



Mid-Term Evaluation Report

MID-TERM EVALUATION STRENGTHENING ACCOUNTABILITY AND RULE OF LAW IN MYANMAR

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Evaluation Team

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PROJECT PROFILE

Project Identification		
Project Title:	Strengthening Accountability and Rule of Law (SARL)	
Project ID:	00107427	
Output IDs:	<i>Output Name</i>	<i>Output Number</i>
	Output 1: Anti-corruption	00107734
	Output 2: Parliamentary Oversight	00109039
	Output 3: Justice Sector Reform	00109305
	Output 4: JSB COVID Integrated Crisis Management	00122850
	Output 5: COVID Support Health and Equipment	00123199
	Output 6: COVID Support Public Engagement – Parliament	00123200
Linkages to Myanmar Sustainable Development Plan (MSDP), UNDP Country Programme Document (CPD) and Strategic Plan (SP)		
MSDP Goal and Strategy and Strategic Outcome:	<p>MSDP Goal 1: Peace, National Reconciliation, Security and Good Governance</p> <p>MSDP Strategy 1.3: Promote greater access to justice, individual rights and adherence to the rule of law</p> <ul style="list-style-type: none"> - MSDP Strategic Outcome: Legal rights of individuals and the national interest protected <p>MSDP Strategic Outcome: Improved public trust and confidence in the justice system</p>	
CPD Outcome/ Outputs:	<p>CPD Outcome 1: People in Myanmar live in a more peaceful and inclusive society, governed by more democratic and accountable institutions, and benefit from strengthened human rights and rule of law protection</p> <ul style="list-style-type: none"> - CPD Output 1.1: Effective public institutions enabled to develop and implement evidence- based policies and systems that respond to the needs of the people - CPD Output 1.2: Institutions at union and subnational levels enabled to develop effective systems and procedures for performing their representative and oversight functions - CPD Output 1.4: People have improved access to responsive inclusive and accountable justice services and national human rights protection mechanisms in compliance with rule of law and international standards 	
Project Output Statements and gender marker:	<p>Project Output 1: Access to public services become more fair, transparent and accountable through enhanced administrative systems and anti-corruption measures (GEN 2).</p> <p>Project Output 2: Parliaments are better able to engage with and represent the rights and interests of the public (GEN 2).</p> <p>Project Output 3: Justice sector strengthened to administer justice according to rule of law and human rights (GEN 2).</p> <p>Project Output 4: Japan’s Supplementary Budget – COVID Integrated Crisis Management (GEN 2).</p>	

	Project Output 5: COVID Support Health and Equipment (GEN 1).	
	Project Output 6: COVID Support Public Engagement - Parliament (GEN 2).	
UNDP SP Outcome:	SP Outcome 1: Advance poverty eradication in all its form & dimensions SP Outcome 2: Accelerate Structural Transformations for Sustainable Development	
UNDP SP Output Statement:	SP 1.2.3 Institutions and systems enabled to address awareness, prevention and enforcement of anti-corruption measures to maximize availability of resources for poverty eradication SP 2.2.2 Constitution-making, electoral and parliamentary processes and institutions strengthened to promote inclusion, transparency and accountability SP 2.2.3 Capacities, functions and financing of rule of law and national human rights institutions and systems strengthened to expand access to justice and combat discrimination with a focus on women and other marginalized groups.	
Project Information		
Project Duration:	Start Date: June 2018	End Date: December 2022
Implementing Partner:	UNDP	
Responsible Parties:	Legal Clinic Myanmar, Thazin, International Legal Foundation	
Grantees:	Alinn Banmaw, Ethnic Equality Initiative, Humanity Institute, Kachin Baptist Convention, Loi Yang Bum, Shingnip, Spectrum, Justice Society and Heartland Foundation	
Key Stakeholders:	The Myanmar Anti-Corruption Commission, the Union Parliament and targeted Region and State parliaments, the Union Attorney General’s Office, the Office of the Supreme Court of the Union, and the Myanmar National Human Rights Commission.	
National Coverage:	Yes	
Name of Regions/States covered:	Kachin, Mon, Rakhine, Nay Pyi Taw, Northern Shan and Yangon	
Project Budget		
Budget for Project Cycle:	US\$ 27,037,305	
UNDP Contribution:	US\$ 3,263,791	
Unfunded:	US\$ 15,391,087	
Donor Contributions:	US\$ 8,382,427	
Donor Contributions		
UN Development Programme	US\$ 1,000,000	
Government of Australia (DFAT)	US\$ 918,676	
Government of Norway	US\$ 638,736	
Multi-Partner Trust Fund (MPTF-JMOO)	US\$ 434,418	

Government of Japan	US\$ 320,226
European Union (EU)	US\$ 227,300
Government of the Netherlands	US\$ 183,726
Government of the United Kingdom (FCDO)	US\$ 139,150
UNDP Seoul Policy Centre	US\$ 24,000
Unfunded Amount 2020	US\$ 159,651
Evaluation Type	Mid-Term Evaluation
Evaluation dates	10 November 2020 – 28 February 2021

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Table of contents

<u>ACKNOWLEDGEMENTS</u>	<u>V</u>
<u>TABLE OF CONTENTS</u>	<u>VI</u>
<u>ABBREVIATIONS</u>	<u>IX</u>
<u>1. EXECUTIVE SUMMARY</u>	<u>X</u>
<u>2. INTRODUCTION</u>	<u>1</u>
2.1.CONTEXT	1
I. DEVELOPMENT AND OPERATIONAL CONTEXT	1
II. EVOLVING CONTEXT	5
2.2. LINKAGES OF THE PROJECT WITH NATIONAL, STATE AND UN FRAMEWORKS AND STRATEGIES	6
2.3. EVALUATION OBJECTIVE, PURPOSE AND SCOPE.	7
2.4. EVALUATION CRITERIA AND QUESTIONS.	8
2.5. EVALUATION RANKING SCALE	8
2.6. CROSS-CUTTING ISSUES	9
2.7. EVALUATION REPORT STRUCTURE	9
<u>3. EVALUATION APPROACH AND METHODOLOGY</u>	<u>9</u>
3.1. METHODOLOGY	9
PHASE 1 – DESK RESEARCH, DOCUMENT REVIEW AND INCEPTION REPORT	10
PHASE 2 – VIRTUAL DATA COLLECTION, ANALYSIS AND VALIDATION	10
PHASE 3 – DRAFTING, REVISION AND FINALISATION	10
3.2. CHALLENGES AND LIMITATIONS OF THE EVALUATION	10
3.3. STAKEHOLDER CONSULTATION ANALYSIS	11
<u>4. EVALUATION ANALYSIS AND OUTPUT LEVEL FINDINGS</u>	<u>12</u>
4.1. OUTPUT 1: ACCESS TO PUBLIC SERVICES BECOME MORE FAIR, TRANSPARENT AND ACCOUNTABLE THROUGH ENHANCED ADMINISTRATIVE SYSTEMS AND ANTI-CORRUPTION MEASURES	12
4.2. OUTPUT 2: PARLIAMENTS ARE BETTER ABLE TO ENGAGE WITH AND REPRESENT THE RIGHTS AND INTERESTS OF THE PUBLIC	18
4.3. OUTPUT 3: JUSTICE SECTOR STRENGTHENED TO ADMINISTER JUSTICE ACCORDING TO RULE OF LAW AND HUMAN RIGHTS	24
(I) RULE OF LAW AND ACCESS TO JUSTICE	24
(II) HUMAN RIGHTS	32

4.4. PARTNERSHIPS	34
4.5. CROSS CUTTING ISSUES	35
4.5.1. GENDER EQUALITY AND WOMEN’S EMPOWERMENT	35
4.5.2. CONFLICT SENSITIVITY AND PEACEBUILDING	40
4.6 ORGANISATIONAL AND INSTITUTIONAL CAPACITIES	46
4.7. COVID-19 RESPONSE	47

<u>5. GENERAL ASSESSMENT AGAINST EVALUATION CRITERIA</u>	<u>50</u>
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<u>6. FINDINGS, RECOMMENDATIONS AND LESSONS LEARNED</u>	<u>55</u>
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6.1 FINDINGS	55
6.1.1. PROJECT DESIGN	55
6.1.2. MONITORING, EVALUATION AND LEARNING	57
6.1.3. INTERNAL AND EXTERNAL COMMUNICATION	57
6.1.4. HUMAN RIGHTS BASED APPROACH AND HUMAN RIGHTS DUE DILIGENCE	58
6.1.5. NATIONAL OWNERSHIP AND CAPACITY DEVELOPMENT	59

<u>6.2 RECOMMENDATIONS</u>	<u>600</u>
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<u>6.3 KEY LESSONS LEARNED</u>	<u>64</u>
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<u>7. ANNEXES</u>	<u>67</u>
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Annex I	Key Evaluation Questions
Annex II	Evaluation Matrix
Annex III	List of stakeholder meetings

FIGURES AND TABLES

Figure 1: Project performance score rating.....	8
Figure 2: Overall assessment of Output One	16
Figure 3: Overall Assessment of Output Two	22
Figure 4: Overall Assessment of Output Three	30
Figure 5: Overall Assessment of Output Three – Human Rights	34
Figure 6: Gender at Work Framework	38
Figure 7: Number of women beneficiaries per year per output.	39

Abbreviations

ACC	Anti-Corruption Commission
CPD	Country Programme Document
CPU	Corruption Prevention Unit
CRA	Corruption Risk Assessment
CSOs	Civil Society Organizations
COVID19	Coronavirus Disease 2019
FGD	Focus Group Discussion
GAD	General Administration Department
GEWE	Gender equality and women's empowerment
GSP	Governance and Sustainable Peace unit
HLP	Housing, Land and Property (Rights)
LASP	Legal Aid Service Providers
LCM	Legal Clinic Myanmar
LEAP	Leadership, effectiveness, adaptability and professionalism in Myanmar's Civil Service
IPs	Implementing Partners
IPU	Inter-Parliamentary Union
IDPs	Internally Displaced Persons
ILF	International Legal Foundation
JSO	Justice Society Organization
MNHRC	Myanmar National Human Rights Commission
MP	Member of Parliament
MSDP	Myanmar Sustainable Development Plan
OECD/DAC	Organisation for Economic Co-operation and Development/Development Assistance Committee
OSCU	Office of the Supreme Court of the Union
ROL	Rule of Law
SARL	Strengthening Accountability and Rule of Law Project
SERIP	Support to Effective and Responsive Institutions Project
TOR	Terms of Reference
UNEG	United Nations Evaluation Guidelines
VTA	Village Tract Administrators

1. Executive summary

This evaluation is an external mid-term evaluation (MTE) of UNDP's Strengthening Accountability and Rule of Law (SARL) project (June 2018 - December 2022) in Myanmar. It was commissioned by the UNDP Country Office (CO), at a time when the COVID-19 pandemic is affecting all programmes internationally and in a highly complex and sensitive national context and immediately following an election. The evaluation team is composed of six evaluation consultants hired independently by UNDP under the coordination of the evaluation team leader. The period under evaluation is the beginning of the project in June 2018 until December 2020.

The overall scope of the MTE is to assess the progress towards the achievement of the project objectives and outcomes as specified in the project document and identify early signs of project success and areas for improvement that will guide the future direction of the project, both in the short-term, meaning the remaining project implementation period, as well as in the longer term in view of a future programming cycle. The evaluation was based on data available at the time of evaluation, including project documents and other relevant reports, as well as extensive stakeholder consultations, conducted over a period of two months. The primary audience for the evaluation is the Government of Myanmar, development partners and UNDP. The secondary audience for the evaluation are other stakeholders, including CSOs.

The methodology used a mixed-methods approach but was essentially qualitative. It comprised an analysis of all relevant programme documentation shared by UNDP, and data collection through a total of 78 meetings with 235 (120M, 115F) stakeholders and beneficiaries, totalling over 120 hours of interview time. This included meetings with UNDP senior management, programme and project, UNDP regional centres and global programmes, other UN Agencies, Union and subnational government meetings and 1 focus group discussion (FGD) at the Union level, 10 MPs and 1 Deputy Speaker, and 7 FGDs reaching 64 project beneficiaries in all project implementation areas, Rakhine, Kachin and Shan. In addition, 6 donor consultation meetings were held.

The evaluation team finds that the project has evolved considerably since its conception. It was originally anchored around administrative justice, but it has grown beyond this because of both needs and demands, as well as in response to emerging opportunities. As such, the project has been able to navigate itself, achieve impressive results and link disparate outputs around the narrative of the national Land Law reform process. This is one of the key development challenges in Myanmar, which impacts on nearly every aspect of life.

Despite the flaws in the project design where outputs are designed as outcomes, and the indicators are not designed at the appropriate level so do not capture the change trajectory, the MTE Team finds that overall the project is on track in terms of achieving results per output, as well as overall results within the project. It is worthy of note that the MTE Team were consistently provided with an incredibly positive opinion of the project manager and the project team, by national partners, donors and project

beneficiaries, as well as by UNDP global programmes and the Bangkok Regional Centre.

In terms of the OECD-DAC evaluation criteria that the MTE team were asked to assess - relevance, efficiency, effectiveness, sustainability and coherence – the MTE team used an evaluation rating scale of (1) – (4), with 1 being unsatisfactory, 2 being moderately satisfactory, 3 being satisfactory and 4 being highly satisfactory. The rating scale is further detailed under section 2.4 of the report.

Relevance – 15/16 – Highly satisfactory

The MTE team finds that the project is relevant given the Myanmar context, yet it is missing strategic direction and a coherent narrative. The project is aligned with national strategies, donor priorities, within the framework of the UNDAF and UNDP CPD and contributes to the achievement of the 2030 Agenda and the Sustainable Development Goals, in particular SDG 16 (peace, justice and strong institutions).

Effectiveness – 13/16 – Very Satisfactory

The score that has been given regards the effectiveness of the activities that are being implemented. The MTE team find it very challenging to currently assess the effectiveness of the project overall due to the project design, and gaps in the project's results framework and lack of indicators at the outcome and impact level. At the output level, the project is over-achieving when measured against its indicators, however it is difficult to trace the project's contribution to the outcome and impact due to the lack of success indicators. The lack of qualitative indicators also means that the project is unable to capture its contribution to change. In line with UNDP's decision at the time the project was designed; the project followed an integrated approach, which sought to develop projects thematically as opposed to the more traditional sectoral approach. This was due to a comment in the final evaluation of the previous Country Programme Document, which found that the UNDP projects at the time were being implemented in silos. However, operationally an integrated approach is very challenging and the MTE Team find that the integrated approach added unnecessary additional complexities in an already highly politicised and challenging context. An integrated approach requires sufficient dedicated human and financial resources in order to achieve successful results, which the project does not have.

Efficiency – 14/16 – Highly Satisfactory

The project is currently over 50 per cent unfunded and has a shortfall of US\$15,391,087 from a total budget of US\$27,037,305. For the purposes of efficiency the MTE Team assessed the funded and implemented part of the project to look at the level of cost efficiency of the implemented project activities towards the expected results and the given score is based on this assessment. The project has had a consistently high delivery rate year on year since the start of its implementation and in 2020 achieved an overall delivery rate of 99 per cent, which is extremely high in any year, but is particularly impressive considering the operational challenges in 2020. In terms of value for money (VFM) the MTE Team assess that since initial revisions to the project, the VFM coefficient has increased, for example through shifting support from the Rule of Law Centres towards local CSOs and through embedding senior technical advisors into national institutions. That said, the MTE Team notes that it is incredibly challenging and time intensive to implement and manage a project consisting of 9 work streams and

ten donors requiring significant time to be spent on management, donor reporting and communication, additional M&E etc. The MTE Team also found that a considerable proportion of the budget is allocated to the CO and HQ – between 21-30 per cent, depending on the source of funding and that this should be reviewed.

Sustainability - 11/16 – Satisfactory

The project document tentatively addressed the issue of sustainability, but did not include an exit strategy or provide for an exit strategy to be developed during the project implementation. The MTE Team finds that while many of the project activities have sustainability potential, such as the Legislative Drafting Guidelines and Fair Trials Manual, the establishment of the Corruption Prevention Units and integration of the Corruption Risk Assessments, as well as the capacity building model for local CSOs, during the remaining implementation period, the project should endeavour to ensure implementation of these products and processes and their absorption into national processes.

Coherence -

The MTE Team finds that there has been a high degree of coherence with both LEAP as well as with UNODC with regards to the project's work on anti-corruption under output 1. At the national level, there has been a relatively high degree of coherence between SARL and SERIP on the outputs dealing with parliament, but little evidence that other aspects of project work attained the same level of coherence or engendered close cooperation that could be exploited for mutual benefit. In fact, several UNDP staff expressed frustration over a lack of regular meetings between project personnel where they would be able to work toward more coherence. Coherence with other key UN agencies as well as with CSOs requires strengthening. While UNFPA and UN Women have the potential to input to the programme, this has been done in only some instances, and with a very piecemeal approach. The combination of expertise, networks and experience needs to be further utilised and the strategic position of UNDP with regards to their work in the government institutions as well as their experience in driving change should be maximised.

The evaluation team was also asked to consider the crosscutting issues of conflict-sensitivity and gender. The MTE Team found that there have been impressive conflict sensitivity efforts to date, but that conflict sensitivity could be better linked across all governance and peace projects and with human rights, anti-corruption, etc. It also found that the project's responsiveness in HLP has yielded conflict-sensitive results that can be built upon further. With regards to gender, the MTE Team found there the project has achieved a strong gender footprint under output 3, and that while outputs 1 and 2 have achieved some positive results, gender could be more mainstreamed.

The evaluation report provides output level findings and recommendations, which should help steer the project during the remaining implementation period. In addition some overall findings and recommendations are provided, to help steer the future direction of the project in the longer term, and these are summarised here.

Findings

- The project design was too ambitious and complex for both donors and partners, missing a clear and coherent narrative to link together the project components across all three branches of government.
- The integrated approach added unnecessary complexity, particularly in a challenging and fast moving context such as Myanmar.
- The project team have been flexible and innovative to adjust to changing realities and finding entry points that will not “do harm.”
- The project has succeeded in making the work relevant and connecting the dots with very small resources. For example the initiatives on business and human rights, and business integrity and anti-corruption are excellent examples of maximising resources and doing more with less.
- Despite a comprehensive approach to M&E, the MTE Team finds that there is no systematic mechanism to capture lessons learned and incorporate them into the project implementation, especially with regards to risk assessment, political economy and context analysis.
- The MTE Team finds that there are some missed opportunities, even gaps, in terms of both internal and external communication, which should be addressed during the remaining project implementation period.
- The MTE Team finds that the human rights-based approach was not well integrated during the design of the project and that there was insufficient adherence to human rights due diligence when designing the project. In reality, the project is working extensively on the demand side, but this is not reflected in the project design or its RRF.
- The MTE Team finds that national ownership is key, in particular for DIM projects and that capacity development support should now move from the initial level to the next level, while keeping in mind both the Human Rights Based Approach (HRBA) and Human Rights Due Diligence (HRDD).

Recommendations

- The project should develop an evidence-based theory of change and results framework, whereby the focus of the project is shifted from increasing the government’s capacities *per se* towards increasing capacities for greater protection and enjoyment of the basic rights of vulnerable and marginalized groups. This should be coupled with a coherent narrative and strategic direction while retaining the flexibility to be opportunistic and adaptive but with a clearly defined scope.
- UNDP must use its comparative advantage as an integrator and convenor between both sides of the development paradigm and reposition itself in light of the new government.
- The project requires standardised mechanisms for learning, in particular from its M&E efforts that can be reflected both in the project implementation, as well as fed into the CPD programmatic cycle and the next project design.
- The roles and responsibilities of project – programme – senior management – including on decision-making and resource mobilisation should be clearly defined.
- The human rights based approach should be mainstreamed into the project’s theory of change and results framework to ensure that no one is left behind, while human rights due diligence should be consistently applied and

harmonized with conflict sensitivity principles to do no harm and synergize for strongest peacebuilding impact.

- The MTE Team recommends that UNDP leverage on its comparative advantage as an integrator between the supply and demand sides of programming. This requires moving to the next level of capacity development, both for state institutions and CSOs, while ensuring a participatory approach to contribute to a higher level of national ownership on both sides.
- The project should focus on expanding people's engagement and target resources to institutionalising new tools for this purpose.
- Conflict-sensitivity should be better integrated with dedicated conflict-sensitivity staff and demonstrably committed senior leadership.
- There is a need for a more strategic approach towards gender based on research and promoting awareness raising both in the team and amongst the institutions, with a full time gender specialist to drive the GEWE strategy.

2. Introduction

UNDP has been implementing the Strengthening Accountability and Rule of Law project (SARL) since 1 June 2018. It is a four and a half year project that will be implemented until 31 December 2022, with a total budget of US\$ 27,037,305. Currently, there is a shortfall of US\$15,391,087, which is unfunded. The project has three outputs:

Output 1: Access to public services become more fair, transparent and accountable through enhanced administrative systems and anti-corruption measures

Output 2: Parliaments are better able to engage with and represent the rights and interests of the public.

Output 3: Justice sector strengthened to administer justice according to rule of law and human rights.

In 2020, in response to the Covid-19 pandemic, the project expanded and diverted some funds to assist with the response and recovery efforts, by adding an additional three outputs:

Output 4: Japan's Supplementary Budget – COVID Integrated Crisis Management

Output 5: COVID Support Health and Equipment

Output 6: COVID Support Public Engagement - Parliament

In line with the Monitoring and Evaluation (M&E) plan for the project a Mid-Term Evaluation was commissioned.

2.1.Context

i. Development and operational context

Myanmar is a lower middle-income least developed country, which continues to navigate multiple transitions: from conflict to peace, from military/autocratic rule to a democratic civilian Government and from a largely closed economy to an open market economy. These transitions are occurring in a complex development context where: high concentrations of poverty in rural areas contrast with accelerated development in urban centres; armed conflict is still occurring in some parts of the country; and frequent natural disasters pose an increasing risk.

Myanmar's Human Development Index (HDI) value for 2018 was 0.584 - which put the country in the medium human development category - positioning it at 145 out of 189 countries and territories. Myanmar has a Gender Inequality Index (GII) value of 0.458, ranking it 106 out of 162 countries in the 2018 index. Women make up approximately 51 per cent of both the national population and those eligible to vote. In

the 2020 elections, the number of seats won by women increased, with women now occupying 197 seats out of the 1117 seats in the Union, Region and State Hluttaws, accounting for approximately 17 per cent of the total.¹ At the Union Level, the number of women increased by 3 per cent. Women gained an additional nine seats (53 in total) accounting for nearly 17 per cent of the total number of seats in the Puithu Hluttaw and gained an additional 2 seats now accounting for nearly 16 per cent of the total seats. In contrast to the 2015 elections, women were elected to every one of the 14 Hluttaws.² Women are making steady progress in accessing seats at subnational levels whereby the 2020 elections marked an increase of 18 per cent from 12 per cent in 2015. There are a number of States whereby women represent 20 per cent of the seats (Taninthayi, Magway Region). In Mon State women represent 25 per cent of the elected MPs and in Yangon Region they account for 30 per cent. While the incumbent party has made efforts to promote women in politics, more is needed to ensure women's effective representation in the parliament in order to better impact on gender sensitive laws and policies. Women fare slightly better in relation to education whereby 28.7 per cent of adult women have reached at least a secondary level of education compared to 22.3 per cent of their male counterparts. Nonetheless, women remain economically repressed, politically underrepresented and tend to have negative health outcomes. For every 100,000 live births, 178.0 women die from pregnancy related causes; and the adolescent birth rate is 28.5 births per 1,000 women of ages 15-19. Female participation in the labour market is 47.7 per cent compared to 77.3 for men.³

Myanmar is regarded as one of the most ethnically diverse countries in the world. There are 135 officially recognized ethnic groups, which are grouped into eight⁴ major ethnic nationalities. Myanmar has been subject to decades of inter-ethnic conflict. Myanmar's internal armed conflict encompasses many localized centre-periphery conflicts, pitting a dominant ethnic group (Bamar) against multiple other ethnic groups (e.g. Chin, Kachin, Karen), most of which have long fought for varying degrees of autonomy or independence. The national army (Tatmadaw) has fought multiple independence movements against numerous ethnic armed organizations (EAOs). An attempted peace process (2013-15) was constructed around a Nationwide Ceasefire Agreement (NCA) originally with eight Ethnic Armed Organizations (EAOs) (now ten) and envisioned a Joint Monitoring Commission (JMC) and national dialogue, which has faced challenges to de-escalate tensions and monitor the ceasefire. The peace process stalled over a number of issues: not all EAOs were signatories to the NCA (specifically from Kachin, Shan, Rakhine); ceasefire agreement in certain areas (Kachin and Shan/Largely Northern Shan) were not abided by; and state level agreements for partial demilitarization of certain areas were not followed up. As the peace process was deteriorating, the Tatmadaw's 2017 military operations in Rakhine brought massive destruction, displacement of 500,000+ persons, and continuing repression, intimidation, militarization of the state and harsh treatment of all ethnic groups in Rakhine.

¹ This is in contrast to the 2015 elections whereby only 152 seats were occupied by women amounting to 13 per cent of the overall total.

² In 2015, there were no women elected to Rakhine, Chin and Kayah States.

³ http://hdr.undp.org/sites/all/themes/hdr_theme/country-notes/MMR.pdf

⁴ Kachin, Kayah, Karen (or Kayin), Chin, Mon, Burman, Rakhine (or Arakan), and Shan.

Increases in fighting by insurgency groups and in Tatmadaw reprisals since mid-2017 have had a deleterious effect on the lives, livelihoods, freedom, mobility, and security of many communities in Myanmar. These restrictions have negatively impacted the governance and development work of United Nations (UN) entities and partners, International Non-Governmental Organisations (INGOs), and National Non-Governmental Organisations (NGOs) who faced suspension of their credentials; restrictions in getting authorization to travel; denial of physical access to EAO controlled areas and Internally Displaced Persons (IDP) camps; inability to establish working cooperation with authorities representing EAOs; and other inhibitions to their work.

The restrictive environment hampered the project in its first years to address sensitive issues such as ethnicity, minority issues, access to justice, and land and property rights. The scope of the project's interventions that might have directly addressed or acknowledged conflict-sensitivity have thus far been limited and understandably sacrificed to achieve technical goals such as developing strong working relationships with national partners and government interlocutors, conducting baseline research, and drafting and getting approval of new policy documents.

In the Myanmar Sustainable Development Plan (MSDP) the Government has committed to strengthening the country's democratic institutions by promoting accountability and transparency, and improving capacities for service delivery, integrated policy planning, coordination and analysis. The national Parliament and the state/region administrations and parliaments have been operational only since 2011 and are actively pursuing capacity building and institutional strengthening efforts. Despite the first population census in three decades and other surveys, the overall capacity of the national statistical system remains low, resulting in a deficit of reliable, disaggregated data for policy development and targeting of services.

While the government of Myanmar has put anti-corruption high on the agenda, corruption remains a serious challenge in the country. Transparency International in 2019 ranked Myanmar 130 out of 180 countries with a score of 29/100 on its Corruption Perception Index. Twenty-two per cent of respondents felt that corruption had increased in the previous 12 months, and 32 per cent reported having to pay a bribe in the previous 12 months. This figure is almost certainly higher, with many people not viewing having to pay to receive services as paying a bribe.⁵ Despite the establishment of an Anti-Corruption (AC) Commission (ACC) in 2014 following the enactment of the AC Law in 2013, national efforts remain uncoordinated, and capacity and legislative gaps remain. The need to address corruption and to engage broader public awareness on anti-corruption, ethics and integrity is essential and while corruption affects both male and females, international case studies reveal that women's de facto inferior social and political power and status often results in reduced ability to demand accountability.

With the adoption of the 2008 Constitution, Myanmar re-established national and sub-national parliaments. At the Union level there are three houses in the Assembly of the Union – the lower house (House of Representatives or *Pyithu Hluttaw*) with 440 seats, the upper house (House of Nationalities or *Amyotha Hluttaw*) with 224 seats and the

⁵ <https://www.transparency.org/en/countries/myanmar#>

joint chamber (*Pyidaungsu Hluttaw*). In the Pyithu Hluttaw and the Amyotha Hluttaw the Constitution stipulates that 25% of the seats will be filled with appointments from the Myanmar armed forces with the rest of the seats directly elected by citizens through single member constituencies.⁶ In addition, each of the 14 regions and states has its own Hluttaw to which citizens directly elect two-thirds of the seats and one-third is appointed by the armed forces.⁷

Support for the Union Parliament over the past seven years has resulted in active committees, though until recently the focus has been on their law-making function. At the sub-national level less support has been provided and, in turn, the committee structure was less developed, with a focus primarily on responding to constituent complaints. Yet there is clear evidence of some, active MPs using their mandate – both individual and as part of a committee – to create a more systemic approach to the work that includes public input. In addition, given the recent return to multi-party democracy, MPs have limited resources and capacity to routinely engage their constituents.⁸ A key concern for all MPs – both at the Union and State/Region levels – is the limited technical support they receive in fulfilling their mandates.

Multiple assessments have highlighted increased vulnerability to gender-based violence (GBV) including fear of sexual assault and exploitation, domestic or intimate partner violence, and early/forced marriage. Domestic violence is still very much considered a “family issue” and is often hidden or not discussed. Many women who incur violence from their partner face stigma and denial from their community and are therefore very often reluctant to report acts of violence for fear of upsetting “the cultural preference of the appearance of harmony” and “the shame associated with conflict at home”. Although the country has ratified several international conventions concerning human rights, notably on women, children, persons with disabilities and trafficking, the policy and legal framework need to be aligned to international conventions to adequately address GBV. A draft national law on violence against women has been finalised in 2019, however the law has yet to be adopted. Egregious violations and accusations of mass rape as well as crimes against humanity have been said to have been committed in Rakhine State.

A National Human Rights Commission has been established but lacks capacity, and there is scope to encourage further convention ratifications and implementation of universal periodic review recommendations. Women continue to be underrepresented in governance institutions across all three branches of government especially at senior levels; and only 84 of over 17,000 elected ward/village tract administrators are women.⁹

The lack of participation of women and minority communities in decision making and normalization of gender-based violence is compounded by a weak justice system, characterized by a judiciary which is perceived to be not fully independent, impartial and effective and by weak representation of minority communities in government

⁶ Constitution of the Union of Myanmar (2008) Articles 109 & 141

⁷ *Ibid*; Article 161(d)

⁸ *Situation Analysis of Myanmar's Region and State Hluttaws* (2018) UNDP; Yangon https://www.mm.undp.org/content/myanmar/en/home/library/democratic_governance/situation-analysis-of-myanmar-s-region-and-state-Hluttaws.html

⁹ UNDP Country Programme Document for Myanmar 2018 - 2022

structures. This further undermines the government's ability to uphold the rule of law and protect and uphold human rights for the traditionally vulnerable and disadvantaged groups including women. Myanmar ranked 110 out of 126 countries in the World Justice Project (WJP) rule of law index 2019. The justice sector faces institutional capacity challenges and is focused on justice reform, strengthening the rule of law and improving access to justice for all. Women's access to justice, particularly in rural areas, is limited and this is also corroborated by the lack of cases, which are managed and resolved by the justice system. Widespread distrust of the state justice system among minority communities, corruption and gender bias, the high-cost of legal fees, lengthy trial delays and language barriers for non-Myanmar speakers are factors which deter survivors from seeking redress through the formal state justice system. To compound the lack of access to justice, non-formal mechanisms adhere to patriarchal norms, which do not necessarily ensure human rights of women and girls. Furthermore, women's access to formal justice may also be perceived as an action in opposition to their ethnic identity.¹⁰

ii. Evolving context

2020 has been a challenging year for Myanmar due to the COVID-19 pandemic. The social and economic impact of the pandemic is affecting most disproportionately on poor and vulnerable households, and job loss is a direct consequence of travel and border trade restrictions in place. The World Bank estimates a drop of 6% regarding GDP growth (from 6.8% in 2018/19 to an increase in 2020/21 of only 0.5%.¹¹) The incumbent NLD government is in progress to form its new government to keep the administration moving forward; this new government has to do most of its next five-year terms on COVID-related and recovery-focused issues as well as overall socioeconomic developments. The backbone of the NLD government is focused on three related priorities: a) Myanmar Sustainable Development Plan (MSDP); b) COVID-Relief Economic Plan (CERP); and c) finally it is currently developing the third document known as Myanmar Economic Recovery and Reform Plan (MERRP).¹² The main document for UN overall response in Myanmar is (UN- SERF) known as A UN framework for the immediate socio-economic response to COVID-19 in Myanmar published in June 2020,¹³ which identifies the key programmatic priorities over the short (0-6 months) and medium-long term (6 to 18 months).

Within the SARL project, the pandemic impacted activities and forced a change in approach in many of the project areas. For example, the Anti-Corruption Commission (ACC) was forced to switch to online meetings and video conferencing. The Union Parliament was forced to suspend its work on 26 March 2020 due to the pandemic. It reconvened in May with in-person sessions. Between May and August, the Union Parliament continued to meet in-person to approve, among other items, a

¹⁰ United Nations Peacebuilding Fund, Overcoming barriers to strengthen the voices of all women in Rakhine State for social cohesion and peace, Project Document, April 2018

¹¹ <https://www.worldbank.org/en/news/press-release/2020/06/25/myanmars-economy-severely-impacted-by-covid-19-report>

¹² No concrete document out yet but see some details: <https://www.mmtimes.com/tags/myanmar-economic-recovery-and-reform-plan-merrp>

¹³ See more details: <https://myanmar.un.org/en/51709-un-framework-immediate-socio-economic-response-covid-19-myanmar>

supplementary budget for the current fiscal year. The state and regional assemblies were less active, though there were some assemblies that did hold sessions (e.g. – Yangon). Under output 3, implementing partners (IPs) in Rakhine and Kachin postponed paralegal gatherings, awareness raising training, mobile legal clinics, and in-person legal services. Resources were diverted to awareness raising initiatives through social media, printed material and signs, educational videos, radio and TV discussions. The impact of COVID-19 on the project will be further unpacked in the evaluation report.

In November 2020 Myanmar held parliamentary elections for the Union Parliament and the 14 state and regional assemblies. The ruling National League for Democracy (NLD) Party won re-election with a slight increase in seats in the Union Parliament with approximately 60% of all seats in both chambers.¹⁴ At the state/region level NLD also made gains and now controls 82 per cent of all elected seats at the sub-national parliament level and has an outright majority in 12 of 14 states/regions.¹⁵ Two major aspects shaped the outcome of the elections: a) COVID-19 impact – this was a huge advantage for the incumbent government who provided welfare/relief aid to the people, enabling the most access to voters, while the other parties were unable to campaign during lockdown measures and the imposed travel restrictions; and b) the Union Election Commission (UEC) announced the cancellation of elections in a number of constituencies as a result of ‘security reasons’ (15 constituencies for Pyithu Hluttaw and 7 for Amyotha) especially in Rakhine and Shan which are particular strongholds, resulting in an important number of persons being disenfranchised.

2.2. Linkages of the Project with National, State and UN frameworks and strategies

The project is aligned with the national strategic and policy framework, notably the **Myanmar Sustainable Development Plan (MSDP)** Pillar 1: Peace & Stability. Under the MSDP SARL contributes to MSDP Goal 1: Peace, National Reconciliation, Security and Good Governance and the MSDP Strategy 1.3: Promote greater access to justice, individual rights and adherence to the rule of law. The project also responds to the **Covid-Relief Economic Plan (CERP)** and the **Myanmar Economic Recovery and Reform Plan (MERRP)**, which is currently under development.¹⁶ These three documents form the backbone of the NLD government and provide guidance on the strategic direction of the government moving forward.

The project contributes to the 12-point “**Economic Policy of the Union of Myanmar**” that prioritizes strengthening the rule of law (Point 7). Specific to the context in Rakhine State, the project supports the Government to implement key **Recommendations of the Final Report of the Advisory Commission on Rakhine State** to “provide adequate training to members of Rakhine’s judiciary, including on: rule of law

¹⁴ <https://www.aljazeera.com/news/2020/11/13/aung-san-su-kyi-party-confirmed-winner-in-myanmar-election>

¹⁵ For more detail see: 2020 State and Region Hluttaw Brief (2020) The Asia Foundation https://asiafoundation.org/wp-content/uploads/2020/12/Myanmar_2020-General-Election-State-and-Region-Hluttaws.pdf

¹⁶ No concrete document out yet but see some details: <https://www.mmtimes.com/tags/myanmar-economic-recovery-and-reform-plan-merrp>

principles; fair trial and due process; accountability and transparency; mediation principles; gender sensitivity and gender equality; and international standards related to the judiciary.”

The project also contributes to the advancement of the **2030 Agenda and the Sustainable Development Goals** (SDGs) in particular SDGs 16 (peace, justice and strong institutions), 5 (gender equality), and 10 (reduced inequalities), for example through addressing issue’s relating to the lack of women’s empowerment and lack of access to justice, in particular for women and other vulnerable groups.

Under the **UNDAF 2018 – 2022**, the Government has committed to the vision of building a “peaceful, prosperous and democratic Myanmar.” The UNDAF partnership includes a further commitment to “strengthening the rule of law to create a fair and just society for all our people based on freedom, equal rights and self-determination, and by strengthening democratic values and norms in line with international standards” and “accountability of institutions to meaningful participation by all people in decision-making.” The Peace outcome of the UNDAF is “People in Myanmar live in a more peaceful and inclusive society, governed by more democratic and accountable institutions, and benefit from strengthened human rights and rule of law protection.”

Finally the project contributes to the achievement of outcome 1 and outputs 1.1, 1.2 and 1.4 of the **UNDP Country Programme Document** and outcomes 1 and 2 and outputs 1.2.3, 2.2.2 and 2.2.3 of the **UNDP Strategic Plan**.

2.3. Evaluation objective, purpose and scope.

The Mid-Term Evaluation (MTE) assesses the progress towards the achievement of the project objectives and outcomes as specified in the project document and identifies early signs of project success and areas for improvement that will guide the future direction of the project, both in the short-term, meaning the remaining project implementation period, as well as in the longer term in view of a future programming cycle. The evaluation was based on data available at the time of evaluation, including project documents and other relevant reports, as well as extensive stakeholder consultations, over a period of two months.

The evaluation covers the period from the time of inception, 1 June 2018, until 31 December 2020. It focuses on the first three outputs of SARL.

The primary audience for the evaluation will be the Government of Myanmar, development partners and UNDP. The secondary audience for the evaluation are other relevant stakeholders.

The specific objectives of the mid-term evaluation were to review and make recommendations related to:

- Access to public services are more fair, transparent and accountable through enhanced administrative systems and anti-corruption measures;
- Parliaments are better able to engage with and represent the rights and interests of the public;

- Justice sector strengthened to administer justice according to rule of law and human rights.
- Partnership arrangements with the Implementing partners put in place by the project are effective;
- Cross cutting issues have been well integrated in the project;
- The current organizational and institutional capacities (staffing, structure etc.) are appropriate to deliver the project results

2.4. Evaluation criteria and questions.

The MTE was conducted in line with a number of the OECD-DAC evaluation criteria - (a) relevance; (b) effectiveness; (c) efficiency; and (d) sustainability. As per the ToR, the evaluation team was asked to consider a number of key questions shaped around these OECD-DAC evaluation criteria. These are provided in Annex I. The evaluation team also considered coherence when undertaking the evaluation, in particular with other UNDP projects – LEAP and SERIP – and with other UN Agencies, notably UNODC (Output 1) UNFPA and UN Women (Output 3).

2.5. Evaluation ranking scale

The evaluation team have applied a rating scale to rank each evaluation criteria – relevance, efficiency, effectiveness, and sustainability - against a 4-fold rating scale as described below.

- Highly Satisfactory (4)
- Satisfactory (3)
- Moderately satisfactory (2)
- Unsatisfactory (1)

Scoring of Project Performance:

Rating	Performance description
4 Highly satisfactory (Always/almost always)	Performance is clearly very strong in relation to the evaluation question/criterion. Weaknesses are not significant and have been managed effectively.
3 Satisfactory (Mostly, with some exceptions)	Performance is reasonably strong on most aspects of the evaluation question/criterion. No significant gaps or weaknesses, or less significant gaps or weaknesses have mostly been managed effectively.
2 Moderately satisfactory (Sometimes, with many exceptions)	Performance is inconsistent in relation to the question/criterion. There are some serious weaknesses. Meets minimum expectations/requirements as far as can be determined.
1 Unsatisfactory (Never or occasionally with clear weaknesses)	Performance is unacceptably weak in relation to the evaluation question/criterion. Does not meet minimum expectations/requirements.

Figure 1: Project performance score rating

2.6. Cross-cutting issues

As stipulated in the ToR, gender and conflict-sensitivity and peace-building (CSPB) aspects were integrated into the evaluation methodology and incorporated into the evaluation matrix. An assessment of how well this has been integrated into the project is provided in chapter 3 under each of the output analyses as well as under sub-section 3.5.

2.7. Evaluation Report Structure

Chapter 1 of this report provides the executive summary, while Chapter 2 provides the introduction and background as well as the context analysis, evaluation purpose and scope, and the evaluation ranking scale.

Chapter 3 of the evaluation summarises the evaluation approach methodology, which was detailed in full in the Inception Report. It presents the challenges and limitations faced by the Evaluation Team in conducting the evaluation, as well as an overview of the stakeholder consultations that were conducted.

Chapter 4 provides the evaluation analysis, which is broken down per project output. Under each output, output level findings and recommendations are presented. This chapter also contains an analysis of the project's partnerships, the crosscutting issues of GEWE and CSPB, the organisational and institutional capacities, as well as the project's response to the Covid-19 pandemic. A ranking of each output per each evaluation criteria is provided.

Chapter 5 presents a general assessment of the overall project against the evaluation criteria, and consolidates the overall evaluation criteria rankings for the project.

In Chapter 6, the MTE Team present their findings, recommendations and lessons learned. Relevant annexes are provided at the end of the report.

3. Evaluation approach and methodology

3.1. Methodology

The evaluation was guided by the basic methodology as set out in the ToR, in line with the UNEG and OECD/DAC Quality Standards for Development Evaluation, and

keeping in mind the Paris Declaration on Aid Effectiveness, as required by the ToR, the evaluation will assess the relevance, effectiveness, efficiency, and sustainability of the project. A detailed evaluation approach and methodology was provided in the Inception Report and will not be repeated here. Instead, a brief overview of the approach and methodology is provided.

- The evaluation was multi-faceted and the methodological approach used mixed (qualitative and quantitative) methods.
- The evaluation was conducted through a participatory and consultative process, which includes all relevant national stakeholders, the international community and the project beneficiaries.
- An evaluation matrix was developed that provided the analytical framework for the evaluation and set out the relevant evaluation criteria, key questions and sub-questions, data sources, data collection methods/tools, indicators and methods for data analysis. The evaluation matrix is provided at Annex II.
- The data gathering phase was incredibly extensive, reaching over 235 stakeholders – please see further below.
- Data gathered, both qualitatively and quantitatively was triangulated, through cross verification from more two or more sources and through comparative analysis.
- Three de-briefs were conducted with the project, GSP and senior management, and the project was shared to all relevant stakeholders for their review and consideration. This provided opportunity to further validate the findings and recommendations.

The non-linear, sequential methodology for conducting the evaluation of the SARL project consisted of three main phases:

Phase 1 – Desk research, document review and Inception Report

Phase 2 – Virtual Data Collection, Analysis and Validation

Phase 3 – Drafting, Revision and Finalisation

3.2. Challenges and Limitations of the Evaluation

The evaluation team faced a number of challenges and limitations in conducting the evaluation. First and foremost was the challenge of conducting the evaluation remotely using virtual tools. It proved challenging to build up a rapport and distil the essence of the project with stakeholders and beneficiaries when the meetings were conducted remotely, via translators and with participants wearing masks. Logistical challenges included extensive time-differences, unstable Internet connections and a data-gathering phase that lasted from 11 November 2020 – 7 January 2021. The overload of information from such an extensive data-gathering phase, also presented challenges in terms of analysing the information to identify relevant findings, recommendations and lessons learned.

The evaluation team also faced the issue of recall bias, whereby key informants were participating in several projects and potentially blended their experiences into a composite response. This was particularly apparent during the focus group discussions relating to output 3, where some participants had participated in multiple trainings,

sometimes with different organisations. The evaluation team mitigated this bias primarily through a semi-structured interview protocol that contained questions about specific activities. There was also the challenge of response bias where participants provided only positive remarks because they would like to stay involved with the intervention in the future and they think that a negative evaluation could mean the end of project opportunities. This was potentially true during the focus group discussion with recipients of the training on corruption risk assessments, whereby a very large group of participants provided mainly positive feedback. To mitigate this, the MTE team stressed for each informant that it would maintain confidentiality as well as the team's independence from both UNDP and the project. There was also the potential challenge of selection bias, whereby beneficiaries provided by the implementing partners could mean that the evaluation team heard only from people who had positive experiences. As with the other forms of bias, multiple sources of data and questions eliciting specific examples helped to mitigate the risk of this bias.

3.3. Stakeholder consultation analysis

In total, the MTE conducted 78 meetings with 235 (120M, 115F) stakeholders and beneficiaries. This included 4 meetings with UNDP/Myanmar senior management and 12 meetings with the project team to discuss the project's key thematic output areas. The MTE team conducted 1 meeting each with the UNDP Seoul Policy Centre, UNRC, UNHCR, UN Women, UNODC and UNPFA, and 3 meetings with the UNDP Bangkok Regional Hub.

On the government side, 19 meetings were conducted in total at both Union and subnational level, reaching a total of 37 people (20M, 18F) including 9 meetings with Union-level officials that included the Deputy Minister of the Ministry of the Union Government, as well as one Union-level government FGD (for approximately 40 recipients of training on Corruption Risk Assessment). For Union level alone, the MTE reached a total of 24 people (11M, 13F). At the sub-national government level, there were 10 meetings including the State Attorney General for the government counterpart and sub-national parliament officials and MPs, totalling 14 people (9M, 5F).

To reach members of parliament (MPs), 1 meeting was conducted with the Deputy Speaker at a sub-national level, and 1 MP from the sub-national level as well as 2 FDGs, each with sub-national level MPs and Union level MPs, reaching 10 MPs in total.

With regards to beneficiaries, the MTE conducted a total of 7 FGDs reaching 64 project beneficiaries/project individuals with a good gender balance (36M and 28 Female), including 3 paralegals training reaching over 30 people, which were related to HLP and general RoL issues. Focus Group Discussions were conducted with beneficiaries in all project implementation areas – Rakhine, Kachin and Shan. One FGD with Kachin-based beneficiaries was cancelled due to the permission issue.

In terms of donors, the MTE team conducted 6 consultation meetings including Germany, UK, Japan, Norway, Australia and Canada. A full list of stakeholder meetings conducted is provided at Annex III.

4. Evaluation Analysis and Output Level Findings

Overall Data Highlights for the SARL Project

32,298 beneficiaries
45% women
15 states/regions reached
55 townships reached
372 village tracts reached
549 towns/villages reached

The original rationale behind SARL was that it would support the Government of Myanmar to build public trust in state institutions. Building on the clear initiative of all three branches of the state to promote transparency and accountability, while recognizing the challenges involved in countering corruption, strengthening parliamentary oversight, and promoting adherence to principles of administrative justice and rule of law, the project aims to help to strengthen institutional frameworks and capacities for good governance. The project also aims to empower rights holders and engage them in accountability mechanisms.

Analysing now each of the outputs, as well as crosscutting issues namely partnerships, GEWE, CSPB and organisational and institutional capacities, this Chapter of the evaluation report will provide the evaluation analysis and output level findings. The analysis of the outputs also assesses the project's response to the Covid-19 pandemic and considers whether its response was timely and appropriate. It should be noted that the analysis does not present a comprehensive list of all activities undertaken but moreover discusses some of the highlights and key areas of intervention.

4.1. Output 1: Access to public services become more fair, transparent and accountable through enhanced administrative systems and anti-corruption measures

Data Highlights for Output 1

72 Corruption Prevention Units established
20 Anti-corruption events held
3,723 beneficiaries reached (1,345 Women)

Output 1 focuses on anti-corruption and integrity. SARL supports the Anti-Corruption Commission to lead a national effort to tackle corruption and to promote transparency and accountability. It also works with line ministries and other institutions to strengthen frameworks for improved ethics and integrity across all levels of public service and help ensure that administrative services are delivered in a fair, unbiased and non-discriminatory manner (SARL Annual Report 2020).

Originally, the project had envisaged working with the Union Civil Service Board to increase merit-based hiring and promotions. However, this work stream was taken over

by LEAP and the SARL project focused more on the establishment of Corruption Prevention Units and integration of Corruption Risk Assessments.

In 2018, the project provided support to the ACC to develop a Code of Conduct. The Code of Conduct promoted a gender sensitive approach by the inclusion of the prohibition of discrimination based on gender. Furthermore, under the inclusiveness chapter, mention was made “to cooperate with each other positively without discrimination, bias and prejudiced based on gender.” The development of the code proved to be the right entry point given the local context.

Finding: The initial work on developing the capacities of the Anti-Corruption Commission proved a good entry point because it allowed UNDP to position itself in the field.

After a slow start, while the project gained traction and an agreement was made with UNODC that UNDP would focus on prevention of corruption, in 2018, SARL received endorsement from the President’s Office for the establishment of Corruption Prevention Units (CPU) in the ACC and potentially all line ministries to improve oversight and accountability. A Corruption Risk Assessment (CRA) methodology and tool for Myanmar was developed, which was adapted from the Korean Anti-Corruption and Civil Rights Commission (ACRC) with the assistance of UNDP’s Seoul Policy Centre for Global Development Partnerships (USPC). The idea was that CPUs would apply the Corruption Risk Assessment methodology. While the mandate of Korea’s ACRC is far broader than Myanmar’s ACC, the CRA was uniquely adapted to the Myanmar context.

Finding: The evaluation team finds that while the CRA has great potential in terms of corruption prevention, a deeper understanding of the CRA, among stakeholders, including on the demand side, is still required.

Finding: The endorsement by the President for the CPUs and adapting the CRA to the Myanmar context proved pivotal in SARL’s efforts to contribute to the fight against corruption.

In 2019 CPU’s were established in 22 Union line ministries and government institutions and SARL successfully advocated for inclusion of CRAs in their mandate. This means that in future, CPUs will be tasked to identify corruption risks in legislation and administrative procedures. In 2020, the establishment of CPUs has expanded into nearly all Union ministries (circa 72) and training was delivered on the CRA methodology. To date, while almost 32 per cent of the recipients of the training on the CRA were women, gender specific training on the CRA has not been provided. While the CRA is not necessarily gender focused, there is some room for applying a gender sensitive approach in the application of the existing criteria. For example, under corruption risks, one criterion refers to the different treatment of groups, whereby legislation could be assessed on how it might treat women and men differently with regards to corruption risks. The integration of the CRA in other ministries has shown promise, in particular, the UAGO, the Ministry of Health and Sports and the Ministry

of Planning and Finance have demonstrated an interest in applying the CRA to draft laws and internal procedures.

In terms of knowledge management and training, the project could be more proactive in terms of providing opportunities for exchange of knowledge, experience and practices between the ACC and CPUs, in order to have a more comprehensive programming approach. This in return would allow for progression from simply delivering trainings to the development for a system for training and knowledge management.

“I would like UNDP to support the development of a platform for exchange of practices and experiences between ACC and CPUs in the ministries.”

Female ministry representative in the FGD on CRA

Finding: The CRA is a very simple and accessible tool that has potentially far-reaching impact.

With the endorsement of the Attorney General, SARL is now integrating CRA principles into the UAGO’s Legislative Drafting Guidance, which will mainstream anti-corruption into the law-making process. The project is also supporting integration of the CRA into the National Land Law drafting process. The UAGO informed the MTE Team that one of its key priorities is to include the CRA into the Legislative Drafting Manual.

The project has also provided considerable capacity building support to the ACC. Consideration should not be given to taking this support to the next level.

Finding: During the implementation of SARL to date, the ACC has matured as a partner and is more aware of its specific needs, including on training.

“The ACC would benefit from targeted and tailor-made training in corruption prevention that would be developed based on our articulated needs.”

Representative of the ACC

The other main focus under Output 1 relates to business integrity. In 2018, the project supported the ACC to hold the first in a series of Business Sector Dialogues bringing together officials from regional government, parliament, the justice sector, businesses, civil society and media. A total of 992 persons received training on this issue, with 223 being women (22 per cent). The dialogues focused on business integrity, sustainable business models, and public-private partnerships to strengthen involvement of the business sector in overall corruption prevention efforts. These continued in 2019 but had to be put on hold due to the Covid-19 pandemic. In partnership with the Myanmar Centre for Responsible Business and the ACC the project has supported the development of a Business Integrity Handbook, which was launched in 2020. Unfortunately, the handbook makes no reference to gender. Business integrity has also proved to be a good entry point and it brings together key stakeholders – government, business and CSOs. It provides a good platform to keep the momentum on anti-corruption going.

SARL is also working with the ACC to deliver the country's first ever national anti-corruption media campaign; the social media element of the campaign has reached 510,000 directly to date. The media campaign has a focus on business integrity and public officials, the sensitivities of which have led to tension between the ACC and the executive. The project became very aware of corruption in land administration cases and is about to start a series of podcasts and trainings for journalists because of connections between corruption and land, especially for displaced persons and in particular women and girls.

Finding: While it is too premature for the MTE team to assess the potential impact of the media campaign, the campaigns have the potential to reach a large number of people and considerable raise awareness of anti-corruption issues among a wide range of stakeholders including the general public.

An anti-corruption media campaign is inherently politically sensitive and prone to cause new tension. Careful consideration should be given to ensure that the optics and reality of the campaign maintain an apolitical nature as it rolls out and that it is not seen as favouring or disfavouring one political party or group over another which could generate unintended tensions or new disputes or disagreements. In order to maintain and grow bipartisan support so that the campaign can deepen over time, it would be important to highlight the peripheral positive consequences of such a campaign in terms of the potential to boost public trust in government and win support for anti-corruption supporters. The highest level of government possible should be brought on board to signal their support so as to reaffirm full backing and incentivize others to ensure that such support cascades throughout the ranks of the relevant government civil service ranks, and appointed and elected officials.

It is too premature for the MTE team to assess the potential impact of the media campaign. To ensure business continuity amid the Covid-19 pandemic, the ACC, the UAGO and the Office of the Supreme Court of the Union were also supported with video conferencing and IT equipment.

Finding: The project has developed a strong relationship with the Anti-Corruption Commission that is based on mutual trust.

While the ACC has matured during the lifespan of the project, it is still a young institution, but one with considerable political weight. It is expected that anti-corruption will continue to be among one of the top priorities of the new NLD government, although at the time of writing the report, this has yet to be confirmed.

MTE Criteria	MTE Assessment	Ranking
Relevance	The MTR Team finds that this output is very relevant. It is aligned with national priorities including the MDSP and the CERP. Further the output is aligned with UNDAF and the UNDP CPD as well as SDG 16. It is also relevant in relation to the needs and priorities of the	4

	target national partners and beneficiaries. Corruption featured as a high priority in the NLD's previous mandate and it is anticipated that it will continue to be prioritised in the NLD's new and expanded mandate. The project should ensure that support is prioritised when any support in terms of anti-corruption could be seen as relevant.	
Effectiveness	In terms of progress towards project results, under this output the project has achieved 3 activity results, with the remaining 5 being partially achieved and on track. Where activities haven't been fully realised yet, this is either due to a change in priorities of challenges in the operating context such as Covid-19. The remaining implementation period should allow for appropriate realisation of activity results, and where appropriate include a more gender sensitive approach.	3
Efficiency	In 2018, the delivery rate for this output was 86%, in 2019, 100% and in 2020 92%. 72 CPUs have been established, 20 AC events conducted and 3,723 beneficiaries have been reached. In terms of staffing, the MTE Team recommends a dedicated AC specialist at the CO level.	3
Sustainability	The MTE Team finds that the project has made steps towards sustainability. The legal and institutional AC framework is gradually improving in many respects. The ACC has been established and is deploying its operational mandate. CPUs have been established in all 72 line ministries and CRAs have been introduced. Next steps include fully institutionalising the CPUs and fully integrating CRAs, as well as further developing the capacities of the ACC in terms of AC prevention and gender sensitivity.	3
Coherence	Output 1 coordinates well with LEAP in terms of civil service reform and anti-corruption. Synergies have been developed, which can be further maximised during the remaining implementation period. With regards to UNODC, the MTE Team find that there is good coherence between the respective mandates of the 2 agencies.	3
Overall	This output is on the right track with potential for further successes and scaling up.	16/20

Figure 2: Overall assessment of Output One

Legend

- Highly Satisfactory (4)
- Satisfactory (3)
- Moderately satisfactory (2)
- Unsatisfactory (1)

Follow-on Actions

- Anti-corruption should be mainstreamed as much as possible into the project. Introducing new technology and apps could provide an opportunity for UNDP to leverage technology and innovation to prevent corruption and improve services, for example, through complaint mechanisms.
- The CPUs should become fully institutionalised, as just establishing them will not make them sustainable.
- The project should assist the UAGO to include the CRA into the Legislative Drafting Manual and should monitor how it is applied. It should be ensured that the CRA is an actionable tool.
- Exploring opportunities to further strengthen the capacities of the ACC in terms of prevention, gender awareness and awareness raising in remote areas.
- Conduct a gender assessment of how corruption impacts on men and women differently and feed results into a gender sensitive strategy to combat corruption and promote ethics and integrity.
- Further promotion of the participation of women, youth and marginalised groups.
- Strengthening of interlinkages between the three outputs in order to promote and encourage women's role in oversight and combatting corruption.
- Specialised trainings should be conducted with ministry representatives who are responsible for the initial drafting of new laws, as well as for law officers in specialised departments of the UAGO who are responsible for vetting new laws.
- To ensure that the CRA is a cross-cutting actionable tool, two further steps can be taken: (1) specialized training on the CRA should be extended to MPs and parliamentary staff at state/region levels as well as at the Union level Hluttaws; and (2) for parliamentarians the CRA training could be usefully conducted in tandem with training on 'conflict-sensitive analysis of bills' which would provide a practical guide of the inherent 'conflict risks' if the unintended consequences of proposed legislation are not analysed and taken into account.¹⁷
- The next steps should include moving from risk assessment to risk management in terms of fully implementing the CRAs.
- Project activities should be expanded at the regional level.
- The complementary approach provided by SARL and LEAP (regulatory and management respectively) should be used in a more systemic way that would contribute to internal practices and make them institutional.
- Future institutional changes to achieve greater accountability and mitigate against corruption can be considered (at least in the next phase of the project) such as grievance mechanisms, both internal (where government workers can make complaints of unfair treatment, discrimination, etc. or appeal decisions) and external (such as an ombudsman office where citizens can get help when normal channels for service provision fail, i.e. collecting a pension or contesting decisions). Similarly, whistleblower protections should be developed both in terms of the legal framework and in the operationalization of such a mechanism.
- Build on the results of the media campaigns once these have been implemented and assessed, particularly in terms of impact and reach.

¹⁷ See: Kyrgyzstan/UNDP/UNPBF Methodology of conflict-sensitive analysis of bills 2012
https://www.academia.edu/38036396/Methodology_of_Conflict_Sensitive_Analysis_of_Bills

4.2. Output 2: Parliaments are better able to engage with and represent the rights and interests of the public

Data highlights for output 2

6 committee inquiries supported

133 Committee members trained

344 beneficiaries

148 MPs trained on constituency representation

Output 2 focuses on parliamentary support, on which it coordinates with UNDP's Support to Effective & Responsive Institutions Project (SERIP). While SERIP concentrates on strengthening the law-making process in Union and Region & State parliaments, SARL strengthens oversight mechanisms through committee processes, and improves MPs' capacity to fully represent the interests of their constituents, especially when grievances from the constituency level are raised.

Based on a decision from the UNDP country team after the end of the last programme cycle, the organisation's engagement in matters related to governance would be thematic in nature and not sectoral. This resulted in the work with the parliaments in Myanmar being divided into two projects – SARL and SERIP. However, *de facto*, the work in support of the parliaments was primarily implemented by the SERIP project team, as it had the architecture and resources to maintain project footprints in three regions (Rakhine; Kachin; Mon) and maintained the partnership with the Inter-Parliamentary Union (IPU) in its work with the three Union parliaments.

Until 2020 and the onset of the global pandemic, the project was working actively to support a small number of parliamentary committees to conduct oversight inquiries. This occurred at both the Union and State/Region levels. At the Union level the Agriculture, Livestock Breeding and Fishery Development Committee of the Amyotha Hluttaw (i.e.: House of Nationalities; Upper House) conducted an inquiry that was commenced in 2018 with the bulk of the work completed by the end of 2019 and the inquiry report tabled in July 2020 on the safe use of agriculture chemicals. The report tabled in the parliament included nearly 40 recommendations.

The process by which the inquiry was conducted indicates the added value of UNDPs support. For example, after sharing knowledge of the need to ensure all stakeholders were engaged in the inquiry process, there was a specific effort by the committee to engage women agricultural workers and farmers. A field visit to an Food And Agriculture Organisation (FAO) sponsored event for training women farmers allowed MPs to speak directly with regard to the concerns and impact on women as to the use of chemicals.¹⁸ While being cognisant of the significance of including women in the consultation process, women in the report are only mentioned a few times. The report highlighted that there “was a big gap in knowledge about the specific impact of agricultural chemical exposure on women” and included a recommendation to “undertake an international standard research program to identify the current and

¹⁸ This consultation noted the fact that in many cases it is the women that do the “easy” work of spraying the crops with chemicals, making them much more vulnerable to the impact of unsafe use of exposure to toxic substances.

potential diseases of women and their children as a result of pesticides. The same inquiry also conducted field visits to select locations, including in Kachin state where committee members visited banana tissue farms.

UNDP provided technical assistance and resources to enable the committee to conduct its inquiry. Yet it has been a challenge to engage with some committees. It may have been helpful that the Chairperson of the Agriculture Committee is a long-standing and senior MP from NLD and has a leadership role with the Joint Coordination Committee that manages projects for the Union Hluttaws. As a result of the inquiry the Union Ministry of Agriculture did announce changes to how permits are issued for chemical spraying and adopted threshold limit values for exposure to toxic substances.

In the end, UNDP cannot support all Hluttaws and committees to conduct inquiries, but through support such as to the Agriculture Committee, there is an opportunity to see the added value of an evidence-based process that can result in change to policies and how decisions are made. The inclusion of women and other vulnerable groups in the consultation process illustrates progress in ensuring that parliaments are better able to engage with and represent the rights and interests of a wide audience.

Looking to the rest of the project's term, the goal is to have 34 inquiries (20 at Union level; one committee in each of 14 state/regions) supported by the project. This is likely achievable, but will require the project to prioritise resources so that labour-intensive, yet impactful, work, such as this, can be delivered. If the goal is to institutionalise such committee work into revised rules of procedure, there will need to be a clear plan on how lessons learned from the early pilot inquiries can be shared and institutional rules are revised that promote routine oversight based on evidence that includes input from stakeholders and the public. It will also require more piloting of specific aspects of committee work, such as how to ensure the voices of men and women and ethnic minorities are included in their evidence gathering. It is also of importance to support the committees in analysing the data in a gender sensitive manner and how to develop and gain traction for including relevant recommendations aiming at ensuring a more inclusive and transparent representation of gender and gender related issues.

Work in support of the committees could also have, at least in part, a focus on the work of complaints committees that are established in each Hluttaw. Currently the Hluttaws respond to individual or small collective complaints by treating each complaint as a case that should be resolved. This, in itself, is a sign of commitment and MPs that have a good understanding of their ability to impact decision-making on behalf of their constituents. But the work of parliament committees should be focused on broader policy decision-making and not just one-off cases. This will require a rethink as to how the MPs and committees function and their role in policy-making in Myanmar. This may have the added benefit of linking the work of the parliaments with other core issues of SARL, given that many of the complaints received are related to land disputes.

<p>Finding: The support to committees conducting inquiries has shown promise, but will require significant resources from the project and capacity from Hluttaw staff and MPs to become a standard practice that includes an evidence-based, inclusive, participatory and gender responsive approach to policy making.</p>

A second focus of the project with regard to support to parliaments was with regard to strategic planning, data management and outreach by the Hluttaws. With regard to the first aspect of this work, the project, along with SERIP, has provided support to a number of Hluttaws, both at the Union and state/region levels, to produce a current strategic plan. In the case of the Pyidaungsu Hluttaws this is their second such plan, but this time the process was wholly owned by each Hluttaw, making for a more sustainable process and plan. At the state/region level the four plans developed were mostly the first iteration, but still provide added value in helping the Hluttaws to conduct analysis and produce plans that will define their work for years to come.

There has been progress as well with regard to data management in the Hluttaws. UNDP has conducted ICT assessments for each of the 14 state/region Hluttaws. This resulted in specific ICT plans for each Hluttaw in which the project has provided basic infrastructure, such as desktop computers and servers, to enable each state/region Hluttaw to have basic ICT capacity.¹⁹ The project also provided technical advice and capacity development to establish ICT units in 10 of 14 state/region Hluttaws. The project has supported the introduction of Microsoft Sharepoint to allow for cloud-based data management for all Union and state/region Hluttaws. In both of these examples, the Hluttaws have started to assume the operation and on-going funding required to maintain the systems.

The pandemic in 2020 resulted in the project expediting its work towards e-learning. The Learning Centre based in the Union Hluttaw was always expected to create online learning modules for MPs and staff of union and state/region parliaments. The transition to this format of learning was sped up due to limitations placed on travel due to the pandemic. By all accounts the use of the online learning system has been a success. Currently there are five online courses directed at parliament staff. It is expected that the newly-elected MPs in early 2020 will have at least part of their induction programme based online. This may have specific impact on female staff at state/region Hluttaws. To date there has been limited participation by such staff when training has been conducted in Nyi Pay Taw. Having access to online learning may be a better fit for sub-national parliament staff to meet local demands for their time with the need to enhance their capacity.

Finding: The project has delivered basic ICT infrastructure and capacity to all Hluttaws and has, despite the pandemic, established online learning as a component of capacity building that allows greater access to MPs and staff.

The project also provided support in building more robust relationships between MPs and their constituents. This work has included the provision of bespoke knowledge for MPs. In August 2020 a compilation of facts related to each Union constituency was produced and launched at the Pyithu Hluttaw.²⁰ Technical advice and coaching was provided by former parliamentarians from the United Kingdom and Australia. A guide

¹⁹ Prior to the project's support many state/region Hluttaws had no ICT capacity and all their work was paper-based

²⁰ <https://www.gnlm.com.mm/pyithu-Hluttaw-deputy-speaker-launches-factbooks-on-constituencies/>

related to constituency relations is in the final stages of drafting and will be shared with MPs early in 2021.

Work related to outreach and public relations is also a component of this output of the project. To date the results in this area are less definable, but engagement with strategic planning has allowed for the defining of priorities for those Hluttaws that developed such a plan. The project has held at least one workshop with the Mon State Hluttaw on the topic to support the development of an action plan for public outreach.

Finding: The project's use of coaching, peer-to-peer exchanges and bespoke knowledge sharing has yet to pay dividends, but continued effort should show results by 2022.

MTE Criteria	MTE Assessment	Ranking
Relevance	The project's work with parliament is well-aligned with national and UN priorities, including SDG-16. The indicators for the project are SMART and, if achieved, will show results. Notwithstanding, only one of the indicators can be considered gender sensitive. A second indicator, i.e. 2.2.3 could be considered to be gender sensitive, in the sense that MPs should apply a systematic approach, which is deemed to be inclusive, which of course includes both women and men. The output and sub-outputs are addressing key issues that have been identified as barriers to development in Myanmar. Yet the division of the parliament work into two separate projects has created some challenges and, <i>de facto</i> , has resulted in one parliament project with two managerial systems.	3
Effectiveness	In terms of progress towards project results, under this output the project is on-track to achieve its output and the three sub-outputs. Progress has been more measurable with some aspects of the work, such as committee inquiries and ICT, but, overall, the project has made progress. Where activities haven't been fully realised yet, this is either due to a change in priorities of challenges in the operating context such as Covid-19. At present there is no established tool to measure the impact of the outputs on women although the output does ensure gender disaggregated data to some extent.	3
Efficiency	The dual management of the work with parliament has created some administrative duality, especially with regard to reporting. Annual reports do tend to include some information on gender, however the information tends to be gender targeted and does not report on how results addressed differential needs of men or women	3

	and most certainly did not look towards the root causes of the inequalities in women's and men's lives. The use of long-term national technical staff with support from short-term international experts is a good model for cost-efficiency. Where the project has relied on coaching, mentoring and piloting it has seen greater results for little or no extra cost.	
Sustainability	At the mid-point of the project's implementation for some activities and sub-outputs it is too early to determine sustainability. For others, such as the work on ICT and strategic planning, there are already signs that the work and its operational costs have been assumed by the Hluttaws. For the work with MPs and committees the work is on-track but will require significant investment of resources to ensure such work is institutionalised. To date, the potential impact on female MPs and female constituents has been peripheral, and while the inquiries are definitely enabling women's voices to be heard, the project is yet to address women's low participation and strengthening their capacity to ensure women's empowerment and advancement of the National Strategic Plan for the Advancement of women.	3
Coherence	SARL is very well aligned and collaborating with the SERIP project. The project benefits from UNDPs partnership with IPU in support of the Union Hluttaws. There is limited evidence of coordination or collaboration with other parliamentary development implementers.	3
Overall	This output is on the right track with potential for further successes and scaling up.	15/20

Figure 3: Overall Assessment of Output Two

Legend

- Highly Satisfactory (4)
- Satisfactory (3)
- Moderately satisfactory (2)
- Unsatisfactory (1)

Follow-on actions

- There is an opportunity for synergy between the work with committees and MP-constituent relations, if the project provided support to complaints committees in their respective Hluttaws to support a more policy-oriented approach to resolve citizen complaints. Many MPs do not have the necessary skills and experiences so many laws have to be revised; there are several laws being revised a few years after they were enacted, for instance the Myanmar Investment Law because business communities make serious complaints about it

- The project should develop a specific Theory of Change and a plan for delivering changes to the Hluttaws' rules that will promote a more inclusive, participative and evidence-based approach to decision-making
- Continue to expand online learning with a focus on state/region Hluttaw staff having access to learning opportunities in their local venue
- MPs at the Union and state/region levels should have more opportunities for peer-to-peer exchanges, both amongst themselves and with former and current MPs from other countries as an effective means of sharing knowledge and building capacity
- Committees require specific consideration in planning and implementing their inquiries as to how conflict sensitivity, social cohesion and gender equality can be reflected in their work and engagement with the public
- Consideration should be given to specific training and knowledge sharing with MPs on core skills that they require to be effective representatives, including mediation, negotiation, gender and conflict sensitivity in general.
- Further outreach with CSOs to promote and strengthen women's representation both as MPs and female constituents' voices in order to support localizing SDGs.
- Strengthening capacity of MPs to ensure gender sensitivity and analysis during the inquiry process as well as raising awareness amongst MPs about promoting a robust gender analysis and provision of gender sensitive recommendations.
- Support Hluttaws to conduct a gender audit in order to identify strengths, weakness, challenges and bottlenecks to stronger female representation in all aspects of the parliamentary work
- Specifically, for MPs to be more competent in engaging with and representing their constituents, significant attention is needed at a granular level to develop curriculum that will impart a full range of process skills. It would need to be an experiential programme that truly imparts actionable skills in subjects such as: active listening, facilitation of public meetings, context and stakeholder analysis (to map and understand constituencies), conflict analysis in legislative drafting (to ensure bills to not exacerbate inequalities and divisions), mediation, diversity (gender and minority) awareness training, interpersonal conflict-handling, negotiation skills, and the rudiments of reconciliation, restorative justice, and conflict-sensitivity (how what they do and how they act impacts on their society).²¹
- Greater linking of the project's work with parliament with other components could be of value. Thematic topics such as land reform, corruption and legislative drafting all have potential links to work in parliament

²¹ The two Central Institutes of Civil Service (CICS) in Myanmar offer a senior leadership training which has one 45-minute session in negotiation in a four-week course, which is wholly insufficient. If process skills training is to be done, it would need to be offered in an interactive, experiential manner over a long-term. Further, parliamentary trainers would need extensive support to be able to absorb a sufficient TOT skills-base to continue generating such training on their own.

4.3. Output 3: Justice sector strengthened to administer justice according to rule of law and human rights

Output 3 relates to work with the UAGO, the OSCU and the MNHRC to strengthen the application of rule of law and administrative justice principles, and to promote awareness and protection of human rights. Across these areas of intervention, people are engaged to increase their role in accountability mechanisms, administrative review and oversight processes. For the purposes of the report, the MTE Team will assess the rule of law and access to justice, and human rights components separately.

By far the greatest focus of the project is on Output 3, with over eighty per cent of the entire project funds allocated to activities relating to rule of law, access to justice and human rights. The output is huge and has undertaken a vast number of activities. Particular highlights will be discussed below but this is not a comprehensive summary of all the activities undertaken by the project. The data below speaks for itself in terms of the successes at the activity level.

Data Highlights for Output 3

28,231 beneficiaries
19,401 HLP beneficiaries
14,187 legal awareness recipients
496 representations in court
2,591 legal consultations conducted
688 hotline consultations
751 paralegals trained
1,107 land registrations
139 Land cases referred
2,256 acres demarcated
83 land claims issued
272 court staff trained
83 law officers trained

(I) Rule of Law and Access to Justice

Under this output, the project extended considerable technical and advisory support to the UAGO and the OSCU to improve justice service delivery that is rooted in principles of professional integrity, non-discrimination and adherence to fair trial standards. To this end, the project supported the development of a Manual on Fair Trial Standards. This is the first time in Myanmar that there has been official guidance on the fundamental due process rights for persons accused of crimes. The UAGO and the OSCU informed the MTE Team about the utility of the Manual and the relevance of it in their everyday work. The training provided on fair trials standards was also highly regarded as were the utility of the course and course materials, and the quality of the trainers. Law officers nationally now have to adhere to these standards and the UAGO has included it in its mandatory training programme for all new staff, ensuring the sustainability of the result. The UAGO informed that to date, the Manual has been distributed to, and training provided for, the AGO, police and CSOs. However, the UAGO has not undertaken any impact analysis to see if there has been any improvement.

“The Fair Trial Standards Manual is very effective in defending the rights of the accused. We are able to apply it in our everyday work and make sure that the rights of the accused are protected and that trials are conducted in accordance with fair trials standards.”

Kachin State AGO representative

SARL has also supported the UAGO to develop a Legislative Drafting Guidebook, which aims to ensure that Myanmar’s laws and regulations conform to international standards and best practice, are clearly written and do not contradict other laws or the Constitution. The Guidebook emphasizes the principles of administrative justice in all laws including those pertaining to the issuance of a licence, permit, title or granting of authority. The Guidebook unfortunately does not reflect a gender sensitive approach to drafting legislation. The Guidebook has been officially endorsed and is the official manual for training law officers, parliamentarians, and ministry officials and both Union and sub-regional level who have responsibility for drafting laws and other official documents that come under the review of the UAGO.

Finding: The Legislative Drafting Manual is a good example of how the project outputs are mutually reinforcing. For example, the Manual will incorporate the CRA, mainstreaming anti-corruption and conflict-sensitivity analysis into the legislative drafting process that will be applied by law officers and MPs, thereby linking all three project outputs.

The UAGO commented that the Guidebook is extremely useful for both Ministries and MPs and that each officer can now study the Guidebook, since it has been widely distributed. The MTE Team was informed that the Guidebook is being used by the Westminster Foundation to train MPs, which illustrates the utility of the Guidebook.

With support of the project, an online Case Information System (CIS) has been developed for the OSCU, which fills a critical information gap by providing real time information on court cases filed in the lower courts. During 2020, the system was piloted across seven courts in Mandalay for potential roll out in the whole region and other states/regions. The OSCU can now collect and query real time data on cases to easily detect patterns, monitor case progress and identify areas for investment or training. The simplicity and the ease of use of the system are particularly appreciated by the OSCU.

Finding: The OSCU informed the evaluation team that the CIS has considerably reduced the quantity of work and the level of paperwork required to obtain case information data from the lower courts.

One of the work streams inherited by the project related to support for Rule of Law Centres (RoLC), the goal of which is to strengthen access to justice for individuals. In 2016, 4 RoLCs were established by UNDP and IDLO with two main activities – training on rule of law issues and supporting community outreach initiatives. In 2018, the project continued its support to the 4 RoLCs and delivered significant capacity building and awareness raising on rule of law principles. It was envisaged that a fifth

RoLC would be established in Rakhine, however, initial government buy-in for the establishment of a RoLC in Rakhine was rescinded and this activity could not be achieved. Further, in 2019, a decision was made not to continue with the support to the RoLC due to concerns about efficiency and value for money and a decision was made to focus support towards local civil society organisations as a more cost efficient and effective way of reaching the most vulnerable and marginalised communities.

Since then, the project has been extremely active in terms of its access to justice and legal empowerment work and this has expanded to now form the bulk of output 3 as well as the bulk of the project overall. There is a strong focus on women and girls within the output's activities, and in particular displaced women and girls who are one of the most vulnerable groups in Myanmar. Early on in the project implementation period in 2018, the project launched its Rule of Law Initiative (RoLI) in Rakhine, which is part of UNDP's Rakhine Area Based Programme. The RoLI is focused on improving community level awareness of rights and provision of legal assistance of Housing, Land and Property (HLP) Rights and SGBV issues. The project is working with three legal aid organisations, Legal Clinic Myanmar (LCM), Thazin, and International Law Foundation (ILF), who combined have five offices in Rakhine as well as access to the IDP camps. Activities include awareness raising sessions, legal counselling, court representation, paralegal training, provision of a hotline to provide legal advice, mobile forums and roundtable discussions.

After ceasing to support the RoLCs, the project changed its approach towards these implementing partners and decided to focus more on the capacity building of local CSOs. The model developed sees these CSOs not as just service providers, but at recipients of capacity building support, that will contribute to the long-term sustainability of the organisations. This has proven highly successful, with Thazin and LCM now having the skills and knowledge required to successfully apply for donor funding in order to expand and strengthen their activities. In addition, the project has created a Community of Practice (CoP) among the three Rakhine BASED CSOs to exchange on issues such as how to work with Muslim clients, remand and A2J under Covid. This CoP will be extended to Kachin. In addition, the project is intending to hire someone to focus on quality assurance of the legal work and networking among practitioners.

Shifting to have more partnerships with local IPs has proven successful, but there is more that needs to be done in this regard. UNDP should help and require implementing partners' (IP) staff to deepen their skills in substantive areas and also to develop more diversity in their staff so that they can engender more trust and reach more rural, minority, and non-Myanmar language speakers. With regard to skill building, it is suggested that paralegals be provided with mediation and negotiation skills in order to be better equipped to resolve informal issues between disputants and to be able to negotiate better agreements in formal, official settings. Additionally, previously proposed training in 2019 for VTAs on legal concepts and dispute resolution skills was planned but stymied by the pandemic, and other activities focusing on tolerance and diversity are good examples of what should be carried forward as soon as the health situation permits.

With regard to diversity, it was pointed out that IP staff, although nationals of Myanmar, often do not speak the language of the local community they serve and require translators for their work. UNDP could address this to its own advantage by requiring certain minimum language skills for UNDP staff in certain regional and state offices in order to diversify UN staff and send a message that the UN is not only close to government but also represents and serves everyone. Additionally, UNDP could similarly require that IPs increase the diversity of their staff by requiring that the job descriptions have local language requirements, thus requiring them to hire more minority employees.

Based on the knowledge gained and lessons learned from Rakhine, the project has expanded its activities into another two conflict zones – Kachin and Northern Shan. However, in Kachin and Northern Shan, a different model was applied whereby local CSOs were supported through a grant mechanism. While this has proven successful in terms of provision of services to the beneficiaries, it does not contribute to the long-term sustainability of these organisations. Further, a number of the grantees mentioned the power balance between grantee and donor. The grantees were concerned that the duration of the grants is very short and that they do not have the necessary capacities to conduct thorough M&E.

The MTE Team was informed that SARL has completed a gender equality and social inclusion (GESI) assessment of all 11 national IPs' outreach material and programming arrangements, as well as training on GESI and individualised mentoring to help each CSO develop its own action plan. Such an assessment was pivotal as the results revealed that four out of the eleven partner assessments were assessed as "unenthusiastic about GESI integration in HLP programming, and/or unwilling to engage or accept challenges to existing program structure or activities. Three of the partners were deemed to be enthusiastic about GESI integration but analysis and applications of GESI issues in HLP context is limited or basic and only two were awarded the highest score whereby the partners expressed as sophisticated understanding of GESI and are engaged/enthusiastic and would be ideal to pilot new GESI specific programming streams. In early 2021 a similar process will be used to strengthen their programming capacities on HLP rights. Full organisational capacity assessments were completed for Thazin and LCM in Rakhine, and these will be conducted for the other nine IPs in Kachin and Northern Shan next year. Requests were made during the FGDs for the project to provide some M&E orientation training and reporting skills.

One of the most successful and effective activities has been the paralegal training, whereby community representatives are trained on certain topics and are then able to go back into their communities and share their knowledge, provide advice and assist the community in resolving its legal issues. Approximately 50 per cent of the trainees involved women. This is very important, as women tend to feel more comfortable seeking legal advice from women, especially in the realm of GBV but also in land issues as well. While an important number of female paralegals have been trained, there is a need for more women to be trained and to ensure that training schedules are able to accommodate women's needs and duties to also tend to their families. Consistently, recipients of paralegal training provided through the project informed the MTE Team

of the utility of what they have learnt. This has proved to be an excellent model in terms of reaching people and expanding their knowledge.

“ I learnt about land ownership and other housing issues facing IDPs who rely on land for their livelihoods. Although I can’t help directly, I can help by immediately referring them to a lawyer.”

Male recipient of paralegal training, Rakhine.

“I attended modules 1 and 2 of the paralegal training and am waiting to complete module 3. I became aware of human rights issues, and land issues and criminal procedures. I am a leader of a CSO and I share what I have learnt from the paralegal training with youth members of my CSO as well as with farmers on land issues. And where there are problems, I can connect them with Thazin. The community doesn't have much knowledge. I also learnt about the Land Management Committee so now I can directly approach them at township and district level.”

Male recipient of paralegal training, Rakhine.

Awareness raising activities have also been positively received by the communities where activities are conducted. Repeatedly there were requests expressed to the MTE Team for the need for more awareness raising among both the communities and among paralegals. *“I want the community to know that seeking legal advice and assistance is the right thing to do,”* said a female recipient of paralegal training in Rakhine.

“Customarily women are always discriminated against especially in inheritance rights. They don't have HLP rights and are always in second place. Now they are more aware of their rights because of the project and have more confidence to claim their rights.”

Female participant in the Northern Shan beneficiaries’ focus group discussion.

In particular, recipients of awareness raising training in all 3 project locations spoke of the increase in confidence amongst the community in terms of knowing their rights and how to approach the authorities to claim their rights. This is a major achievement of the project. A total of 6,801 women benefitted from legal awareness trainings.

“After the awareness raising training sessions provided by the project, the farmers organized a 2 day session for farmers in rural areas and those farmers now have the knowledge and skills and confidence to approach the land authorities directly.”

Male recipient of awareness raising training in Kachin.

“Land grabbing is a very big issue and people in my community do not understand. The awareness raising has been very effective and now we have gained more and more confidence and we would like this to continue. Many people, especially in rural areas are affected and it would be very beneficial to have more awareness raising on human rights and land issues.”

Female participant in Shan beneficiaries focus group discussion.

The project has undertaken some seminal research and analysis on HLP issues and women's access to justice. This has included The Baseline Assessment on the status of HLP rights of IDPs in Kachin, and a situation analysis on gender and HLP rights in Kachin to assess the obstacles for women and girl IDPs in accessing justice and HLP rights and to provide an evidence base for programming that responds to those identified specific needs and a HLP Assessment in Northern Shan. These analyses provided an evidence base to expand the project into these States. To date, 297 women have benefitted from land claims and 518 from land registration.

The project faces many challenges in implementing the project in conflict-affected areas, not least in terms of reaching the most remote beneficiaries and gaining access to reach beneficiaries in the IDP camps. These challenges were compounded in 2020 by Covid-19. The MTE team was informed that the project very quickly reacted to the change in circumstances and was able to adjust approaches to continue implementing activities. The project's response to Covid-19 is discussed in detail under section 3.7.

In response to the project's work on HLP rights in conflict-affected areas for displaced persons, the project has linked with the UN Resident Coordinator's Office to establish the first Land Working Group for the UN system in Myanmar. This is another significant achievement of the project since the group will help UN agencies to align their programming and advocacy work on land issues and provides a platform for joint UN engagement with the NLL drafting process. Crucially, through this group the UN can develop common positions for the first time on a range of land issues. SARL completed a mapping of the UN agencies' interests with regard to land issues, and a draft advocacy strategy. The RCO assess that there is some level of political will at the national level and within the National Land Law Committee and see land as a transformational issue.

MTE Criteria	MTE Assessment	Ranking
Relevance	The MTR Team finds that this output is very relevant. It is aligned with national priorities including the MDSP and the CERP. Further the output is aligned with UNDAF and the UNDP CPD as well as SDG 16. It is also relevant in relation to the needs and priorities of the target national partners and beneficiaries. However, in terms of rule of law, A2J and HR the needs are so huge that it could be argued that any activity is relevant. The project needs to ensure that it also has a strategic direction and is also able to prioritise activities. HLP has proved to be cohesive in this respect.	4
Effectiveness	In terms of the progress towards the activity results the project has partially achieved 8 results and fully achieved 6. The output has reached a total 28,231 beneficiaries, and trained 272 court staff and 83 law officers. 1,107 (518 women) land registrations have also	4

	been conducted. 2,591 (509 women) legal consultations have been conducted. These are very impressive results and in the next phase the project should move more towards quality as well as quantity.	
Efficiency	The delivery rate under this output in 2018 was 81%, in 2019 106% and in 2020 108%, which illustrates the increased need and ability of the project to respond to those needs. This is testimony of the project's ability to be flexible and adaptive in response to the partner's needs. The project has a high value for money coefficient in terms of using local CSOs to deliver project activities and its staffing costs have been decreased since losing the CTAs. It is very lean in terms of office and project costs.	4
Sustainability	The MTE Team finds that also under this output positive steps towards sustainability have been met, including the endorsement of the Fair Trial Standards and Legislative Drafting Manual. The CSO capacity development model is sound however ultimately, the provision of FLA is the responsibility of the State and steps should be made towards also strengthening the state system of FLA, while testing options regarding the role of CSOs and better strengthening their capacities.	3
Coherence	Under this output synergies have been created with SERIP in terms of the Legislative Drafting Manual as well as with other UN Agencies including UN Women and UNFPA. However, this has been somewhat piecemeal and ad hoc. Through the NLL reform process the project has led on developing a coherent narrative and standpoint UN-wide and is chair of the UN Coordination Group. This is a good practice, which could be further expanded on.	3
Overall	The MTE Team find that there have been considerable results under output 3. These now need to be linked to higher-level outcomes.	18/20

Figure 4: Overall Assessment of Output Three

Legend

- Highly Satisfactory (4)
- Satisfactory (3)
- Moderately satisfactory (2)
- Unsatisfactory (1)

Follow – on actions

The project should expand its legal empowerment and access to justice work through networking and capacity building, research and advocacy, and litigation. Activities that are piloted in Rakhine can be rolled out elsewhere based on lessons learned. The project should also continue to support the UAGO and the OSCU, in particular in the context of the UAGO being positioned as the leading government counterpart on land issues

and the head of the National Land Law Commission. The project could also consider working with human rights defenders and how to incorporate this into the project activities.

Follow-on actions

- The project should continue to monitor the application of the Fair Trial Standards Manual and Legislative Drafting Guidebook to ensure a higher level of compliance and to assess the impact of the tools. In particular, what changes there are in laws and policies as a result of the Guidebook should be assessed. A gender sensitive approach should be applied to the assessment.
- As requested by the UAGO, training should now be provided on how to draft legislation in accordance with the Guidebook and where possible include gender sensitive examples.
- UAGO also requested UNDP's support in implementation of its Strategic Plan 2020 – 2024. Opportunities should be explored as to how the project can extend this support within the framework of the project.
- At the end of the piloting period of the Case Information System, an analysis should be undertaken to assess the time and cost savings and impact of the CIS, after which the project should explore opportunities to further roll-out the CIS countrywide.
- Create a network of lawyers extending beyond lawyers from the implementing partners.
- Connect paralegals with the RLAB and the Bar Association.
- Expand paralegal training to include mediation, negotiation skills, and dialogue process skills training to expand their repertoire of skills for serving clients. Other INGOs (NRC, Oxfam) and NGOs are doing more formal mediation so it is not necessary for UNDP to duplicate where that is on-going. But there should be an analysis of where needs exist especially for dialogue processes.
- Develop roster of lawyers for RLAB and develop system for allocation of cases.
- Explore options for pro bono work with the Bar.
- Explore options for undertaking strategic litigation and development of a fund to defend cases of human rights abuses initially in Rakhine. This should start with research and analysis to identify the types of human rights abuses.
- Focus on development of quality criteria to raise quality of free legal aid provided.
- Continue with capacity building model for IPs and expand CoP.
- Identify mechanisms for including the communities' voice into policy making through research and advocacy.
- Explore options of how best to reach the hardest to reach and most vulnerable and marginalised communities including the hill-tract peoples.
- UNDP should introduce a local language requirement of the communities served in the regions/states of work so as to hire have minority and ethnic staff representation.
- Encourage IPs to include language requirements in their staff job descriptions so that more of the most marginalised communities can both be trained to service in these capacities and because this new minority staff will have better access to communicating with these hardest to reach communities.

- Explore possibilities for greater local level justice sector coordination, while cognisant of the hierarchical structure in Myanmar – for example, build up networks of lawyers, networking with local authorities on land issues etc.
- Continue to support the National Land Law reform process by providing an evidence base to feed into the process and bridging the gap between citizens and the state.

(ii) Human Rights

Since 2018, the project has been deepening its relationship with the Myanmar National Human Rights Commission (MNHRC) to improve Myanmar's ability to coordinate, monitor and report on human rights issues and to follow up on Universal Periodic Review (UPR) recommendations. Initial activities were focused around conducting a Capacity Assessment.

Finding: Conducting a Capacity Assessment of the MNHRC provided a good entry point for the project's support to the Commission and set the groundwork for SARL's programme of support.

As the Commission itself commented, *“this pointed out a lot of challenges and weaknesses but also strengths that could be built on.”* The Capacity Assessment led to the development of the MNHRC's Strategic Plan 2020 – 2024.

At the start of 2020, a set of new Commissioners were appointed. Some concerns have been raised, in particular by donors, as to the diversity of the new Commissioners, and it was suggested to the MTE Team that the project could support the Commission to develop a new recruitment process with clearly defined criteria. The commissioner's commitment to promoting gender was also in doubt and a number of interlocutors stated that they were unsure as to what extent the new commissioners would prioritize gender. Notwithstanding, the presentation of the UPR in December 2020 ensured that gender issues were highlighted, this included reference to violence against women and the lack of an adequate number of women in parliament. Currently, the project is supporting the continuing professional development of the Commissioners, which the MTE Team was informed, has been very beneficial. A key achievement for the project was the recruitment in mid-2020 of a Senior National Human Rights Advisor, who will be embedded in the Commission as soon as Covid-19 restrictions allow. However, the initial appointment is only for 1 year, and concerns were expressed both by the MNHRC and the donor that this was too short and potentially impacts continuity.

The project has also expanded its human rights work in 2020 to include a component on Business and Human Rights. As part of a regional initiative, the new component has already reached meaningful results. This includes introduction of the UN Guiding Principles on B+HR to the government, launch of the national consultation process with businesses on the new NLL drafting process, and development of a short-animated film.

Finding: Business and HR has proved to be another good entry point for the project in terms of addressing human rights issues in a non-confrontational manner and one that is highly cost-effective in terms of doing more with less.

As the Bangkok Regional Hub commented “*It has been quite exceptional what the project has managed to achieve in a short space of time, and there are very encouraging statements from government.*”

Some of the challenges include the fact that the army owns a significant proportion of companies in Myanmar, especially those linked to the mining sector so it is a challenge to achieve a whole of government approach. OECD has also developed its own responsible business guidelines so there are some competing standards and narratives.

Finding: The MTE Team finds that B+HR connected very well with the MNHRC and the project should leverage on this going forward.

MTE Criteria	MTE Assessment	Ranking
Relevance	Human rights is of key relevance in Myanmar, but an issue that needs to be approached with caution and sensitivity. The project has found ways to make human rights relevant, such as through linking it with business, for the government although a more gender sensitive approach could be undertaken.	4
Effectiveness	The project has found good entry points to position itself and to make steps towards the achievement of meaningful results. The MNHRC is still a young institution and one that requires even more assistance since the appointment of the new Commissioners. The appointment of a Senior Human Rights Advisor could prove to be an effective way to drive reform from within, but it is too premature to see the results of this yet.	3
Efficiency	Human rights activities are another example of where the project is delivering low cost - high impact results, such as the B+HR component. The positioning of a national and international advisor within the Commission should also prove to be cost effective. As mentioned above, the delivery rate for this output is over-achieving - in 2018 it was 81%, in 2019 106% and in 2020 108%.	4
Sustainability	Concrete steps have been made in terms of developing the capacities of the MNHRC, which are encouraging, however the trainings etc. need to become fully institutionalised. Steps should be made to integrate the national and international human rights advisors positions into the structure of the Commission and to advocate for their absorption into the Union budget.	2
Coherence	The project could do more to maximise synergies between the 3 work streams under output 3. For example, most complaints received by the MNHRC	2

	relate to land and any results from investigations should feed back into the awareness raising and FLA work and most likely to the B+HR component as well.	
Overall	The project has found good entry points to work on a sensitive issue, which should be further leveraged in the remaining project implementation period.	15/20

Figure 5: Overall Assessment of Output Three – Human Rights

Legend

- Highly Satisfactory (4)
- Satisfactory (3)
- Moderately satisfactory (2)
- Unsatisfactory (1)

Follow-on actions

- Conduct human rights awareness raising training for the staff of the MNHRC.
- Review recruitment procedures and criteria to ensure diversity of the Commissioners.
- Expand the narrative around B+HR beyond just land rights, for example, labour rights, which is another highly relevant issue in Myanmar.
- Research linkages between B+HR and conflict in order to connect it with sustainable peace.
- Connect B+HR with anti-corruption and the ACC.
- Continue to support the process of developing the National Action Plan on B+HR, while providing a platform for dialogue and convening the different stakeholders, including government, businesses and CSOs.
- Ensure that the linkages between HR and conflict are analysed and understood so that conflict-sensitive approaches to human rights can be incorporated into the HR advisory work being done by the project.
- If required, more in-depth and consistent awareness-raising and practical training in conflict sensitivity should be undertaken by all UNDP staff, IP staff, government interlocutors, and other partners. The highest level of UNDP leadership should champion this internally and externally.

4.4. Partnerships

The MTE Team was asked to assess whether the partnership arrangements with the implementing partners put in place by the project are effective. The MTE Team find that SARL has expanded the implementing partners base considerably, particularly with regards to local CSOs.

With regards to state institutions, UAGO and OSCU both requested additional project support and commented that support for the project had declined recently, although they were unclear as to the reasons why. OSCU commented that UNDP did not attend the last coordination mechanism meeting and that their engagement is getting weaker. It is important to continue to seek the buy-in of state institutions into the project and to strengthen national ownership of the project results and therefore the sustainability of the project activities. While there are still capacity gaps and the institutions are weak, it is also important to continue to work with independent institutions such as the ACC

and MNHRC.

The MTE Team find that the model of supporting the capacity development of CSOs in Rakhine (Thazin and LCM), and not simply treating them as service providers, is sound and contributes to longer term sustainability of the organisations as well as to the continuation of the project activities beyond the lifespan of the project. This approach has already demonstrated successes with the CSOs successfully attracting additional donor funding and support and has a very high value for money coefficient. With regards to ILF, the project should assess the value for money of this type of assistance. The Rakhine model is slowly being introduced into Shan and Kachin and the MTE Team recommend that this continue. There are some concerns around the usage of grant mechanisms, which are more focused on the provision of services, are generally short-term and also have a narrower scope and reach. As mentioned above, concerns were raised by some grantees as to the power structure of the grantee-donor relationship.

It was beyond the scope of the MTE to undertake a thorough mapping of CSOs in the project implementation area to assess whether the project should be working with additional or different CSOs, however based on the results to date, the MTE Team finds that the project should certainly continue with those partners in Rakhine, but it not able to comment on the partners in Shan and Kachin.

Follow-on actions

- Continue to expand model of CSO capacity development to strengthen sustainability elements of the project's results and continuity of project activities beyond the lifespan of the project.
- Explore Opportunities For Working With New Partners for example, the Myanmar Alliance For Transparency And Accountability, which is an umbrella organisation of circa 180 CSOs, and the Public Legal Aid Network, which currently consists of 16 CSOs.
- Reposition the project with national level partners in view of the new government.

4.5. Cross Cutting Issues

The MTE Team analysed how well cross cutting issues have been integrated into the project, namely gender equality and women's empowerment, and conflict sensitivity and peacebuilding. These are addressed individually below.

4.5.1. Gender equality and women's empowerment

4.5.1.1. Introduction

A number of tools exist which inform projects on how to incorporate gender considerations at all stages of the project. SARL, which was assigned a gender marker of Two, did not benefit from an initial gender analysis, and while the project document references gender, in practice the design of the project could have benefited from existing tools to ensure a more gender sensitive approach towards programming and results. Notwithstanding, the project has taken a number of significant steps to promote GEWE, particularly under Outputs 3.

The project which seeks to strengthen accountability and rule of law for increased trust in government, envisages that SARL will promote women's access to information to advocate for their rights, address the low representation of women in parliament and make sure more gender disaggregated data are available.

Myanmar was ranked 148 in 2019 in the Gender Equality Index, reflecting inequality in achievement between women and men in a number of dimensions including reproductive health, empowerment and the labour market. "Gender equality is perpetuated through political, economic and social structures, laws and norms and governance system, which marginalise and exclude disproportionately more women than men from development processes." In Myanmar this is further exacerbated by traditional and cultural practices that often promote the false notion that women enjoy equal rights to their male counterparts in all realms of life. When it comes to gender analysis, the "predominant trend is to refer to women by considering indicators in absolute terms, rather than focus on gender relations and disparities." These practices are further compounded by the fact that to date, there is no legal definition of discrimination against women and women therefore have less access to their fundamental rights. There is a tendency to believe that gender inequality or the need to strengthen women's empowerment and strengthen access to decision-making positions at all levels of government is simply not an issue.

The premise that women enjoy the same access to rights as men and that gender inequality is not an issue was very apparent in the interviews the MTE Team held. Furthermore, the concept of gender and the attached importance of advancing women's rights and ensuring meaningful participation and representation in the beneficiary institutions was clearly misinterpreted and the majority of the interlocutors did not express a concern with regards to women accessing their rights.

The Project Document identified a number of challenges from a gender perspective. These included that corruption is likely to impact on women and their de facto inferior social and political power and status often results in reduced ability to demand accountability. The low female representation in parliament, which in 2015 stood at nearly 13 per cent is a long way off the 30 per cent target stipulated in the Beijing Framework for Action to achieve a "critical mass" of women's representation. Notwithstanding, the 2020 elections have revealed some progress in terms of representation whereby the overall number of women in the parliament has increased by 3 per cent and in some regions, women's representation reaches up to 30 per cent. The 2020 elections and the increased number of women in some of the states and regions can definitely be used as an entry point to strategize a more engendered approach. Women's access to justice, both the formal and informal sectors is identified as weak, and women and children often experience difficulties and are reluctant to seek judicial redress. A number of reasons compounds women's ability to access justice, including the poor availability of formal justice systems in rural areas, fear of ostracism and critique from family members and the community, poor access to economic resources as well as men dominating the informal justice sector resulting in patriarchal attitudes and a lack of gender sensitive approach to redress.

Given these challenges and the complexities of Myanmar, a gender sensitive approach is necessary in order to strengthen accountability and rule of law and for the results to impact both on men and women. While the project document correctly identified the challenges to women and girls, the outcomes of the project sometimes failed to take into consideration the work required in order for the results to impact on both women and men in equal proportions.

The project has diligently captured how many women have been targeted, and concerted efforts have been made to ensure that a number of the outputs are gender responsive as opposed to just gender targeted. (Please see below). Nonetheless while the project document highlighted the key challenges facing women in the context of SARL, a thorough analysis of the root causes of the problems and what SARL could do in order to address them was missing. Donors often critiqued the increased need for human stories to depict change, as the reports, while providing gender disaggregated data, did not always illustrate how change to gender dynamics have been achieved, if at all.

4.5.1.2. The adoption of a Gender Strategy

As stated above, the key interlocutors confirmed that a gender analysis was not undertaken prior to the project, and this has necessitated the hiring of a seasoned gender analyst to support Output Three under the work on HLP. The preliminary research undertaken by the consultant has been pivotal in developing a strategy towards the sensitive issues of women's rights in relation to land and has contributed to a more nuanced, strategic and effective approach at empowering women at different stages of the process. The importance of ensuring evidence-based research to feed into new strategies and to shape the direction of the project cannot be underestimated, and is a model to be applied to the whole of the project.

The majority of the implementing partners expressed an explicit interest in gender and its strong integration into SARL, and would like to understand how SARL is impacting on women's rights more. The necessity to bring in an external consultant is also a symptom of the weak support and emphasis placed on gender in UNDP Myanmar as a whole. Many of the interlocutors expressed frustration and considered that UNDP's commitment to gender did not necessarily reflect the importance of gender as stated in the UNDP Gender Strategic Plan. The Plan outlines a number of useful action points for both a gender responsive approach in inclusive and democratic governance and interventions concerning durable solutions. It also alludes to action points concerning partnership and collaboration with other UN agencies, NGOS etc. and the overall adoption of a gender strategy within projects. The absence of a gender specialist in the office during a prolonged period and the fact that the current gender specialist is based in Rakhine, reflects UNDP's watered-down commitment to prioritising gender across the board. While both the national and international gender specialist can provide inputs into SARL, the expertise they provide is too thinly spread, and a person who is dedicated to the project and is able to understand the dynamics of each of the institutions and the challenges they each face in strengthening and promoting GEWE is needed. Furthermore, as the hiring of a gender specialist under Output Three has shown, thematic expertise and a more nuanced and strategic and hands-on approach to gender promotes more effective results and allows the project to aspire to gender responsive results by examine what is needed to overcome historical gender bias in the area of land

allocation. A gender specialist should not only be able to provide direction to SARL in terms of GEWE but should be also able to offer relevant and adequate tools for monitoring progress in the area of GEWE and the provision of specialised training.

4.5.1.3. Measuring key drivers of change

When examining gender and to what extent outputs have contributed to a change in mind-sets, the Gender at Work Framework can be utilised in order to examine what are the key drivers of change. The framework looks at the interlinkages between individual/systemic changes and informal/formal changes. The framework is said to “highlight the interrelationship between equality, organisational change and institutions or “rules of the game” held in place by power dynamics within communities.”²² It helps to “identify and connect internal process to understand and strategize for change across organizational dynamics and broader systems.”²³



Figure 6: Gender at Work Framework

Looking at the three outputs, output three is the one that more closely replicates the gender at work framework, by having a number of different activities over the four quadrants, albeit the majority being at the individual level rather than the systemic level. Nonetheless, the approach taken by the project to conduct research on the gaps, challenges and situation of women and girls in relation to land law, is the right approach, and the development of evidence-based strategy towards activities and results should be replicated under the other outputs.

4.5.1.4. Monitoring and Evaluation Framework

The project ensures that gender targeted information is examined, and to date all three outputs have exceeded expectations in the number of women who have been targeted. The project diligently maps progress with regards to how many women benefit from each of the activities.

²² Gender at Work, <https://genderatwork.org/analytical-framework/>.

²³ Aruna Rao and others, *Gender at Work: Theory and Practice for 21st Century Organizations* (Oxon and New York, Routledge, 2016).

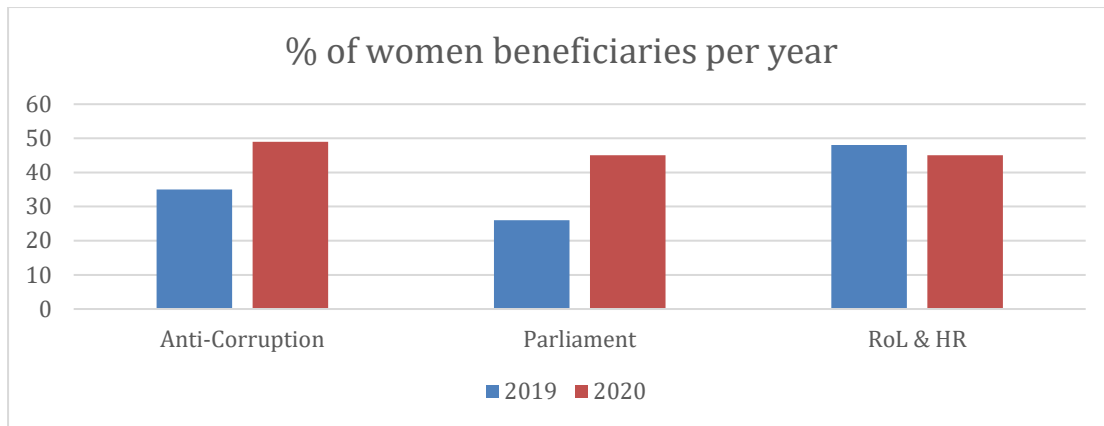


Figure 7: Number of women beneficiaries per year per output.

However, as stated above, the reports do not always include a detailed gender perspective on the results, and while on a number of occasions, important inroads have been made with regards to promoting women's representation and involvement in accountability systems, the report does not adequately reflect the positive aspects that have been achieved, and much of the progress is reported under cross cutting issues, instead of the actual output. The development partners consulted highlighted the need to reflect human change stories. These are essential to reflect how the project results impact on women, although one or two stories will of course not necessarily reflect a systemic change, but rather how the project has impacted on individual's lives.

The consistent inclusion of disaggregated data is welcome, and the project diligently collects disaggregated data, although it is not always reflected in the annual reports. The results framework includes a number of gender sensitive indicators, although they are largely quantitative which does not denote change and without an adequate gender analysis of all of the outputs, setting an established figure in the current context may mean that the project is not able to meet its targets which might not necessarily reflect the inroads and the progress which may have been made.

A draft gender matrix has been designed by a gender consultant working on land law, and has been applied to almost all of the activities under Outputs Two and Three. It is not yet used as an established tool and project management are intending to hold preliminary discussions and the possibility of integrating it subsequent to the MTE. The gender matrix includes quite an important number of possible indicators for measuring gender under Outputs Two and Three. The indicators are largely quantitative, although many reflect the different changes required under the Gender @ Work Quadrant, although they may need to be revised in order to ensure that data collection of the indicators is facilitated within the work of the project and perhaps have different levels of achievement in order to denote the optimal change without taking away anything from the efforts that are being taken to strengthen gender equality particularly under Output Three.

The project could consider the use of an Outcome Progress Matrix (or an Outcome Matrix) to follow progress on outcome level change for all three outputs. The Outcome Matrix could have 'challenge statements' along 4 levels per indicator at outcome level

- what the project *needs* to see, *expects* to see, would *like* to see and what it would *love* to see. Each level is then broken down into the progress markers meaning that each indicator contains around 15-20 progress markers. The target is to meet the 'like to see' progress markers, and anything above that is a bonus for the project.

Follow on actions

- Consideration should be given to hire a national gender consultant supported by an international gender consultant who would come for specific tasks.
- Consideration should be given to develop a gender strategy based on the gender at work framework, whereby each output identifies key activities which impact at the individual level, cultural and traditional practices, policy and access to resources.
- Revision and adoption of the gender matrix for all three outputs with consideration of utilising an outcome matrix stipulating a number of levels of the types of changes that the project wants to see with regards to gender.
- Replication of the collection of evidence-based data/research for each of the three outputs to help feed an integral strategy for each individual output, which interlinks and promotes the outcomes across the project.
- Country Office and the Gender Specialist should develop an overarching strategy to ensure that projects reflect the key outcomes in relation to gender in the Myanmar CPD utilising the UNDP strategy plan for reference and development of a robust and effective approach to promoting and showcasing gender responsive results.
- Consideration should be given to develop a gender strategy based on the gender at work framework whereby each output identifies key activities which impact at the individual level, cultural and traditional practices, policy and access to resources.

4.5.2. Conflict sensitivity and peacebuilding

4.5.2.1. Introduction

In this section, the MTE Team analyses the relationship between, and the sensitivity of, SARL project actors, and activities to the conflict context nationally and sub-nationally where the project is engaged. SARL made by far the greatest effort and strides of the three projects under review in analysing its relationship to the conflict situation and in working with specialists (RAFT) to equip the project team (UNDP and IP staff) with understanding and skills. This is a credit to the foresight, diligence and commitment of the project team.

SARL has used a conflict assessment screening tool since at least 2018. SARL developed a conflict sensitivity action plan to inform SARL programming in all locations. A locally-based NGO which specializes in conflict-sensitivity and peacebuilding, RAFT, has been contracted by UNDP to provide analyses of various conflict formations, to undertake assessments, and to provide 'accompaniment' services to SARL's RoL component of the RABP, (as well as of TDLG and other projects for which reports are not all complete or available. These reports have provided detailed analysis of stakeholders, connectors, dividers, and suggestions to lessen intra- and inter-group tensions and improve peacebuilding outcomes. These insights into conflict sensitive issues and needs are relevant to this MTE and also reinforce the findings and

recommendations of this MTE. Because the RAFT report on conflict-sensitivity in RoL is relatively recent (1 Aug 2020) and implementation of the recommendations has been hampered by the Covid-19 pandemic, it is too early to assess whether the suggested interventions have had an impact. However, some key elements are summarized below because they have been found in several RAFT documents, noted in the UNDP Myanmar CS Mainstreaming Strategy (28.2.2019 Final), echoed in the CPD MTE, uncovered again in this MTE's interviews and so deserve priority consideration.

4.5.2.2. Internal UNDP-wide conflict-sensitivity features that affect SARL

The process of mainstreaming conflict sensitivity throughout UNDP's programming and all manner of operating in Myanmar is critical and 'needs to be fuelled, owned, and rolled out to all other programmes with the unwavering support and commitment of senior management.'²⁴ This work in UNDP as a whole is still in a nascent stage and needs to be approached in a much deeper, more committed manner from UNDP's senior management in order to be infused into the attitudes and behaviour of all staff and into the protocols of UNDP's hiring, contracting, and operating practices.

At a most basic level, the SARL project (and all of UNDP/Myanmar) needs to take tangible steps to diversify the staff to represent the diversity of the country. A primary way to do this is to institute local language competency requirements in job descriptions for national staff so that staff hired in regional/state offices can speak the same language as the beneficiaries. The SARL project has recently made some steps in this direction, through hiring a Rakhine speaking project officer but consistency policy and practice is required. UNDP/RABP should monitor and require that IPs have similar local language requirements so as to diversify their staff working under UNDP contracts. Likewise, positive steps have been made in this regard. For example, through Thazin, the project was able to reach Chin, Khami and Mro communities as well as the Rohingya community. Through ILF, the project was able to reach Maramagri, Hindu and Burmese communities in addition to the Rakhine and Rohingya. Through its establishment of a branch office in Ann Township, Thazin is now working in the most ethnically diverse township in the state and has lawyers and paralegals working for it of multiple ethnicities. UNDP should consider making this standard practice throughout UNDP/Myanmar.

UNDP's public position vis-à-vis politically sensitive issues were found unclear in the MTE Team's interviews (and in the above-mentioned reports-CPD MTE, RAFT, etc.), which affects how the SARL project is perceived, i.e. a trusted collaborator with government, too close to government, not working for common people or minority communities, little or no contact with EAOs or their representatives, etc. This can be partly addressed at project level but also underscores a UNDP-wide need for senior management to collectively analyse the sensitive political issues faced by the UNDP CO, the constraints this imposes regarding UNDP's internal and public stance on key issues, and how much they can increase advocacy for key elements of the UN's universal values, i.e. the promotion and protection of human rights and conflict-sensitivity such as freedom of movement, inclusivity, economic interdependence, respect and recognition of diversity, non-discrimination, responsive governance, etc.

²⁴ Final Evaluation Report, MTE of UNDP's CPD (2018-2022) in Myanmar, p. 3

This pertains both internally among staff and externally to the public. There is a lack of consistency and understanding of what conflict-sensitivity means and how it pertains to the work of staff. References to conflict-sensitivity are found throughout UNDP documents, and used as an implied universal good. But judging from this MTE's interviews, the term is often over-used, considered as a box to tick, even resented as an imposed burden, and it is not clear that users have the same meaning or a correct meaning. Examples: this MTE in interviews have heard or seen in documents, "I have been very conflict sensitive because I try very hard not to upset anyone" or "Training gaps remain for implementing partner staff with conflict sensitivity discussions in trainings: at times limited to verbal reminders to avoid speaking about religious, identity and nationalities."²⁵

In several of the MTE interviews (for the three projects), opinions were expressed that the conflict-sensitivity training done UNDP-wide in the first phase (Nov 2018-March 2019) were insufficient and wholly inadequate to sustainably mainstream conflict-sensitivity within the work of UNDP work units or project teams. Sessions were organized hastily, did not reach enough staff, were done as a one-off, as a perfunctory requirement, and did not continue enough to reach all staff to effect behaviour change or be sustainable.

They did not focus enough on absorbing theory into practice. The sessions dealt with the technical, theoretical aspects of conflict-sensitivity, but not the inter-personal and attitudinal factors regarding unconscious bias that are not unique to Myanmar but needs special attention in Myanmar's current context. Further, with the rate of staff turnover, there are many staff that have not participated in the training at all. For conflict-sensitivity to be taken up in a manner that can catalyse systemic change (as suggested by the CPD MTE), it will be necessary to either have a dedicated staff person capable of continuously conducting training, providing coaching, and accompanying on-going programme and project conflict-sensitivity processes or to have a significantly intensive and long-term contract with an outside consultant who can provide continuous services.

SARL contracted with RAFT (Sept 2019-Nov/Dec 2020) to do more in-depth, broader, and longer-term work accompanying SARL's RoL work in Rakhine. This dedicated conflict-sensitivity work aimed to improve the engagement using conflict analysis and stakeholder research that helped shape implementation, reflect/improve the content of project documentation, conduct dialogue and some training with IPs to improve their sensitivity in dealing with minority communities. This was an impressive start in an extremely sensitive environment and is a model that could be continued and expanded upon both for other aspects of SARL and for other UNDP governance projects (including but not limited to SERIP and LEAP).

4.1.2.3. Human rights and conflict sensitivity

Given the inexorable connection between human rights and conflict, the linkages within the SARL project between human rights due diligence and conflict sensitivity have not yet developed or been concretized in mutually supportive ways. Especially in communities in contested areas where organized violence and denial of rights go hand-

²⁵ SFCG/RAFT, Conflict Sensitivity Accompaniment of the Rakine Area Based Project, p. 3

in-hand, SARL could examine human rights and conflict sensitivity together to analyze and ensure that any action or activity in which UNDP engages, does not, for example, exacerbate inter-communal tensions, endanger human rights defenders and other community leaders, or strengthen entities (government or non-governmental) that are operating in a manner not consistent with UN standards.

For UNDP/Myanmar more broadly, in order to undertake the main recommendation of the CPD MTE, it will be necessary to find new ways to inculcate the knowledge, values, and skills of conflict sensitivity alongside of human rights activities into UNDP's multitude of project activities. The HRDDP summary document suggests, "References to 'conflict sensitivity' should be limited and replaced with 'human rights-based approach' as appropriate." This member of the MTE would not concur with that advice, and rather would suggest that any activity, partner, pronouncement should be assessed as to the extent to which it addresses both areas of concern and advances progress toward peaceful relations, lessens marginalization of minorities, increases equitable services and enhances respect for human rights. This may require a re-assessment of the ways in which UNDP works with various government entities and how this can be balanced by more work with local beneficiaries from marginalized and excluded communities.

4.1.2.4. Destigmatizing 'conflict'

In SARL (and UNDP as a whole), there could be benefit to introducing new terms and new distinctions in terminology around conflict sensitivity including a depoliticizing and destigmatizing of the term 'conflict' so that it can be decoupled from the political conflict being negotiated by State parties. Rather, handling conflict could be re-defined and promoted as a technical, constructive process-oriented skills set needed by government employees and all members of society. This could help greatly in promoting technical conflict-handling competencies at all levels. For MPs it would aid in engaging with and representing constituents and to impart actionable skills in: active listening, facilitation of public meetings, context and stakeholder analysis (to map and understand constituencies), conflict analysis in legislative drafting (to ensure bills to not exacerbate inequalities and divisions), mediation, diversity (gender and minority) awareness training, interpersonal conflict-handling, negotiation skills, and the rudiments of reconciliation, restorative justice, and conflict-sensitivity (how what they do and how they act impacts on their society. There are many options for other less contentious terminology drawing from the literature and the practice of conflict sensitivity and peacebuilding such as:

- (1) 'Building the mediative capacities of society' (John Paul Lederach) to encourage constructive dispute resolution and forging social understanding and harmony.
- (2) Inter-personal communications/conflict-handling skills referring to a range of technical, process skills used on interpersonal and inter-group disputes or issues such as: facilitation of public meetings, mediation, negotiation, group dynamics, dialogue process skills, interpersonal communication, active listening, problem-solving, reconciliation, etc.

(3) ‘Inclusivity’ or ‘diversity’, although frequently used in UNDP documents, doesn’t seemed to have gotten traction and perhaps could be better incentivized to government authorities as a way to strengthen the Government of Myanmar’s internal prestige and standing, i.e. as a way to generate trust among the public and to be seen as serving the whole country as part of its anti-corruption commitment and commitment to peace and harmony.

(4) ‘Infrastructures for Peace’ includes a range of structures, institutions and mechanisms at all levels of government and society that promote the constructive resolution of disputes in informal community mediation (for resolving problems without resort to courts); parliamentary bodies (for creating greater coherence in policy horizontally and vertically); peace/conflict resolution education (taught from primary to highest level institutions including civil service academies); ombudsman offices and other grievance mechanisms (for resolving administrative matters with the state), etc.

In sum, there has been substantial work done in SARL to approach and integrate conflict-sensitivity especially in the HLP-centred work in Rakhine. There are a number of follow-on actions that can be undertaken to bring conflict-sensitive interventions to the fore and improve SARL’s impact at all levels.

Follow on actions

- For paralegals, in addition to the legal skills training and HLP knowledge, provide training in mediation and negotiation to enhance their capacities to resolve disputes that can be handled more expeditiously without going to court.
- Follow the recommendations identified and actions proposed in the SARL Conflict Sensitivity Action Plan such as: expand paralegal support and training to ethnic minority and Muslim identifying groups in IDP camps (which will require trainers in multiple languages); ensure hiring is done to mitigate potential bias; organize regular consultations with local government offices and expand collaboration between government departments and IPs; expand social media programming in multiple languages; support conflict sensitivity capacity development of IPs; be mindful of the optics and implications of UNDP’s close relationship with government (in terms of both HRDD and conflict considerations and public perceptions) and engage in more direct ways with communities to elicit trust.
- SARL activities at region/state level (esp. Rakhine) should seek to improve relations both with local authorities and local communities, in part by engaging in more frequent consultations so as to assess and keep abreast of inter-communal relations and understand how UNDP interventions are affecting those relations.
- Seek to improve relations between and among local communities themselves by utilizing project interventions to foster constructive dialogue on local issues and where appropriate; impart requisite dialogue skills to paralegals, local village administrators, GAD staff; and then pilot and support these respected local individuals and groups to develop informal structures, often referred to as local peace committees (LPCs), to enhance opportunities for inter-group dialogue and trust-building.

- Re-consider, on a UNDP-wide basis, a common and expanded position on how to communicate with, interact with and work with EAOs and their representatives and maintain internal consistency across projects, activities and partners. This could be approached using the UN PBSO's new Community Engagement Guidelines (to be launched in January 2021) as a mechanism for UNDP to justify closer consultation and activities with local communities.²⁶
- Previously proposed training in 2019 for VTAs on legal concepts and dispute resolution skills (for which plans were stymied by the COVID-19 pandemic), and other newer activities focusing on tolerance and diversity are good examples of what should be carried forward when the pandemic situation permits.
- To ensure that the CRA is a cross-cutting actionable tool, two further steps can be taken: (1) specialized training on the CRA should be extended to MPs and parliamentary staff at state/region levels as well as at the Union; and (2) for MPs and staff, the CRA training could be conducted in tandem with training on 'conflict-sensitive analysis of bills'²⁷ which would provide practical guidance on the inherent 'conflict risks' if the unintended consequences of proposed legislation are not analysed and taken into account.
- Add documentation on conflict-sensitive legal drafting to the Legal Drafting Guidance (perhaps as an annex in tandem with an annex on the CRA).
- Establishment/improvement of grievance mechanisms in terms of consistency of procedures for intake, processes for resolution, etc. and access to these mechanisms at multiple levels.
- Continue using and refining the conflict sensitivity tool for SARL (other projects should use it as well), (hopefully with the assistance of the new C-S specialist) not as a perfunctory check list, but to analyze and use the results in crafting and making programme interventions more conflict-sensitive and peace impacting.

UNDP-wide considerations:

- Hold more internal consultative processes within the UNDP between project staff and programme staff and among project staff so that they can exchange mutually beneficial information on cross-cutting issues like conflict-sensitivity and can benefit from informal information exchange on each other's problems, solutions, and challenges, i.e. at least monthly meetings between SARL, SERIP, LEAP for general exchange, and regularly on designated topics like conflict-analysis and sensitivity.
- Recruit and hire (fill the empty position) a new specialized staff with a dedicated portfolio on conflict-sensitivity to provide consistent professional support who can undertake in-house training and accompany UNDP in the needed internal

²⁶ See UN PBSO Community Engagement Guidelines, (August 2020, to be launched in January 2021) at: https://www.un.org/peacebuilding/sites/www.un.org.peacebuilding/files/documents/un_community-engagement_guidelines.august_2020.pdf

²⁷ See methodology of conflict-sensitive analysis of bills, UNDP-Kyrgyzstan 2012 at: https://www.academia.edu/38036396/Methodology_of_Conflict_Sensitive_Analysis_of_Bills

processes of conflict-sensitivity (UNDP/Nepal, which had a unit doing this, may be a useful model) as well as to help formulate diversity-affirming recruitment policies and processes for UNDP and contracted IPs and other organizational partners.

- Since SARL is the main project thus far attempting to utilize conflict sensitivity in its programming, it could be advantageous to initially assign this specialized staff person to SARL for a pilot period which could establish a set of good practice that could be adapted to other projects. M&E for the conflict-sensitivity activities undertaken thus far would be an important part of this portfolio.
- With the assistance of the specialized conflict-sensitivity staff, undertake more regular, periodic analyses (conflict analysis and monitoring) to stay current on changing community dynamics and to evaluate whether the conflict-sensitivity activities have influenced project impacts and what the specific value and learning has been.
- Bring UN peace and governance activities into closer proximity with each other to share insights and multiply the benefits (i.e. the content of Clingendael Institute's Insider Mediation training for high level officials in the National Reconciliation and Peace Center (NRPC) of the Government of Myanmar could have been relevant and possibly replicated for to senior MPs, Ministers, Director Generals, and other high-level government officials dealing with a range of other issues.
- Leverage UN system-wide normative and policy documents to justify working in conflict sensitive ways with local communities, in particular SDG Voluntary National Reviews (VNR) especially related to SDG 16, OHCHR's Universal Periodic Review (UPR) processes, the UN's Peacebuilding Support Office new Community Engagement Guidelines (UNCEG).²⁸
- Enhance conflict-sensitivity understanding and competency within all levels and units of UNDP, undertaken with more consistent senior management support for a hierarchy-wide, in-depth, longer-term, concrete and practice-based approach to training and accompaniment of project planning, implementation, and MEL activities either by in-house dedicated staff or by external specialists such as RAFT.

4.6 Organisational and Institutional Capacities

In this section, the MTE Team analyses whether the current organizational and institutional capacities (staffing, structure etc.) are appropriate to deliver the project results.

The MTE Team finds that the original delivery structure was very different to what it is now, but the project has successfully adjusted its staff as the needs changed. As discussed below in chapter 4, the initial design of the project positioned three Chief Technical Advisors (CTAs) under each of the project outputs, as the bedrock of the project design. To quote the project document "The Chief Technical Advisors (CTA) have a pivotal role in ensuring project results are achieved by providing advice to the

²⁸ Ibid UN Community Engagement Guidelines,

Project Board and coordinating the inputs of external experts.” However, shortly thereafter, there was a decision by Senior Management to dispose of the position of CTA as part of a general push to decrease international staff including UNVs. This left the project lacking considerable technical expertise and damaged relationships with partners, notably the UAGO.

In response to this, the project has developed a new model of appointing senior advisors, which it plans to embed into national institutions such as the MNHRC and ACC. Concerns have been raised by both donors and partners as to the shorter term nature of this type of technical support, as well as the need to ensure that the expertise provided is at the right level, particularly given Myanmar’s hierarchical context. As one donor pointed out *“If the right level of seniority and expertise is not provided, the partners simply will not engage.”*

Finding: The project manager and project team are very highly regarded among government representatives, national partners, donors and UNDP offices.

Overall, the project team and the project manager were consistently praised by **all** donors, government representatives, and national partners as to their high level of engagement and in particular their communication and flexibility to adapt project activities as and when required. Comments were made that the team and project manager were “exceptional” and were “very strong.”

Follow-on actions

- The project should ensure that its staffing structure continues to meet the needs of the project. Consideration should be given to invest in a national gender officer and an anti-corruption specialist (either at the project or programme level).
- The project should continue to explore opportunities to embed specialist technical advisors – national and international – into institutions in order to develop capacities, raise national ownership, provide leverage, and ensure the long-term sustainability of the project results and activities.

4.7. Covid-19 Response

In early 2020, the Covid-19 pandemic reached Myanmar posing additional challenges for the delivery of activities, both in terms of reaching beneficiaries and in terms of the partners being able to conduct activities online. The project responded quickly, and provided considerably equipment and IT support to its partners, including the UAGO, OSCU, ACC, MNHRC and RLAB to enable them to be able to conduct their work online. This support was highly appreciated and the MTE Team were consistently informed by the institutions how grateful they were for the swiftness of this assistance. The MTE Team even witnessed some of the institutions utilising this equipment and IT hardware and software during the virtual consultations it conducted as part of the data gathering process for the evaluation.

With regards to reaching beneficiaries, from late March the project requested all its implementing partners (IPs) – including Thazin, ILF and LCM in Rakhine – to adjust their activities away from community-based activities and intensify outreach through social media, printed material, signs, educational videos, radio and TV discussions. Paralegals trained through the IPs were provided with on-going support and refresher training in-person and online.

Finding: Despite Covid-19, the implementation of project activities has continued well and in fact, larger numbers have been reached through the pivoting of activities towards online outreach.

Other innovative solutions and workarounds to the Covid-19 restrictions include:

- The project hosted a large advocacy event in Sittwe on women's access to justice and land rights in Rakhine with UNHCR, UN Women and its three Rakhine IPs. 120 VTAs, women leaders and women farmer promoters joined from all over Rakhine State and a film documented the discussion.
- To ensure community members in Kachin have access to legal aid during the pandemic, legal aid service providers switched to using ICT, digital and traditional media to provide legal information and support to individuals with land issues. Facebook and YouTube are used to post videos and other content, consultations take place through phone and WhatsApp, and Viber is used to transmit documents between lawyers and clients.
- The project launched significant media work aiming to raise legal awareness. A series of animated films were developed on various topics: countering stigma during the pandemic; obtaining land registration and compensation entitlements; and promoting women's inheritance rights to land and property. These films are intended primarily for social media and each is produced in five languages with audio versions produced for radio. In December 2020 an 18-month series of web articles and podcasts was launched to explore land, business and human rights issues alongside training regional journalists in investigative reporting.
- For Hluttaw staff and MPs, the project was able to migrate its capacity development work through the Union Hluttaw Learning Centre from in-person to online courses. To date this has included five online courses for staff, but will soon include MP induction, at least in part, and more courses for staff and MPs.

Finding: The project responded swiftly and adeptly to the Covid-19 pandemic and was able to continue to implement project activities despite the challenges.

5. General Assessment Against Evaluation Criteria

The findings are based on the 5 OECD/DAC evaluation criteria. A ranking has been given for each criterion, based on the accumulative scores above.

5.1. Relevance - 15/16

Key question(s): Did the Project design match the priorities and policies of the UNDP, government partners and donors?

The MTE Team finds that the project is relevant given the Myanmar context, yet it is missing a strategic direction as discussed elsewhere in this report. The project is aligned with national strategies, including the Myanmar Sustainable Development Plan (MSDP); the COVID-Relief Economic Plan (CERP); and the anticipated Myanmar Economic Recovery and Reform Plan (MERRP). The project is also aligned with the key priorities of its donors, however a through donor mapping should be conducted as part of the development of a Resource Mobilisation Strategy to map all donor priorities. Many donors are current re-prioritising in response to Covid, for example Australia, as well as in response to the on-going Rohingya crisis, for example Japan, while other donors, for example Germany, are phasing out their support to Myanmar. Some donors are also shifting their support more towards CSOs in response to the civilian government's actions vis-à-vis the Rohingya crisis. The donor mapping should be regularly updated accordingly.

The project was designed within the framework of the UNDAF and UNDP CPD and contributes to the achievement of the 2030 Agenda and the Sustainable Development Goals, in particular SDG 16 (peace, justice and strong institutions). More broadly, the project responds to the Peacebuilding and Participation Principles and the New Deal for Engagement in Fragile States.

5.2 Effectiveness - 13/16

Key Question(s): To what extent have the project interventions achieved results and has collaborating with Government of Myanmar enhanced the level of results achieved?

It is challenging for the MTE Team to adequately address the effectiveness of the intervention against any success indicators, due to the gaps in the project's results framework and lack of indicators at the outcome and impact level. At the output level, the project is over-achieving when measured against its indicators, however it is difficult to trace the project's contribution to the outcome and impact due to the lack of success indicators to capture and measure the project's contribution to higher level results. It undoubtedly is doing so, but the indicators to assess this are lacking.

5.3. Efficiency – 14/16

Key questions(s): What is the level of cost efficiency of the implemented project activities towards the expected results

The project is currently over fifty per cent unfunded and has a shortfall of US\$15,391,087 from a total budget of US\$27,037,305. For the purposes of efficiency, the MTE Team will assess the funded and implemented part of the project.

The project has had a consistently high delivery rate year on year since the start of its implementation. In 2018, SARL achieved an overall delivery rate of 81 per cent, which is high considering that this reflected the first six months of project implementation. In 2019, the project over-delivered achieving an impressive delivery rate of 103 per cent, 100 per cent under output 1, 82 per cent under output 2 and 106 per cent under output 3. In 2020, the project achieved a 92 per cent delivery rate under output 1, 64 per cent under output 2 and 108 per cent under output 3. With the additional 3 outputs added to the project during 2020 in response to the Covid-19 pandemic, the project achieved an 88 per cent delivery rate under output 4, 86 per cent under output 5 and 76 per cent under output 6. This leaves an overall delivery rate of 99 per cent, which is extremely high in any year, but n particular considering the challenges in implementation in 2020.

In terms of value for money (VFM) the MTE Team assess that since initial revisions to the project, the VFM coefficient has increased. The original premise for the project under output 3 was to continue to support the Rule of Law Centres, which would be run by IDLO. This proved to be a very resource intensive model, which soon became apparent, particularly in the absence of full project funding, would be unsustainable. In response to this, the project decided to re-focus its support away from the RoLCs amore towards supporting local CSOs. This proved to be a much more efficient use of resources with a very high value for money coefficient.

The new model of embedding senior technical advisors into national institutions as opposed to using CTA also has the potential for providing a higher value for money coefficient, however it is too premature to assess the impact of the senior technical advisors.

It is incredibly challenging and time intensive to implement and manage a project consisting of 9 work streams and ten donors requiring significant time to be spent on management, donor reporting and communication, additional M&E etc. In order to streamline the donor funding it is recommended that the project develop a resource mobilization strategy as discussed below, which would ensure greater continuity of funds and less time responding to individual donor requirements.

When analyzing the project's budget, the MTE Team found that a considerable proportion of the budget is allocated to the CO and HQ – between 21-30 per cent, depending on the source of funding. This is very high for any UNDP CO, and after the project costs are allocated, there is not a very high proportion remaining for implementing project activities.

Recommendation: The MTE Team recommends that there is a reassessment of direct project costs and that business processes are streamlined to support quick delivery and efficient and quality services.

5.4 Sustainability - 11/16

Key question(s): What is the probability of the benefits of SARL continuing in the long term

The MTR Team finds that some measures have been introduced with regards to the sustainability of the project interventions, however further efforts need to be made during the remaining project implementation period.

The project document tentatively addressed the issue of sustainability, but did not include an exit strategy or provide for an exit strategy to be developed during the project implementation. Sustainability aspects include that the project supports the priorities of the national partners in terms of their sectoral strategic plans, for example, the UAGO, OSCU, ACC, and the MNHRC. It was envisaged that most of the results of the project would be delivered through existing institutions and inter-institutional structures, for example under output 3, through the Rule of Law Centres and Justice Sector Coordination Bodies. As the project is no longer supporting the RoLCs and the Justice Sector Coordination Bodies are not really functional, in reality, the majority of the project's results have been delivered by CSOs. The project has tried to address the sustainability issue by developing a capacity development model for the implementing partner CSOs, which focuses on their organizational capacities, so that they are able to apply for and secure additional donor funding.

Sustainability successes under output 1, include the establishment of 72 CRUs in all line ministries and the integration of CRAs. The next step will be to ensure the full institutionalization of the CRU. Other elements include strengthened codes of ethics and administrative procedures, as well as strengthening the capacities of the ACC to effectively lead and implement anti-corruption initiatives, and raising awareness of the public on anti-corruption issues.

With regard to Output 2, the project has benefited from strong relationships with the various Hluttaws and has been able to leverage this into sustainable programming. At the Union level UNDP and IPU were some of the first partners to engage the Hluttaws. After a number of years there is evidence that the work on staff capacity, with a focus on planning, has resulted in strategic planning that is wholly owned by each Hluttaw. The Learning Centre established under a previous project is now fully under the management of the Union Hluttaws with staff seconded from each institution as required.

At the state and region level initial ICT investments by the project in infrastructure and capacity development have resulted in 10 of 14 Hluttaws having established ICT units that are fully funded by state funds. There are early signs that concepts such as public engagement that have been piloted by the project are being taken up organically by other committees.

Under Output 3, the project has made strides through the development of Manuals and Guidebooks, including the Fair Trial Standards Manual and the Legislative Drafting Guidebook. These are fully endorsed and have been incorporated into the day-to-day work of all relevant institutions, which is a key sustainability success. The Case Information System developed for the OSCU also potentially has strong sustainability elements, depending on the results of the piloting and the ability of the OSCU and the project to roll-out the system nationwide.

The approach of the project in terms of embedding national advisors into the partner institutions could potentially be sustainable depending on the outcome of discussions to incorporate the position into the organisational set-up of each institution and funded through the Union budget. This discussion needs to be conducted and the project needs to advocate for the incorporation of the positions into the institutional structure.

Recommendation: During the remaining period of implementation and in the next phase/project, attention should be paid to developing a realistic exit strategy and strengthening the sustainability aspects of the project.

5.5. Coherence: How Well Does The Intervention Fit?

Key question(s): To what extent has SARL achieved coherence with other UN/DP project, in particular with LEAP and SERIP and with other UN Agencies, notably UNODC (output 1) and UN Women (output 3)

The MTE Team finds that with regards to output 1 of SARL there has been a high degree of coherence with both LEAP as well as with UNODC. After initial discussions regarding distribution of tasks between UNODC and UNDP, it was agreed that as per its mandate, UNDP would focus on corruption prevention. This has meant there is no duplication of work between the two agencies, but where there are areas for cooperation, this have been maximised.

At the national level, there has been a relatively high degree of coherence between SARL and SERIP on the outputs dealing with parliament, but little evidence that other aspects of project work attained the same level of coherence or engendered close cooperation that could be exploited for mutual benefit. In fact, several UNDP staff expressed frustration over a lack of regular meetings between project personnel where they would be able to work toward more coherence. This could be particularly important to conflict-sensitivity in that all UNDP projects should adhere to the same basic principles conceptually and operationally and any individual project deviations should be shared, discussed and agreed to. (Examples: local language requirements in job descriptions for UNDP staff and IPs; standard training of UNDP and IP staff in conflict sensitivity, gender, non-discrimination, human rights, etc.). Opportunities for

coherence could be improved with regard to training (as mentioned earlier) for MPs, executive branch staff and senior civil servants wherein corruption risk assessment and conflict sensitivity/conflict-sensitive legislative drafting (and perhaps also human rights/atrocity risk assessment) could be imparted in tandem so as to underscore the commonality of approach and the relationship between them. In addition, training of government staff could be complemented in several ways, i.e. when CSOs are trained in CRA, they could also be trained in conflict-sensitivity. Further, this could be accomplished by supplementing the Legislative Drafting Guidance with an Addendum 1 with the CRA and Addendum 2 with checklists on analysis conflict-sensitive legislative drafting.

Coherence with other key UN agencies as well as with NGOs requires strengthening. While UNFPA and UN Women have the potential to input to the programme, this has been done in only some instances, and with a very piecemeal approach. The combination of expertise, networks and experience needs to be further utilised and to utilise the very strategic position of UNDP with regards to their work in the government institutions as well as their experience in driving change. The agencies consulted during the MTE were very much appreciative of UNDP and their work especially in the realm of RoL, but would like to strengthen the relationship even more and somehow formalise partnerships under certain activities in order to ensure greater impact and sustainability. The same could be said of CSOs that promote women's rights.

Further ways to promote coherence specific to upcoming work, SARL could introduce into the process of the drafting of the National Land Law so that consideration is given to these several subjects in an interrelated manner (gender, anti-corruption, and conflict sensitivity.)

In the field and with regard to other members of the UNCT, UNHCR complimented UNDP on its good collaboration and coherence in their respective areas of work in Kachin. (Example: UNDP brought HLP components, which supplemented well UNHCR's work on durable solutions with IDPs. UNDP capitalized on close relationship with government to advocate for certain things that UNHR couldn't achieve alone re: resettlement of those in displacement camps closure)

6. Findings, Recommendations and Lessons Learned

6.1 FINDINGS

Overall Finding

The project is over-achieving at the activity level, but because of the breadth of the activities and the formulation of the outputs, these results are not being well captured at the outcome or impact level. The project is far more in reality than it is on paper and has been flexible and innovative to adjust to changing realities and find solid entry points. It is a huge achievement that the project has been able to make its work relevant and connect the dots with very small resources and to maximise those resources to the fullest. However, because of the project design, it is more like a programme or a collection of smaller projects, which is lacking in strategic direction and prioritisation. The project is adding value by connecting institutions and work streams. For example through the Legislative Drafting Guidelines, the project is linking the Anti-Corruption Commission with the UAGO and with MPs. Land has provided a strong narrative to link the project components together.

6.1.1. Project Design

The MTE Team finds that the project design was too ambitious and complex for both donors and partners, missing a clear and coherent narrative to link together the project components across all three branches of government. The MTE Team also finds that the integrated approach added unnecessary complexity, particularly in a challenging and fast moving context such as Myanmar.

The SARL project is the successor of the activities that were being conducted under the previous CPD 2013 – 2017, and in large part the project outputs were simply imported from previous activities without any additional analytical diagnostics. This has resulted in outputs that are not intrinsically mutually reinforcing and a focus that is too broad to have tangible impact. The current project design is overly ambitious and unrealistic given the national realities and the resources available. An indication of this is the fact that the project still remains over 50 per cent unfunded, two and a half years into its implementation.

During the project design phase, it was decided that the CO as a whole would adopt an integrated approach into its programming. This was in response to a finding in the evaluation of the 2013 – 2017 Country Programme Document, which found that the previous projects had been siloed. While the integrated approach has some merits, there is a sense that this was pursued at all costs, and was difficult for both national partners and donors to follow the logic. While breaking down siloes should be pursued, it can lead to greater risks by artificially placing different institutions with different mandates into the same project. Institutions have their own budgets, personnel, frameworks etc. and it becomes incoherent when they have to cooperate with different projects, each which have their own personnel, priorities, budgets and frameworks. An integrated

approach requires sufficient resources both in terms of financial and human resources, which proved to be lacking, financially due to the difficulties of attracting donor funding for such a complexly designed project, and in human resources, particularly after the decision to replace CTAs – please see further below. It is possible to achieve integration without splitting institutions and thematic areas between projects.

To unpack this a little, the project was designed with a results framework consisting of three outputs (anti-corruption, parliament and justice/HR), which together would contribute towards achievement of two outputs from the UNDP Strategic Plan (parliament and justice) although there are no indicators to measure this, and one outcome from the UNDAF/CPD, which is measured through one indicator relating to the proportion of seats held by women in the national parliament and in local government. At the output level, there are five indicators to measure output 1, 6 indicators to measure output 2 and 5 indicators to measure output 3, but without a clear link to the contribution of the outputs to the outcome level. The goal of the project, strengthening accountability and rule of law for increased trust in government, as presented in the project's theory of change, is not captured at all in the project's results framework. This has resulted in a lack of strategic direction of the project, due to the disconnect between what the project is delivering at the activity level and how the project was designed on paper.

The ToC is designed around the CPD outcome, that *People in Myanmar live in a more peaceful and inclusive society, governed by more democratic and accountable institutions, and benefit from strengthened human rights and rule of law protection*, and the goal of the project, *strengthening accountability and rule of law for increased trust in government*. Under each of the three project outputs, which have been designed more at outcome level, there are three areas of intervention, based on the CPD outputs, but these are not reflected in the results framework. The ToC does not present any assumptions upon which the project was designed, although does present the root challenges. While it is beyond the mandate of the MTE to assess the CPD, the MTE Team do find that the CPD was designed based on wide ranging assumptions that were not always based in reality. This was also a finding in the recently conducted MTE of the CPD.

In order to link the somewhat disparate outputs of the project and to provide a common narrative to support the integrated approach, administrative justice was “thrown in at the last minute” as someone involved in the project design commented. While this did provide a link, in terms of ensuring that public bodies and those who exercise public functions make the right decisions and that redress mechanisms comply with the rule of law (ACC, AGO, SC, MNHRC), the achievements are very fragmented and it is difficult to trace the links between the achievements at the activity level with results at the outcome and impact level.

There are also concerns regarding the Government's complicity in continuing serious human rights violations. As a result, UNDP assistance aimed at building the administrative capacity of the Government may be ultimately undermining progress towards peace and greater respect for human rights. However, the landslide re-election of the NLD with its enhanced mandate may provide an opportunity to drive the reform agenda further, as well as more deeply and broadly.

6.1.2. Monitoring, evaluation and learning

Despite a comprehensive approach to M&E, the MTE Team finds that there is no systematic mechanism to capture lessons learned and incorporate them into the project implementation, especially with regards to risk assessment, political economy and context analysis.

The original project design was not based on any thorough assessments but moreover the project inherited work streams from previous projects and the previous CPD cycle, without any updated context or stakeholder analysis. The project is being implemented iteratively and having to constantly react to challenges on the ground and the complexities of implementing nine work streams with 10 different donors, meaning that there is no time to reflect, no time to conduct background analysis, consultations or to dedicate time to risk management. For example, the project is learning a lot about displacement and HLP rights but there is nowhere to share this knowledge either within the project or at the CO level. While the project has a system in place for extracting and collating findings and lessons out of its field monitoring reports, they sometimes do know how to integrate this information back into the project and there are certainly no measures at the programme or CO level to learn from these lessons. The project also organised two large workshops in Sittwe on women's access to justice as a platform for exchange on lessons and good practices.

With regards to risks, the MTE notes that a project's risk log is only as good as the analysis behind it and without regular analysis, the risk log becomes something of a dead tool. Although the CO use three tools as part of the risk management process – conflict sensitivity, social and environmental standards and human rights due diligence, these are not being systematically applied during the project implementation, and are too broad and not contextualized, which in such a fast changing environment means that potential risks are not being captured, addressed or mitigated.

The MTE Team find that the project has a very comprehensive approach to M&E and gathers considerably data, which is presented in an accessible and easy to use manner – please see

<https://app.powerbi.com/view?r=eyJrIjoiZTYwMjIxYTctNTY2Zi00NTFjLWJjOTUtMGJlYW00MzVhY2YzIiwidCI6ImIzZTVkYjVlLTl5NDQtdmZy05OWY1LTc0ODhhY2U1NDMxOSIsImMiOiJh9&pageName=ReportSection2c50e063cc55fddae891>

but that there should be more systematic mechanisms in place to capture and share lessons learned.

6.1.3. Internal and External Communication

The MTE Team finds that there are some missed opportunities, even gaps, in terms of both internal and external communication, which should be addressed during the remaining project implementation period.

Internal communication includes communication at the levels of project, programme and senior management. While there appear to be solid communication mechanisms in place at the project level, with regular project meetings and other informal methods of communication, there seems to be a gap with communication between programme and senior management. In particular there do not seem to be mechanisms in place for the GSP unit to provide technical support to the project in terms of strategic direction, sharing of knowledge, and MEL. In some instances, senior management has assumed the role of programme, meaning that programme is squeezed out beyond having a role in terms of compliance.

When it comes to external communication, at the project level, the partners and donors are generally satisfied. However, the MTE Team were informed that some more informal communication and capturing of success stories and human stories would be appreciated. Both the project and the Project Board (PB) members commented on the fact that Project Board documents are often shared at very short notice, which does not allow time for the PB members to absorb the documents prior to the PB meetings. This can lead to gaps in understanding and potentially missed opportunities. In addition, it is challenging to manage partner's expectations when allocated TRAC resources are withdrawn or cut back.

With regards to communicating the project externally to attract donor resources, the challenges in terms of the project design have been discussed above. However in addition to this, the project, as well as the CO, is lacking a resource mobilization strategy as well as clarity on the role of the project in fundraising and the potential diversification of donors. This has led to a situation where the project has 9 work streams with ten different donors, which further adds to the fragmentation of the project results and a lack of strategic direction.

6.1.4. Human Rights Based Approach and Human Rights Due Diligence

The MTE Team finds that the human rights-based approach was not well integrated during the design of the project and that there is insufficient adherence to human rights due diligence.

The human rights-based approach to programming is a conceptual framework for the process of human development that is normatively based on international human rights standards and operationally directed to promoting and protecting human rights. It seeks to analyse inequalities, which lie at the heart of development problems and redress discriminatory practices and unjust distributions of power that impede development progress. Crucially, it works with both service providers in terms of strengthening their capacities to deliver transparent, accountable, equitable and quality services, and with rights-holders to raise awareness of their rights and develop their capacities to demand their rights.

The design of the SARL project was heavily focused on the supply side of programming, with none of the outputs addressing the demand side of programming, yet in reality, the project is working extensively on the demand side, but without a

framework to measure these successes. Further, there is a causal link gap between the outcome and goal of the project, which are based on the assumptions that stronger institutions will lead to a more peaceful society with better human rights protection and increased trust in government. While this perhaps could be claimed for a highly developed country, in a country such as Myanmar, which is experiencing on-going mass human rights violations to which it could be argued that the government is complicit, these assumptions are misplaced at best and negligent at worse. The outcome and goal of the project and the corresponding indicators to measure success are based almost exclusively on increasing the Government's capacities, and fail to reflect any linkages to improvements in the protection and enjoyment of basic rights, especially for vulnerable groups.

While there is tacit mention of the contribution of the project to the 2030 Agenda and achievement of the Sustainable Development Goals, there is no analysis of how the project will reach the most vulnerable communities and ensure that no one is left behind in the project design. The MTE team were frequently informed that UNDP is seen as too close to government and only reflects the government interests. UNDP is seen as prioritizing government development at the expense of people's development, which causes grave concern in a context such as Myanmar.

6.1.5. National Ownership and Capacity Development

The MTE Team finds that national ownership is key, in particular for DIM projects and that capacity development support should now move from the initial level to the next level, while keeping in mind both HRBA and HRDD.

The organizational culture in Myanmar is very hierarchical and top-down, which requires technical support and assistance at the appropriate level. This was previously provided through the position of CTA, whereby senior technical advisors were embedded into the national institutions and were able to drive change from within. As mentioned above, the SARL project was designed with the CTAs as the bedrock of the project, who would provide fertile ground for discussion and strategically direct the reform process. The position of CTA also increased the relevance and credibility of UNDP with the national partners. The decision to withdraw the position of CTA damaged both the implementation of the project as well as the relationship of the project with national partners, in particular the UAGO and the OSCU. As a result, the project lost some of its political access that it previously had through the CTA position, as well as time and inertia.

Since the departure of the CTAs, SARL has developed a new model of embedding staff into institutions, which has the potential to further empower national staff. However, caution still needs to be applied that advisors at the right level are embedded in order to gain the trust of the national partners and to gain traction in terms of project implementation. Having the right expertise at the right level is key – so the selection process needs to be conducted very carefully to match partners' needs and expectations. Consequently, this would also enhance national ownership.

The MTE finds that with the exception of parliament, there is currently not full ownership of the project among the national partners and in particular little ownership of the project results. Few activities seem to have been absorbed into the state budget and capacity development is still at a fairly basic level. With regards to parliament however, some costs have been assumed, such as those related to ICT and strategic planning, and the relationships with UNDP and IPU have resulted in some impact on their work. The practice of south-south cooperation and knowledge exchange is a good practice, which can often be more sustainable than traditional North-South cooperation, allowing for better adaptation to the country context.

6.2 RECOMMENDATIONS

1. Strategic Direction and Prioritisation

The project needs an evidence-based theory of change and results framework, whereby the focus of the project is shifted from increasing the government's capacities *per se* towards increasing capacities for greater protection and enjoyment of the basic rights of vulnerable and marginalized groups.

The MTE Team recommends that the project develops a clear results framework based on a coherent narrative and profile that is also linked to the CPD, that would be attractive for national partners, donors and other development partners. This would help to attract donor funds and to expand the project's partnership base. There needs to be clear linkages between the activities, outputs, outcomes and impact, which are based on realistic and evidence-based assumptions. Both the design and the implementation of the project should be strongly evidence-based with a greater focus on initial and on-going political economy and context analysis, with a robust and regularly updated risk-log to help guide the strategic direction of the project.

The MTE Team advises some programmatic revision and strategic re-focusing in terms of reformulating outputs and the rationale behind the project, in order to ensure that the outputs are delivered and contribute to higher-level outcomes in a coherent manner, and that the project is successfully implemented. The project should also use this opportunity to reposition itself vis-à-vis the new government, in terms of its strategic positioning. Indicators should be revised to better capture the achievements of the project and their contribution to higher-level outcomes. There should be greater emphasis on qualitative indicators, which capture the voice of people, and in particular the most vulnerable, which would provide a clear pathway between activity – output – outcome – impact, as well as show progress towards change. In view of the fact that the project is constantly evolving to needs and context, it is recommended that the project set fixed outcome level indicators, that would provide the goalposts for the project, while the output level indicators could be more flexible and adapted to circumstances as they change. It is recommended to revise the project efficiently so that the Project Board could approve the revisions, without the necessity for an LPAC, and in the most cost-effective manner.

The MTE Team recommends that the project review its strategic direction allowing for some prioritisation of activities, while retaining its ability to be flexible and opportunistic. In order to provide some strategic direction, the MTE Team recommends that the revised project should have two outputs. The first would be focused on business integrity and anti-corruption and the second on rule of law, access to justice and human rights. The current output 2, would be formally absorbed into SERIP. In terms of the rule of law, access to justice and human rights work, there should be a narrower focus around the project's HLP work, but moving beyond displaced persons and looking at the system as a whole. The revised project should mainstream a strong HRBA and thorough HRDD and its outputs and their success indicators should be linked to improvements in the protection and enjoyment of the basic rights of vulnerable and marginalized groups and not focused on increasing the Government's capacities.

More broadly, UNDP should position itself vis-à-vis the reshaping of the National Land Law. A separate land project could be born out of SARL and SARL could be used for seeding and incubating other areas. Integrating corruption into the National Land Law has a potentially huge impact, because the Land Law impacts on 335 other laws and regulations which will need to be harmonised with it. The UAGO and other institutions should be linked around the issue of land and here UNDP can add value by being a convenor and integrator.

2. MEL

The project requires standardised mechanisms for learning, in particular from its M&E efforts that can be reflected both in the project implementation, as well as fed into the CPD programmatic cycle.

While the project has developed some good practices in terms of M&E, such as the Field Monitoring Reports, and the project's BI, the MTE recommends that more systemic and gender sensitive mechanisms at both the project level and within the CO are introduced to capture and share MEL. These should be regularly informed and updated based on political economy and context analysis on key development issues. This should be done at the CO or UN-wide level. This should be reflected in the project's risk log, lessons learned and implementation challenges as a regular part of the project cycle, and should become a standardized practice with the project and the CO, with dedicated capacities to undertake this. This will increase capacity for adaptation in a fast changing context and should feed into and be reflected in the next CPD cycle. Better mechanisms for MEL, if applied to the project implementation, would also allow for more adaptive programming. The project has shown that it has been able to achieve the greatest results where it has been able to be responsive, flexible and adaptive towards the ever-changing context in Myanmar. More adaptive programming, based on robust MEL, combined with strong and measurable indicators would allow for a shifting of priorities and resources where results are not been achieved. Stronger MEL will provide opportunity for review, reflection and adaptation as required.

3. Internal and External Communications

The roles and responsibilities of project – programme – senior management – including on decision-making and resource mobilisation should be clearly defined.

The MTE team recommends regular dialogue and information exchange between the project and programme office, seeking solutions in a proactive manner, relating to the strategic direction of the project, and not only on compliance issues. The relationship between the project and programme should be revisited to improve work processes and achieve complementarity that would ensure the quality assurance of the project results and CSP should develop a stronger technical oversight and assistance role. UNDP Senior Management (Deputy Resident Representative level and above) should engage in political dialogue in order to provide deep government buy-in of the project results and further development ensuring full government ownership. Senior management should proactively engage in advocacy efforts on the issue of rule of law, justice and human rights, to ensure the positioning and visibility of SARL. The project donors, many of who commented that UNDP should have a stronger advocacy role, actively seek this.

The roles and responsibilities in addressing donors and resource mobilisation should also be clarified. In order to ensure the financial viability and to effectively mobilise resources to support implementation of SARL, a Resource Mobilisation Strategy should be elaborated at both the project and CO level. The Strategy should provide for the alignment of the project (and wider CPD) with existing and new donor priorities, the diversification of donors based on donor mapping, and the use of new funding modalities and innovative partnerships. Each component of the RM Strategy should be underpinned by research and advocacy, which will be drawn on to further shape and steer the project's resource mobilisation efforts. At the CO level, UNDP should continue to engage in dialogue with existing development partners while, at the same time, initiating dialogue with new development partners to discuss the funding possibilities for the project.

A thorough mapping of existing and emerging donors should be undertaken as well as efforts to diversity the range of donors by identifying and targeting new sources of funding. This could include public and private enterprises, trusts and foundations and international and national NGOs and CSOs that pursue relevant issues.

Finally, decision-making processes and business processes within the CO should be reviewed to ensure maximum efficiency in both time and resources, as well as to empower the project. There needs to be a greater balance between driving efficient implementation and controlling risk. Systems should be developed for managing workflow efficiently in the units providing services to the project, such as procurement and operations. In addition, mechanisms should be put in place to actively manage project staff/managers burn out.

4. Human rights based approach and human rights due diligence

The human rights based approach should be mainstreamed into the project's theory of change and results framework to ensure that no one is left behind, while human rights due diligence should be consistently applied and harmonized with conflict sensitivity principles to do no harm and synergize for strongest peacebuilding impact.

It is recommended by the MTE team that the HRBA is mainstreamed into all project development, revisions and implementation, as a way to bridge the divide between the supply and demand side of UNDP's programming and to lead to better and more sustainable human development outcomes. There is a need to connect UNDP to the people, in particular where vulnerabilities exist, which would contribute to leaving no one behind. This will also give UNDP greater credibility and relevance.

While this would require a greater focus on the demand side of programming and engaging more with CSOs, which the project is successfully doing in particular under output 3, the project should also be mindful of not neglecting the state institutions. UNDP's mandate is to end poverty, build democratic governance, rule of law and inclusive institutions and in Myanmar, as in other countries, this is challenged by a shrinking democratic space, as well as on-going human rights abuses. However, ultimately there can be no reform or sustainable development outcomes without the buy-in and commitment of government and the project should continue to try and work with state institutions, particularly the UAGO and the OSCU, and independent institutions such as the ACC and the MNHRC. The project should advocate for greater rights protection with more emphasis on legal and policy measures to improve social cohesion horizontally – i.e. building trust among communities, rather than vertically – i.e. building trust in government institutions. Results such as the Fair Trial Manual and the Legislative Drafting Guidelines are good examples of where UNDP can contribute in a meaningful way. The project should also explore opportunities to work more at the local level on areas of administrative justice with local authorities, cognisant of the hierarchical structure in Myanmar.

5. National Ownership and Capacity Development

The MTE Team recommends that UNDP leverage on its comparative advantage as an integrator between the supply and demand sides of programming. This requires moving to the next level of capacity development, both for state institutions and CSOs, while ensuring a participatory approach to contribute to a higher level of national ownership.

Despite the challenges of a shrinking democratic space and on-going human rights violations, the project should continue to engage in dialogue with relevant governmental representatives and to seek to achieve full government ownership for the project results. Discussions should be opened or continued about absorbing project activities into the national budget, keeping in mind that rule of law reform is a complex and long-term process.

There is a need to move to the next level of capacity development, which to date has been based largely on the development of knowledge products and trainings, to the

actual implementation of those products, tools and skills. For example, implementation and monitoring of the Fair Trial Manual and Legislative Drafting Guidelines – are these consistently being followed in practice – how are they monitored – what is their impact in terms of greater rights protection for vulnerable and marginalised groups.

The new model of embedding senior advisors into the national institutions is promising and there are great hopes that the forthcoming embedding of advisors within the MNHRC will lead to greater results as well as helping to drive the strategic direction of the reform process from within. Based on the results, this model should be pursued and tailored to the needs and requirements of the individual institutions.

The project should also continue with the good practice of using South-South cooperation as Myanmar looks closely to its ASEAN neighbours and is willing and able to learn from them. This could even be expanded to include more peer-to-peer exchanges as a means of knowledge sharing.

It is of paramount importance that a participatory approach is taken during the development of the next phase of the project, including consultations with all relevant partners, sharing the draft project document and actively seeking their validation of the planned lines of support. This will secure buy-in and ownership from the start. The commitment of partners, including securing their financial commitments, is necessary to achieve greater sustainability of the project results and full national ownership of the project. In the next project phase it is strongly recommended that the issue of sustainability is looked at more thoroughly. This includes the absorption of any technical advisors provided through the project into the structures of the respective institution, which should be advocated for at the earliest stage. This will require discussion with both the respective institution and the Ministry of Planning, Finance and Industry to secure appropriate state funding.

The project should also continue its approach in terms of building capacities of local CSOs to ensure their longer-term sustainability and this approach could be used at the national level with national CSOs or networks of CSOs, based on thorough risk assessments.

6.3 KEY LESSONS LEARNED

1. Flexibility and Opportunism

Flexibility and opportunism are key to successfully delivering projects in challenging and fast-moving contexts.

Despite the challenges faced by the project in the project design and in operating in conflict zones, in terms of reaching beneficiaries and access issues, as well as the additional challenges created by the Covid-19 pandemic, the project has been highly successful at the activity level as a result of its ability to be flexible and to respond to opportunities as and when they arose. The project has also been willing to take risks, which have most often paid off. For example, the approach in terms of working with

and building the capacities of local level CSOs was risky, however it has led to very tangible and coherent results. This model could be expanded to national level CSOs, based on a thorough risk assessment, and cognisant of capacity gaps.

The project team have been flexible and innovative to adjust to changing realities and finding entry points that will not “do harm.” For example, it was planned to conduct a Corruption Perception Survey but this was not realised due to lack of government buy-in. The project readjusted and started to conduct CRAs in different sectors. It presents its work as promoting transparency and integrity as a way to avoid sensitivities over the word corruption. This approach has proved crucial in terms of securing project results.

The integrated approach has made it even more challenging to manage and implement the project, resulting in an even greater need to be flexible and opportunistic. There is a need to further balance ambition with reality.

2. Coherent Narrative

A coherent narrative is crucial in order to secure buy-in from national partners, and manage their expectations, as well as to attract donor funding.

Land has provided a good backbone to bring the disparate project elements together. For example, most complaints received by both the ACC and the MNHRC relate to land. The project has achieved a lot on land rights in all three conflict zones where it is operating and this has positioned UNDP with a strong comparative advantage in this area. There will be no sustainable peace without addressing the land issue, yet working on this issue can create impact in terms of rights awareness, service provision, evidence-based advocacy, and the private sector.

3. Demand side programming

Working with CSOs is crucial to capture the voices of the people and protect their rights.

The project has achieved significant results through its approach to working with CSOs and community leaders and representatives at the local level. This has provided the project with access to marginalised communities and an ability to reach the most remote locations. Further, the contextual and thematic knowledge that the local CSOs bring to the project has helped drive and shape project support, for example, the project has considerably deepened its understanding on land and displacement issues.

A representative of the Kachin Rule of Law Coordination Body captured the importance of working with CSOs during a focus group discussion:

“We want to make sure that every request is heard and dealt with by the government. Engaging with CSOs leads to better coordination with the people and allows them to have their voices heard.”

Representative of the Kachin Rule of Law Coordination Body

For the work with the Hluttaws, there has been considerably less engagement of CSOs, which has limited the results of the work with committees on inquiries. As noted elsewhere in this report, the need for demand-driven support and to support key government institutions to respond to such demands is vital. For example, the project could be doing much more work related to complaints committees and/or land disputes, but such issues are raised *ad hoc* within the structure of the parliaments with no systematic method of addressing them or considering policy-level solutions.

4. Evidence-based programming

Without proper evidence based programming and consultative/participatory processes/political economy analysis the project will be un-implementable.

When projects are designed in a vacuum without due consideration to the political and social realities, as well as the constraints and incentives faced, it is unrealistic to expect successful implementation. Successful project implementation requires constant revisiting of the programmatic analytical base to ensure alignment with the national context priorities. This is missing within the CO as a whole and while the project is over-achieving at the activity level, the narrative to link the outputs to the higher-level outcomes and impact is missing.

5. Top-down protection and bottom-up empowerment

UNDP is in a unique position to serve as an integrator between partners and can bolster its position in this respect through investments in dialogue.

The project has shown tangible results where it has been able to invest in systemic dialogue with both government partners and CSOs. This has been critically important in the realisation of project results, as well as in the context of longer-term project implementation. Developing a sound analytical framework to the systemic dialogue is key to track the progress made and course correct the project approach where necessary, in order to ensure top-down protection and bottom-up empowerment. This is one of UNDP's key comparative advantages, that it is able to develop long-standing partnerships and remain committed to issues as long as it is needed to achieve positive results. The project is in a unique position to serve as an integrator between partners, through investments in dialogue in support of a coherent and transformative approach to rule of law, access to justice and human rights in Myanmar.

7. ANNEXES

3. ANNEX I – KEY EVALUATION CRITERIA AND QUESTIONS

Relevance:

■ ☐ To what extent was the project in line with the national development priorities (MSDP), the country programme's outputs and outcomes, the UNDP Strategic Plan and the SDGs?

■ ☐ To what extent does the project contribute to the theory of change for the country programme outcome?

■ ☐ To what extent has the project been appropriately responsive to political, legal, economic, institutional, etc., changes in the country e.g. Covid crisis?

■ ☐ To what extent were lessons learned from other relevant projects considered in the project's design and implementation?

■ ☐ To what extent were perspectives of those who could affect the outcomes, and those who could contribute information or other resources to the attainment of stated results, taken into account during the project design and implementation processes?

■ ☐ Are the objectives and outputs clear, practical and feasible within its frame? If not, does it provide space for flexibility to be responsive to policy changes that would directly affect the achievement of project objectives?

■ ☐ How did the project promote UNDP principles of gender equality, inclusiveness, human rights-based approach, and human development? How were these crosscutting areas mainstreamed into the project?

Effectiveness

To what extent did the project contribute to the country programme outcomes and outputs, national development priorities (MSDP), the UNDP Strategic Plan and SDGs?

■ ☐ To what extent were the project outputs and objectives achieved? Which of these outputs and objectives are being achieved, and where is the project facing challenges and which ones?

■ ☐ Is the objective of the project clearly articulated in relevant documents and translated into operational practices?

■ ☐ To what extent were the project outputs achieved? What factors have contributed to achieving or not achieving intended country programme outputs and outcomes?

■ ☐ In which areas does the project have the greatest achievements? Why and what have been the supporting factors? How can the project build on or expand these achievements?

■ ☐ In which areas does the project have the fewest achievements? What have been the constraining factors and why? How can or could they be overcome?

■ ☐ What, if any, alternative strategies would have been more effective in achieving the project's objectives?

■ What have been the main limiting factors constraining the project's effectiveness? How were they mitigated by the project? How likely is it that these factors will remain or change until the end of the project (and what that means in terms of changing directions for the project)?

■□ How are different stakeholder views considered in project implementation? To what extent has the project been appropriately responsive to the needs of the national constituents and changing partner priorities?

Efficiency

■□ To what extent was the project management structure (e.g. project boards) as outlined in the project document efficient in generating the expected results?

■□ To what extent have the UNDP project implementation strategy and execution been efficient and cost-effective (e.g. value for money)?

■□ To what extent has there been an economical use of financial and human resources? Have resources (funds, human resources, time, expertise, etc.) been allocated strategically to achieve outcomes?

■□ To what extent have resources been used efficiently? Have activities supporting the strategy been cost-effective? To what extent have project funds and activities been delivered in a timely manner? Do the M&E systems utilized by UNDP ensure effective and efficient project management?

■□ What are the key areas of learning in the first two years, are there robust learning/feedback loops, and how has the project adapted in response?

■□ Are the risks of the project clearly assessed – and accurate? Does the project have sufficient ability to adapt to changing context and mitigating risk?

Sustainability

■□ To what extent will financial and economic resources be available to sustain the benefits achieved by the project?

Evaluation crosscutting issues questions

Human rights

■□ To what extent have poor, indigenous and physically challenged, women and other disadvantaged and marginalized groups benefited from the work of UNDP in the country?

■□ To what extent the beneficiaries (right holders) have participated in various stages of planning, implementation and monitoring/evaluation of project activities?

Gender equality

■□ To what extent have gender equality and the empowerment of women been addressed in the design, implementation and monitoring of the project?

■□ Is the gender marker data assigned to this project representative of reality?

■□ To what extent has the project promoted positive changes in gender equality and the empowerment of women? Were there any unintended effects?

Conflict Sensitivity/Do No Harm

■□ To what extent have conflict sensitivity considerations been integrated into project design, implementation and M&E to ensure project intervention do No Harm?

■□ Which government institutions are we working with and to what extent are they

considered legitimate and trusted by all communities in all project locations?

■ ☐ What is the impact of the project interventions on stakeholder (government, EAOs and communities) relationships?

■ ☐ What measures has the project put in place to ensure that governance structures are not unintentionally reinforcing tensions, conflict, discrimination and exclusion but rather strengthening social cohesion through project activities?

Are there any social or political risks that may jeopardize sustainability of project outputs and the project's contributions to country programme outputs and outcomes?

■ ☐ To what extent do the activities of the project contribute to sustainable changes in the country (both at beneficiary level and national/policy level)?

■ ☐ Do the legal frameworks, policies and governance structures and processes within which the project operates pose risks that may jeopardize sustainability of project benefits?

ANNEX II - EVALUATION MATRIX

Relevant Evaluation criteria •	Key Questions •	Specific Sub-Questions •	Data Sources •	Data collection Methods/Tools •	Indicators/ Success Standard •	Methods for Data Analysis •
The relevance of SARL's project design, with a specific focus on its theory of change and how the project outputs realistically and effectively contributed to its overall objective.	<p>Were the objectives of the project and its design appropriate at the time the project was initiated, considering the political/security developments in Myanmar as well as national priorities, and did they remain relevant in light of the on-going security situation and COVID-19 context?</p> <p>To what extent does the project contribute to gender equality, the empowerment of</p>	<p>* Were any stakeholder inputs/concerns addressed at the project formulation stage?</p> <p>*How does the project align with related national strategies?</p> <p>*How does the project address the human development needs of intended beneficiaries?</p> <p>*What analysis, in particular of the GEWE/CSPB context and its political economy was done in designing the project?</p>	<p>*National policy documents including relevant strategies and action plans, in particular the MSDP</p> <p>*UNDP Strategic Documents incl. CPD</p> <p>*SARL Project Document</p> <p>*SARL Progress Reports</p> <p>*SARL Quality Assurance report, results orientated</p>	<ul style="list-style-type: none"> Document review Stakeholder interviews Independent external research and reports Focus groups Email, phone and Skype follow-up where necessary Interviews with stakeholders, including: <p>Government counterparts</p> <p>- Union Office of the Attorney General (UAGO)</p>	N/A	<p>*Qualitative and quantitative data analysis</p> <p>*Data synthesis</p> <p>*Descriptive statistical analysis</p> <p>*Process tracing</p> <p>*Triangulation</p> <p>*Discussion of data amongst the evaluation Team</p> <p>*Verification of data with Stakeholders</p> <p>*Fact checking by UNDP comment and</p>

	<p>women and the human rights-based approach?</p> <p>To what extent has the project been appropriately responsive to political, legal, economic, institutional, etc., changes in the country throughout the project period?</p> <p>What is the degree to which the SARL project activities were overlapping with and/or complementing other interventions in the domain?</p> <p>To what extent did UNDP/UNFPA identify and respond to the major external</p>	<p>*Was the project able to adapt to evolving needs/changing context?</p> <p>*How did the project contribute to conflict mitigation surrounding the inter-ethnic violence and security context; as well as gender-based violence?</p> <p>*How well were gender aspects taken into account into project design and concretely and effectively implemented?</p> <p>*What project revisions were made and why?</p> <p>*Was a stakeholder analysis conducted as part of the project development phase?</p>	<p>monitoring reports, field visit reports</p> <p>*Implementing partners progress reports</p>	<p>- Union Civil Service Board (UCSB)</p> <p>- Office of the Supreme Court of the Union</p> <p>- Kachin State Law office – UAGO</p> <p>- Kachin State ROL Coord. Body</p> <p>Independent Bodies</p> <ul style="list-style-type: none"> - ACC - FIU - MNHRC <p>Hluttaws</p> <ul style="list-style-type: none"> - Union - Rakhine state - Mon state <p>Implementing Partners</p> <ul style="list-style-type: none"> - Shingnip 		<p>feedback to evaluation team</p>
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	<p>and internal factors influencing the achievement of the project?</p> <p>What is the level of acceptance for and support to the Project by relevant stakeholders?</p> <p>How well were relevant contextual elements (i.e. corruption, political interests within institutions, proliferation of informal justice systems, cultural constraints, sensitivity to human rights violation issue, etc.) integrated into project design and addressed?</p>			<ul style="list-style-type: none"> - Ethnic Equality Initiative - Loi Yang Bum - Kachin Baptist Convention - Heartland Foundation - Legal Clinic Myanmar (LCM) - Thazin Legal Aid - International Legal Foundation (ILF) <p>UNDP</p> <ul style="list-style-type: none"> - UNDP - SARL project staff, governance programme team, senior management <p>Beneficiaries</p>		
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				<ul style="list-style-type: none"> - Recipients of legal advice and assistance - Paralegals - Participants in corruption risk assessment workshops 		
Effectiveness – The overall effectiveness of the implemented project activities towards the expected results	<ul style="list-style-type: none"> - To what extent has the Project contributed to the attainment of outputs and outcomes initially expected in the Prodoc? - To what extent were the Project's outputs and outcomes synergetic and coherent to produce development results? - What kinds of results were reached? - To what extent did the Project have an 	<p>What is the level of expertise and acceptance of UNDP work in the RoL sector: which added value does UNDP have and what are its comparative advantages in the sector?</p> <p>*What are the direct and indirect results (at both output and impact level) of the project implementation and their sustainability?</p>	<p>*National policy documents including relevant strategies and action plans, in particular the MSDP</p> <p>*UNDP Strategic Documents</p> <p>*SARL Project Document</p> <p>*SARL Progress Reports</p> <p>*SARL Quality Assurance report, results orientated</p>	<ul style="list-style-type: none"> • Document review • Stakeholder interviews • Independent external research and reports • Focus groups • Email, phone and Skype follow-up where necessary • Interviews with stakeholders as detailed above 	N/A	<p>*Qualitative and quantitative data analysis</p> <p>*Data synthesis</p> <p>*Descriptive statistical analysis</p> <p>*Process tracing</p> <p>*Triangulation</p> <p>*Discussion of data amongst the Evaluation Team</p> <p>*Verification of data with Stakeholders</p> <p>*Fact checking by UNDP</p>

	<p>impact on the targeted population, in particular, women, minorities and other vulnerable groups?</p> <ul style="list-style-type: none"> - What was the intervention coverage – have the planned geographic areas and target groups been successfully reached? - What were the constraining and facilitating factors and the influence of the context on the achievement of results? - In what way did the Project come up with innovative measures for problem solving? - What good practices or successful experiences or transferable examples were identified? 	<p>*How does the project complement/overlap with other UNDP and UN initiatives – in particular SERIP and LEAP?</p>	<p>monitoring reports, field visit reports</p> <p>*Implementing partners progress reports</p>			<p>comment and feedback to evaluation team</p>
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Output 1: Access to public services become more fair, transparent and accountable through enhanced administrative systems and anti-corruption measures	<ul style="list-style-type: none"> - To what extent has the ACC been capacitated? - What are its continuing challenges and gaps? - What are the priority focus areas in terms of capacity development? - Have there been any policy/legislative changes as a result of the project in terms of ACC? - Has a Code of Conduct for civil servants been developed and applied? - How does the project synergise with LEAP and SERIP? - What innovative preventive tools have been introduced to strengthen the legal 	<ul style="list-style-type: none"> - Were there any pre and post training assessments undertaken? If yes, what did these show? - To what extent are the recommendations arising from the CPAs being applied? - What GEWE and CSPB considerations are applied in the day-to-day work? - To what extent did the project ensure that gender differential impacts of corruption were addressed? - How has the Code of Ethics included a focus on gender and discrimination issues and how successful has it been in its operationalisation? - How successful has the output been in providing 	<ul style="list-style-type: none"> *National policy documents including relevant strategies and action plans, in particular the MSDP *UNDP Strategic Documents *SARL Project Document *SARL Progress Reports *SARL Quality Assurance report, results orientated monitoring reports, field visit reports *Implementing partners progress reports 	<ul style="list-style-type: none"> • Document review • Stakeholder interviews • Independent external research and reports • Focus groups • Email, phone and Skype follow-up where necessary • Interviews with stakeholders as detailed above + Corruption prevention units – CPUs, Myanmar Centre for Responsible Business, Myanmar Federation of Chambers of Commerce, BSI, FIU, 	<p>Indicator 1: Extent to which the ACC has the capacity to promote, coordinate and implement accountability and anti-corruption measures.</p> <p>(0=No ACC, No CPU, 1=ACC established, 2=CPU knowledge established in ACC; 3= Corruption Prevention Unit in ACC established, 4=CPU in the ACC operational, 5 = CPU in ACC in action</p> <p>Indicator 2 % of public surveyed paid a bribe or gave a gift to a civil servant (Pesos) (disaggregated by</p>	<ul style="list-style-type: none"> *Qualitative and quantitative data analysis *Data synthesis *Descriptive statistical analysis *Process tracing *Triangulation *Discussion of data amongst the Evaluation Team *Verification of data with Stakeholders *Fact checking by UNDP comment and feedback to evaluation team
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	<p>and procedural frameworks, making them more resistance to corruption and illicit practices?</p> <p>- Has an integrity unit been established in the UCSB – if no why not and if yes, what are the results of this to date?</p> <p>- How has the asset declaration system been enhanced by the project?</p>	<p>women leaders training and mentoring in order to strengthen their role in oversight and combatting corruption?</p> <p>- Have there been any deviations away from the original project design for output 1 and if so, why?</p> <p>- What do you view as being the key achievements under this output? What are the key challenges?</p>			<p>gender)</p> <p>Indicator 3 # of CPU's established in line ministries</p> <p>Indicator 4 # of CRA methodology applied to a business-related process/ legislation, resulting in proposed reform or amendment</p>	
<p>Output 2: Parliaments are better able to engage with and represent the rights and interests of the public</p>	<p>- How does the project synergise with SERIP?</p> <p>- To what extent have parliamentary committees been capacitated to conduct inquiries?</p> <p>- Have there been any</p>	<p>- To what extent has the output ensured gender equality, diversity and inclusivity in the capacity building activities?</p> <p>- What are the key successes of the outputs' support of women to women mentoring and peer networking</p>	<p>*National policy documents including relevant strategies and action plans, in particular the MSDP</p> <p>*UNDP Strategic Documents</p> <p>*SARL Project Document</p>	<ul style="list-style-type: none"> • Document review • Stakeholder interviews • Independent external research and reports • Focus groups • Email, phone and Skype follow-up where necessary • Interviews with stakeholders as detailed above 		<p>*Qualitative and quantitative data analysis</p> <p>*Data synthesis</p> <p>*Descriptive statistical analysis</p> <p>*Process tracing</p> <p>*Triangulation</p>

	<p>changes in policy/legislation as a result of the work of the committees?</p> <p>- How have the structures and procedures of the parliaments changed to reflect a more open approach to their work?</p> <p>- How has the Union Parliament Learning Centre been enhanced?</p> <p>- Has outreach efforts of parliament increased the positive perception of their work?</p> <p>- To what extent have</p>	<p>amongst women parliamentarians?</p> <p>- To what extent has the output contributed to key human rights treaty obligations, including the CEDAW special report 2019 and that of the CPRD in 2019?</p> <p>- What level of engagement have women and youth had with the role of parliament and to what extent has their awareness and understanding been improved?</p>	<p>*SARL Progress Reports</p> <p>*SARL Quality Assurance report, results orientated monitoring reports, field visit reports</p> <p>*Implementing partners progress reports</p> <p>* Parliamentary reports (including committee reports)</p> <p>* Media reports of parliamentary and MP work</p> <p>* Parliamentary legal framework</p>			<p>*Discussion of data amongst the Evaluation Team</p> <p>*Verification of data with Stakeholders</p> <p>*Fact checking by UNDP comment and feedback to evaluation team</p>
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	<p>MPs enhanced their engagement with citizens?</p> <p>- What has the project done to promote greater interactions between MPs and citizens?</p> <p>- What efforts have been made to increase the engagement of women and youth by MPs and parliament?</p> <p>- Have ethics been enhanced through standard procedures and frameworks?</p> <p>- To what extent have MPs and parliaments enhanced their</p>					
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	capacity for conflict sensitive work?					
Output 3: Justice sector strengthened to administer justice according to rule of law and human rights	<p>- How do you measure the impact of the awareness raising?</p> <p>- How are the knowledge products being used and by whom?</p> <p>- How has the output evolved since 2018 and why?</p> <p>- What are the challenges in implementing such a large output with multiple donors and activities?</p> <p>- What progress has been made in terms of the Court Information System? How is the project coordinated with other actors in this field – esp.</p>	<p>- What level of engagement is there with Union and State Coordination Bodies? Have they developed justice sector reform plans?</p> <p>- How is the project training prosecutors?</p> <p>- To what extent has gender disaggregated data collection been simplified?</p> <p>- How has the output ensured gender sensitive legislation? - - Has the output been successful in promoting the inclusion of women and under-represented groups in justice sector coordination structures?</p>	<p>*National policy documents including relevant strategies and action plans, in particular the MSDP</p> <p>*UNDP Strategic Documents</p> <p>*SARL Project Document</p> <p>*SARL Progress Reports</p> <p>*SARL Quality Assurance report, results orientated monitoring reports, field visit reports</p> <p>*Implementing partners progress reports</p>	<ul style="list-style-type: none"> • Document review • Stakeholder interviews • Independent external research and reports • Focus groups • Email, phone and Skype follow-up where necessary • Interviews with stakeholders as detailed above + FGDs with paralegals, participants of legal awareness and advice, VTAs 	<p>Indicator 1:</p> <p>% of men and women trained who gained knowledge and applied it</p> <p>Indicator 2:</p> <p># of men and women provided with legal support in court</p> <p>Indicator 3:</p> <p># of VTAs trained on land laws</p> <p>Indicator 4:</p> <p>% of women beneficiaries</p> <p>Indicator 5:</p> <p>% of justice officials strengthened in respecting fair trial standards</p> <p>Indicator 6:</p>	<p>*Qualitative and quantitative data analysis</p> <p>*Data synthesis</p> <p>*Descriptive statistical analysis</p> <p>*Process tracing</p> <p>*Triangulation</p> <p>*Discussion of data amongst the Evaluation Team</p> <p>*Verification of data with Stakeholders</p> <p>*Fact checking by UNDP comment and feedback to evaluation team</p>

	<p>USAID – and their data management system?</p> <p>- Does the outputs still focus on administrative law and if so, in what ways?</p> <p>- How is the project cooperating with RoLCs?</p> <p>- What activities does the project have with the OSCU – how does it avoid overlap with other donors?</p>	<p>- How does the project link the MNHRC with CSOs?</p> <p>- What do you view as being the key achievements under this output? What are the key challenges?</p>			<p>% of criminal and civil case information forms populated by courts through the Court Information System that contain completed data fields related to SGBV</p> <p>Indicator 7:</p> <p>% of MNHRC capacity assessment recommendations implemented</p>	
GEWE	<p>Is the gender marker data assigned to this project representative of reality?</p> <p>To what extent has the project promoted positive changes in gender equality and the</p>	<p>Did the project use any particular tools to ensure gender mainstreaming throughout the project cycle.</p> <p>Were there any hindrances to promoting</p>	<p>*National policy documents including relevant strategies and action plans, in particular the MSDP</p> <p>*UNDP Strategic Documents</p>	<ul style="list-style-type: none"> • Document review • Stakeholder interviews • Independent external research and reports • Focus groups • Email, phone and Skype follow-up where necessary 	N/A	<p>*Qualitative and quantitative data analysis</p> <p>*Data synthesis</p> <p>*Descriptive statistical analysis</p> <p>*Process tracing</p> <p>*Triangulation</p>

	<p>empowerment of women? Were there any unintended effects?</p> <p>To what extent has the project had a permanent and real attitudinal and behavioural change towards gender and human rights?</p> <p>Are there any key examples, which could be heralded as successes and/or best practice?</p> <p>To what extent has the project been successful in applying a strong gender sensitive, inclusive and environmentally suitable approach to</p>	<p>GEWE under the intervention?</p> <p>Has SARL been able to promote any best practices in relation to GEWE.</p> <p>To what extent do the beneficiary institutions reflect gender equality principles in their structure, culture, in the services they provide and in the way they provide these services.</p> <p>What are some of the changes seen in the institutional environment and interrelations between actors working in the</p>	<p>*SARL Project Document</p> <p>*SARL Progress Reports</p> <p>*SARL Quality Assurance report, results orientated monitoring reports, field visit reports</p> <p>*Implementing partners progress reports</p>	<ul style="list-style-type: none"> Interviews with stakeholders as detailed above 		<p>*Discussion of data amongst the Evaluation Team</p> <p>*Verification of data with Stakeholders</p> <p>*Fact checking by UNDP comment and feedback to evaluation team</p>
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	<p>training and capacity building.</p> <p>To what extent has building awareness and capacities influenced the relevant decision makers to respond better to the specific needs of vulnerable groups.</p>	<p>beneficiary institutions in relation to gender?</p> <p>Has the project encountered any challenges in applying a gender sensitive approach to training and capacity building?</p> <p>To what extent has SARL been able to assess the specific needs of vulnerable groups and how did the intervention contribute to responding better to these needs?</p>				
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CSPB	<p>- Has SARL reflected on and articulated its approach to working in conflict, on conflict, around conflict? How does or how should the project undertake analysis of conflict drivers and sensitivity and infuse that into project implementation?</p> <p>- How does the staff think the project have performed in response to its own objectives and interventions to take into account conflict sensitivity?</p> <p>- Are there practices in place to measure whether project interventions have negatively or positively impacted conflict drivers and as a consequence unintentionally decreased trust and</p>	<p>- What have been the main factors that have inhibited the project's effectiveness in terms of conflict sensitivity and how can these be mitigated?</p> <p>- What are some of the characteristics in this society that have maintained social cohesion and how can they be supported and strengthened?</p>	<p>*National policy documents including relevant strategies and action plans, in particular the MSDP</p> <p>*UNDP Strategic Documents</p> <p>*SARL Project Document</p> <p>*SARL Progress Reports</p> <p>*SARL Quality Assurance report, results orientated monitoring reports, field visit reports</p> <p>*Implementing partners progress reports</p>	<ul style="list-style-type: none"> • Document review • Stakeholder interviews • Independent external research and reports • Focus groups • Email, phone and Skype follow-up where necessary • Interviews with stakeholders as detailed above 	N/A	<p>*Qualitative and quantitative data analysis</p> <p>*Data synthesis</p> <p>*Descriptive statistical analysis</p> <p>*Process tracing</p> <p>*Triangulation</p> <p>*Discussion of data amongst the Evaluation Team</p> <p>*Verification of data with Stakeholders</p> <p>*Fact checking by UNDP comment and feedback to evaluation team</p>
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	respectful exchanges or increased perceptions of tension/division, inequity/unequal distribution or resources or benefits, damage to relationships, reduced cohesion? How are these practices used by staff and how are stakeholders involved?					
<i>Efficiency in delivering outputs</i> The cost efficiency of the implemented project activities towards the expected results	Have the implementation modalities been appropriate and cost-effective? Did the SARL staffing structure and management arrangements ensure cost-efficiency, value-for-money, and effectiveness of implementation strategies and overall	*Did UNDP choose the best implementing partners? Were there any institutions that should have been included in the SARL project but weren't. • *How often has the project board met? Were there any issues raised regarding implementation? If so, how and to what extent	*National policy documents including relevant strategies and action plans, in particular the MSDP *UNDP Strategic Documents *SARL Project Document *SARL Progress Reports	<ul style="list-style-type: none"> • Document requests • Stakeholder interviews • Independent external research and reports • Focus groups • Email, phone and Skype follow-up where necessary • Meetings with UNDP finance teams 	N/A	*Qualitative and quantitative data analysis *Data synthesis *Descriptive statistical analysis *Process tracing *Triangulation *Discussion of data amongst the Evaluation Team

	<p>delivery of results?</p> <p>Was there good coordination and communication between partners in the project?</p> <p>Did the project coordinate its activities sufficiently with other initiatives in the field?</p> <p>Was the project implemented within deadline and cost estimates?</p> <p>Did UNDP and its partners solve any implementation issues promptly?</p> <p>Were project resources focused on the set of activities</p>	<p>were these addressed by UNDP?</p> <ul style="list-style-type: none"> • <p>*What other UN agencies, bi-laterals and INGOs are active in the sector? How did UNDP programming overlap, if at all with other initiatives?</p> <p>*To what extent were UNDP able to synergize with other UN agencies?</p> <p>*Is the project fully staffed and are the staffing/management arrangements efficient?</p> <p>* To what extent did SARL ensure that data was disaggregated by gender and other groups</p> <p>*To what extend did SARL ensure gender sensitive indicators?</p> <p>*Are procurements processed in a timely manner?</p>	<p>*SARL Quality Assurance report, results orientated monitoring reports, field visit reports</p> <p>*Implementing partners progress reports</p>			<p>*Verification of data with Stakeholders</p> <p>*Fact checking by UNDP comment and feedback to evaluation team</p>
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	<p>that were expected to provide significant results</p> <p>Was there any unified synergy between UNDP initiatives that contributed towards reducing costs? (In particular LEAP and SERIP)</p>	<ul style="list-style-type: none"> • <p>* Are the resources allocated sufficient/too much?</p> <p>*What were the reasons for over or under expenditure within the Project?</p>				
<i>Sustainability of the outcome</i>	<p>*Has the project managed to procure Gov. co-financing for any of the deliverables?</p> <p>Is it anticipated that the project will secure financing for 100% of the project activities? If not, why not and what was the shortfall?</p> <p>Does the project provide for the handover of any activities?</p>	<p>* Is there an exit strategy for the Project? Does it take into account political, financial, technical and environmental factors?</p> <p>* What issues have emerged during implementation as a threat to sustainability? (if not covered above)</p> <p>*What corrective measures have been adopted?</p> <p>How has UNDP addressed the challenge of building national</p>	<p>*National policy documents including relevant strategies and action plans, in particular the MSDP</p> <p>*UNDP Strategic Documents</p> <p>*SARL Project Document</p> <p>*SARL Progress Reports</p> <p>*SARL Quality Assurance report,</p>	<ul style="list-style-type: none"> • Document requests • Stakeholder interviews, in particular with UNDP and other bilateral donors and the national institutions included in the project • Independent external research and reports • Focus groups • Email, phone and Skype follow-up where necessary 	<p>% of Government Co-financing procured by project?</p> <p># of activities absorbed by national partners/other UNDP projects</p>	<p>*Qualitative and quantitative data analysis</p> <p>*Data synthesis</p> <p>*Descriptive statistical analysis</p> <p>*Process tracing</p> <p>*Triangulation</p> <p>*Discussion of data amongst the Evaluation Team</p> <p>*Verification of data with Stakeholders</p>

	<p>*What are the perceived capacities of the relevant institutions for taking the initiatives forward?</p> <p>* Were initiatives designed to have sustainable results given the identifiable risks?</p>	<p>capacities? (if not covered above)</p> <p>*What is the level of national/regional ownership of the project activities?</p> <p>* To what extent has the project created a shift in attitudinal and cultural behaviour towards women and women's empowerment?</p> <p>*Were relevant stakeholders included in the development of the project?</p>	<p>results orientated monitoring reports, field visit reports</p> <p>*Implementing partners progress reports</p>			<p>*Fact checking by UNDP comment and feedback to evaluation team</p>
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ANNEX III
SARL Stakeholder List
11 Nov 2020 – to date

No.	Name	Title	Organization	Sex	Date	Note
1.	Joerg Stahlhut, Archana Aryal, Khin Thuzar Win	Unit Chief, GSP Programme Specialist Programme Analyst	UNDP	M F F	11 Nov 20	Intro
2.	Titon Mitra, Dawn Del Rio, Nadia Nivin, Joerg Stahlhut	RR DRR Unit Chief, SMU Unit Chief, GSP	UNDP	M F F M	16 Nov 2020	Intro
3.	Thomas Crick, Zaw Min Htet Benjamin James Lee Elzar Eleman Jane Abudho- Howell Kasper Burger	SARL Manager Project Officer HR Legal Advisor M&E, Comm Officer Kachin HLP Manager ROL Adviser	UNDP	M M M M F M F F F	17 Nov 2020	Project Meeting

	Khin Myat Thu Myint Nway Nway Lwin Wint Yee Nandar Lwin	Senior Project Officer Project Officer Project Analyst				
4.	Joerg Stahlhut Archana Aryal	Unit Chief, GSP Programme Specialist	UNDP	M F	18 Nov 2020	
5.	Peter Barwick	Conflict Advisor, UN-CO	UNDP	M	19 Nov 2020	
6.	Thomas Crick Kaspar Burger Zaw Min Htet	SARL Project Manager Rule of Law and Accountability Adviser Project Officer	UNDP	M M M	25 Nov 2020	Anti-Corruption Output
7.	Thomas Crick Jane Abudho Thet Paing Htoo Doi Hkung Stephen Siang Lian Thang Hnin Marlar Htun Bhone Myint Aung Khin Myat Thu Myint	SARL manager Durable Solution Consultant ROL Officer Project Officer on HLP HLP Associate ROL and Gender Officer	UNDP	M F M M M F M F	26 Nov 2020	ROL, A2J Output

		Project Associate (NUNV) Senior Project Officer				
8.	Thomas Crick Benjamin James Lee Nway Nway Lwin Wint Yee Nandar Lwin Kaspar Burger Khin Myat Thu Myint	SARL Project Manager Seniore HR Adviser Project Officer/ROL and HR Business and HR Officer ROL and Accountability Adviser Senior Project Officer	UNDP	M M F F M F	27 Nov 20	HR and Business Output
9.	Thomas Crick Sarah McGuckin Jane Abudho Shaivanlini Parmar Khin Myat Thu Myint	SARL Manager Gender Specialist Durable Solution Consultant Gender Consultant Senior Project Officer	UNDP	M F F F F	2 Dec 2020	SARL Gender
10.	Thomas Gregory Sarah McGuckin Jane Abudho Shaivanlini Parmar Khin Myat Thu Myint	Parliamentary Consultant Gender Specialist Durable Solution Consultant Gender Consultant	UNDP	M F F F F F	2 Dec 2020	SARL/SERIP parliament

	Hnin Marlar Htun Liaqat Ali Norah Babic- IPU Hnin Lwin Lwin Kyaw Daniel Elzar Eleman Myat Moe Thwin Yatu@Hlaing Yu Aung	Senior Program Officer Project Analyst M&E Officer IPU lead Officer Officer M&E Officer Officer Project Officer		M F F M M F F		
11.	Thomas Crick	SARL Manager	UNDP	M	2 Dec 2020	Efficiency, effectiveness, business process
12.	Jannelle Saffin	Technical Expert	UNDP	F	6 Dec 2020	MP & Mentor
13.	Thomas Crick Scott Cimemt Jane Abudho Khin Myat Thu Myint Hnin Marlar Htun	SARL Manager Former CTA, ROL Durable Solutions Consultant Senior Program Officer Project Analyst	UNDP	M M F F F	7 Dec 2020	ROL
14.	Yoshinori Ikede Chirfarai Dube Tun Tun Paul Doila	Programme Coordinator Gender Specialist/OIC	UNDP	M F M M	7 Dec 2020	Rakhine Team

		Senior Project Officer Senior Project Officer/Coordinator				
15.	?	?	UN Women		8 Dec 2020	
16.	Aida Aruntyuova Anga Timilsina	Programme Managers Global Project – Anti-Corruption for Peaceful and Inclusive Societies (ACPIS)	UNDP/BPPS Singapore	F M	8 Dec 2020	
17.	Nicholas Booth	Program Advisor	UNDP/Bangkok		9 Dec 2020	
18.	Koh Miyaoi	Gender Lead	UNDP/Bangkok	F	9 Dec 2020	
19.	Livio Sarandrea	?	UNDP/Bangkok	M	9 Dec 2020	
20.	Marianna Knirsch	Head of Development Cooperation	Germany	F	9 Dec 2020	
21.	?	?	UNDP	?	9 Dec 2020	Conflict Sensitivity
22.	David Elders	Technical Adviser to parliament	UNDP	M	10 Dec 2020	Parliament
23.	Than Soe Htin Lin	Governance Advisor Senior Program Officer	FCDO, UK	M M	10 Dec 2020	
24.	Dawn Del Rio,	DDR	UNDP	F	10 Dec 2020	
25.	Avinash Bikha	ICT Parliament Adviser	IPU	M	11 Dec 2020	

26.	Eri Taniguchi	Gender Specialist	UNFPA	F	11 Dec 2020	
27.	Lucy Kaval Thinzar Myo Aung	Second Secretary Program Officer	DFAT	F F	14 Dec 2020	
28.	Francesca Bellone	First Secretary	Canada	F	14 Dec 2020	
29.	Norah Babic	Team Lead	IPU	F	15 Dec 2020	
30.	Shikha Pandey	Consultant	ILF	F	15 Dec 2020	To discuss HR activism in Rahkine and FLA
31.	Emmi Okada, UN Women	Programme Manager	UN Women	F	15 Dec 2020	
32.	Frida Fostvedt,	?	Embassy of Norway	F	15 Dec 2020	
33.	Holly Hobart	Director	ILF	F	15 Dec 2020	To discuss HR activism in Rahkine and FLA
34.	FGD – Rakhine paralegals	Beneficiaries	Thazin & LCM	2 M, 3F	16 Dec 2020	
35.	FGDs – Kachin Beneficiaries	Beneficiaries	AB, KBC, Singnip, Sepctrum, HI, EEI, LCD	7M, 5F	16 Dec 2020	
36.	FGDs – Rakhine Beneficiaries	Beneficiaries	Thazin, LCM, ILF	5F, 1M	16 Dec 2020	
37.	Joerg Stahlhut, Archana Aryal	Unit Chief, GSP Programme Specialist	UNDP	M F	16 Dec 2020	IPs/Grantees

38.	U Min Zaw Soe	Meeting with Rakhine State Parliament Office DDG	Rakhine Parliament	M	17 Dec 2020	
39.	FGDs- Kachin/Shan Grantees	IPs/Grantees	Shan/Kachin	14M, 13F	17 Dec 2020	
40.	Dyfan Jones Mra Chaw Su Aye	?	UNRC	M F	17 Dec 2020	Land
41.	U San Kyaw Hla	Meeting with Rakhine State Parliament Speaker,	Rakhine parliament	M	18 Dec 2020	
42.	FGDs – Shan Beneficiaries	Beneficiaries	HF, JS	3M, 3F	18 Dec 2020	
43.	FGDs-Rakhine IPs	IPs	Thazin, RLAB, ILF	3M, 5F	18 Dec 2020	
44.	Sammy Odolot	Conflict Advisor	UNDP	M	18 Dec 2020	
45.	U Hla Oo	Meeting with Kachin State Parliament DDG,	Kachin parliament	M	21 Dec 2020	
46.	FGDs – Kachin VTAs	VTAs	Kachin	5M, 1F	21 Dec 2020	
47.	U D Sin Ram	State Attorney General	Kachin	M	21 Dec 2020	

48.	Dr. Swe Swe Aung Dr. Su Su Hlaing Dr. Thida San Daw Yu Yu Tin U Thant Zin	DG, Legal Advisory Depart DDG, Admin Depart DDG, Legal Advisory DDG, Prosecution Depart Deputy PS	UAGO	F F F F M	21 Dec 2020	
49.	U Aung Naing	Mon State Parliament Dy- Speaker,	Mon State Parliament	M	21 Dec 2020	
50.	U San Win Daw Myat Myat Soe U Zaw Win	Acting ACC Chair Commissioner Commissioner	ACC	M F M	22 Dec 2020	
51.	Daw Doi Bu	Member	Kachin State RoL Coord Body	F	22 Dec 2020	
52.	U Nyo Tun	DDG	OSCU	M	22 Dec 2020	
53.	U Hla Myint U Tin Maung Muang Than Dr. Than Myint	Chair Commissioner Commissioner Commissioner	MNHRC	M M M M	22 Dec 2020	

	U Paw Lwin Sein Dr. Khine Khine Win	Director		F		
54.	U Aung Kyaw Thu	MP	Mon State Parliament	M	22 Dec 2020	
55.	Richard Nuccio	Expert/Parliament	IDEA	M	22 Dec 2020	
56.	U Bhone Kyi Aung	DDG	Pyidaungsu Hluttaw	M	23 Dec 2020	
57.	FGDs – Rakhine VTAs	Beneficiaries	Rakhine	5M	23 Dec 2020	
58.	FGDs – CRA beneficiaries	Beneficiaries	CRA/ACC	2M, 6F	23 Dec 2020	
59.	U Tin Myint	Deputy Minister	MOUG	M	23 Dec 2020	
60.	Hla Hla Yee	Director	LCM	F	23 Dec 2020	
61.	Igarashi Kaoru		Japan	M	23 Dec 2020	
62.	Adriani Wahjanto	Senior Prog Officer	UNHCR	F	23 Dec 2020	
63.	Daw Nan Mo Kham	DDG	Shan State Hluttaw	F	24 Dec 2020	
64.	U Zaw Zaw Htike Daw Aye Aye Khaine	DGG Officer	Pyithu Hluttaw	M F	24 Dec 2020	
65.	U Win Thein	DGG	Amyotha Hluttaw	M	24 Dec 2020	

	U Zaw Than Htaik Daw Ye Ye Hlaing	Director Assistant Director		M F		
66.	Daw Aye Aye Tint	DDG	Mon State Parliament	F	24 Dec 2020	
67.	FGD-MPs	MPs/State/Region	Shan, Sagaing, Ayyarwaddy	1M, 1F	28 Dec 2020	
68.	Alexander Read Philipp Annawitt	OD Specialist	UNDP	M M	30 Dec 2020	
69.	FGD- MPs	MPs/Union	Union Parliament	2M, 3F	4 Jan 2021	TBC
70.	Meg Munn	Technical Expert	UNDP	F	7 Jan 2021	

