcomes**



### 3.6 Partnerships

The Evaluation Consultants assessed the extent to which the project has contributed to improving the partnership between UNDP and its partners. The establishment of a Multi-stakeholder's partnership was a strategic *modus operandi* throughout the implementations of the interventions. The institutions involved in the partnerships with UNDP are MoCLA, NPS, and CHRAGG, as well as CSOs. These institutions are national authorities and have clear mandates and play a critical role in improving access to justices and strengthen the access to justices and human rights protection framework in the country<sup>13</sup>. MoCLA, for instance, is responsible for formulating justice policies and strengthening the legal aid system. CHRAGG has a mandate to promote and protect human rights as an independent national human rights institution. The NPS has a mandate to supervise prosecution services and is the chair of the National Criminal Justice Forum. The UNDP partnership with these national institutions (MoCLA, NPS, and CHRAGG) remains strong, and these institutions played planning, coordination, and implementing roles. Partners benefitted from capacity development actions both through formal training and mentorship. All partners emphasized the mentoring role played by the UNDP and its added value to the development of their individual and organisational capacity. For instance, UNDP, in collaboration with MoCLA, conducted joint inspection visits to prisons and police holding cells in resolving overcrowding and

<sup>13</sup> See the *UNDP Country Programme Document for the United Republic of Tanzania* (2016-21).

cases of prolonged arrest and detention. Both collaborated in launching and disseminating legal aid code of conduct for service providers and enhanced the capacity of the Ministry to effectively coordinate the provision of legal aid services at the sub-national level.

Synergies also existed at the central and local levels, UNDP, in collaboration with supported institutions, organized interactions and coordination meetings on the implementation of UPR and other Treaty Bodies, including the CEDAW Committee, recommendations. In addition to that, CHRAGG signed Memorandum of Understandings (MoUs) with 20 CSOs to establish partnerships in human rights monitoring, reporting, advocacy, and conducting outreach programs within their localities. The main objective was to put in place a mechanism for sharing experiences and build partnerships. The stakeholders confirmed the existence of both formal and informal communication between all stakeholders created through this UNDP Project.

The majority of the stakeholders confirmed that Steering Committee meetings and project review meetings to discuss the success and challenges of the Project implementations were very helpful. Informal communication between the UNDP and institutions was strong and effective. No one was left completely out of communication during the project implementation.

In addition to the partnership explained above, the Evaluation revealed that UNDP needs to make more use of the Civil Society Organizations in promoting access to justices and human rights mechanisms. The Civil society organizations are cognizant of the fact that they are a community - based organizations, and they are in a better position to mobilize the community members in project activities. If, for example, the Project had enlisted collaboration with LSF in the legal aid service provision, more gains would have been recorded. Currently, there is cooperation with a few CSOs, and few had opportunities to implement the A2J Project. This need to be scaled up. CSOs' contribution to the progress towards women's empowerment and access to justice is critical.

For instance, TPCF worked in collaboration with another NGO called Oikos East Africa in addressing access to justice and human rights issues. Oikos East Africa also joined TPCF to learn how to conduct legal aid mobile clinic so that it could replicate in its areas of operation. Indeed, the success of the project intervention depends on strong partnership and communication between UNDP and CSOs.

Despite these partnership strengths, the existing partnership between UNDP and other players had the following challenges:

- All direct and indirect implementing partners identified the delay in the release of funds as a factor that affects their partnership model as well as it affects project implementation timelines. Partners suggested a review of how project funds from UNDP are channelled. CHRAGG, for example, noted challenges to get project money from National Treasury. These partners need to convene a meeting with Treasury to sort out challenges on how funds from UNDP could be channelled to avoid unnecessary procedures.
- Too many activities compared to available budget and time: Though UNDP and its partners collaborated in the development of the work-plans, the same work-plans were - reworked again and again after the agreement to fit the budget planned by UNDP. To avoid back and forth to adjust the agreed activities, the partners suggested that UNDP needs to focus on a few priority activities with impacts and tangible results based on the available budget.

### **3.7 Cross-Cutting issues**

**Gender equality:** The stakeholders interviewed reported that the project is not wholly gender focused. It only output II which focused on women and other vulnerable groups to enjoy enhanced access to justice and empowered to demand respect for their rights. Hence, within this output many activities are geared to integrate gender equality and women empowerment. For example, the project conducted GBV screening to adolescent girls, young women, and vulnerable populations and facilitated referrals and linkages to GBV survivors to different units, including Police and health facilities. In addition to that, the project conducted specific legal aid services and public awareness campaigns targeting women. Furthermore, in 2019 CHRAGG organized a three-day workshop to develop gender-related IEC Material and shared it with social media. After the awareness campaigns, the number of complaints and women seeking legal assistance increased. However, no gender disaggregated data were captured.

**Human Rights:** Among other things, the interventions intend to increase awareness and Public information on legal aid services and human rights protection, especially for women, children, and other vulnerable groups. Desk review results indicate that access to justice and human rights protection especially for women, children, and other vulnerable groups have been improved.

Through strengthening the legal aid services and institutions responsible, there is a promising future. Before the Project, insufficient legal aid system, limited capacity and effectiveness of the National institutions to deliver accountable justice and human rights protection, and inadequate coordination between criminal justice institutions were the common barriers; that needed to be addressed. The project interventions have attempted to grapple with all these challenges to a reasonable satisfaction.

To be specific, the human rights issues were addressed into three aspects 1) institution aspects and 2) Individual vulnerable groups. The details for each of these aspects are discussed below.

**Institution aspects:** The Division of Human Rights in MoCLA, the Commission for Human Rights and Good Governance and Legal Aid Registrar were the main institutions that implemented the interventions to ensure human right issues are addressed. These institutions needed a strong capacity to address human rights barriers encountered by women, children, and other vulnerable groups. The project document indicates that UNDP addressed the pressing needs of these institutions, particularly by ensuring that human rights and principles of good governance within the country are satisfactorily promoted, protected, and preserved. Between 2017 and 2019, UNDP promoted a number of initiatives to strengthen the institutional capacity of the national human right institutions. The institution capacity building aimed at improving monitoring, coordination, reporting, investigation, and data collection to support the implementation of the human right framework. To reinforce the realization and enjoyment of human rights among the poor, indigenous, physically challenged, women and other disadvantaged and marginalized groups, the institutions received many support under the Project, including the following:

- Development of Five Years CHRAGG’s Strategic Plan (2018/19 –2022/2023), which will inform the operations of the CHRAGG over the next five years.
- Supported a working session with the MoCLA, Tanzania Police Force, and Tanzania Prison Service in developing guidelines for legal aid providers to access prisons and places of detention in the delivery of services.
- The functional capacity of the Secretariat of the National Criminal Justice Forum (NCJF) has been enhanced with the provision of much-needed logistical support. The support

includes the procurement of equipment and accessories to improve the workflow, capacity building in planning and coordination of the NCJF Secretariat.

- Development of Stakeholders Engagement Strategy, Communication, and Visibility Strategy for CHRAGG.
- CHRAGG has also developed an effective partnership with the Civil Society Organisation (CSO) through the signing of the Memorandum of Understanding (MoU).

**Individual aspects:** These include staff from implementing partners, women, indigent and other disadvantaged and marginalized groups. For example, the project trained two hundred and nine (139) Assistant Registrars in 15 regions of Tanzania. The training primarily focused on increasing the awareness of the Assistant Registrars on the Legal Aid Act 2017 and Regulations as well as discussing their primary responsibilities in the implementation of the two instruments. The project also built the capacity of the budget officers in the area of Planning and M&E as well as Report Writing Skills, which are both critical to the effective functioning of the Commission. The capacity building aimed at enabling legal aid providers to help the poor, indigenous and physically challenged, women, and other vulnerable groups to access justice and human rights easily.

Between 2017 and 2019, the project facilitated the formation of children and women protection teams and working with the teams as a vulnerable group in familiarizing their rights and make them a resource team in advocating and reporting violations of the rights within their localities. Generally, the project trained community volunteers on a national integrated case management system for children and women rights protection and collaborated with the Police gender/and child protection desks to address gender and children rights issues. In addition to that, the project promoted child rights to various groups - law enforcers, village and ward leaders and schoolteachers, trained workers, community activists, and paralegals. All initiatives were made to make sure that all vulnerable groups have access to responsible justice and human rights protection mechanisms.

## 4.0 RECOMMENDATIONS AND LESSONS LEARNED

### 4.1 Recommendations

The following recommendations are documented based on the findings and conclusion of this MTE evaluation. These recommendations aimed at informing the design and implementation of the A2J project activities for the remaining and future project activities. These recommendations are directed to UNDP and its implementing partners. They were developed based on information received during individual and group discussions with stakeholders:

**Recommendations #1:** For future plans it is important to have baseline data. The availability of appropriate baseline data, realistic indicators, and targets are always critical for performance evaluation. In the future, UNDP needs to refine the indicators, set realistic targets for each indicator, and collect the baseline data for each performance indicator before the project implementation.

**Recommendation #2:** Behaviour change is critical. UNDP should continue to provide financial support for awareness-raising activities about access to justice and human rights protection to justice sector, CSOs and vulnerable groups. This behaviour change intervention should employ strategies that will reach hard to reach population in remote areas.

**Recommendations #3:** To facilitate more collaboration and partnership with other external stakeholders there is a need for the UNDP to consider publishing the project achievements to popularize the project and receive feedback from beneficiaries and other external stakeholders. Furthermore, the UNDP and Project Partners should conduct more learning meetings to share lessons learned, challenges encountered and project achievements.

**Recommendation #4:** UNDP needs to make sure that funds are available immediately after the annual work plan is approved. These will enable the partners to conduct the planned activities in a timeline manner. Moreover, the UNDP, MoCLA, and CHRAGG, should convene a meeting with the Treasury to discuss the best way on how the project money from UNDP could be channelled as quickly as possible to implementing partners.

**Recommendations #5:** MoCLA, NPS, CHRAGG, and targeted CSOs should be supported to design an M&E system at the National, Regional, and District (where it may be deemed necessary to capture project success). This will enable the Project Partners to easily measure strengths and



weaknesses existing in the implementation of the project as well as measuring project performances.

**Recommendations #6:** UNDP needs to establish and maintain a dialogue with implementing partner and responsible parties, other donors, and CSOs to find solutions for the financial needs to sustain current and future A2J project activities. If there is something critical to focus upon is the building of capacity of these institutions to be able to raise fund from various sources. UNDP should assist these national institutions in developing resource mobilization strategies to fund more activities and increase project coverage.

**Recommendation #7:** The A2J project should consider the Police Force and Prisons Services as among implementing/responsible parties. This is due to the fact that most challenges related to access to justice and human rights protections occur when individuals meet with these institutions. The Judiciary has its own mechanisms to strengthen access to justice to women and other vulnerable groups. It may not be urgent to include it now. However, coordination meetings may be important to address any gaps within all these institutions when the need arise.

**Recommendations #8:** To increase the projected intensity in the next phase of the project implementation, UNDP needs to focus on a few manageable activities based on the availability of the funds. UNDP and its partners can focus on a few tangible and impact activities.

**Recommendation #9:** There is a need for the Government of Tanzania, through the legal sector and School of Law to think of developing a curriculum/course purposely to prepare certified court language interpreters to maximize understanding of law and court proceedings.

**Recommendation #10:** Future capacity building activities relating to improving access to justice should place more focus on enhancing the capacity of legal aid service providers at every region and district levels. UNDP and partners should collaborate with all CSOs which have programs to empower and assist legal aid units and paralegals across the country.

**Recommendation #11:** To honour the gender aspects of the project, all project progress report should try as much as possible to capture sex disaggregated data which will help to measure the project success in terms of showing improved access to justice and better services by the justice and human rights institutions, and also showing the number of women in targeted districts bringing their cases to the formal justice system.

## 4.2 Lessons Learned and Best Practices

- **Prison visitations:** Joint Prison and other place of detentions' visitation is a positive approach that needs to be maintained and scaled up. This provided an on-the-spot assessment of the situation of the facilities and to undertake quick joint interventions. Moreover, it provides the inspection teams an opportunity to make cross-sector policy decisions to alleviate the situations in prison detention and police holding cells.
- **Commitments:** Commitment between UNDP, partners (CHRAGG, NPS, MoCLA, and CSOs), in terms of project management, understanding the mandates, and corporation culture between them, results in good trust and good partnership building.
- **Decentralization of program implementation:** Involving multiple donors, partners, and stakeholders during program design and implementation is a positive approach that needs to be maintained. This is a good way of ensuring sustainability and attracting additional funding to implement national priorities.
- **Design of the M&E Result framework:** Strong M&E system is a critical tool in any project. The Evaluation Team was not able to generate performance indicators and contrast planned activities versus success. In this case, the M&E Result framework and realistic performance indicators, indicator targets, and baseline data should be clearly defined in the project preparation phase.
- **Awareness-raising:** There is a need to reach broad population, particularly women and vulnerable people, awareness-raising activities should be adapted and taken into account at the national, region and district level as well as at the ward level (across all regions), so that dissemination of information reaches even the most remote and illiteracy population in the country. Awareness-raising was limited in the first phase of the project implementation.
- **Community-based focal person:** Establishment of the grass-roots community-based activists (community-based focal person) to conduct awareness-raising will stimulate debates in the community about access to justices and human rights protection when A2J is completed.
- **Using of existing partner's structure:** A2J project was built on existing partners/Government structure. This is an essential approach for creating project ownership, trust, and enhancing project sustainability.

- **Communication:** Communication between UNDP and its partners was good and needed to be maintained. Communication is a valuable communication tool for project success. While maintaining the existing good communication, more efforts still needed to improve the UNDP -COSs communications relationship.
- **Training:** Training is key to a successful implementation of the A2J Project. The training and other capacity-building adopted during the project implementation needs to be maintained and scaled up in other areas where the project was not implemented. Training helps to enhance the capacity of participants and has an impact on their confidence and self-esteem, which are essential for a conducive provision of access to justice and human rights services.

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**6.0 Appendix**

**6.1 Interview Protocol by stakeholders Group**

Date of interview:	Location:
Organizations:	Time start:                      Time end:
Interviewer:	Interviewee name, Title:

**Introduction:** Good morning/afternoon, and thank you for taking the time to speak with us today. As mentioned in our interview request, we are conducting the midterm evaluation of the UNDP Project on Strengthening Access to Justice, the rule of law, and human Rights Protection in Tanzania, which was initiated 2017 end in 2021. As part of our assessment, we are speaking directly with the funders, implementers, and beneficiaries of this project. We would like to speak with you today to hear about your experience, in your own words, to help us better understand how this project looked and functioned on the ground.

**Confidentiality Protocol**

- We will collect information on individuals’ names, organizations, and positions. A list of key informants will be made available as an annex to our evaluation report. Still, those names and positions will not be associated with any particular findings or statements in the report.
- We may include quotes from respondents in the evaluation report. Still, we will not link individual names, organisations, or personally identifiable information to those quotes unless the respondent grants express written consent. Should the team desire to use a particular quote, photograph, or identifiable information in the report, the evaluators will contact the respondent(s) for permission to do so.
- All data gathered will be used for the sole purposes of this evaluation, and will not be shared with other audiences or used for any other purpose.

Once again, thank you for taking the time to speak with us today. Do you have any questions for us before we get started?

**Q1. RELEVANT: How relevant was the access to justice project intervention?**

To what extent the activities designed and implemented are suited to Tanzania justice sector objectives and priorities and priorities, the country program's outputs and

outcomes, the UNDP Strategic Plan, and the SDGs? (Explain)

\_\_\_\_\_

- a. To what extent were lessons learned from other relevant projects considered in the project's design? Can you provide some examples (evidence)?  
\_\_\_\_\_
- b. Was the project concept in line with the national sector development priorities and plans of the country? Can you provide some examples (evidence)?  
\_\_\_\_\_
- c. How the project addresses the country's priorities? Can you provide some examples (evidence)? \_\_\_\_\_

**QN2: EFFECTIVE: How effective was the access to project intervention in achieving the expected outcomes?**

- a. What was the project's contribution to the stated outcomes?  
Output 1: \_\_\_\_\_  
Output 2: \_\_\_\_\_  
Output 3: \_\_\_\_\_
- b. Has the project made strategic use of coordination and collaboration with other national institutions and with other donors in the country/region to increase its effectiveness and impact? Can you provide some examples (evidence)? \_\_\_\_\_
- c. How have stakeholders been involved in project implementation? How effective has the project been in establishing national ownership? Can you provide some examples (evidence)? \_\_\_\_\_
- d. In which areas does the project have the greatest and least achievements? Why this, and what are the supporting factors? How can the project build on or expand these achievements? Can you provide some examples (evidence)? \_\_\_\_\_
- e. Has the project been appropriately responsive to political, legal, economic, institutional, etc., changes in the country? Can you provide some examples (evidence)? \_\_\_\_\_
- f. To what extent did the project improved Tanzania justice institutions' capacity and skills to address access to justice, human rights and gender equality issues? Can you provide some examples (evidence)? \_\_\_\_\_

- g. If attended training/workshop/seminar: To what extent has participating in the technical assistance/ training activities improved your technical & professional skills? Can you provide some examples (evidence)? \_\_\_\_\_

**Q3: Efficiency: How efficient was the intervention in the delivery of project activities and project management?**

- a. How efficient have resources (funds, human resources, etc.) been allocated to deliver activities and on project management to achieve the outputs and outcomes? Explain by providing some examples (evidence)? \_\_\_\_\_
- b. Has UNDP's project implementation strategy and execution been efficient and cost-effective? Can you provide some examples (evidence)? \_\_\_\_\_
- c. Have resources been used efficiently? Have activities supported the strategy been cost-effective? In general, do the results achieved to justify the costs? Could the same results be attained with fewer resources? Can you provide some examples (evidence)?  
\_\_\_\_\_
- d. How has the steering or advisory committee contributed to the success of the project? Can you provide some examples (evidence)? \_\_\_\_\_
- e. Does project governance facilitate good results and efficient delivery? Is there a clear understanding of the roles and responsibilities of all parties involved? Can you provide some examples (evidence)? \_\_\_\_\_
- f. Are the monitoring and evaluation systems that UNDP has in place helping to ensure effective and efficient project management? Can you provide some examples (evidence)?  
\_\_\_\_\_
- g. To what extent were outputs achieved on time and on budget? Explain: \_\_\_\_\_

**Q4. Sustainability: What is the likelihood that results, achievements, and benefits will continue after then Project involvement ends?**

- a. What are the key factors that will require attention to improve the prospects of sustainability of the project outcome and the potential for replication of the approach?

- b. What elements of the project (in order of priority) should continue if further funding becomes available?
- c. Do the UNDP interventions have well designed and well-planned exit strategies?
- d. What could be done to strengthen exit strategies and sustainability?
- e. Describe the main lessons that emerged.
- f. Are there any potential best practices that can be replicated in the next phase?
- g. What are the recommendations for similar support in the future?
- h. What changes, if any, should be made in the current Partnership(s) in order to promote long term sustainability? Explain (evidence)\_\_\_\_\_

**QN5: Partnership strategy**

- a. Has UNDP’s partnership strategy been appropriate and effective?
- b. Has the project developed and leveraged the necessary and appropriate partnerships with direct and indirect stakeholders?
- c. To what extent has stakeholder involvement and public awareness contributed to the progress towards the achievement of project objectives?
- d. Review the internal project communication with stakeholders – is it regular and effective? Are there key stakeholders left out of communication? Are there feedback mechanisms in place? Does this communication with stakeholders contribute to their awareness of project results?
- e. Review the external project communication – are there proper means of communicating the impact of the project to the public?

**QN6: Gender equality**

- a. To what extent has gender been addressed in the design, implementation, and monitoring of the project? Can you provide some examples (evidence)? \_\_\_\_\_
- b. To what extent have the strategic gender needs of women and men been addressed through the project and has thus resulted in sustainable improvement of women’s rights and gender equality? If so, how? Can you provide some examples (evidence)?  
\_\_\_\_\_
- c. What strategies, if any, were employed to address gender-equality issues during the implementation of the project? Can you provide some examples (evidence)? \_\_\_\_\_



- d. What is the ‘most significant change’ that has occurred for GE as a direct result of the project? Can you provide some examples (evidence)? \_\_\_\_\_
- e. To what extent has the project promoted positive changes in gender equality? Were there any unintended effects? Can you provide some examples (evidence)? \_\_\_\_\_

**QN7: Human rights**

- a. To what extent have poor, indigenous, and physically challenged persons, women, and other disadvantaged and marginalized groups benefitted from UNDP Tanzania’s work in enhancing access to justice and justice for women?

**Q8: Impact:**

- a. What is the impact of the intervention for the targeted groups /beneficiaries? Mention the key tools/outputs and/or the main achievements of the project that impacted these groups:\_\_\_\_\_
- b. Was there any unexpected impact resulting from the intervention?  
Describe:\_\_\_\_\_

**Q9. Lesson learned**

- a. What unexpected outcomes and lessons were learned during the implementation of the project?
- b. Describe any unexpected outcomes that were learned during implementation (evidence)?
- c. Describe any lessons that emerged? \_\_\_\_\_
- d. Describe any potential best practices that can be replicated in other projects or next phase of the project intervention\_\_\_\_\_

**Q8. Recommendations:**

- a. What elements of the project (in order of priority) should continue if further funding becomes available? Provide specific: \_\_\_\_\_

**6.2 Quick -response survey**

**QN1: What is your assessment of the rate of impact on this project following the output of the project?**

**Output 1: Justice Sector coordination and data management**

- a. Strong impact (75-100%)
- b. Good impact (50-74%)
- c. Some impact (25-49%)
- d. Little impact (24-0% )

**Output 2: Access to Justice for women and vulnerable groups**

- a. Strong impact (75-100%)
- b. Good impact (50-74%)
- c. Some impact (25-49%)
- d. Little impact (24-0%)

**Output 3: Reinforcement the realization and enjoyment of human rights in Tanzania**

- a. Strong impact (75-100%)
- b. Good impact (50-74%)
- c. Some impact (25-49%)
- d. Little impact (24-0%)

**QN2: What is your overall satisfaction level with the impact of the Project on the justice sector of Tanzania Explain/Comment: \_\_\_\_\_**

- a. Very satisfied
- b. Somewhat satisfied
- c. Somewhat dissatisfied
- d. Very dissatisfied

**Qn3: What is your satisfaction level with a capacity of the justice and the rule of law institutions to effectively monitor and address challenges, including on issues of overcrowding, prolonged and arbitrary arrest and detention, and other rights related issues. Explain/Comment: \_**

- a. Very satisfied
- b. Somewhat satisfied
- c. Somewhat dissatisfied
- d. Very dissatisfied

QN4: What is your satisfaction level with the **legal aid service providers** to ensure greater access by citizens (especially women and vulnerable groups) to justice services in Tanzania? And in the Districts/village? Explain/Comment: \_\_\_\_\_

- a. Very satisfied
- b. Somewhat satisfied
- c. Somewhat dissatisfied
- d. Very dissatisfied

QN5: What is your satisfaction level with the capacity of the MoCLA to perform its oversight and leadership role to ensure availability of legal aid services by the Legal Aid Providers and to ensure greater awareness and greater access by citizens (especially women) to enforce their human rights in Tanzania and in the District? Explain/Comment: \_\_\_\_\_

- a. Very satisfied
- b. Somewhat satisfied
- c. Somewhat dissatisfied
- d. Very dissatisfied

QN 6: What is your satisfaction level with the capacity of the Ministry to coordinate, monitor and report on human rights and follow up implementation of UPR and Treaty Bodies recommendations Explain/Comment: \_\_\_\_\_

- a. Very satisfied
- b. Somewhat satisfied
- c. Somewhat dissatisfied
- d. Very dissatisfied

QN6: To what extent do you think the changes introduced into the Tanzania justice sector by the Project will be sustained/ maintained by the MoCLA/Government of Tanzania? Explain/Comment: \_\_\_\_\_

- a. Completely (75-100%)
- b. Large extent (50-74%)
- c. Limited extent (25-49%)
- d. Not at all (24% or less)

As a result of the UNDP training	Strong Agree	Somewhat agree	Neutral	Somewhat disagree	Strong disagree
1. The training topics were relevant to my work when I participated in the training	5	4	3	2	1
If not, please explain why?					
2. The training topics are still relevant to my work	5	4	3	2	1
If not, please explain why?					
3. I have applied and used the knowledge and practical guidance from the training directly in my work after the training	5	4	3	2	1
If not, please explain why?					
4. My working environment is conducive for me to apply what I have learned to work	5	4	3	2	1
If not, please explain why?					
5. UNDP training helps me to perform my role better at work	5	4	3	2	1
If not, please explain why?					
6. I have noticed an improvement in the performance of my colleagues who have attended the UNDP training together	5	4	3	2	1
If not, please explain why?					
7. Please share your suggestions for similar training in the future:					

**6.3 Survey Protocol for Training /Capacity building participants**

Thank you for taking the time to complete this survey. The survey will take no more than 10minutes to complete. We want to assure you that your responses are completely anonymous. Responses to anonymous surveys cannot be traced back to the respondents. No personally identifiable information is captured unless you voluntarily offer personal or contact information in any of the comment fields. Additionally, your responses are combined with those of many others and summarized in a report to protect your anonymity further

Name of your current organization

Region:..... your gender.....Male.....Female

You participated in UNDP training as staff from:.....

When did you participate in the UNDP training?

On what subject(s):.....

## LIST OF PEOPLE INTERVIEWED

SN	NAMES	POSITION	INSTITUTION
1.	Augustine Bahemuka	Governance Advisor	UNDP
2.	Godfrey Mulisa	Head of Governance Cluster	UNDP
3.	Fridah Mwakyusa	Programme Associate – Governance	UNDP
4.	Angwi Mbandi	M&E Specialist	UNDP
5.	Takawira Musavengana	Chief Technical Advisor	UNDP
6.	Godfrey Nyamrunda	Head of Experimentation	UNDP
7.	Faustine Ninga	Programme Associate	UNDP
8.	Paul Turay	Technical Specialist	UNDP Nigeria
9.	Darius Cosmas	Programme Manager, Health and Governance	DANIDA
10.	Felistas Mushi	Project Coordinator	MoCLA
11.	Esther Msambazi	Legal Officer	MoCLA
12.	Nkasori Sarakikya	Deputy Director - Human Rights Division	MoCLA
13.	Pamela Shinyambala	Project Focal Person	NPS
14.	Laurent Burilo	Project Focal Person	CHRAGG
15.	Vincent Mbombo	Project Officer	CHRAGG
16.	Fatma Muya	Ag. Executive Secretary	CHRAGG
17.	Mohamed Khamis Hamad	Commissioner	CHRAGG
18.	Dr Fatma Khalfan	Commissioner	CHRAGG
19.	Alexander S. Hussein	Director	CHRAGG
20.	John Nginga	Executive Director- Tunduru Paralegal Centre	
21.	Onesmo Olengurumwa	National Coordinator	THRDC
22.	Kaleb Gamaya	Chief Executive Officer	TLS
23.	Scolastica Julu	Programme Director	Legal Services Facility (LSF)
24.	Joseph Parsambei	Chief Executive Officer	TPCF
26.	Godlav E. Nkoliala	Teacher (beneficiary)	Dodoma
27.	Madale E. Wayi	Teacher	Dodoma
28.	Margareth F. Tairo	Teacher	Dodoma
29.	Sophia Ikoki	Teacher	Dodoma
30.	Neema Kasira	Teacher	Dodoma
31.	Sweetbert Butamanya	Teacher	Dodoma
32.	Salum A. Kachuwa	Teacher	Dodoma
33.	Halima Husein	Teacher	Dodoma
34.	Edward S. Werema	Teacher	Dodoma
35.	Fedrick A. Mbizi	Teacher	Dodoma
36.	Theresia Mziwanda	Teacher	Dodoma
37.	Aron J. Jacob	Teacher	Dodoma

38.	Joachim E. Mpagama	Teacher	Dodoma
39.	Abdul A. Omary	Teacher	Dodoma
40.	Bulindi G. Mjinja	Teacher	Dodoma
41.	Sophia Mfinanga	Teacher	Dodoma
42.	Elinetha J. Kimaro	Teacher	Dodoma
43.	Lucas E Mwita	Teacher	Dodoma
44.	Mariam Kibwana	Teacher	Dodoma
45.	Yesaya Nassamu	Teacher	Dodoma

.....**END OF THE REPORT @ UNDP 2020**.....