

Summative Independent Final Evaluation



Somalia Joint Justice Programme Phase I

Report

October-December 2021

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Project Information

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Implementing parties: Ministry of Justice FGS, UNSOM, UNDP, UNWomen, UNICEF, UNOPS, IDLO

Evaluation Information

Evaluation type: Final Project Evaluation ^[L]_{SEP}

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Acronyms and abbreviations

ADR – Alternative Dispute Resolution
AGO – Attorney General’s Office
CAS – Comprehensive Approach to Security
CPD – Country Programme Document
CSO – Civil society organization
CVE – Countering Violent Extremism
FGS – Federal Government of Somalia
FMS – Federal Member State
GFP – Global Focal Point
HRJP – Human Rights Joint Programme
IDLO – International Development Law Organisation
IP – Implementing partner
JCM – Justice and Corrections Model
JCP – Joint Corrections Programme
JJCS–Joint Justice and Corrections Section (UNSOM)
JJP – Joint Justice Programme
JP – Joint Programme
JPLG – Joint Programme on Local Governance
JPP – Joint Police Programme
JSC – Judicial Services Commission
JS – Justice Sector
M&E– Monitoring and Evaluation
MoJ – Ministry of Justice and Judiciary Affairs
MTE – Mid-term evaluation
NDP – National Development Plan
NGO – Non-governmental organization
OHCHR – Office of the United Nations High Commissioner for Human Rights
PUNO – Participating United Nations Organisation
RBM – Results-Based Management
RoL – Rule of Law
SBA – Somali Bar Association
SGBV – Sexual and gender-based violence
ToC – Theory of Change
ToR – Terms of Reference
UN – United Nations
UNCF – United Nations Sustainable Development Cooperation Framework
UNDP – United Nations Development Programme
UNEG – United Nations Evaluation Group
UNICEF – United Nations Children’s Fund
UNSOM – United Nations Assistance Mission in Somalia
UN Women – United Nations Entity for Gender Equality and the Empowerment of Women
VAW – Violence against Women

Executive Summary

Introduction. A political agreement on the Justice and Corrections architecture between the Ministers of Justice from the Federal Government and Federal Member States (FMS) was conceived to serve as basic framework within which the Justice and Corrections Model could continue to be defined and subsequently implemented. With the objective to build the foundation of a viable formal justice system, ensure that traditional justice mechanisms became more aligned with human rights standards, including gender-responsive services, and expand the geographical footprint, the Somalia Joint Justice Programme (JJP) was launched in August 2018. The outcomes of the JJP were formulated as follows, with the order changed at the end of 2019:

1. 'Formal Justice system and institutions framework is agreed and established to ensure presence across Somalia to provide increasingly equitable, transparent and professional basic justice services'
2. 'Men, women and children are safer and accessing basic justice and human rights services'

The JJP was implemented by UNDP in close coordination with the United Nations Assistance Mission to Somalia (UNSOM) Joint Justice and Corrections Service (JJCS). The Federal Government of Somalia Ministry of Justice (MoJ) was the lead implementing agency, in coordination with the affiliated entities in Federal Member States. Other implementing agencies were UNICEF, UN Women, UNOPS and the International Development Law Organization (IDLO). Geographically, the programme covered five FMS (Puntland, Jubaland, South West State, Galmudug and Hirshabelle) and Mogadishu/Benadir.

The JJP was signed by the UN and the Federal Government of Somalia (FGS) on August 14, 2018. The life cycle of the JJP spanned originally 30 months (08/2018-12/2020). A no-cost extension was given until 31 December 2021. A second no-cost extension was received in November 2021 until 31 December 2022. The total programme budget was USD 32,763,593. The donors were the European Union (EU), Italy, the Netherlands, Sweden and the United Kingdom.

Evaluation scope and objective. The overall aim of this independent summative evaluation was to provide UNDP, UNSOM-JJCS, the implementing partners (UNICEF, UN Women, UNOPS and IDLO), and other key stakeholders, such as the MoJ, with an assessment of the overall performance of the JJP. This evaluation was for accountability and learning purposes. The specific objectives were to assess progress made towards achievement of the objectives of the JJP, and to identify lessons learned and to provide recommendations for future design and implementation of Phase II of the JJP. ^[13] ^[14] ^[15] ^[16] ^[17] ^[18] ^[19] ^[20] ^[21] ^[22] ^[23] ^[24] ^[25] ^[26] ^[27] ^[28] ^[29] ^[30] ^[31] ^[32] ^[33] ^[34] ^[35] ^[36] ^[37] ^[38] ^[39] ^[40] ^[41] ^[42] ^[43] ^[44] ^[45] ^[46] ^[47] ^[48] ^[49] ^[50] ^[51] ^[52] ^[53] ^[54] ^[55] ^[56] ^[57] ^[58] ^[59] ^[60] ^[61] ^[62] ^[63] ^[64] ^[65] ^[66] ^[67] ^[68] ^[69] ^[70] ^[71] ^[72] ^[73] ^[74] ^[75] ^[76] ^[77] ^[78] ^[79] ^[80] ^[81] ^[82] ^[83] ^[84] ^[85] ^[86] ^[87] ^[88] ^[89] ^[90] ^[91] ^[92] ^[93] ^[94] ^[95] ^[96] ^[97] ^[98] ^[99] ^[100]

Methodology. This evaluation of the JJP has been undertaken by means of a desk review of over 50 sources, semi-structured interviews and focus group discussions (FGDs). Data collection took place by means of a mixed-methods approach that was gender-sensitive and inclusive. Qualitative and quantitative methods were used during the analysis phase to generate descriptive statistics and in-depth content analysis. Due regard has been given to collecting sex-disaggregated statistics and gender-related information. Due to the ongoing Covid-19 pandemic, only online data collection has been undertaken, resulting in a total of 54 persons consulted (M: 40; F: 14), including 5 focus group discussions with MoJ staff and recipients of the scholarship stipends.

Key findings

Relevance. The JJP has been relevant as it continued with technical assistance already started under the Joint RoL Programme, and in light of the national strategic framework and international guiding

principles and international norms. The joint programme has contributed to and been aligned with with norms and principles of international instruments and strategies, such as the Sustainable Development Goals (SDGs), especially SDG 5 and SDG 16, UNSCR 1325 and subsequent resolutions on women, peace and security, the UNSOM Joint Justice and Corrections Service (JJCS) RoL Mandate, the UNDP Country Programme Document (CPD) for Somalia 2021-2025, and the UN Sustainable Development Cooperation Framework 2021–2025. The relevance of the JJP could also be confirmed in view of national strategies and frameworks, such as the National Development Plan (NDP) 2017-2019 and 2020-2024 (pillar 2), the Judiciary Strategic Plan (JSP) for 2019-2022 and the Justice and Corrections Model of Somalia. However, the lack of progress on the JCM had an immediate impact on the appropriateness of the Theory of Change adopted in the design phase of the JJP and the first outcome. Thus, the originally second outcome was given precedence. The rationale was to contribute to ensuring access to free and fair justice for all Somalis, regardless of economic class, gender, age, clan or ethnicity, and to increasing the legitimacy of the state, by means of alternative forms of dispute resolution as well as hybrid models. The MoJ remained the nodal agency, and managed the Alternative Dispute Resolution (ADR) centres in the States. Fifty districts were covered by the JJP.

Efficiency. The JJP has only to some extent been delivered efficiently considering the timely delivery of activities/funds, the economical use of financial and human resources, project management capacity, and M&E. Especially the year 2020 showed a lower absorption rate because of the Covid-19 pandemic. With limited funds available for 2021, and no new funding on the immediate horizon, the focus was on delivery of assistance to community-driven activities. Also, the late arrival of funds, insecurity levels, and the continuing highly volatile situation in many parts of the country have impacted on efficiency and the level of expansion feasible under the JJP. The project team comprised the UNDP RoL portfolio manager and a national officer in 2021, and additionally a programme manager, a secondee from UNSOM, from late 2018 until the end of 2020. UNDP cost-shared operational support staff and field-based staff also supported programme. In addition to technical staff of the MoJ supported by the JJP, also management tasks were undertaken by MoJ staff working in the ADR units. A more gradual approach to the transfer of responsibilities of different programmatic components linked to agreed-on milestones, would have benefited oversight, transparency, and capacities. M&E has been undertaken to some extent to monitor the overall performance of the JJP and capacities of stakeholders by means of different mechanisms, including audits, studies, and by means of using third party monitoring contractors. The JJP was governed by a Steering Committee (SC) which brought together the UNDP, UNSOM, PUNOS the MoJ (Federal Government) and the donors (EU, Netherlands, Sweden, UK). The absence of representatives of the judiciary and Federal States, and the exclusion of civil society organizations, were considered weakness in the composition of the SC. The management of the JJP seemed to some extent also hampered by the level of participation of all stakeholders represented in the SC in daily decisions, while, at the same time, could also have been clearer in managing expectations.

Coherence. Cooperation between technical level cooperation between UNSOM and UNDP appeared to function well. This may have been primarily due to personal initiatives of individuals rather than clear institutional arrangements and mechanisms, although addressing issues/blockages in implementation to maximise UNSOM's political mandate could have been captured in a stronger response mechanism. Additionally, triangulated data confirmed that the activities implemented by the JJP PUNOS were relevant but not connected and part of an integrated, coherent approach. The Joint Rule of Law programme was divided in three joint programmes, the Joint Police Programme (JPP) and the Joint Corrections Programme (JCP), managed respectively by UNOPS (with UNDP as implementing partner) and UNODC. The three joint programmes appeared to exist and operate in parallel to each other, and opportunities were missed as a consequence to coordinate between the different parts of the criminal justice chain, especially at the operational level in the different federal states, between institutions, and institutions and communities. Wider sector coordination and

programming in the field of criminal justice and security was met with several challenges, including the frequency of coordination meetings, levels of attendance, participation, and confidence in such processes. The triple-nexus of development, humanitarian, and peace building was reflected in the strengthening of community-based initiatives and alternative dispute resolution mechanism to address conflicts in the economic realm, amongst others, and create more security at that level.

Effectiveness. The JJP has been effective in light of the outputs and (sub)outcomes given in the results framework, including with respect to human rights, and girls/women's access to justice. In broad terms, JJP has reached its intended results, especially in the first outcome area, but there is little evidence to measure higher level results (outcomes and impact). A host of different factors have contributed to the achievement of these results, such as those mentioned in the chapters on relevance and efficiency with respect to the Justice and Corrections Model, the Corona pandemic and the MPTF. Under the first outcome, two of the six indicators have already exceeded the target set for 2021 in the first half of the year. As no mobile court missions could be undertaken in two of the five States, less services were provided than anticipated. With respect to the second outcome, basic principles for a justice model were not agreed upon by FG and FMS, despite efforts to reach the contrary. Institutional and technical capacities of key justice institutions were established to some extent.

Impact. The desk review findings combined with interview data confirmed an increase in citizens' trust and confidence in informal justice processes, partially reflected in high rates of satisfaction in the process and results of these services, and a stronger connection between informal and formal justice institutions and mechanisms.

Sustainability. The level of government ownership was high in view of the responsibilities of the MoJ, although more attention could have been given to the gradual transfer of budgetary items (salaries) to the Ministries' budget. However, many results with respect to informal and formal justice mechanisms require further financial and technical support, a longer time-frame and a comprehensive capacity-building and exit strategy to ensure their sustainability. Several results with respect to established institutional and technical capacities of key justice institutions appear sustainable, such as the electronic case management system operational in Benadir, the SGBV Units at the AGO's in Mogadishu and Puntland, several Somali Bar Associations – with a resource mobilization strategy currently being developed - and the juvenile justice model operational in Puntland. However, the Judicial Training Institute was not operational yet. Also, more effort could have been given to monitor the extent to which graduates who had benefited from the scholarship programme were able to enter the labour market considering their lack of practical experience, limited resources to fund internships themselves and gender-based and other forms of discrimination. Community conversations had stopped when funding was no longer available. The same was the case with mobile courts. ADR centres (both IDLO and UNDP support centres – ended in July) continued to operate despite the unavailability of funds to support operations, with community support. As further donor funding will not be available before the elections, the project team is trying to find financial resources elsewhere. A stronger link with the other joint programmes could potentially provide enable the continuation of some community-based activities.

Gender mainstreaming and gender equality. The JJP has been effective to some extent in advancing access to justice for women. Inputs were designed in a gender-sensitive way. Female staff and elders in ADR centres have not only been given opportunities to strengthen their knowledge and leadership skills, but also been instrumental for female beneficiaries to access the centers and submit their claims. They have acted as support, intermediary and in some instances also as spokesperson for women bringing forward their cases. While also separate women community conversations were organized, female representation appears to have been mainstreamed to a lesser extent in the mobile clinics. Some changes could be observed in gender relations as a result of JJP activities in beneficiary communities, but these changes still concerned a minority of women and were not equally distributed

amongst the project sites. Conciliatory approaches continued to be guided by Xeer and Sharia which in many instances continued to contravene women's rights and human rights. While attention has been given to collecting and analysing sex-disaggregated data, this could be improved on in a phase II of the JJP, including with respect to considering other social factors, such as (but not limited to) age, marital status, displacement status, disability and clan. Additionally, a stronger link with national women's rights instruments and a more inclusive planning process with space for women's organizations and institutions advancing women's rights could be of added value to the JJP.

Conclusion

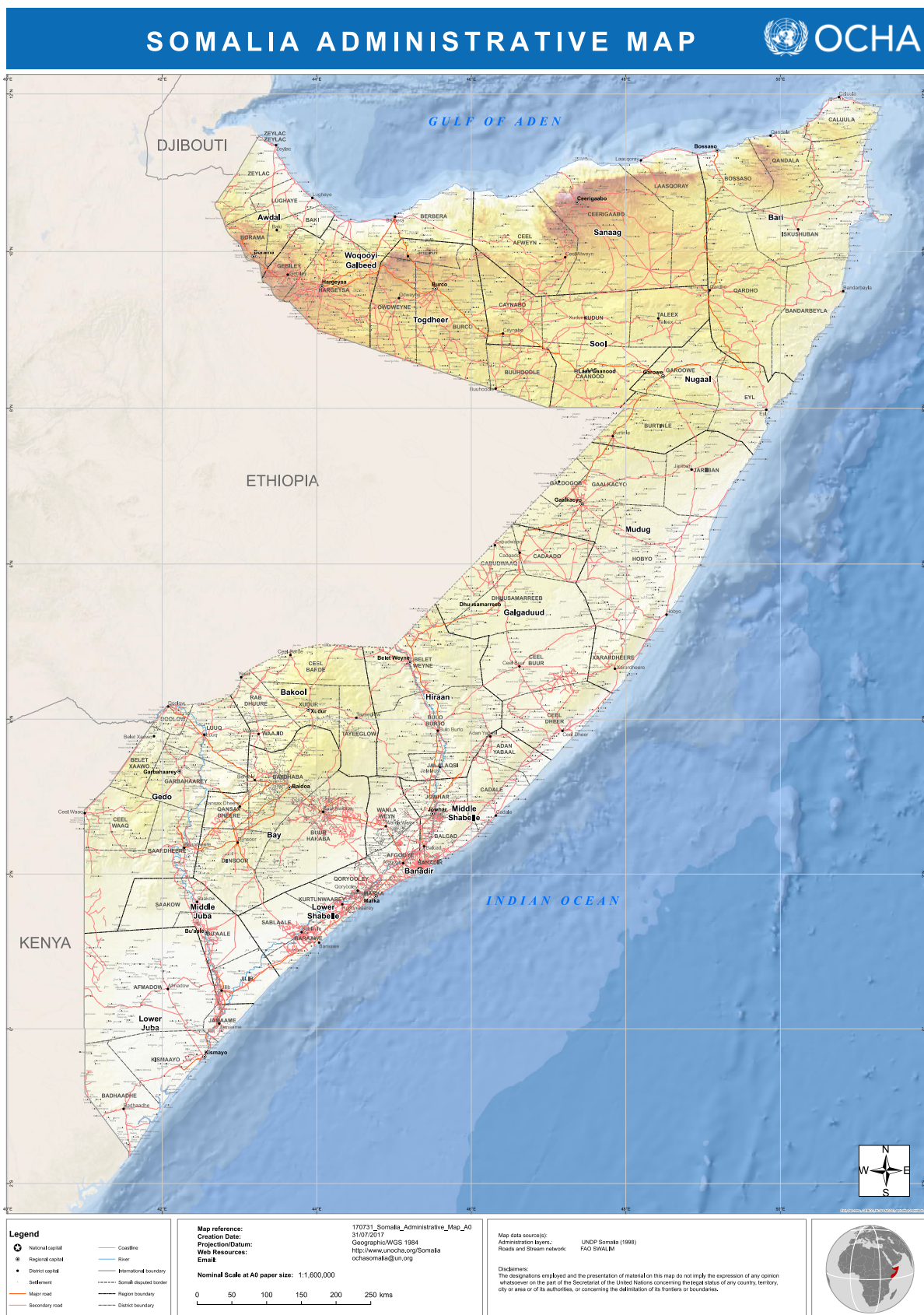
The Justice and Corrections Model underpinning the formal justice pathway of the JJP never reached the stage of implementation, and therefore limited efforts to strengthen the formal justice system in Somalia. The programme has nevertheless been highly relevant considering its overall objectives, and the results and impact already visible in access to justice for marginalized groups. The design has been adapted to the operational context, although the overall design and outcome-level indicators could have been cognizant of the JPP and JCP for a more coherent approach to justice reform, including by linking community-based justice mechanisms. Efficiency has been affected by the Covid-19 pandemic, insecurity and late MPTF transfers, as well as the limited capacity of the project team and weak oversight. The political situation and the different factors influencing efficiency have also had an impact on effectiveness and impact, although citizens' trust in and the legitimacy of justice institutions appeared to have increased by the JJP by means of community-based initiatives that also linked informal with formal justice actors. While sustainability has been a major concern with respect to several JJP sub-components, the continued functioning of the ADR centers without funding has been evidence of the ownership of this gender-sensitive dispute resolution mechanism by communities.

Recommendations

1. Design a phase II of the JJP which considers the recommendations and lessons learned of this evaluation (UNDP, UNSOM with participation of PUNOS, MoJ, judiciary, civil society organizations and donors);
2. Prepare a ToC in which the connectedness to all parts of the criminal justice chain, and the JCP and JPP, has been made explicit, in a participatory and inclusive manner (incl. PUNOS, donors, women's organizations, relevant justice institutions/MoJ), possibly following a further developed RoL strategy (see recommendation 8d), and a logical framework with SMART indicators that capture the ambition of transformational change and increased access to justice of all social groups (UNDP, UNSOM with participation of PUNOS, MoJ, judiciary, civil society organizations and donors);
3. Strengthen the project management team of the JJP, including by means of budgeting for a UNDP project manager, staff with expertise in gender and inclusion and monitoring and evaluation and dedicated senior field staff at each FMS (UNDP, UNSOM with participation of PUNOS, MoJ, judiciary, civil society organizations and donors)
4. Strengthen monitoring and evaluation of the JJP by means of a) developing a comprehensive M&E framework; b) SMART indicators incl. gender-sensitive indicators and indicators that also cover the intended judicial reform and connectivity between the different levels/non-formal and formal levels; c) establishing a reporting mechanism that is based on milestones, and agreed on intervals and deadlines; d) conducting research & setting up a functioning

community of practice (UNDP, UNSOM with participation of PUNOS, MoJ, judiciary, civil society organizations and donors)

5. Develop and implement a long-term capacity-building strategy for all components and actors, including a) mentoring and other training methods in addition to class room capacity-building; b) institutionalizing training curricula and trained trainers in existing institutions in criminal/civil justice; c) strengthening M&E; d) examining options to introduce practical experience into BA Degrees (e.g. moot courts); e) supporting internships for all BA graduates to offer continued financial support/equal opportunities); f) designing a nonviolent communication training module for university-level social work course (UNDP, UNSOM with participation of PUNOS, MoJ, judiciary)
6. Review the governance mechanisms of the JJP, and a) at a minimum, include the judiciary as co-chairs of the SC; b) consider establishing a two-level governance mechanism with a strategic/political level and a technical level; c) include civil society organizations with the right profile to support the programme to meet its objectives; d) create a programme secretary with agreed on programme management responsibilities. (UNDP, UNSOM, MoJ, Judiciary, PUNOS, donors)
7. Strengthen sustainability by a) preparing an exit strategy at the very beginning that adequately considers sustainability with respect to all project results, in order to guide decision-making, including on government salaries; b) enable and agree on a gradual process of transfer of responsibilities and budgetary items to the government, linked to milestones; c) seek/guarantee long-term funding to support long-term capacity-building processes (UNDP, UNSOM, MoJ/judiciary, PUNOS, donors)
8. Strengthen coordination with partners, including a) by agreeing on a clear division of responsibilities between UNDP and UNSOM, with the latter taking the lead in the political dialogue with the government; b) setting up coordination mechanisms with the JPP, JCP and other joint programmes with community-based initiatives; c) strengthen RoL-wide coordination mechanism(s); d) consider further developing the draft RoL-wide strategy; e) strengthen coordination with humanitarian actors such as UNHCR and non-UN agencies, such as USAID (UNDP, UNSOM, PUNOS, donors with cooperation MoJ/judiciary)
9. Strengthen gender mainstreaming and advance women's rights in the programme planning/implementation/M&E, including by means of a) aligning the JJP with international and national strategies on women, peace and security and the advancement of women's rights; b) design gender-sensitive indicators, M&E framework and data collection and analysis tools; c) include women's civil society organizations in design, implementation and governance mechanisms in line with the programme's objectives; d) promote the inclusion of female graduates in judicial and other governmental institutions; e) monitor more closely the effects of programme activities on women's rights and the application of traditional justice mechanisms. (UNDP, UNSOM, PUNOS, MoJ/judiciary, civil society organizations)
10. Continue and expand technical assistance to informal justice mechanisms, such as by a) harmonizing approaches of the ADR centres; b) expand community conversations, ADR centres, legal aid and mobile courts to cover more districts; c) build staff capacity, including with nonviolent communication skills; d) standardize data collection; e) strengthen procedural safeguards, referral pathways, information sharing and coordination amongst informal and formal justice actors (UNDP, UNSOM, IDLO, other PUNOS, MoJ/judiciary and other law enforcement/justice actors)



.Source: <https://reliefweb.int/map/somalia/somalia-administrative-map-31072017>

1. Introduction and description of the intervention

‘The development of formal justice institutions remains in its infancy and has been stalled, not only due to conflict with Al-Shabaab, but also because of elite power bargaining and infighting over the resources associated with foreign aid and development. Because of these security and political challenges, the development of a formal legal system has been slow, and basic government presence is limited to a few of the country’s larger cities. Most people therefore still rely for protection on kinship networks within Somalia’s five major clan families. Traditional mechanisms remain the main vehicle for most of the population to address disputes. Access to justice in these mechanisms remains particularly difficult for marginalized groups. Inclusion of women in positions of authority across justice mechanisms remains generally low due to discrimination, harassment, cultural perceptions around the roles of women, and a lack of educational opportunities. Additionally, traditional mechanisms tend to focus on clan relationships, often overlooking the protection of individual rights.’ CCA, 2020: 40

In the recent past, a political agreement on the Justice and Corrections architecture between the Ministers of Justice from the Federal Government and Federal Member States (FMS) was conceived to serve as basic framework within which the Justice and Corrections Model can continue to be defined. The training of justice sector personnel, equipment/infrastructure and the provision of mobile courts, legal aid and awareness services are all long-term investments in institution building. The delivery of basic justice services to the communities is a pre-condition to increase the legitimacy of the state as well as to support stabilization and transition efforts. To build the foundation of a viable formal justice system and ensure that traditional justice mechanisms are in conformity with human rights standards, the Somalia Joint Justice Programme (JJP) was launched in August 2018.

The JJP’s predecessor was the Joint Rule of Law (JRoL) Programme which had a focus on building the foundation in terms of the legal architecture, infrastructure and staffing as well as the capacity of personnel. Accordingly, the JJP was tasked with further substantiating the results of the JRoL’s by further strengthening the formal justice sector, and expand the geographical footprint by not only further strengthening the successfully established rule of law institutions across all FMS capitals of a total of 20 districts, but also expand justice institutions across regional districts with support from the FMS capitals. The JRoL’s final results became the JJP’s baseline status.

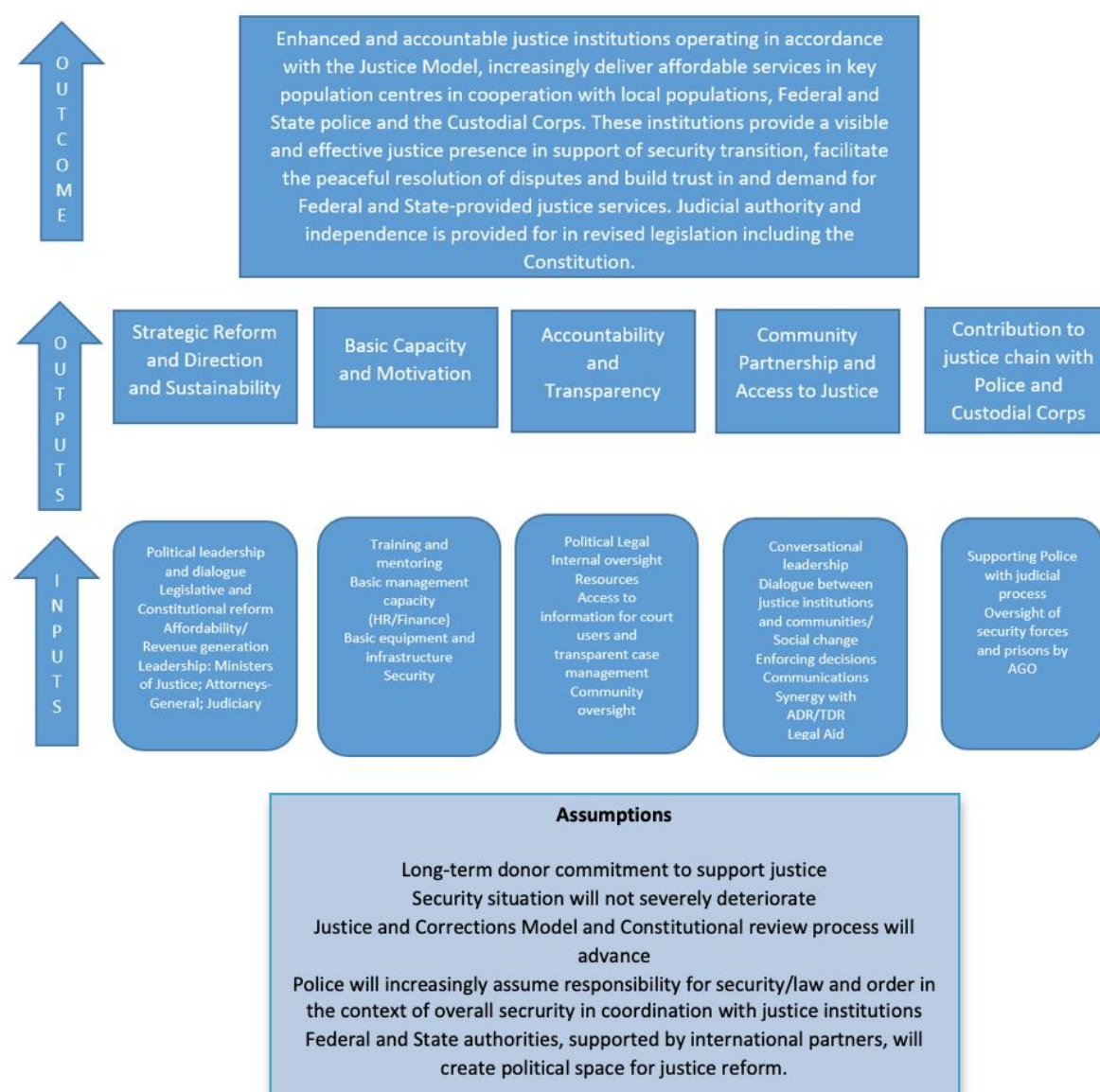
The Somalia Joint Justice Programme (JJP) had a programmatic focus on building the capacity of formal justice actors and institutions to respond to the needs of the vulnerable, including the provision of gender responsive services through engagement with clan elders and influencers in view of supporting institutional reforms. It addressed both supply demand-side issues and supports legal reform through upstream and downstream measures, and set out to support a. legal empowerment through legal aid; support for establishing and operating community-based mechanisms (community capacity enhancement/Community Conversation and nonviolent communication) to support women, children, internally displaced persons (IDPs) and members of minority clans seeking justice or redress; b. supporting the establishment of alternative dispute resolution (ADR) centres and special prosecution cells for SGBV cases; and c. trainings for judges, prosecutors, court staff and lawyers, and capacity building at community level to promote justice reform. The outcomes were formulated as follows:

1. ‘Formal Justice system and institutions framework is agreed and established to ensure presence across Somalia to provide increasingly equitable, transparent and professional basic justice services’
2. ‘Men, women and children are safer and accessing basic justice and human rights services’

The Theory of Change (ToC) of the JJP was phrased as follows: If the federal and state-level authorities implement an agreed legal framework that articulates the structure and jurisdiction of Somali judicial

institutions within a federal framework, and justice institutions (formal and traditional) are strengthened and expanded with the involvement of the communities, then Somali men, women and children will have access to effective, impartial, transparent, inclusive and accountable justice institutions capable of peacefully addressing their basic justice needs. Additionally, Federal and state-level authorities will have access to judicial institutions capable of independently and peacefully resolving constitutional and electoral disputes, protecting judicial independence and facilitating security transition. (Prodoc, 2018: Pp 12)

Theory of Change



The logframe of the JJP had originally a main outcome, two outcomes, and four outputs for the first outcome and three for the second outcome. A sub-outcome has been added to the main outcome (change approved PSC-meeting 19 Sep 2019) in order to capture more adequately the 'bottom-up' approach of the JJP and to provide a more realistic and attainable result for the federal level considering the challenges the JJP was facing during implementation. Outcome 1 and 2 switched

places. The project document revision of October 2020 had the same two outcomes, in the original order, but respectively two and three outputs.

The mid-term evaluation (2020) mentioned that the Results and Resources Framework was revised at the end of October 2019, which led to a different sequencing of outcomes, with outcome 1 and 2 switching places. The foundation of the programme became therefore not the strengthening of formal justice system institutions but more extended support to community-based conflict resolution mechanisms, with inclusion of women in these mechanisms.¹

The main beneficiaries of the JJP were the MoJ, judiciary and legal institutions at the federal level and of federal states on the one hand (the Attorney General's Office, the Supreme court, mobile courts/district courts, the Judicial Training Institute, the Somali Bar Association and lawyers), and informal justice institutions and communities, especially marginalized groups such as women, minorities and IDPs.

Geographically, the programme covered five federal member states (Puntland, Jubaland, South West State, Galmudug and Hirshabelle) and Mogadishu/Benadir. Somaliland had its own separate programme.

The Federal Government of Somalia Ministry of Justice (MoJ) is the lead implementing agency for this programme, in coordination with the affiliated entities in Federal Member States. The JJP was implemented by UNDP in close coordination with the United Nations Assistance Mission to Somalia (UNSOM) Joint Justice and Corrections Service (JJCS). Other implementing agencies were UNICEF, UN Women, UNOPS and the International Development Law Organization (IDLO). The overall budget of the JJP was USD 32,763,593 with the majority of funds used and channelled through UNDP, including IDLO's budget of USD 6,113,365.²

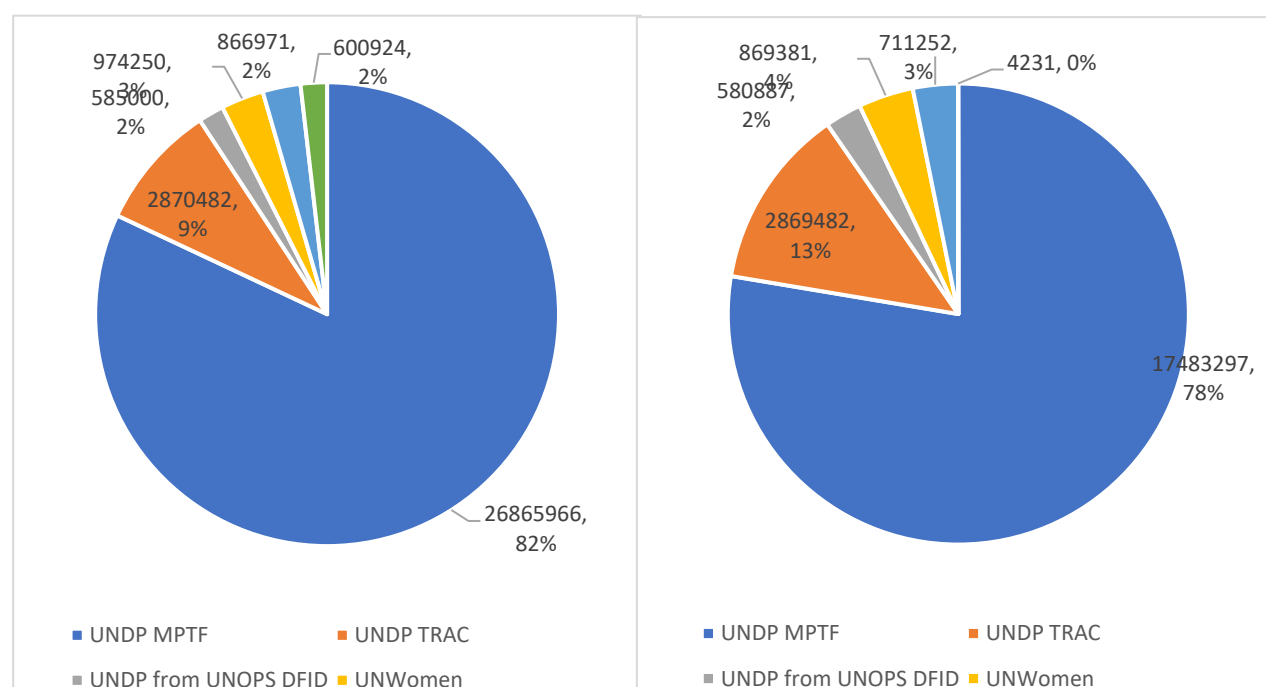


Figure 1a Received funds per agency / Figure 1b Expenditures per agency (source: Semi-annual report 2021/30 June 2021)

1 A reference to the changed theory of change was made in one of the SC minutes.

2 USD 3,166,547 (1 September 2018 – 31 January 2020), USD 2,328,650 (1 February-31 December 2021), and USD 618,168 (1 January – 31 Augustus 2021)

The JJP was guided by a Programme Steering Committee (PSC) with participation of the MoJ, UNDP, UNSOM, donors and the four implementing partners. The programme was managed by a two-person in UNDP (the RoL portfolio manager and a national officer) in 2021 and an additional programme manager, a secundee from UNSOM, while Letters of Agreement (LoAs) were signed with the Federal Government and the Federal States on their respective responsibilities, including monitoring of activities.

The programme was approved by the Steering Committee of the Somalia Development and Reconstruction Facility on May 23, 2018; and signed by the UN and the Federal Government of Somalia (FGS) on August 14, 2018. The life cycle of the JJP spanned originally 30 months (08/2018-12/2020). An extension was given until 31 December 2021 in order to address the delays caused by the Covid-19 pandemic, amongst others, and to support the development of a second phase in parallel to completing outstanding activities. Another no-cost extension has recently been given to finish the court house by UNOPS in 2022. Prior to the signature of the JJP, its work plan was adjusted downwards resulting in a Prioritization Plan. This prioritization exercise took place as a consequence of advice received on 5th July 2018 from the RoL working group in view of the available budget which was considerably lower than expected (15 million USD in lieu of the projected 20.3 million USD, meaning three quarter of the initially envisioned budget with about equal distribution of the relative shortcomings).³

The JJP is aligned with the second outcome of the UN Strategic Development Cooperation Framework (UNSDCF) involving UNDP, especially outcome 2.1 Respect, protection and promotion of human rights, gender equality, tolerance, climate security and environmental governance would be sustained by strengthened Security and Rule of Law institutions and improved accountability mechanisms and legal frameworks. It is related to the UNDP Strategic Plan, 2018-2021, outcome 2 'Accelerate structural transformations for sustainable development', and the UNDP Country Programme for Somalia 2021-2025, especially outcome 2 on security, rule of law and access to justice.

An independent mid-term evaluation was conducted In March 2020, which made several strategic, operational, technical, and monitoring-related observations. As the completion date of the programme was foreseen to be 31 December, a final independent summative programme evaluation has been undertaken in order to assess results achieved under the programme and collect good practices and lessons learned to inform the design of the programme's second phase. The primary users of this evaluation will be UNDP and the other PUNOS, the Government of Somalia, especially the MoJ, and donors.

This report describes the scope and main objectives of the evaluation in chapter two, the methodology in chapter three, and key findings in the fourth chapter for the following evaluation criteria: relevance, efficiency, coherence, effectiveness, impact and sustainability. The fifth, sixth and seventh chapter contain respectively the conclusion, recommendations and lessons learned and good practices. The annexes include the list with used sources, the evaluation framework and the list with interviews and focus group discussions.

3 Source mid-term evaluation

2. Evaluation scope and objectives

The overall aim of the evaluation was to provide UNDP, UNSOM-JJCS, the implementing partners (UNICEF, UN Women, UNOPS and IDLO), and key stakeholders with a summative assessment of the performance of the JJP, phase I. evaluation is for accountability and learning purposes, as reflected in the two specific objectives given below, and aim to provide good practices, lessons learned and recommendations for the development of a possible phase II of the JJP. The specific objectives are as follows:

- To assess progress made towards achievement of the objectives of Phase I of the JJP. [L] [SEP]
- To identify lessons learned and to provide recommendations for future design and implementation of [L] [SEP] similar programmes, specifically Phase II of the JJP. [L] [SEP] [L] [SEP]

The evaluation's scope is the Somalia JJP phase I, with a focus on the different components implemented by respectively UNDP, UNWomen, UNICEF and IDLO, and UNOPS from 01 August 2018 to 30 June 2021. To the extent possible, also data of the period July-mid December 2021, which signifies the end of the data collection phase, have been included in the assessment.

The scope of this summative evaluation was to assess the relevance of the JJP design, to gauge its effectiveness including its implementation status and progress towards achieving its sub-outcome and outcome, and identify the likelihood of achieving set objectives. The evaluation was also meant to establish the efficiency and sustainability of the JJP and provide information on the nature and extent of potential impact. The ToR offered questions in five categories, namely on access to justice at the community level, focusing on UNDP and IDLO-implemented initiatives, women's access to justice and empowerment and children's rights initiatives, the latter specifically focusing on UNICEF's components of the JJP, and then efficiency, sustainability and impact. Cross-cutting issues (human rights, gender) have been included under the different evaluation criteria. Additionally, a sixth OECD-DAC evaluation criterion is introduced, namely coherence, in order to frame questions on internal coordination and external coordination.

In summary, the evaluation criteria guiding this assessment were relevance, efficiency, coherence, effectiveness, impact and sustainability. The use of these criteria have supported the collection of evaluative evidence used to analyse the achievements of the JJP, and inform the design of new initiatives. Performance indicators used to evaluate the performance were the results framework indicators. The evaluation matrix can be found in annex II.

3. Methodology

This Independent Final Evaluation of the JJP has been undertaken by means of a desk review, online and in person semi-structured interviews and focus group discussions (FGDs). Data collection has been done on the basis of a mixed-methods approach that is gender-sensitive and inclusive. Qualitative and quantitative methods have been used during the analysis phase to generate descriptive statistics and in-depth content analysis. By means of the desk review, semi-structured interviews, and FGDs, data have been obtained, reviewed, analysed and triangulated across data collection methods and sources in order to respond to the specific questions given for all evaluation criteria. During the data collection and analysis phases, due regard has been given to collecting sex-disaggregated statistics and gender-related information. Findings have been presented in a gender-sensitive manner, and sex-disaggregated statistics, and other disaggregated data to the extent possible, have been included in the evaluation report.

A **desk review** has been done of 48 sources, including UNDP documents and the various evaluation and assessment reports prepared by different actors addressing joint programming in the field of rule of law and justice. UNDP documents included the evaluation Terms of Reference (ToR), the project document, including the ToC and logframe, semi-annual and annual progress reports 2018-21, Steering Committee meeting minutes and the JJP MTE, including the management response, the ADR center report, the community conversations report and a project team lessons learned document. Other documents for the desk review included the various evaluation reports prepared by other stakeholders focusing on justice/rule of law/security sector reform and the joint programming structure, IDLO progress reports and a research study on ADR centers, and Somalia national strategies.

One key constraint for the implementation of this evaluation was that, due to the ongoing Covid-19 pandemic, which resulted in a home-based assignment, only online data collection could be undertaken by the team leader. A field mission was not possible due the unpredictability of the pandemic and related restricted travel and lockdowns. The data collected by the national team member were not sufficiently robust, and have therefore not been used for analysis in this report.

Online **semi-structured interviews** have been conducted to collect project-specific, related and contextual information. The generic interview guide given in Annex II has provided overall direction to these interviews. The questions have been further tailored to the background, function and level of involvement of the respondents in preparation for the individual interviews. Interviews have been held with representatives of Project Steering Committee members (MoJ, donors, UNDP, UNSOM, UNWomen, UNICEF, IDLO, UNOPS) and with UNODC, the judiciary, the Somali Bar Association, the Judicial Training Institute and civil society organizations. Online interviews have been held by means of Zoom, and occasionally WhatsApp. A total of 54 persons were consulted by means of an online platform (M: 40; F: 14), including 5 focus group discussions with MoJ staff and recipients of the scholarship stipends (see annex V).

Quantitative analysis has been done by analyzing financial data, and sex-disaggregated and other disaggregated (e.g. IDPs, youth, persons with disabilities) statistical data given in JJP progress reports and studies conducted by other actors. Quantitative analysis has been done with Excel. Qualitative analysis has been undertaken by means of the classification of data obtained during the desk review, semi-structured interviews, and FGDs followed by source and method triangulation.

Qualitative and quantitative data collection and analysis methods have mainstreamed gender by means of collecting and analysing sex-disaggregated data of staff and beneficiaries across the different project sites, triangulating these with secondary data if available. In addition, gender-sensitive data were collected on the gender division of labour, gender justice and views on the roles and responsibilities of men and women across different age groups, clans, displaced/non-displaced and other socio-economic factors. For instance, one all male and one all-female focus group discussion was held with respectively male and female recipients of the scholarship stipends (with the female evaluation team leader), and all-female focus group discussions with elderly women working at ADR centres and in communities.

Translation of Somali into English and vice versa was only needed on a few occasions for the international team leader. UNDP staff members helped out in these instances, although it is recommended to verify the need for interpreters more in advance and recruit independent translators in future evaluations.

Ethics were safeguarded and ensured at all stages of the evaluation. All team members are cognizant of the UNEG Ethical Guidelines for Evaluation. The key requirement to safeguard the rights and

interests of its informants was considered. This includes, but is not limited to, ensuring informed consent, protecting privacy, confidentiality and anonymity of participants, ensuring cultural sensitivity, respecting the autonomy of participants, and ensuring that the evaluation results do no harm to participants.

A standardized approach was used to prepare for interviews and focus group discussions that took ethical and safeguarding principles into account. Interviewees, and FGD participants were informed that their data has been used in anonymised and triangulated form. In order to encourage openness, respondents were given assurance that they will not be quoted or their views otherwise identified individually in the evaluation report.

The evaluation had several **limitations**. Because of high levels of insecurity, and the continuing impact and consequent travel restrictions because of the Covid-19 pandemic, the evaluation team leader had been unable to travel to Somalia to hold in-person meetings. The consequences were mitigated by utilizing online platforms for conducting interviews and focus group discussions. Whilst the central questions were answered, in some instances, data granularity was not available at all times. Additionally, the team had no female national consultant to support data collection in the field, which limited access to perspectives of direct and indirect female beneficiaries.

Although the scope and capacity of the evaluation limited the collection of outcome-level and impact data on access to justice, the team has been able to conduct a systematic review of quantitative and qualitative data, amongst others obtained by third party monitoring and studies on the ADR centres by IDLO, and community conversations and nonviolent communication by UNDP.

The evaluation relied on the desk review to examine the access to justice of different focus groups covered by the JJP, such as youth, internally displaced persons (women and men), persons with disabilities and minority clans. While this part of the evaluation has given some understanding on the relevance, effectiveness and sustainability of the JJP for these particular groups, and get a better understanding of the programme's impact on their access to justice, the analysis was also limited as data on persons with disabilities had hardly to not been included in the various assessment reports, group categories had not at all times been mutually exclusive, which posed some difficulties for analysis, and also sex-disaggregated data had not always been used for analysis. Future research, monitoring and evaluation could give more attention to this issue by improving data collection and analysis on the one hand, and by making sure that ethical principles to avoid discrimination will be applied carefully.

The evaluation has mainly focused on the alignment of the JJP with the Joint Police Programme (JPP) and the Joint Corruptions Programme (JCP). The JJP's alignment with other UN joint programmes such as the Constitutional Review, Parliamentary Support, Joint Human Rights (expired 31 march 2021), the Joint Security Sector Governance, Preventing ^[11] and Countering Violent Extremism and the Local Governance programmes, has therefore neither been explicitly considered nor were these brought to the fore in interviews.

Some results could only partially be attributed to the JJP, and sometimes attribution was not possible to the JJP only considering that technical assistance had already been provided under the Joint Rule of Law programme, such as in the case of the scholarship programme and some ADR centres already operating at the start of the JJP.

4. Main findings of the evaluation

4.1 Relevance

The JJP has been relevant in light of the national strategic framework and international guiding principles, and also offered a programmatic framework to continue with technical assistance already started under the Joint RoL programme. The joint programme has been highly relevant considering its contribution to, and alignment with international strategies, such as the Sustainable Development Goals (SDGs), especially SDG 5 'Gender Equality' and SDG 16 'Peace, Justice and Strong Institutions', especially target 16.3 'Promote the rule of law at the national and international levels and ensure equal access to justice for all' and 16.6 'Develop effective, accountable and transparent institutions at all levels'. This has also been reflected in the UNSOM Joint Justice and Corrections Service (JJCS) RoL Mandate (see recent UN Security Council resolutions 2102/2013; 2358/2017, 2461/2019, 2540/2020, 2592/2021), the UNDP Country Programme Document for Somalia 2021-2025 (especially programme priority 2 security, rule of law and access to justice), the UN Strategic Framework 2018-2020 and the UN Sustainable Development Cooperation Framework 2021-2025 (UNCF), in particular Pillar 2 ('Rule of law and justice sector reform aims to provide secure and equitable access to affordable justice and increase public trust and confidence in the judiciary).

The relevance of the JJP could also be confirmed in light of national strategies and frameworks, such as the National Development Plan (NDP) 2017-2019 and 2020-2024 (pillar 2), the Judiciary Strategic Plan (JSP) for 2019-2022 and the Justice and Corrections Model of Somalia. A sector plan was being developed at the time of this evaluation. The second phase of the JJP should also be aligned with, and contribute to the implementation of strategies developed by Somali women, including the National Action Plan on Women, Peace and Security (which is in the process of being developed), and the Somali Women's Charter.

A political agreement had been reached on the Justice and Corrections Model, endorsed by the Council of Ministers of the Government of the Federal Republic of Somalia, Mogadishu, 6 august 2018 (NDP, 2020; n145), although it was still awaiting final endorsement by the National Security Council (NSC) at the time of this evaluation. This has had an immediate impact on the appropriateness of the Theory of Change adopted in the design phase of the JJP and the relevance of outcome 1 'Formal Justice system and institutions framework is agreed and established to ensure presence across Somalia to provide increasingly equitable, transparent and professional basic justice services' considering the effect this had on activities to strengthen formal justice institutions within the available time-frame of the JJP. A sub-outcome was added in 2019 in order to provide a more realistic and attainable result for the federal level considering the challenges the JJP was facing during implementation.

The GFP assessment concluded that this outcome '[...] largely entailed capacity building at FGS and FMS levels - there was little movement at strategic or policy level, due to the lack of progress on creating a justice and corrections model. This partly explains why donors felt that programming became disconnected from the broader political context: although support to activities such as mobile courts and legal aid had merit in terms of service provision, it was unclear how they linked to the wider justice system. Nor was programming addressing questions of legitimacy and trust in the formal sector which is notoriously low. Overall, without an institutional or policy framework to support it, the impact and sustainability of the JJP's technical support was unclear.' (UNGFP 2021: 4)

Yet the overall national strategic framework offered also room to move from what was in interviews referred to as a top-down approach, and expand the scope of the bottom up approach in the JJP. This

referred to a shift from strengthening the formal judicial apparatus to alternative dispute resolution mechanisms that built on and transformed to some degree the traditional justice systems using Xeer and Sharia, and the legitimacy of elders resolving conflicts in addition to activities to support community conversations and nonviolent communication.⁴ Both UNDP and IDLO provided support to ADR Centers. This was in line with the recommendation to reform, modernize and deliver an effective Alternative Dispute Resolution (ADR) system given in the NDP 2020-2024, although the approach was not entirely similar and a further discussion would need to take place on how to harmonize the different approaches, and increase their effectiveness and coverage (see also the chapter on efficiency – M&E).

Thus, the originally second outcome was given precedence. The rationale for the provision of justice services to communities was to contribute to access to free and fair justice for all Somalis, regardless of economic class, gender, age, clan or ethnicity. The second outcome would also contribute to increasing the legitimacy of the state, as the trust of citizens in the state is low. The UNCCA notes that 'Human rights violations disproportionately affect sections of the population at the margins of society, including minorities, persons with disabilities, IDPs, and especially women and children, due to the lack of preventive measures, limited access to justice, and weak clan protection.' (2020:13) The MoJ remained the nodal agency, and managed the ADR centres in the different States, while non-governmental organisations (NGOs) were hired to initiate and facilitate community conversations. The JJP further provided support to the AGO in Mogadishu and Puntland, the Somali Bar Association (SBA), and the Judicial Training Institute (JTI).

The Theory of Change (ToC) designed for the JJP had been very ambitious, and in hindsight too much emphasis may have been given on the legislative framework and formal justice institutions given the operational context. Another concern was that the criminal justice chain had not been adequately considered, such as the pivotal roles of police and corrections; assumptions had not been sufficiently spelled out, that could also have connected the JJP to the JPP and the JCP and other programmes of relevance to clearly convey the interdependencies in the rule of law field. The JJP was delinked from its 'sister' programmes already in the design phase, as reflected in the CAS structure. A credible ToC would therefore be required before agreeing on a hierarchy of objectives and results, and determining resources to achieve the planned outputs and outcomes.

This should ideally be preceded by the development of the draft RoL strategy to provide an overall vision for the sector (inclusive of non-UN entities), based on a number of different scenarios, which was one of the recommendations of the Global Focal Point (GFP) Assessment.

The design process should also be based on a comprehensive needs assessment, including gender analysis, and be more participatory in nature. This would have implied that all PUNOS took part in the design process, as well as civil society actors, including women's organizations, the MoJ and relevant justice institutions, and donors.

⁴ Research conducted by the Traditional Dispute Resolution (TDR) unit of the MOJ confirms the importance of xeer in providing accessible justice and dispute resolution in Somali society, including to poor and marginalised groups. Xeer is recognized as a code of conduct to settle disputes and keep the peace between clans and sub-clans. Historically and today xeer is the primary mechanism used for dispute resolution; however, while it is widely trusted, it is also recognized as having weaknesses and being in need of strengthening through the establishment of a relevant policy framework. NDP, 2020: 169

4.2 Efficiency

The JJP has only to some extent been delivered efficiently considering the timely delivery of activities/funds, the economical use of financial and human resources, project management capacity, and M&E. The Mid Term Evaluation observed that ‘In terms of programme efficiency, the JJP reaches decent standard and performance levels, as expressed by the impressive 2-year delivery or fund absorption rate of around 90% by agency, and overall.’ Especially the year 2020 showed a lower absorption rate because of the Covid-19 pandemic, which was also the primary reason for requesting the no-cost extension of the JJP with the aim to finalize activities in 2021. With limited funds available for 2021, and no new funding on the immediate horizon, the focus was entirely on delivery under the first outcome of the JJP.

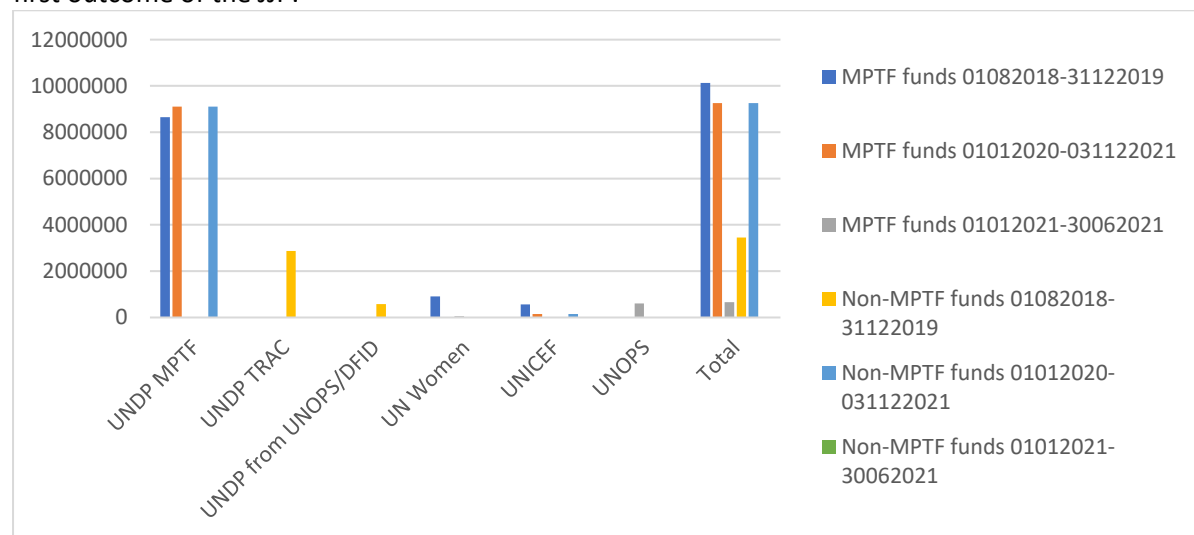


Figure 2: Available budget per period/agency (UNDP's budget/expenditures include IDLO's budget/expenditures of USD 6,113,365)

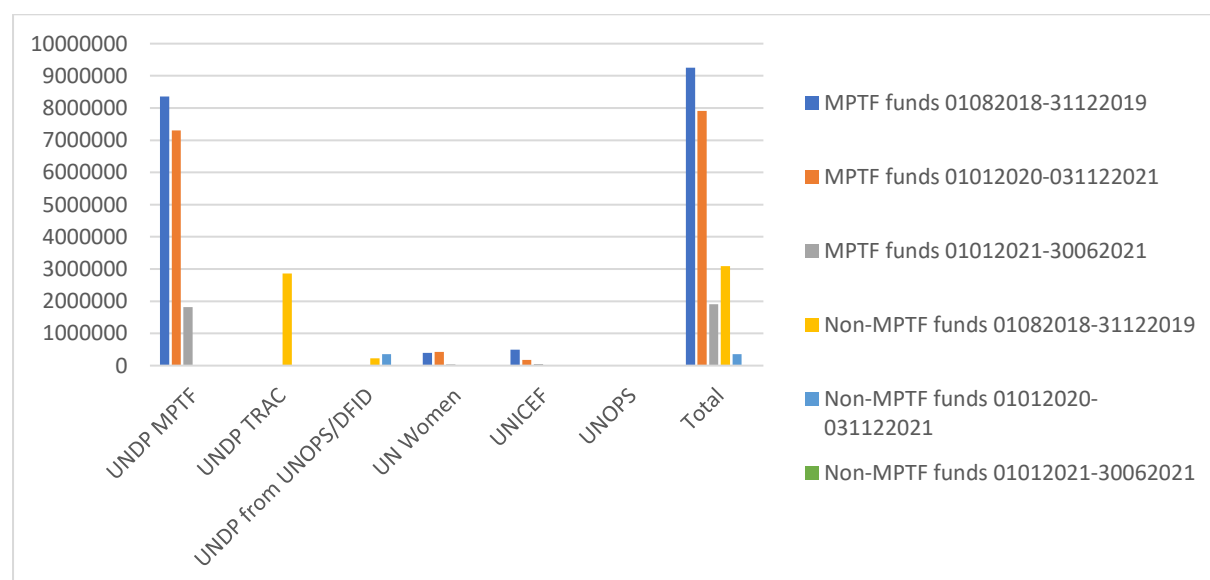


Figure 3: Expenditures per period/agency

The Covid-19 pandemic has greatly impacted on the delivery of the JJP in 2020 in particular, including

an extended lockdown of a couple of months in the first half of 2020, the related exodus of international staff and the shift to remote management and online communication channels. Workshops were shifted to online platforms or cancelled, and community conversations, for instance, were stopped for some time, and subsequently reduced from 50 to 25 per NGO with a reduced number of participants to meet the directions issued by respective Ministries of Health. The pandemic also had, reportedly, a direct impact on the number of cases brought to ADR centres, with some temporarily closing and with reducing community mobilisation and visits, particularly to IDP camps. Some established hotlines to facilitate remote contact and reporting. The situation has not changed much with respect to the management set-up at the time of this evaluation, with remote working the main *modus operandi*. Additionally, staff and partners were also directly affected by the virus, impacting on their availability. The JJP semi-annual progress report of 2021 (pp. 14) pointed to the following consequences:

‘The COVID-19 pandemic has continued to pose a challenge to implementation, largely through the need to maintain social distancing and constraints on travel or large gatherings. The programme continued to adapt through alternative working modalities and was able to push ahead with most activities – conducted in-person where possible and safe, and conducted virtually when the risk was assessed to be too great. Rule of Law Working Group meetings and PSC meetings continued to be held entirely or partly online.’

Covid-19 prevention materials were procured and distributed to ADR centres and to NGOs albeit with some delays in the procurement process. ADR coordinators were sensitized on monitoring the implementation of Covid-19 protocols in these centers.⁵

The consequences of the pandemic have not been the only reason affecting the delivery of the JJP. Also, insecurity levels and the continuing highly volatile situation in many parts of the country have impacted on efficiency and the level of expansion feasible under the JJP. Political factors, such as the pending adoption of the Justice and Corrections Model and the delayed elections for the federal government of Somalia, have not had a direct impact on efficiency but provided the backdrop of services delivered in the five Federal States and Mogadishu.

In addition to the health crisis and high levels of insecurity in the country, also the late arrival of funds had regularly a negative impact on delivery, such as the six months’ delay in starting with the construction of the Bosasso court house by UNOPS, but also on the ability to cover daily costs, such as in those instances when the monthly stipends of students arrived late (especially when they were not living with their family as they originally came from other states). While one cause was an administrative mistake of a donor, also the MPTF has not always functioned effectively. It has therefore been reviewed in an assessment in 2020/1, and is beyond the scope of this evaluation. It is worth noting that efforts are underway to remedy the effects of the MPTF mechanism.⁶ On several occasions, programme implementation was halted due to delays in signing the Letter of Agreement

5 UNDP 2021b: 13, IDLO, 2021c: 16

6 UN Joint programme Review, 2021: 3-4 It has also been repeatedly expressed by partners that joint programmes, particularly those funded through the MPTF, reflect more a collection of disjointed projects than a strategic and coherent programmatic portfolio that realizes the full potential of pooled funding. This view was again communicated during the final evaluation of the UNSF finalized in September 2020. In addition, administrative and operational challenges, and perceived inefficiencies within the Fund itself, have acted as a disincentive for both UN entities and donor partners to engage the MPTF as a preferred funding vehicle. The Somalia MPTF also has the highest levels globally of donor earmarking of a pooled fund that undermines its strategic value and agility, limits the allocation of resources to evolving priorities and needs, and curtails efforts to improve impact at a portfolio-level.

between IDLO and UNDP (January to May 2019, 1 February to 6 March 2020 and January to May 2021) and a funding transfer delay (13 July-10 November 2020).⁷

JJP project management comprised a small team of UNSOM and UNDP staff, with UNSOM taking on a political, advisory role and UNDP the project management responsibilities by managing the funds. The two UNDP staff members at the time of evaluation were the Rule of Law portfolio manager with responsibilities for over ten programmes, of which the JJP was one, and a national programme officer in charge of coordinating daily activities. The UNSOM seconded JJP manager had managed the programme from the beginning until late 2020. UNDP staff in the field was cost-shared with other programmes. Additionally, the contract of the M&E officer (UNV) who had supported reporting on the JJP as part of her responsibilities had not been extended at the onset of the Covid-19 pandemic, and the M&E officer available covered all UNDP programmes.

Thus, the capacity of the immediate project management team on the UNDP side was highly limited, which was also brought to the fore in different assessments. In short, there was not one person in charge of the entire programme, which cannot be justified considering the size of the JJP, and the difficult operational context.⁸ Triangulated data however also confirm that one dedicated programme manager is unlikely sufficient, and that a project management team should also have M&E expertise, reporting capacity and gender and inclusion expertise, for instance. Additionally, the comparative advantage of UNDP could be its field presence, and on the ground capacity to support implementation, monitoring and mentoring did not appear to be sufficiently available for the JJP. A comparison with the JPP management team structure could offer some insights for strengthening the management structure of the second phase of the JJP. The use of consultants also requires further attention with more field-based consultancies, if possible considering levels of insecurity.

In addition to technical staff of the MoJ supported by the JJP, also management tasks were undertaken by MoJ staff working in the ADR units in the Ministry in Mogadishu and the five Federal Member States. These tasks included coordination and monitoring of activities. The salaries of several MoJ staff were paid under the JJP. While the JJP was in that regard owned by the MoJ, as made explicit in the Letters of Agreements (LoAs) with the Federal Government and the five Federal States, a more gradual approach to the transfer of responsibilities of different programmatic components based on milestones, would have benefited oversight, transparency, and capacities in the short and long term.

M&E has been undertaken to some extent to monitor the overall performance of the JJP and capacities of stakeholders by means of different mechanisms, including audits, studies on community conversations and nonviolent communication, and by means of using third party monitoring contractors. The mid-term review of the JJP was completed early 2020, and the traffic light M&E system which was proposed by this evaluation, has been partially implemented. UNDP undertook a few monitoring missions, but access has been difficult because of prevailing levels of insecurity. Although trainings have been evaluated, impact assessments have not been undertaken to assess the utilization of the acquired knowledge and skills.

Additionally, the JJP indicators were output-based and quantitative in nature, and could therefore be easily marked as achieved while the extent to which the transformative goal of these activities was achieved was not measured, including with respect to gender and women's rights.

⁷ IDLO 2020; 19, IDLO 2021 18-19; IDLO 2021c: 15

⁸ The lack of a dedicated PM seems to have caused a number of problems because there is not one person with overall charge of the programme. This may be the root of a number of irritations raised by donors. UNGFP, 2021: 14-15

The EU assessment concluded the following on monitoring and reporting:

Because of the long period covered by this evaluation, it has been possible to see the genesis of some interventions and their progress to conclusion and where some interventions logically followed other previous interventions. There is, however, a mixed picture of mapping and analysis, largely caused by the different reporting styles, some of which do not refer to any further needs/capacity review beyond the initial baseline, and others, because there is no evidence available to suggest any further analysis was conducted beyond the initial baseline, anyway. [...] Another example is the yearly work plan review under the JJP which invariably sees revisions. (Particip-Dansom, 2021: x)

The UNGFP assessment (2021: 11) confirmed that ‘Benchmarks and timelines for progress need to be designed into the Programmes; Semi-annual progress reports to donors should include updates on progress on the benchmarks.’

The above analysis clarifies to some extent that, while there was originally engagement and buy in for the programme by donors and other stakeholders, this engagement and the interest to support the Somali government in this field has deteriorated over time. The prolonged political impasse has also not invited further investments, although with costs carried by those in need of services.

Thus, in addition to preparing a logical framework that captures the main objectives of the JJP in indicators, a comprehensive M&E framework could have offered more clarity on the data needs per component, as well as data collection and analysis mechanisms, tools and responsible persons for undertaking the related activities at agreed on intervals. Overall, more serious attention needs to be given to knowledge collection, management and dissemination to measure the effectiveness, the impact and interconnectedness of the different informal and formal justice institutions. The relevance of this in combination with the learning platform, which was an integral part of the JJP design but which never really took off, is clear but would also need to be supported with sufficient budget and capacity.

The relationship between inputs and outputs came in particular to the fore in the discussion on the payment of salaries of civil servants. The JJP covered staff salaries of the MoJ. The height of these salaries was not aligned with national salary norms, but with the World Bank/Somali Government CIIMS salary scale for advisors. This has made these positions also attractive for Somali professionals of the diaspora, but not sustainable in the long term (see the chapter on sustainability). A firm discussion on this issue had not taken place in the beginning of the JJP, and salaries had not been linked to milestones. Thus, the salaries of staff of the Legal Drafting Unit in the MoJ were covered by the JJP but they were not able to deliver in line with international human rights standards. Also the relevance was questioned as the Justice and Corrections Model had not reached the stage for implementation yet. The JJP stopped funding the Unit in December 2020, which was subsequently covered by the government budget in 2021.

The JJP was governed by a Steering Committee (SC) which brought together the UNDP, UNSOM and its sister agencies UNWomen, UNICEF and UNOPS, IDLO, the MoJ (Federal government level) and the donors (EU, Netherlands, Sweden, UK). The Steering Committee met to formalize decisions, and minutes were sent out by the MoJ after the meetings. For instance, the last meeting was on the no-cost extension of the JJP. The online nature of communication, and the usage of an online platform, was not conducive to in-depth discussions, and meetings were kept short. Approx. two to three meetings were held on an annual basis at irregular intervals.

Triangulated data confirmed that the current composition and functioning of the SC would need to be subject for review. The absence of representatives of the judiciary was considered a serious flaw and

also the exclusion of civil society organizations. Moreover, the participation of Federal States was considered key for a more inclusive Steering Committee. Yet a large group meeting could also be ineffective for reflection, discussion and agreement; a governance structure composed of a Steering Committee to sign off on strategic decisions could be complemented by a technical committee which would meet more regularly to discuss more operational issues and the overall performance of the JJP. The UNGFP assessment (2021: 11) observed in that regard that the Programme Board meetings should also include such updates as standard. This will help to create a dynamic that encourages politically informed programming and ensure donors are kept fully informed.⁹

The UNGFP assessment (2021) recommends to ‘Use JJP and JSSGP Steering Committees and GFP coordination more efficiently to allow discussion, provide strategic direction, coordination to ensure that policy dialogue happens within the political context. This includes drafting clear terms of reference reiterating roles and purpose, as well as setting clear agendas for issues to be addressed. ‘

The management of the JJP seemed to some extent also hampered by the need to involve all stakeholders represented in the SC in daily decisions needed to run the programme, while at the same time could also have been clearer in managing expectations, including on women’s access to justice. This might have been a consequence of the limited trust of donors in the JJP management and the continued wish to support Somali ownership of the JJP. At the same time, this also affected efficiency in a negative way, and the use of resources that could have used for other tasks. The project team should be given the trust to take decisions at the operational level. A discussion on what level of involvement of the Somali government, donors and PUNOS is desirable and needed on these matters should take place prior to the start of a second phase.

4.3 Coherence

Internal coherence. The internal coherence of the JJP has been assessed at the level of the ToC (creating a shared vision), and the functioning of the SC. Here, further attention will be given to the complementary roles of UNSOM and UNDP, and the extent to which the work of UNDP has been complementary to the components implemented by the PUNOS.

The UNGFP assessment provided an analysis of the relationship between UNSOM and, amongst others, the JJP. The conclusion is the following:

‘There exists no clear mechanism as to how and when political support of UNSOM should be sought for leverage to overcome a political deadlock within the programme ([...]). Similarly, within UNSOM, there is no clarity as to when to escalate an issue up the hierarchy for high-level intervention. [...]. Within the JJP and JSSGP, technical level cooperation and coordination between the Mission and UNDP appears to function well, however it was noted that this may be primarily due to personal initiatives of individuals rather than clear institutional arrangements. We heard several good practice examples such as the exchange of staff allowing a JAO from UNSOM to UNDP as team leader for the JJP which seemed to create a strong inter-agency understanding. ‘(2021: x)

The report provided four recommendations, namely to clearly define roles and responsibilities between UNDP and UNSOM for achieving joint results and objectives in joint programmes, agree a clear mechanism for addressing issues/blockages in implementation, and maximising UNSOM’s

9 Different views were expressed on the effectiveness and appropriateness of the SC, incl. the need for a Justice Development Board, incl. with participation of UN programmes but also USAID, IDLO etc.

political mandate with programmatic implementation, using the JJP SC more effectively (see the chapter on efficiency) and, lastly, outline the individual contribution of joint programme partners and how they come together in approach for greater coherence and complementarity across programmes.

The last recommendation could also be applied to the internal complementarity of the JJP. Triangulated data confirmed that the different activities implemented by the implementing agencies were all relevant but not connected and part of an integrated, coherent approach, with the exception of IDLO to some extent as part of the work on ADR centres was similar. The work undertaken by UNICEF, UNWomen, UNOPS seemed to financially support components of work falling under the programmes of these agencies, and therefore limited interest was available to provide more supported inputs to a common work plan, for instance. Some opportunities were missed to utilize the expertise of UNWomen and UNICEF to mainstream a stronger gender and age approach in the JJP, which could potentially also support the MoJ as the Ministry is also responsible for child protection.

With respect to coordination on ADR centres, the ADR working group led by the MoJ was reportedly meeting every quarter, and in February 2021 an ADR coordination meeting took place between MoJ, UNSOM and UNDP. This has not led to further cooperation and it is not known if common standards, such as those given in the ADR SOP, referral protocol and Code of Conduct (initially developed with the support of IDLO), have been applied across all ADR centers. The paralegal programme founded /manual is currently revised by UNDP.

For the next phase of the JJP it is key to agree on the added value of the different partners, including with respect to child rights (UNICEF), women's rights (UNWomen), extensive experience with judicial reform (IDLO), and agree on cooperation modalities in addition to a common vision and a shared understanding of the ToC.

External coherence. The Joint Rule of Law programme was divided in three joint programmes, the Joint Police Programme (JPP) and the Joint Corrections Programme (JCP), managed respectively by UNOPS (with UNDP as implementing partner) and UNODC and UNOPS. The JJP and the JCP are both implemented by the MoJ, and are also covered by the same SC, while the JPP falls under a different governmental body. The three joint programmes appear to exist and operate in parallel to each other, and opportunities are missed as a consequence to coordinate between the different parts of the criminal justice chain, especially at the operational level in the different federal states, between institutions, and institutions and communities. All three joint programmes have community-based activities, and as there are no mechanism put in place to exchange ideas and coordinate on particular activities and work undertaken in particular districts, opportunities are not only missed out on to build on each other's work but also as there is a risk of duplication. This is, for instance, with respect to the community conversations of the JJP, the JCP and JJP community conversations, the rehabilitation and reintegration of former prisoners under the JCP and the link between community trust and confidence in the security apparatus of the state on the one hand, and alternative dispute resolution mechanisms and their link with the police as entry point into the formal apparatus on the other hand. Issue-based coordination could also be done with the P/CVE on community dialogue initiatives, and the Joint Programme Local Governance (JPLG) and Women, Peace and Security (WPS) programmes to ensure coordination of governance and justice frameworks for women and vulnerable groups.

The above was already mentioned in the mid-term evaluation of the JPP, and echoed by the GFP Mission, namely the joint programmes are too siloed from each other. The whole-of-chain approach

needs to take on a central role.¹⁰ This needs to be addressed in a second phase by undertaking strategic planning by the three joint programmes, establishing a coordination mechanism/knowledge management system which keeps track of the planned activities and their sequencing with the different stakeholders in the different districts for the three joint programmes, and within UNDP as the implementing agency for the JJP and also the JPP and parts of JCP (construction activities). Additionally, such strategic planning on the design of these joint programmes is also necessary in order to propose similar *modus operandi* and benefits to the Somali counterparts in order to manage expectations, and avoid demands for certain benefits (e.g. salaries) that could be counter-productive.

The desk review further confirmed that **wider sector coordination and programming** in the field of criminal justice and security was met with several challenges. For instance, for the JPP evaluation, the DCAF-ISSAT (2021) concluded that there were ‘Challenges around the frequency of coordination meetings under the existing coordination platforms, coupled with concerning levels of attendance, participation, and confidence in such processes, present challenges for all police/security sector support programming in Somalia.’^[11] This also concerns the Comprehensive Approach to Security (CAS) strands led by donors, which was ‘referenced as a sectoral coordination mechanism by many interlocutors, [but] it does not replace the strategic discussions required within and across the programmes’.¹¹

Important to note is that the UN is not the only body supporting this particular sector, but also USAID, IDLO and Saferworld occupy important niches in rule of law and justice reform programming which would need to be considered for more effective programming. The UN has a privileged relationship with the government, which is of pivotal importance in this political context.

The JJP addressed the **triple-nexus of development, humanitarian, and peace building** by supporting^[12] and strengthening community-level dispute resolution mechanisms, and by building on existing traditional justice mechanisms in order to create more security at that level. This approach has moved away from a conservative legal approach by encapsulating local community mechanisms of solving conflicts, and expanding and transforming these by including women and other social groups with less access to such mechanisms. The distinction between the three areas has been seen artificial to some extent, as also peace-building and humanitarian actors have been involved in supporting and transforming alternative justice resolution mechanism. For instance, IDPs are a large minority group in Somalia which have not received any support from the government. ADR mechanisms in IDP camps in Somalia. Cooperation between these actors could offer opportunities to exchange good practices and lessons learned, and promote a common understanding of the strengthening of such mechanisms.¹² The UN Joint Programme Review (2021: 42) recommends in this respect to ‘Continue and deepen engagement between humanitarian, development, and peacebuilding actors, including through close collaboration between the UNCT and Humanitarian Country Team, to explore joint areas of collaboration, particularly in support of the Collective Outcomes.’

10 As the MTE noted: “the police/corrections chain remained delinked from the justice system: the police programme does not deal with criminal justice but only basic policing; similarly, the present JPP does not engage in police development or the rule of law aspects of provision of policing services...no direct interlinkage with the prosecutors...”. and risk of duplication and gaps. UN Joint programme review – 2021: 42 Actively engage in the development of the next generation of joint programmes under the Inclusive Politics and Reconciliation and Security and Rule of Law portfolios to ensure concerns are addressed, particularly on forging better linkages and coordinating more effectively the technical and strategic areas of work within and across programmes.^[11]

11 UNGFP, 2021: 4

12 UNGFP, 2021: 12-3 Blurring of lines between the use of joint programming and to advance the humanitarian-development-peace nexus.

4.4 Effectiveness

The JJP has been effective in light of the outputs and (sub)outcomes given in the results framework, including with respect to human rights, girls/women's access to justice. In broad terms, JPP has reached its intended results in certain activities, especially in the first outcome area, but there is little evidence to measure higher level results (outcomes and impact). A host of different factors have contributed to the achievement of the intended outputs and outcomes, such as those mentioned in the chapters on relevance and efficiency with respect to the Justice and Corrections Model, the Corona pandemic and the MPTF.

The mid-term evaluation concluded that the advancement against set indicator targets was largely in line with the expectations as well as expenditure levels in. This summative evaluation in particular considered 2020 and the first half of 2021. Under the first outcome, two of the six indicators¹³ have already exceeded the target set for 2021 in the first half of the year. As no mobile court missions were undertaken to Galmudug and SWS, two of the five States, legal aid services provided were less than anticipated. The mobile court teams provided access to justice services for a total of 403 individuals (F:186, M:217) across Hirshabelle, Puntland and Jubaland.

With respect to the second outcome, output 2.1 'basic principles for a justice model agreed upon by FG and FMS' was not met despite efforts to reach the contrary (see below). The second output 'institutional and technical capacities of key justice institutions are established and informed from the community dialogue' under this outcome was met to some extent (see below). Nine indicators were not considered in 2021 in line with the decision to target the limited funds available to outcome 1. Of the in 2021 considered indicators, one i had already exceeded the target (on scholarships), while one was achieved for 50 percent (1 RoL strand 2 working group had already taken place), and the third one on the SGBV Unit of the AGO could not be measured as a target had not been provided.

Progress was made under the first outcome. In terms of service delivery, community-oriented approaches comprised such results as training 40 master trainers, on methodology and tools of community conversations; who went on to train a total of 150 community facilitators across 5 FMS, each with 3 sites for community conversations. Decisions have been made by participants taking part in group discussions, but data on the number of decisions made were not available at the time of the evaluation. A total of 6,738 persons (3,735 F; 3,003 M) participated in these community conversations. The above data combined with data collected by the evaluation team indicate that the community-oriented approaches have contributed to a strengthened justice chain, including policing to some extent (output 1.1).

The JJP has also contributed to improved access to justice and human rights through a multi-track approach (output 1.2), considering the indicators given for the number of beneficiaries and level of satisfaction

Table 1: Indicators and data output 1.2

Indicator	Data Jan-Jun 2021	Cumulative data
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¹³ One of the indicators for output 1.2 was not considered for 2021.

# of beneficiaries disaggregated by gender, age and vulnerability, receiving legal aid services. ^[1] Level of satisfaction with services provided based on representative sample drawn from the cases (of total cases) disaggregated by gender, age and vulnerability	2,671 beneficiaries receiving legal representation or paralegal services (F:1,710, M:961 IDPs: no reliable data) (Target 2021: 10,000 (50% women; 50% IDPs))	A cumulative total of 15,619 beneficiaries received legal aid services (F:10,554, M:5,065) A representative sample of 121 legal aid beneficiaries were interviewed and indicated an average level of satisfaction of 8.2 out of 10. 96.7% of respondents indicated not encountering any problems while using the legal aid services.
# of beneficiaries disaggregated by gender, age and vulnerability, receiving services from the ADR centres Level of satisfaction with services provided based on representative sample drawn from the cases (of total cases) disaggregated by gender, age and vulnerability	2,458 beneficiaries receiving services from the ADR Centres (F: 1,092, M:1,366) (Target 2021: 1,500 beneficiaries)	A cumulative total of 11,162 beneficiaries received services from the ADR Centres (F: 4,716, M:6,446). A representative sample of 203 beneficiaries of ADR services were interviewed and indicated an average level of satisfaction of 8.2 out of 10. 98.5% of respondents indicated not encountering any problems while using the mobile court services.
# of beneficiaries disaggregated by gender, age and vulnerability, receiving services through mobile courts Level of satisfaction with services provided based on representative sample drawn from the cases (of total cases) disaggregated by gender, age and vulnerability	403 beneficiaries receiving services through the mobile courts (F: 186, M:217) (Target 2021: 500 beneficiaries)	A cumulative total of 1,868 beneficiaries received services through the mobile courts (F: 812, M:1,056) A representative sample of 126 beneficiaries of mobile court services were interviewed and indicated an average level of satisfaction of 8.8 out of 10. 97% of respondents indicated not encountering any problems while using the mobile court services.

Key results under the “Institutional Capacity” Outcome included substantial contributions towards an agreement on a coherent Justice and Corrections Model (JCM) agreed upon by FGS and FMS, which had already been approved by the FGS Cabinet in 2018. This included five technical workshop between the FGS and FMS judiciary to further discussion on the Justice and Corrections Model (JCM) and the Judiciary Service Commission, as well as seven consultations held by the Supreme Court and the FGS MoJ on the JCM. A concept note on the financial analysis of the justice sector was developed and awaiting comments from the RoL WG.

Table 2: Output 2.2 indicators/data

Indicator	Data Jan-Jun 2021	Cumulate results
Model information desks (information desk needs identified by the community in outcome 2)	N/A - not supported by programme in 2021	Information desks established and operational for Banadir Regional Court, Banadir Appeal Court, and the Supreme Court. Guides for court users have been developed and finalized.

# courts with manual case filing system and case flow and standardization system with ability to record disaggregated data per type of cases (including SGBV)	N/A - not supported by programme in 2021	At least 7 courts in 3 FMS have manual case management systems, with others in different stages of development. ^[L] ^[SEP] Electronic case management system operational in Banadir (in all 14 Banadir district courts), with disaggregated data. Case information sharing protocols established.
Judicial training institute designed to strengthen the capacity of judicial officials to deliver justice	N/A - not supported by programme in 2021	In 2019, consultations were undertaken and progress made on the Strategy and Charter for the establishment of the Judicial Training Institute, institutional options, the judicial training programme master plan, as well as the selection of national trainers. The first phase of the Judicial Training of Trainers had concluded.
Model for specialized AGO units established on SGBV and serious crimes (capital crimes)	24 SGBV cases were handled by the AGO SGBV Unit in Mogadishu., and 51 SGBV cases by the AGO SGBV Unit in Puntland.	AGO Puntland SGBV unit established and handled 228 SGBV related cases. FGS AGO in Mogadishu fully functional and handled cumulative 208 SGBV related cases.
Model of juvenile justice system established in Puntland	N/A - not supported by programme in 2021	Cumulative from Federal and Puntland is 879 children diverted (F:102, M:777).

# of law students benefitting from the programme	236 (F:80, M:156) students continued to benefit from the legal scholarship programme.	A total of 236 (F:80, M:156) students have been granted legal scholarships. 173 students (F: 56, M: 117). received scholarships at Mogadishu University. 63 students (F: 24, M: 39) received legal scholarships to study at Puntland State University
Develop & finalize a roadmap for transfer of high-risk cases to the civilian courts through a stakeholder consultation	N/A – not supported by programme in 2021	FGS MoJ produced a draft road map for the transfer of cases from military to civilian courts, which was discussed formally at a stakeholders' consultation.
# of bar associations established and functional with % of women lawyers registered	SBA membership in 2021 stands at 256 registered lawyers (F: 45; M: 211)	SBA membership in 2021 stands at 256 registered lawyers (F: 45; M: 211): 120 are in Mogadishu (F: 15; M: 105), 77 in Puntland (F: 24; M: 53), 12 in Jubaland (F: 0; M: 12), 36 in Southwest (F: 5; M: 31), and 11 in Galmudug (F: 1; M: 10) Capacity injection for SBA was undertaken, with the recruitment of staff and interns for the Secretariat, and Regional Coordinators for Puntland, Jubaland and Southwest, along with the set-up for SBA offices in Garowe, Kismayo and Baidoa. ^[L] ^[SEP] SOPs were developed for the SBA in finance, procurement, human resources, asset management and ICT. Workshops have also been conducted in various FMS locations (Baidoa, Garowe, and Kismayo).

# of laws monitored by PLDU	N/A – not supported by programme in 2021	46 laws, policies, legislations drafted/reviewed in 2019. 12 laws, policies, legislations drafted/reviewed in 2020
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The JJP has been effective to some extent in advancing access to justice for women. Women-only community conversations were held in addition to community level group discussions in which both men and women were present. This provided women with opportunities to gain confidence in public speaking, share their perspectives with male community members, seek solutions for problems that were close to their heart and build leadership skills.¹⁴ In addition, although still a minority, female staff and female elders in ADR centres¹⁵ have not only been given opportunities to strengthen their knowledge and leadership skills, but became also instrumental for female beneficiaries to access the center to seek mediation and reconciliation. Traditionally, women could only bring their cases to elders with a male intermediary. Female staff and elders have acted as support, intermediary and in some instances also as spokesperson for women bringing forward their cases. Female representation appears not to have been mainstreamed in the operations of the mobile clinics. Overall, the participation of women remains uneven.

Furthermore, in the justice sector, the overall proportion of female staff is lower than of male staff. This has been visible in the lower percentage of female law students and of female members of the Somali Bar Association, for instance. Built capacity of the Attorney General's Office (AGO) in addition to advocacy/monitoring missions in Puntland, and improved legislation, has led to an increase in SGBV cases, especially in 2020 at the height of the pandemic in Somalia. This could be attributed to more public awareness on the issue, trust in the justice system and a strengthened referral mechanism for SGBV cases in Puntland (see statistics in table 2)

4.5 Impact

The Mid-Term evaluation of the JJP noted that 'In many respects, it is far too early to measure the impact of activities and new mechanisms. However, the programme stands a decent chance of enhancing social transformation over the long term through the activities and results it has implemented and supported, namely by creating and fostering; i. a conducive environment, ii. perception and attitudinal change at a large-scale/societal level, as well as iii. changes in the behaviour and practices.' (2020: vi) A similar conclusion can be drawn at this stage, although the desk review combined with interview data confirm the following tentative findings with respect to citizen's trust

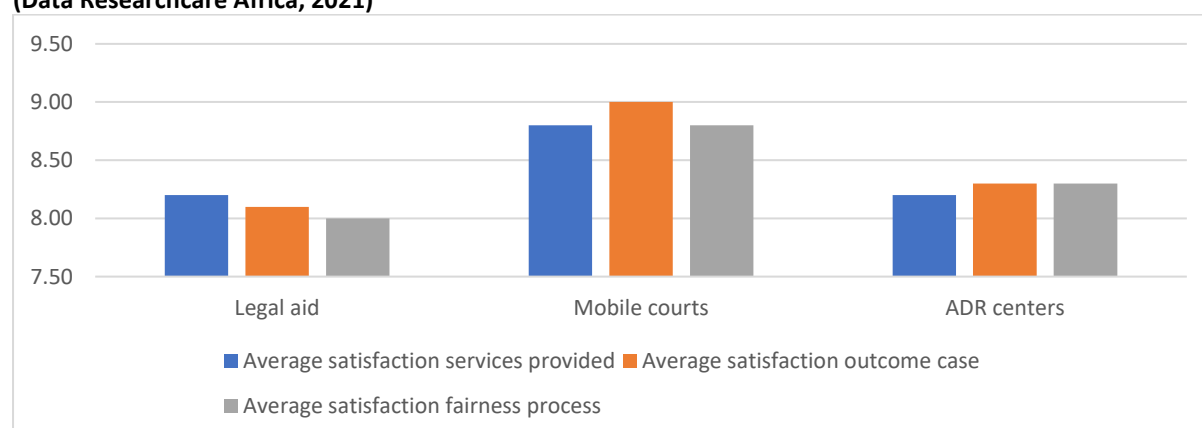
14 With respect to community conversations, 'UNDP colleagues who attended regular community conversations observed that women's participation and contribution increased significantly with time. They noted that, although the women were initially very shy and did not dare to speak, they gradually gained confidence to the point that they felt comfortable in increasingly sharing their concerns in the sessions. Some of the community conversation sessions are now chaired by women facilitators, and committees established during the sessions are mostly led by women' (UNDP, 2021b: 35).

15 According to the SOP for ADR centers, a minimum of two female representatives and eight men is required. However, this is not always the case. Some ADR centers continue to operate with all male committees (see USAID, 2020, 24). There are variations in procedures of selection. Statistics of the IDLO-supported ADR centers show that of the 169 Adjudicators, 38 are women and 131 men, and that 47 per cent of cases were initiated by women (IDLO, 2021c)

and confidence in these informal and informal institutions, the promising impact of nonviolent communication and notable positive effects on women's rights.

Citizens have gained confidence in informal and formal justice mechanism because of positive experiences by the services provided by legal aid services, mobile court and ADR centres. For instance, citizens' trust in the formal justice system increased with the support provided by legal aid services in some parts of the country, and because of the delivery of justice 'at their doorstep' by means of the mobile courts, that provided services for free. Although the coverage of this hybrid model was still limited, it introduced the formal court system to citizens in rural areas (although still in close proximity to urban areas). ADR centres offered a place to seek support to obtain resolutions to conflicts. Survey data on legal aid, mobile court and ADR center services provided, the outcome of the case and the fairness of the process provided an overall positive assessment by beneficiaries on a scale of 1 to 10, with average ratings between 8 and 9 points (see graph 1)

Graph 1: Average ratings on the level of satisfaction of services provided, the outcome of the case and the fairness of the process of legal aid, mobile court and ADR center services provided with a rating scale of 1-10 (Data Researchcare Africa, 2021)



The IDLO study confirmed the overall satisfaction of citizens of the services provided by ADR centers. It concluded that 'Valued features include accessibility, alignment with cultural aspects of dispute resolution and a conciliatory approach, timeliness, and the no cost nature of the services. Gaps and challenges were also identified, mainly related to lack of awareness, limited geographic reach of ADR services, insufficient financial incentives to ADR Adjudicators, and capacity development needs, especially in relation to human rights standards and national law. Despite a number of identified issues in operations, users ranked the ADR Centers highly, feeling they had participated meaningfully, received useful resolution, and witnessed an improvement in justice in their community since the opening of the ADR Center.¹⁶ The USAID report echoed these findings by stating that 'there appeared to be broad support for the ADR Initiatives, anchored in communities' shared interest in peace and justice to be upheld' and 'The general trust communities bestow upon the variety of existing ADR initiatives is owed to their perception as more just, more affordable, more efficient, and more accessible for urban populations. It appears that most ADRIs are effective [..]'¹⁷

¹⁶ IDLO, 2021c

¹⁷ USAID, 2020: 13, 28

In addition, the community conversations approach (see UNDP, 2021) showed that this methodology can address issues of social peace, justice and security with a strong gender dimension, and thereby strengthen legitimacy and trust in justice processes.

As the centers have limited geographic coverage due to their distance from more remote villages, and are only in selected districts, as well as due to the lack of available transportation, accessibility remains a challenge for many Somalis.¹⁸ This in particular affects persons with disabilities, women, IDPs and minorities in relation to accessibility of services. The above findings were reflected in suggestions for future activities directed at expanding ADR centers, legal aid and mobile courts, and also community conversations, to reach more locations and by increasing staff capacity to strengthen existing services.¹⁹

The connection between informal and formal law enforcement and justice institutions appears to have been strengthened to some extent by the work undertaken by means of community conversations, with informal justice institutions and the hybrid model of mobile courts. During *community conversations*, the services provided by ADR centres were introduced to communities. These also offered space to connect with formal justice mechanism, especially with the police and on a rare occasion with the judiciary.²⁰ For instance, police were invited to participate in community conversation meetings, including by giving presentations, and by connecting with them when seeking solutions to problems raised during these conversations, such as by increasing patrols.²¹

ADR centres cooperated with formal justice institutions. Cases were referred to the police by ADR centres, although with some variation with respect to the level of cooperation and the type of cases referred, and also vice versa.²² Cases were also referred to the police for enforcement. Cooperation between ADR centres and the courts could be found with respect to the referral of civil cases by the former, the collection of witness statements, and other types of information sharing on cases with lawyers as part of ongoing investigations. Additionally, in one State, the mobile court representatives had meetings at the ADR centre for information-sharing purposes. For instance, 81 per cent of ADR actors perceived the relationship between ADR Centres and formal justice institutions as good or very good. Yet challenges remained for the collaboration and coordination between Centres and formal justice institutions and referrals, including with respect to support services for victims of violence. Reasons included a lack of knowledge by ADR and community conversations actors or availability of legal, social, health or other services.

In the case Hamar Jajamb in Mogadishu, reportedly because of the co-location of the ADR center with the district court, the relationship between the two institutions was tense, with the former offering

18 IDLO, 2021c: 64

19 Researchcare Africa 2021: 6

20 To date, it is only in Baidoa that the community has sought to address more systemic problems such as corruption in the court system. It invited the Chief Justice and Attorney General to different sessions, which focused on the functioning of the court and on complaints from all three locations about bribes at the courts. UNDP, 2021b: 26

21 UNDP, 2021b: 26-7

22 The IDLO semi-annual report of 2021 noted that 'The ADR Centres have developed good relationships with the formal system and community-based organisations. The referral system is well operational and - during the reporting period - 37 cases (more than 6%) were referred from/to the Centres to/from the formal courts and police. The cases referred to the formal justice system were those out of the ADR Centres' jurisdiction or those for which a solution was not reached through negotiation or arbitration. Most cases referred by the formal courts were registered in Benadir.' (IDLO 2021b: 6) In the latest progress report of UNDP an example was shared of a case which was initially registered at the police station but then referred to the ADR centre so mediation could take place at the community level. (UNDP, JJP semi annual report 2021)

services for free and the latter charging a fee of similar services. The competition between the two institutions would need to be solved. the risk of competition between district courts and ADR centres (and district authorities and ADR centres) was also pointed out by USAID (2020: 13-4, 22).

The JJP has also contributed to social transformation in the field of nonviolent communication and gender relations. The pilot of nonviolent communication in Baidoa had the aim of empowering participants to empathetically explore their own and each other's needs to support changes in the ADR mechanism to address these needs sustainably. The pilot showed promising results in the field of empathetic listening skills, the challenging of norms and assumptions, including with respect to women and minorities, and respect for the perspectives of other persons, with a positive impact at the personal level, during mediation processes and for intra-household dynamics. For instance, women gained more self-confidence which invited them to become more active in their communities, although 'it cannot be said at this stage that there has been a tipping point for social change regarding women's place and cultural and social norms'. (see the UNDP report on the Baidoa ADR center).

In addition, some changes could be observed in gender relations as a result of JJP activities in beneficiary communities, with some women becoming more confident in public speaking, developing leadership skills and facilitating increased access to justice for female beneficiaries. At the same time, as conservative norms and traditions are deeply entrenched in society, social transformation in this area will require more time to follow suit. The IDLO report on ADR centres (2021c) concludes that 'Xeer is the prevalent method used to resolve disputes in the Centers, but Xeer and Sharia are applied alternatively or jointly on a case-by-case basis through a flexible approach directed at achieving solutions and satisfying all involved parties. ADR actors attributed low importance to the predictability of an outcome, emphasizing conciliatory approaches. Matters were identified as raising concern for contravention of legal and human rights, especially in relation to gender-based violence against women, protection of children, the right to be heard and give testimony, and the right of women to own property.' A similar observation has been found in the USAID report (2020: 28) which states that 'By and large, however, ADR processes appear to reproduce their patriarchal underpinnings, which in many cases disadvantage women, [...] and contravene human rights standards.'

4.6 Sustainability

Sustainability deals with the extent to which the results achieved by the JJP will remain sustainable at the end of the programme's first phase. This evaluation criterion covered different elements. The first was the degree of government ownership of the programme. The level of government ownership was considered to be limited considering the prioritization of justice reform by the Somali government, but relatively high in view of the ownership of the MoJ which was financially supported by the JJP. Yet the interest to continue with the programme in the current design, has received a mixed response considering the lack of progress on supporting and strengthening formal justice mechanisms, the imbalance between inputs and outputs, and the limited oversight of the JJP. In addition, the sustainability of outputs has not been given sufficient attention, including the coverage of some government salaries by the JJP.

Planning for progressively achieving long-term results has not been an integral part of the JJP. One reason that the JCM is still pending final adoption. The model could otherwise have underpinned such planning for long-term judicial reform results based on a clear delineation of responsibilities between national and federal levels. Additionally, the postponement of national elections, which have now been planned for 2022, has further stalled such planning processes considering the wait-and-see attitude of key stakeholders.

This is reflected in the level of sustainability of results under the second outcome. Many results require further support to ensure their sustainability. The first output on the agreement of basic principles for

a justice model by FGS and FMS has not been fully achieved. Several results under the second output with respect to established institutional and technical capacities of key justice institutions appear sustainable, such as the electronic case management system operational in Banadir, the SGBV Units at the AGO's in Mogadishu and Puntland receiving an increasing number of SGBV cases, five Somali Bar Associations with 18 percent comprising female lawyers of the total number of members – with a resource mobilization strategy currently being developed - and the model of juvenile justice system operational in Puntland. However, while the Judicial Training Institute has been established, only some ToTs were held with no further follow up training provided by those trained, and the roadmap for the transfer of high-risk cases to the civilian courts has not been implemented yet.

One of the components considered highly useful by all stakeholders was the scholarship programme. In 2021, one batch had completed their BA at Mogadishu University and one batch at Puntland University (awaiting the graduation ceremony at the time of the interview). The graduates that participated in the focus group discussions shared that no one had either been able to find an internship position or a paid job in a relevant sector. One of the students had moved to Nairobi to improve his English language skills, while others had made efforts to find opportunities to increase their skills, highlighting that their training had included neither practice nor practical skills, and/or wishing to pursue a master degree, which however was not possible in Somalia. Some indication was found that female graduates were experiencing more obstacles than young men in seeking internships/paid jobs because of more limited connections with relevant networks and gender-based discrimination. Additionally, access to existing institutions was sometimes also determined by their social/ethnic background, and equal opportunities had to be created for all students. A suggestion would be to monitor more closely the career path of the UNDP-supported graduates, offer more guidance and support (e.g. paid internship programme, or supporting junior positions) for students successfully completing their BA degree, including female graduates, and to review the curricula offered by the two universities in order to strengthen the connection with the labour market.

With respect to the results achieved under the first outcome, interview data confirmed that the community conversations had stopped when funding was no longer available to support the NGOs to hold the community conversations. The same was the case with mobile courts. This finding suggests that a sustainability strategy would need to be developed and implemented to sustain such activities and integrate these in community governance structures. ADR centres (both IDLO and UNDP support centres) continued to operate despite the unavailability of funds to support operations. Reportedly, the communities are still supporting the centres originally funded by IDLO by covering the rent of the premises and the transportation costs. This also shows that sustainability is supported by not building on traditional structures, and not offer financial rewards for the elders, facilitators and participants of the community conversations. A monitoring system was not in place to monitor the decisions made at the ADR centres, and a standardized approach of the operations of the ADR centers in line with the SOP had not been achieved yet. This would require further support for the ADR Unit.²³

With respect to the construction of the Bosasso court house, sustainability appeared not to have been part of the discussions with the judiciary yet.²⁴ As the court house still needs to be constructed, there are ample opportunities to discuss the requirement of a maintenance budget with the government. Further attention ought to have been given to the use of prisons, and the application of the NMRs. [13 SEP]

23 IDLO 2021c: 8

24 Other construction projects were the National Window projects – Baidoa and Galkaiyo prisons and GFS MOJ and Supreme court renovations completed by UNDP's administrative support.

Factors contributing to sustainability have been the use of existing structures and institutions, such as the universities and informal justice mechanisms at the community level. The personal interest and motivation, such as the personal motivation of students selected for the scholarships to finish their studies, and the transformed leadership of elders who took part in nonviolent communication pilot have been positive examples in this regard. Factors risking and hindering sustainability have been the limited duration of activities, such as the community conversations (see the SaferWorld experience with respect to Community Action Forums²⁵), and the overall limited oversight and monitoring capabilities of the JJP

As donors are not going to fund further activities of the JJP before the elections, UNDP is trying to find financial resources within the organizations. A stronger link with the other two joint programmes could potentially provide some resources to continue with community-based activities.

The JJP has no exit strategy. The design of the programme's intervention in the third year made this visible with a reduced budget and therefore less capacity to continue with pre-existing interventions. The various areas that could have benefited from an exit strategy include the ADR centres, community, the scholarship programme and the infrastructural works. While the duration of the JJP's first phase, initially of just over two years, is not sufficient to guarantee sustainability of all initiatives, such as community conversations, this would have offered a further discussion on ways to address these challenges. One of the key areas highlighted in interviews was that government salaries initially paid by the JJP were not transferred to the payroll of the MoJ. The consequence is that former staff is now looking for new opportunities elsewhere.

5. Conclusions

The Justice and Corrections Model underpinning the formal justice pathway of the JJP never reached the stage of implementation, and therefore limited efforts to strengthen the formal justice system in Somalia. Nevertheless, the JJP has been highly relevant considering its overall objectives, its alignment with international strategies and norms as well national policies, and visible in the programme's effectiveness and impact with respect to the AGO, the Bar Association, legal aid and strengthened access to justice for marginalized groups, and a stronger connection between informal and formal justice mechanisms. This is reflected in the number and variety of cases brought to the attention of elders and other community members by citizens belonging to both sexes, different age groups, internally displaced/returnees, with and without disabilities and different clans, including minority clans.

While addressing power imbalances or discrimination can only be achieved through long-term transformative change, there are some encouraging signs of women having taken on leadership roles in communities and in ADR centres, with nonviolent communication having led to transformation in communication with greater empathy and inclusiveness, with a positive impact at the personal level, in households and within communities and in the services provided by ADR centres.

The design has been adapted to the operational context, although the overall design and outcome-level indicators could have been cognizant of the JPP, JCP as well as other joint programmes for a more coherent approach to justice reform, including by linking community-based justice mechanisms. This

²⁵ <https://www.saferworld.org.uk/resources/news-and-analysis/post/979-improving-citizen-state-relationships-through-community-action-in-somalia>

could strengthen peace-building and reconciliatory efforts at the community level, with a possible impact on the number of cases reaching the formal justice system. Internal coherence appears to have been affected by the proportion of funding given to the PUNOS, and organizational interests, which has led to initiatives that were relevant but not connected to other programme components. Although working well because of staff involved, there appeared to be a need to formalize mechanisms between UNDP and UNSOM on raising contentious issues at the political level. A more part

Efficiency has been affected by the Covid-19 pandemic, insecurity and late MPTF transfers, as well as the limited capacity of the project team and weak oversight. Especially in a post-conflict context, characterized by high levels of insecurity, serious attention needs to be given to team capacity, including with respect to coordination, and specialist expertise and time and presence for mentoring and supporting monitoring at state, district and community levels. Third party monitoring is only one way to get an understanding of the effects of the programme.

While sustainability has been a major concern with respect to several JJP sub-components, the continued functioning of the ADR centers without JJP funding has been evidence of the ownership of this gender-sensitive mechanism of dispute resolution by communities. A fourth year of the first phase, and the development of the second phase of this flagship programme of the UN could build on such achievements, by using its good offices and make it indeed a joint programme with a more inclusive and effective governance model, together with other interventions of the UN, bilateral actors and civil society organizations, including of women's organizations. This could then further contribute to citizens' trust in and the legitimacy of justice institutions.

6. Recommendations

1. Design a phase II of the JJP which considers the recommendations and lessons learned of this evaluation (UNDP, UNSOM with participation of PUNOS, MoJ, judiciary, civil society organizations and donors);
2. Prepare a ToC in which the connectedness to all parts of the criminal justice chain, and the JCP and JPP, has been made explicit, in a participatory and inclusive manner (incl. PUNOS, donors, women's organizations, relevant justice institutions/MoJ), possibly following a further developed RoL strategy (see recommendation 8d), and a logical framework with SMART indicators that capture the ambition of transformational change and increased access to justice of all social groups (UNDP, UNSOM with participation of PUNOS, MoJ, judiciary, civil society organizations and donors);
3. Strengthen the project management team of the JJP, including by means of budgeting for a UNDP project manager, staff with expertise in gender and inclusion and monitoring and evaluation and dedicated senior field staff at each FMS (UNDP, UNSOM with participation of PUNOS, MoJ, judiciary, civil society organizations and donors)
4. Strengthen monitoring and evaluation of the JJP by means of a) developing a comprehensive M&E framework; b) SMART indicators incl. gender-sensitive indicators and indicators that also cover the intended judicial reform and connectivity between the different levels/non-formal and formal levels; c) establishing a reporting mechanism that is based on milestones, and agreed on intervals and deadlines; d) conducting research & setting up a functioning community of practice (UNDP, UNSOM with participation of PUNOS, MoJ, judiciary, civil society organizations and donors)

5. Develop and implement a long-term capacity-building strategy for all components and actors, including a) mentoring and other training methods in addition to class room capacity-building; b) institutionalizing training curricula and trained trainers in existing institutions in criminal/civil justice; c) strengthening M&E; d) examining options to introduce practical experience into BA Degrees (e.g. moot courts); e) supporting internships for all BA graduates to offer continued financial support/equal opportunities); f) designing a nonviolent communication training module for university-level social work course (UNDP, UNSOM with participation of PUNOS, MoJ, judiciary)
6. Review the governance mechanisms of the JJP, and a) at a minimum, include the judiciary as co-chairs of the SC; b) consider establishing a two-level governance mechanism with a strategic/political level and a technical level; c) include civil society organizations with the right profile to support the programme to meet its objectives; d) create a programme secretary with agreed on programme management responsibilities. (UNDP, UNSOM, MoJ, Judiciary, PUNOS, donors)
7. Strengthen sustainability by a) preparing an exit strategy at the very beginning that adequately considers sustainability with respect to all project results, in order to guide decision-making, including on government salaries; b) enable and agree on a gradual process of transfer of responsibilities and budgetary items to the government, linked to milestones; c) seek/guarantee long-term funding to support long-term capacity-building processes (UNDP, UNSOM, MoJ/judiciary, PUNOS, donors)
8. Strengthen coordination with partners, including a) by agreeing on a clear division of responsibilities between UNDP and UNSOM, with the latter taking the lead in the political dialogue with the government; b) setting up coordination mechanisms with the JPP, JCP and other joint programmes with community-based initiatives; c) strengthen RoL-wide coordination mechanism(s); d) consider further developing the draft RoL-wide strategy; e) strengthen coordination with humanitarian actors such as UNHCR and non-UN agencies, such as USAID (UNDP, UNSOM, PUNOS, donors with cooperation MoJ/judiciary)
9. Strengthen gender mainstreaming and advance women's rights in the programme planning/implementation/M&E, including by means of a) aligning the JJP with international and national strategies on women, peace and security and the advancement of women's rights; b) design gender-sensitive indicators, M&E framework and data collection and analysis tools; c) include women's civil society organizations in design, implementation and governance mechanisms in line with the programme's objectives; d) promote the inclusion of female graduates in judicial and other governmental institutions; e) monitor more closely the effects of programme activities on women's rights and the application of traditional justice mechanisms. (UNDP, UNSOM, PUNOS, MoJ/judiciary, civil society organizations)
10. Continue and expand technical assistance to informal justice mechanisms, such as by a) harmonizing approaches of the ADR centres; b) expand community conversations, ADR centres, legal aid and mobile courts to cover more districts; c) build staff capacity, including with nonviolent communication skills; d) standardize data collection; e) strengthen procedural safeguards, referral pathways, information sharing and coordination amongst informal and formal justice actors (UNDP, UNSOM, IDLO, other PUNOS, MoJ/judiciary and other law enforcement/justice actors)

7. Lessons Learned

The following key lessons learned on the JJP came to the fore in this evaluation:

1. The importance of inclusive planning and design processes of a joint programme, and with respect to a common vision and strategy, cannot be underestimated when designing different joint programmes that capture one or several parts of the justice chain, especially when all have community-based activities. This concerns the design of participatory mechanisms, and the participation of PUNOS, relevant government actors, judiciary actors, civil society organizations, incl. women's organizations.
2. Project team capacity is reflective of the amount of capacity-building, including mentoring, monitoring and oversight, that can be undertaken at national and federal levels, as well as the level of inclusiveness and gender mainstreaming. Limited capacity has direct consequences in these areas in addition to the fact that capacity-building is a long-term process.
3. The connections between traditional, hybrid and formal justice mechanisms needs to be made more explicit in design, including in indicators, in order to identify good practices, strengths, and continued weaknesses.
4. Supporting and inviting government ownership is of pivotal importance for effectiveness, impact and sustainability. However, this cannot be done at the cost of oversight, monitoring and reporting and with limited to no prospects of sustainability. Such support also needs to be accompanied with a clear capacity-building approach, agreements on milestones, and inclusion into the counterparts' budget to ensure sustainability.
5. The pairing of national trainers with international legal experts to leverage global best practices and developments in legal training.
6. Transformative changes can only occur through sustained engagement over a long period of time. One-off training cannot produce any meaningful results. A transformation process is not linear, but rather undergoes a period of stagnation or seemingly regression, followed by a breakthrough. ^[1]_{SEP} This could include organizing quarterly mentoring sessions with the training beneficiaries to further explore ^[1]_{SEP} and transmute power imbalances and dynamics, mental models and bias, and increase their capacities to share their insights, increased self-awareness and skills with the other community members. ^[1]_{SEP}

Annexes

Annex I Evaluation TOR

TERMS OF REFERENCE (TORS)

Individual Contractor (International)^[L]_{SEP} Lead Consultant – Summative Evaluation of Phase I of the Joint Justice Programme in Somalia

JOINT JUSTICE PROGRAMME

B. BACKGROUND INFORMATION, RATIONALE AND PROJECT DESCRIPTION

The Somalia Joint Justice Programme (JJP) has a programmatic focus on building the capacity of justice actors

and institutions to respond to the needs of the vulnerable, including the provision of gender responsive services and addressing negative social norms through engagement with clan elders and influencers in view of supporting institutional reforms. It addresses both supply demand-side issues and supports legal reform through upstream and downstream measures including: a. legal empowerment through legal aid; support for establishing and operating community-based mechanisms (community capacity enhancement/Community Conversation and non-violent communication) to support women, children, internally displaced persons (IDPs) and members of minority clans seeking justice or redress; b. supporting the establishment of community dispute resolution centres and special prosecution cells for SGBV cases; and c. trainings for judges, prosecutors, court staff and lawyers, and capacity building at community level to promote justice reform.

The JJP interventions include measures to enhance the representation and participation of women in judicial processes (e.g., in the adjudication of cases at community dispute resolution centres), by increasing the number of female personnel in justice institutions and implementing capacity building activities. Trainings include transformational coaching for women leaders and traditional/religious leaders to increase the participation of women in traditional justice mechanisms. The life cycle of the JJP spans 30 months (08/2018-12/2020).

The Federal Government of Somalia Ministry of Justice is the lead implementing agency for this programme, in coordination with all Federal Member State justice and judicial institutions. Other participating entities include the United Nations Assistance Mission to Somalia (UNSOM) Joint Justice and Corrections Service (JJCS), UNDP, UNICEF, UN Women, and International Development Law Organization (IDLO). Donors include the European Union, the Netherlands, Sweden, and the UK with a total budget of USD 20,299,192 for the first phase of the Programme.

A mid-term evaluation conducted In March 2020 made several strategic, operational, technical, and monitoring-related observations among them:

The need to emphasise coordination and improve the capacity to achieve evidence-based results. ^[L]_{SEP}

Share equitable budget between the formal and traditional justice sectors. ^[L]_{SEP}

Design and introduce district level judiciary through cluster approach. [L] [SEP]

Accelerate approaches to judicial training and its institutionalization for sustainability. [L] [SEP]

Revisit the justice and corrections model to identify and address weaknesses and to embrace strengths and potentialities of current hybrid, plural legal practice. [L] [SEP]

Ensure that restorative justice initiatives are taken up on experimental basis and identify avenues of scaling up. [L] [SEP]

1

- Strengthen UN-internal programmatic coordination through joint programming, both within Joint programmes of the UN and beyond rule of law.

6 Identify areas for building the body of administrative law and building related legal institutional/technical capacity. [L] [SEP]

7 Identify how regular payment of judicial staff can be piloted. [L] [SEP] Subsequent discussions with donors in early 2021 resulted in feedback on specific programmatic issues and revealed the need to focus on some key issues, including how the JJP could be better aligned to the political process, improve programme management, and be more focused and agile in a changing political environment. A donor meeting held on 13th July 2021 emphasised the need to base a new phase of the JJP on clear lessons learned from Phase I. Further, a UN virtual mission took place in July to review the Justice and Security Sector Programming and made recommendations for improved programming that responded to at least some of the donor concerns. Reports of these meetings and the Mission will also inform the evaluation. [L] [SEP] Against this background, UNDP seeks to engage two consultants to conduct a summative evaluation that builds on the mid-term evaluation and identifies successes and lessons learnt from Phase I of the JJP that can be integrated into Phase II. The lead consultant will provide overall findings of the evaluation whereas the National Access to Justice Expert shall contribute to the portion of the report addressing questions related to access to justice. [L] [SEP]

C. OBJECTIVES AND SCOPE OF THE EVALUATION

1. Objectives

- a) **Overall objective** [L] [SEP] To provide an independent summative assessment of the impact of the UN's support to the justice sector in Somalia in line with national priorities and corporate strategies with reflections on challenges and lessons learned. [L] [SEP]
- b) **Specific objectives:**

- To assess progress made towards achievement of the objectives of Phase I of the JJP. [L]
[SEP]
- To identify lessons learned and to provide recommendations for future design and implementation of [L]
[SEP] similar programmes, specifically Phase II of the JJP. [L]
[SEP]

2. Scope of the Evaluation

The evaluation will focus on the implementation period from August 2018 to June 2021 and will capture and

demonstrate evaluative evidence of its contributions to the development of the justice sector. This evaluation

is carried out under the UNDP Evaluation Policy and the UNDP evaluation guidelines . The purpose of the

evaluation is to provide UNDP, UNSOM-JJCS, the implementing partners (UNICEF, UN Women, and IDLO), and key stakeholders with an independent assessment of the performance of the Joint Justice Programme. This will provide evaluative evidence of the relevance, effectiveness, efficiency, and sustainability of the current programme that can be used to strengthen the existing programmes and in, form new initiatives. The evaluation of the JJP will be conducted in the context of the overall security and justice programming environment that includes the police, justice and corrections, and local governance, and assess the programme's contributions towards improving security and access to justice at the community level.

Evaluation Criteria and Key Questions

The evaluation will use the criteria of relevance, effectiveness, efficiency, and sustainability to answer the following questions:

How has the programme addressed the overall impact of access to justice at the community level at the implementation location?

¹ <http://web.undp.org/evaluation/policy.shtml>²
<https://www.undp.org/accountability/evaluation>

2

- Did the theory of change that was developed at the onset of the programme in 2018 and was revised in 2019 prioritize the outcome and the activities? [L]
[SEP]
- How effectively has the JJP contributed to the development of the rule of law and improved access to justice for all in Somalia? [L]
[SEP]

- To what extent has this programme contributed to transformative change in ensuring access to justice for all? [L][SEP]
- What was this programme's added value at the Federal Member State level? [L][SEP]
- How effectively have the partnerships between FGS-FMS, the UN and international community, police, and [L][SEP]Custodial Corp worked? [L][SEP]
- What was the impact of the support provided to Alternate Dispute Resolution (ADR) Centres? Provide in- [L][SEP]depth analysis of the informal justice systems that have been developed in the programme, specifically those that have been supported in the programme and implemented by UNDP and IDLO. One case study shall be undertaken with in-depth analysis on the operational aspects of the ADR centre and whether value for money principles is followed; community access and outreach on whether the most vulnerable are able to access the ADR centre; analyse the government and local ownership of the ADR centre; analyse the interface of the cases supported by the ADR centre with those of the formal justice systems. [L][SEP]
- What was the impact of the support provided to legal aid and mobile courts? [L][SEP]
- What was the impact of the transformative change initiatives, including nonviolent communication, [L][SEP]restorative justice, and community conversations? [L][SEP]
- How did the programme address the triple-nexus of development, humanitarian, and peace building? [L][SEP]
- How were the audit recommendations of the programme taken up to address specific observations? [L][SEP]
- How were the previous recommendations from the UN Rule of Law programme taken onboard of the [L][SEP]current programme? [L][SEP]**How has the programme contributed to women's empowerment and improved women's access to justice services at the community level?** [L][SEP]
 - How has gender mainstreaming and gender-based programming impacted the overall results in the [L][SEP]programme delivery? [L][SEP]
 - How effective have the gender equality and accountability mechanisms been to ensure gender equality in [L][SEP]the programme? [L][SEP]
 - What impact have the transformative change activities had on increasing women's access to justice? [L][SEP]
 - The extent to which the gender results planning, and budgetary support contributed to achieving the results [L][SEP]outlined in the programme document. [L][SEP]**How has the programme contributed to children's rights and juvenile justice?** [L][SEP]

- i Assess/evaluate UNICEF supported interventions in relation to children's access to justice, and more specifically juvenile justice, with a focus on the work carried by the Child Protection Unit at the Ministry of Justice. [L] [SEP]
- i Regular monitoring and follow up of detention facilities including police stations, case management for children in conflict with the law, including legal aid/representation, diversion, release, and family linkages. [L] [SEP] **How efficiently was the programme delivered?** [L] [SEP]
- How were the mid-term evaluation recommendations implemented by the programme partners and Somali stakeholders? [L] [SEP]
- To what extent was the project management structure as outlined in the project document efficient in generating the expected results? [L] [SEP]
- How effectively did the programme ensure coherence and coordination between the implementing agencies, and what steps can be taken to improve? [L] [SEP]
- What are the respective strengths of the different agencies in the Programme and to what extent did the Programme maximise their added value? [L] [SEP]
- Was the frequency and type of engagement/communication with donors, and government and other stakeholders sufficient to ensure strong buy-in to the Programme? How could this be improved? [L] [SEP]
- How efficiently and cost-effective was the project implementation strategy and execution? [L] [SEP]
- To what extent has there been an economical use of financial and human [L] [SEP]

3

- A. resources? Have resources (funds, human resources, time, expertise, etc.) been allocated strategically to achieve outcomes? [L] [SEP]
- B. How effectively is the JJP aligned with other UN joint programmes [L] [SEP]
- C. such as the Constitutional Review, Parliamentary Support, Joint Human Rights, and Preventing [L] [SEP]
- D. and Countering Violent Extremism programmes? [L] [SEP]
- E. To what extent have project funds and activities been delivered in a timely manner? [L] [SEP]
- F. To what extent have the M&E systems been utilized to ensure effective and efficient [L] [SEP]

G.project management and addressing results for the JJP and justice sector [L][SEP]

H.development in Somalia? [L][SEP]

I. How was the learning agenda shared between the implementing partners in the programme? [L][SEP]**Sustainability and impact**

1. How has the lack of an agreed Justice model impacted the programme intervention? [L][SEP]
2. To what extent will financial resources be available to sustain the benefits achieved by the project? [L][SEP]
3. Do the legal frameworks, policies and governance structures and processes within which the project [L][SEP]operates pose risks that may jeopardize sustainability of project benefits? [L][SEP]
4. To what extent do stakeholders support the project's long-term objectives? [L][SEP]
5. To what extent are lessons learned being documented by the project team on a continual basis and shared [L][SEP]with appropriate parties who could learn from the project? [L][SEP]
6. To what extent do the interventions have well-designed and well-planned exit strategies? [L][SEP]
7. What could be done to strengthen exit strategies and sustainability? [L][SEP]
8. What were the positive, negative, intended, and unintended effects on peacebuilding and democratic [L][SEP]governance, and what were its contributions towards the wider objectives outlined in the project document? [L][SEP]**Evaluation Process** [L][SEP]Inception Report [L][SEP]A maximum of 15 pages based on understanding of the Terms of Reference and initial meetings with the UNDP [L][SEP]

and the desk review. It should include the followings.

- f) Background and context illustrating the understanding of the project/outcome to be evaluated. [L][SEP]
- g) Evaluation objective, purpose, and scope. A clear statement of the objectives of the evaluation and the [L][SEP]main aspects or elements of the initiative to be examined. [L][SEP]
- h) Evaluation criteria and questions. The criteria the evaluation will use to assess performance and rationale. [L][SEP]The stakeholders to be met and interview questions should be included and agreed as well as a proposed [L][SEP]schedule for

field site visits. [L]
[SEP]

- i) Evaluation analysis. Illustrate the evaluation analysis based on formal (clear outputs, indicators, baselines, [L]
[SEP]data) and substantive (identification of problem addressed, theory of change, results framework) and the [L]
[SEP]implication on the proposed methodology. [L]
[SEP]
- j) Cross-cutting issues. Provide details of how cross-cutting issues will be evaluated, considered, and [L]
[SEP]analysed throughout the evaluation. The description should specify how methods for data collection and analysis will integrate gender considerations, ensure that data collected is disaggregated by sex and other relevant categories, and employ a diverse range of data sources and processes to ensure inclusion of diverse stakeholders, including the most vulnerable where appropriate. [L]
[SEP]
- k) Evaluation approach and methodology, highlighting the conceptual models adopted with a description of data-collection methods, sources, and analytical approaches to be employed, including the rationale for their selection (how they will inform the evaluation) and their limitations; data-collection tools, instruments, and protocols; and discussion of reliability and validity for the evaluation and the sampling plan, including the rationale and limitations. [L]
[SEP]
- l) Evaluation matrix. This identifies the key evaluation questions and how they will be answered via the methods selected. [L]
[SEP]
- m) A revised schedule of key milestones, deliverables and responsibilities including the evaluation phases (data collection, data analysis and reporting). [L]
[SEP]

a) _____
4

9.

Detailed resource requirements tied to evaluation activities and deliverables detailed in the workplan. Include specific assistance required from UNDP such as providing arrangements for visiting field offices or sites.

10. Outline of the draft/final report as detailed in the guidelines and ensuring quality and usability (outlined below). The agreed report outline should meet the quality goals outlined in these guidelines and meet the quality assessment requirements outlined in section 6.

Data Collection and Analysis

The data from the field will be collected to the furthest extent possible through interview, virtual consultations conducted through video and audio conferencing and other IT collaboration tools applicable in a remote work environment.

Draft and Final Evaluation Report

The Consultant shall prepare a report that describes the evaluation, outlines findings, conclusions, and puts forward recommendations and lessons learned. The evaluation report shall be complete, logically organized/structured, clear, and written in easy, simple language that can be understood by the intended audience and must meet the requirements of the UNDP Evaluation Guidelines. The final report shall incorporate stakeholders' input/comments on the draft report and should include the following:

1. *The title and opening pages should provide the following basic information:*

- a) Name of the evaluation intervention. [L][SEP]
- b) Time frame of the evaluation and date of the report. [L][SEP]
- c) Somalia as country of the evaluation intervention. [L][SEP]
- d) Names and organizations of evaluators. [L][SEP]
- e) Name of the organization commissioning the evaluation. [L][SEP]
- f) Acknowledgements. [L][SEP]

2. *Project and evaluation information details on second page (as one page)* [L][SEP]

A. Project Information

- A)i) Project title [L][SEP]
- B)ii) Atlas ID [L][SEP]
- C)iii) Corporate outcome and output [L][SEP]
- D)iv) country [L][SEP]
- E) v) Region [L][SEP]
- F) vi) Date project document signed [L][SEP]
- G)vii) Project dates (start/ planned end date), [L][SEP]
- H)viii) project budget, [L][SEP]
- I) ix) Project expenditure at the time of evaluation [L][SEP]
- J) x) Funding source, [L][SEP]
- K)xi) Implementing party, [L][SEP]

B. Evaluation Information

1. i) Evaluation type (Project evaluation) [L] [SEP]

2. ii) Final/ midterm review/ other [L] [SEP]

3. iii) Period under evaluation (start/ end), [L] [SEP]

4. iv) Evaluators' names [L] [SEP]

5. v) Evaluators' email addresses [L] [SEP]

6. vi) Evaluation dates (start/ completion). [L] [SEP]

3. Table of contents, including boxes, figures, tables, and annexes with page references. [L] [SEP]

4. List of List of acronyms and abbreviations. [L] [SEP]

5. *Executive Summary: A Stand-Alone Section of Two to Four Pages That Should:*

. i) *Briefly describe the intervention of the evaluation the project* [L] [SEP]

. ii) *Explain the purpose and objectives of the evaluation, including the audience for the evaluation and the* [L] [SEP]

intended uses,

5

. iii) Describe key aspect of the evaluation approach and methods, [L] [SEP]

. iv) Summarize principal findings, conclusions, and recommendations, [L] [SEP]

. v) Include the evaluators' quality standards and assurance ratings. [L] [SEP]

6. *Introduction Should Include:*

. i) *Explain why the evaluation was conducted (the purpose), why the intervention is being evaluated now, and why it addressed the questions it did.* [L] [SEP]

. ii) *Identify the primary audience or users of the evaluation, what they wanted to learn from the evaluation and why, and how they are expected to use the evaluation results,* [L] [SEP]

. iii) *Identify the intervention of the evaluation the project,* [L] [SEP]

- . iv) Acquaint the reader with the structure and contents of the report and how the information contained [L][SEP] in the report will meet the purposes of the evaluation and satisfy the information needs of the report's intended users. [L][SEP]

7. Description of the Intervention [L][SEP] Should provide the basis for report users to understand the logic and assess the merits of the evaluation methodology and understand the applicability of the evaluation results. The description needs to provide sufficient detail for the report user to derive meaning from the evaluation. It should:

- . i) Describe what is being evaluated, who seeks to benefit and the problem or issue it seeks to address [L][SEP]
- . ii) Explain the expected results model or results framework, implementation strategies and the key assumptions underlying the strategy, [L][SEP]
- . iii) Link the intervention to national priorities, UNDAF priorities, corporate multi-year funding frameworks or Strategic Plan goals, [L][SEP]
- . iv) Identify the phase in the implementation of the intervention and any significant changes (e.g., plans, strategies, logical frameworks) that have occurred over time, and explain the implications of those changes for the evaluation, [L][SEP]
- . v) Identify and describe the key partners involved in the implementation and their roles, [L][SEP]
- . vi) Identify relevant cross-cutting issues addressed through the intervention, i.e., gender equality, human [L][SEP] rights, marginalized groups and leaving no one behind, [L][SEP]
- . vii) Describe the scale of the intervention, such as the number of components (e.g., phases of a project) [L][SEP] and the size of the target population for each component, [L][SEP]
- . viii) Indicate the total resources, including human resources and budgets, [L][SEP]
- . ix) Describe the context of the social, political, economic, and institutional factors, and the geographical [L][SEP] landscape within which the intervention operates and explain the effects (challenges and [L][SEP] opportunities) those factors present for its implementation and outcomes, [L][SEP]
- . x) Point out design weaknesses (e.g., intervention logic) or other implementation constraints (e.g., [L][SEP] resource limitations). [L][SEP]

8. *Evaluation Scope and Objectives.* [SEP]The report should provide a clear explanation of the evaluation's scope, primary objectives, and main questions,

- . i) *Evaluation scope.* The report should define the parameters of the evaluation, for example, the period, [SEP]the segments of the target population included, the geographic area included, and which components, [SEP]outputs or outcomes were and were not assessed, [SEP]
- . ii) *Evaluation objectives.* The report should spell out the types of decisions evaluation users will make, the [SEP]issues they will need to consider in making those decisions and what the evaluation will need to achieve [SEP]to contribute to those decisions, [SEP]
- . iii) *Evaluation criteria.* The report should define the evaluation criteria or performance standards used. The [SEP]report should explain the rationale for selecting the criteria used in the evaluation, [SEP]
- . iv) *Evaluation questions* define the information that the evaluation will generate. The report should detail the main evaluation questions addressed by the evaluation and explain how the answers to these [SEP]questions address the information needs of users. [SEP]

9. *Evaluation Approach and Methods.* [SEP]The evaluation report should describe in detail the selected methodological approaches, methods, and analysis; the rationale for their selection; and how, within the constraints of time and money, the approaches and methods employed yielded data that helped answer the evaluation questions and achieved the evaluation purposes. The report should specify how gender equality, vulnerability and social inclusion [SEP]

6

were addressed in the methodology, including how data-collection and analysis methods integrated gender considerations, use of disaggregated data and outreach to diverse stakeholders' groups. The description should help the report users judge the merits of the methods used in the evaluation and the credibility of the findings, conclusions, and recommendations. All aspects of the described methodology need to receive full treatment in the report. Some of the more detailed technical information may be contained in annexes to the report. The description on methodology should include discussion of

- . i) *Evaluation approach* [SEP]
- . ii) *Data sources:* the sources of information (documents reviewed and stakeholders) as well as the [SEP]rationale for their selection and how the information obtained addressed the evaluation questions [SEP]
- . iii) *Sample and sampling frame.* If a sample was used: the sample size and

characteristics; the sample selection criteria (e.g., single women under age 45); the process for selecting the sample (e.g., random, purposive); if applicable, how comparison and treatment groups were assigned; and the extent to which the sample is representative of the entire target population, including discussion of the limitations of the sample for generalizing results,

- . iv) Data-collection procedures and instruments: methods or procedures used to collect data, including discussion of data-collection instruments (e.g., interview protocols), their appropriateness for the data source, and evidence of their reliability and validity, as well as gender-responsiveness,
- . v) Performance standards: the standard or measure that will be used to evaluate performance relative to the evaluation questions (e.g., national, or regional indicators, rating scales),
- . vi) Stakeholder participation in the evaluation and how the level of involvement of both men and women contributed to the credibility of the evaluation and the results,
- . vii) Ethical considerations: the measures taken to protect the rights and confidentiality of informants (see UNEG ‘Ethical Guidelines for Evaluators’ available at <http://www.uneval.org/search/index.jsp?q=ethical+guidelines>),
- . viii) Background information on evaluators: the composition of the evaluation team, the background and skills of team members, and the appropriateness of the technical skill mix, gender balance and geographical representation for the evaluation,
- . ix) Major limitations of the methodology should be identified and openly discussed as to their implications for evaluation, as well as steps taken to mitigate those limitations.

10. Data Analysis.

The report should describe the procedures used to analyse the data collected to answer the evaluation questions. It should detail the various steps and stages of analysis that were carried out, including the steps to confirm the accuracy of data and the results for different stakeholder groups (men and women, different social groups, etc.). The report also should discuss the appropriateness of the analyses to the evaluation questions. Potential weaknesses in the data analysis and gaps or limitations of the data should be discussed, including their possible influence on the way findings may be interpreted and conclusions drawn.

11. Findings

Findings should be presented as statements of fact that are based on analysis of the data. They should be structured around the evaluation questions so that report users

can readily make the connection between what was asked and what was found. Variances between planned and actual results should be explained, as well as factors affecting the achievement of intended results. Assumptions or risks in the project or programme design that subsequently affected implementation should be discussed. Findings should reflect a gender analysis and cross-cutting issue questions.

12. A separate chapter of at least 8 pages shall be devoted to women's access to justice, the ADR centres with case studies and other approaches which have been taken up for access to justice and basic justice services. A separate report shall be provided as annex to the main report which shall provide the full details of stakeholder meetings and responses on case studies on ADR centres and mobile court services. This shall be provided by the Access to Justice expert. [SEP]
13. Conclusions should be comprehensive and balanced and highlight the strengths, weaknesses, and outcomes of the intervention. They should be well substantiated by the evidence and logically connected to evaluation findings. They should respond to key evaluation questions and provide insights into the identification of and/or solutions to important problems or issues pertinent to the decision-making of intended users, including issues in relation to gender equality and women's empowerment. [SEP]

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14. *Recommendations.* [SEP] The report should provide practical, actionable, and feasible recommendations directed to the intended users of the report about what actions to take or decisions to make. Recommendations should be reasonable in number. The recommendations should be specifically supported by the evidence and linked to the findings and conclusions around key questions addressed by the evaluation. They should address sustainability of the initiative and comment on the adequacy of the project exit strategy, if applicable. Recommendations should also provide specific advice for future programming. Recommendations should also address any gender equality and women's empowerment issues and priorities for action to improve these aspects.

15. *Lessons Learned.*

The report should include discussion of lessons learned from the evaluation, that is, new knowledge gained from the circumstance (intervention, context outcomes, even about evaluation methods) that are applicable to a similar context. Lessons should be concise and based on specific evidence presented in the report.

16. *Report Annexes.*

Suggested annexes should include the following to provide the report user with supplemental background and methodological details that enhance the credibility of the report should include

- . i) TORs for the evaluation, [L] [SEP]
- . ii) Additional methodology-related documentation, such as the evaluation matrix and data-collection [L] [SEP] instruments (questionnaires, interview guides, observation protocols, etc.) as appropriate, [L] [SEP]
- . iii) List of individuals or groups interviewed or consulted, and sites visited, if any, [L] [SEP]
- . iv) List of supporting documents reviewed, [L] [SEP]
- . v) Project or programme results model or results framework, [L] [SEP]
- . vi) Summary tables of findings, such as tables displaying progress towards outputs, targets, and goals [L] [SEP] relative to established indicators, [L] [SEP]
- . vii) Code of conduct signed by evaluators. [L] [SEP]

Methodology

The evaluation must provide credible, reliable, and useful evidence-based information. The evaluation will provide quantitative and qualitative data through but not limited to the following methods:

- Extract the lessons learned and best practices that can be considered in the plan and design of the future project phase and recommendations that can be applied to similar projects. [L] [SEP]
- Desk study and review of all relevant project documentation including project documents, annual work- plans, project progress reports, project monitoring reports (from third party monitors) annual project reports, minutes of project board meetings, reports of consultancies and events. [L] [SEP]
- In depth interviews to gather primary data from key stakeholders using a structured methodology. [L] [SEP]
- Considering the effects of the COVID-19 pandemic, virtual focus group discussions with project [L] [SEP] beneficiaries and other stakeholders will be conducted. [L] [SEP]
- Interviews with key informants will be led by the Consultant and, effort will be made to ensure interviews [L] [SEP] are as comprehensive as possible. [L] [SEP] **In conducting the assignment, the Lead Consultant shall undertake the following tasks:**
 - Prepare the draft and final evaluation report based on guidelines provided in the Terms of reference in close collaboration with the National Access to Justice Expert. [L] [SEP]
 - Assess the quality of partnerships, national ownership, and sustainability vis-

à-vis the strategy in the project document, identify if (if any) and document lessons learned for future referencing. [SEP]

- Identify extent of intended and unintended changes in development (condition/outcome) between the completion of outputs and achievement of impacts. [SEP]
- Review the oversight, reporting and monitoring structures designed to support the project strategies. [SEP]

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D. EXPECTED OUTPUTS AND DELIVERABLES Final Deliverables/Products

Deliverables/Outputs

1

2 Data analysis and review of documents

3 Submission and presentation of the Draft Evaluation Report to key stakeholders for review and feedback/comments.

4 Submission of final report incorporating key stakeholders' input/feedback on the draft report.

Total

E. INSTITUTIONAL ARRANGEMENTS

1. Reporting

a) Reporting Lines

10 days 15 days

10 days

40 days

28 October 2021

15 November 2021

6 December 2021

Programme [SEP] Steering 70%

Estimated Duration to complete

Target Due dates

Review and approvals Required

% of total professional fee

An inception report detailing consultant's understanding of the task and the methodology to be employed to complete the assignment and structure.

5 days

16 October 2021

Committee (PSC)UNDP, Evaluation Reference Group

30%

100%

- The assignment will be conducted by two consultants who albeit working as a team, will each have specific deliverables. the Lead consultant will spearhead the assignment and will be responsible for preparation and submission of the final evaluation report whereas the Access to Justice expert shall contribute to the portion of the report addressing questions related to access to justice. [L] [SEP]
- Contractual arrangements will be the responsibility of UNDP hence, the consultants shall work under the overall supervision of the UNDP Monitoring & Evaluation (M&E) Specialist in close collaboration with the Project Evaluation Reference Group comprising UNSOM, UNICEF, UN Women, IDLO and the MoJ of the Federal Government of Somalia. [L] [SEP]
- The UNDP M&E Specialist shall be responsible for accountability of the contract and shall provide guidance throughout all phases of execution including quality control in collaboration with the Project Evaluation Reference Group. [L] [SEP]
- Review of outputs will be jointly conducted by the, Project Evaluation Reference Group and the UNDP M&E Specialist and the Consultant shall ensure

inclusion of stakeholder's input/comments on the draft report in the final report. All deliverables shall be approved by the PSC of the JJP and certified by the designated UNDP Manager. [SEP]

- All data collected during the evaluation including all interviews, recordings and analyses will be submitted to UNDP and shall remain the property of UNDP. [SEP]
- The UNDP will provide existing literature or documents to the selected Consultants that will help provider better comprehension of the project situation and the work required. [SEP]
- The Consultant will be required to have his or her own personal laptop/computer. [SEP]

b) Progress Reporting [SEP] • **Inception report:** Each consultant shall prepare a report based on preliminary discussions with UNDP

and Evaluation Reference Group which must be submitted prior to undertaking any formal interviews,

9

F.

G.

surveys, or field visits. The report shall outline the methodology, approach and timeline required for

specific activities and deliverables (2 to 4 pages) [SEP] • **Evaluation debriefings:** On completion of the interviews, the lead consultant will debrief stakeholders,

focusing on the main results and recommendations of the evaluation. Both consultants shall be

involved in the evaluation briefings [SEP] • **Draft evaluation report:** A draft report informing stakeholders and describing the findings and

recommendations for future intervention strategies, lessons learned and best practices (25 - 40 pages

including executive summary).

- **Evaluation report audit trail:** Comments and changes by the evaluator in response to the draft report [SEP] should be retained by the evaluator to show how they have addressed comments. [SEP]
- **Final evaluation report.** The report shall incorporate all stakeholder input/comments on the draft. The content and structure of the report will be

analytical and shall outline findings, recommendations and lessons learned covering the scope of the evaluation. It shall be complete, well-organised/structured, clearly written using easy/simple language for the intended audience and must meet the requirements of the UNDP Evaluation Guidelines. The international consultant will be responsible for the preparation of the final report. **DURATION OF THE WORK** Forty working days spread over a period of two months. Estimated lead time for UNDP/Programme implementing partner to review outputs/give comments, approve/accept outputs is five days. **DUTY STATION**

Home-based.

H. QUALIFICATIONS OF THE SUCCESSFUL INDIVIDUAL CONTRACTOR

Academic Qualifications:

- Master's Degree or equivalent in law, gender and human rights, political science, social science or in a related field.

Experience:

- At least five years' progressive experience in (results-based) monitoring and evaluation, with specific expertise in the evaluation of gender, human rights, justice sector programmes.
- Extensive expertise, knowledge, and experience in the field of evaluation of development programme
- Technical knowledge in access to justice, grassroots, and bottom-up approaches.
- Strong understanding of the linkages between access to justice and human rights and women's empowerment issues.
- Familiarity with UN joint programming and experience with UN programmes funded by multi-donor trust funds especially in conflict/post-conflict contexts is an advantage.
- Extensive knowledge and experience in evaluation of development programmes and understanding of political dynamics in Somalia would be an asset.

Language Requirements: Proficient in spoken and Written English and Somali. **Competencies** **Corporate Competencies:**

- Demonstrates integrity and fairness, by modelling the UN/UNDP's values and ethical standards.
- Promotes the vision, mission and strategic goals of the UN and UNDP.
- Displays cultural, gender, religion, race, nationality and age sensitivity and

adaptability. [L]
[SEP]

- Treats all people fairly. [L]
[SEP]
- Fulfils all obligations to gender sensitivity and zero tolerance for sexual harassment. [L]
[SEP]

10

Functional Competencies:

- Skilled in research methodologies including frameworks, tools, and best practices. [L]
[SEP]
- Excellent analytical and organizational skills with ability to analyse and synthesise information from [L]
[SEP] different sources and to draw key themes and issues from the information. [L]
[SEP]
- Strong communication skills including ability to formulate concise reports/edit texts and to articulate [L]
[SEP] ideas in a clear concise style to cross-cultural audiences. [L]
[SEP]
- Strong interpersonal skills including ability to interact with national and international actors at all levels [L]
[SEP] of organisation with tact and diplomacy. [L]
[SEP]
- Ability to manage complexities and to work collaboratively as part of a team. [L]
[SEP]
- Possesses the ability to convey difficult issues and positions to senior officials and counterparts. [L]
[SEP]
- Knowledge and effective use of computer software, especially MS Word and MS Excel. [L]
[SEP]

I. SCOPE OF PRICE AND SCHEDULE OF PAYMENTS

- The maximum number of days payable under the contract is 40. The professional fee shall be converted into an output-based contract and will be paid as an all-inclusive lump sum fixed amount based on the weighted percentage corresponding to each deliverable as outlined in Section D above. [L]
[SEP]
- Payment shall be released in tranches. After review and acceptance of Deliverable(s), the Individual Contractor will submit an invoice (UNDP Certificate of Payment) to the UNDP Evaluation Manager for certification that the Deliverable(s) have been achieved in accordance with the Deliverables Schedule in Section D above. [L]
[SEP]
- Payment will be made within 30 days of submission of invoice and certification of payment by UNDP. [L]
[SEP]

J. RECRUITMENT

The Consultant shall be selected through a desk review of CVs of technically vetted consultants on the UNDP



Annex II List of supporting documents

DCAF/Issat (2021) 'Mid-Term Review (MTR) of the Joint Police Programme (JPP)'

Deloitte (2020) 'Harmonized Approach to Cash Transfer (Hact) Audit / Implementing Partner: the Ministry of Justice and Judiciary of South West State (SWS) of Somalia. Project number: 00113322 output number 00111520.

EU (2020) Letter 14/12/2020 EU support to the Joint Justice and Joint Corrections Programmes No-cost extension request for 2021^{11 SEP} WC&AG/XW/710/12/2020

Federal Government of Somalia/National Civil Service Commission (s.d.) 'Pay and Benefits Management Manual for Capacity Injection Mechanism (CIM Guideline 2)

IDLO (2020) 'Final Report September 2018-December 2019'

IDLO (2021a) 'Final Report 2020'

IDLO (2021b) 'Final Report 1 January-30 September 2021'

IDLO (2021c) Accessing Justice: Somalia's Alternative Dispute Resolution Centres

Ministry of Justice (2018, 2019, 2020, 2021) Steering Committee Minutes 4x

Ministry of Planning, Investment and Economic Development (2020) Somalia National Development Plan2020 to 2024.

Particip/Dansom (2020) Project title: joint security sector Governance Programme Third Party Monitoring and Evaluation II, Somalia

Particip/Dansom (2021) Third Party Monitoring and Evaluation Somalia Rule of Law Evaluation IDENTIFICATION NO.: TPME II - SOMALIA

Researchcare Africa (2021) 'Third Party Monitoring Report JJP: Legal aid, mobile courts and ADR'

Saferworld (2021) 'Improving citizen-state relationships through community action in Somalia' blog 5 December 2021. <https://www.saferworld.org.uk/resources/news-and-analysis/post/979-improving-citizenastate-relationships-through-community-action-in-somalia>

UN (2020) 'Common Country Analysis Somalia 2021-2025'

UN (2020) 'UNDP Country Programme Document for Somalia 2021-2025

UN (2021) 'Report of the United Nations Joint Programme Review Somalia'.

UNDP (2017) 'Management response: Joint Rule of Law Programme'

UNDP (2018) 'Somalia JJP Project Document'

UNDP (2018) 'Somalia Joint Justice Programme RRF 2018-2021 (EU Final)'

UNDP (2019) 'Somalia JJP Annual Progress Report 2018'.

UNDP (2020) 'Cover Sheet for Programme Extension Joint Justice Programme 21 Sept 2020'.
Minutes PSC JJP and JCP

UNDP (2020) 'Mid-term Evaluation Somalia Joint Justice Programme Phase I'

UNDP (2020) 'Somalia JJP Mid term evaluation: Management Response Template'

UNDP (2020) 'Somalia JJP Semi-Annual Progress Report 2019'.

UNDP (2020) 'Somalia JJP Annual Progress Report 2019'.

UNDP (2020) 'Project Revision Cover JJP Oct 2020'

UNDP (2020) 'Proposal of extension JJP 12 months Jan-Dec 2021'

UNDP (2021a) 'Building Alternative Dispute Resolution Centres Based on Transformative Change: The Example of Baidoa'

UNDP (2021b) 'Report on Community Conversations June 2019-April 2021'

UNDP (2021) 'Somalia JJP Semi-Annual Progress Report 2020'.

UNDP (2021) 'Somalia JJP Annual Progress Report 2020'.

UNDP (2021c) 'Somalia JJP Semi-Annual Progress Report Jan-June 2021'.

UNDP (s.d) 'Reflection and lessons learned from the joint justice programme'

UNDP (2021) 'Netherlands JJP Final Report 2019-2020'

UNDP (2021 Emails 15/01/201; 02/02/2021

UNDP (2021) Evaluation ToR

UNGFP (2021) 'Virtual mission to Somalia Mission Report July August 2021'

UNSOM (2020/1) Emails 23/12/2020; 05/01/2021; 28/01/2021 topic: Swedish funding (3x)

UN Somalia (2019) 'Somalia UN Multi-Partner Trust Fund Annual Report 2018'

UNWomen (2020) 'Somalia: Promoting Women in Legal Profession and Judiciary' (15 Oct 2020)
<https://africa.unwomen.org/en/news-and-events/stories/2020/10/ministry-of-justice-puntland-commitment-to-promoting-women>

UNWomen (2021) 'UNWomen partners with Somaliland legal group for empowerment'
<https://unsom.unmissions.org/un-women-partners-somaliland-legal-group-empowerment-women>
(the Multi-Partner Trust Fund (MPTF) Joint Program on the Rule of Law.

UK (2021) 'EU/NL/SWE/UK joint reflections on the Global Focal Point for the Rule of Law report (email 5 October 2021).

Annex III: Summative evaluation matrix

<i>Evaluation criteria</i>	<i>Key Questions (and sub-questions)</i>	<i>Indicator(s) / Measures of Success</i>	<i>Data Sources/ Means of Verification</i>	<i>Data Collection Method(s) / Tool(s)</i>	<i>Method(s) for Data Analysis</i>
A. Relevance	<p>Did the JJP continue to be relevant in light of national strategic framework and international guiding principles, including the FGS and FMS priorities in governance?</p> <p><u>What was the relevance of the JJP for the different target groups, including those seeking justice, and those offering protection and justice, including women, persons with disabilities – both in the informal justice system and the formal justice system at the federal and state level?</u> What was this programme's added value at the Federal Member State level, including from a human rights perspective? ^[L]_[SEP]</p>	<p>JJP objectives vs. SDG & national strategies</p> <p>Needs of different groups of stakeholders vs project inputs/outputs/</p> <p>Needs of different groups of stakeholders vs geographical mapping/selection</p> <p>-ToC vs analysis of contextual factors, realistic assessment of contribution analysis</p>	<p>-Project documents, incl. prodoc/logframe</p> <p>JJP key informants (MoJ FGS; donors; ; JJP management incl. senior staff of PUNOs & IDLO); NGO representatives and ADR center staff</p>	<p>-Desk review</p> <p>-Semi-structured interviews</p> <p>-Focus group discussions</p>	<p>-Method and source triangulation; contents analysis</p>

	Was the theory of change that was developed at the onset of the programme in 2018 and was revised in 2019 reflective of a realistic assessment of the anticipated results chain?				
B. Effectiveness	<p><i>How effective has the JJP been in light of the outputs and (sub)outcomes given in the results framework, including with respect to human rights, girls/women/persons with disabilities' access to justice ?</i></p> <p>What factors have contributed to achieving or hindering achievement of the intended outputs and outcomes?</p>	<p>-Data for performance indicators as reflected in results framework</p> <p>Political, legal, socio-economic, and other factors impacting on inputs/outputs/(sub)outcomes</p>	<p>-All stakeholders (see above)</p> <p>-Desk review of semi-annual and annual progress JJP, individual PUNO progress reports and relevant publications on Somalia</p>	<p>-Desk review</p> <p>-Semi-structured interviews</p> <p>-Focus group discussions</p>	<p>-Data triangulation across different methods and data sources (e.g., quantitative/qualitative)</p>

C. Coherence	<p>How effectively did the programme ensure coherence and coordination between the implementing agencies, <u>based on their respective strengths</u>, and what steps can be taken to improve and also <u>maximize their added value</u>? [SEP]</p> <p>How effectively have the partnerships <u>been</u> between FGS-FMS, the UN and international community in JJP, including to advance girls/women/persons with disabilities' access to justice? [SEP] [SEP]</p> <p>How effectively is the JJP aligned with other UN joint programmes such as the Constitutional Review, Parliamentary Support, Joint Human Rights, and Preventing [SEP] and Countering Violent Extremism programmes? [SEP]</p> <p>How did the programme address the triple-nexus of development, humanitarian, and peace building? [SEP]</p>	<p>Mechanisms for coordination vs effectiveness</p> <p>Strengths IPs – added value supported</p> <p>Effectiveness partnerships FGs-FMS, the UN, IC</p>	<p>All stakeholders</p> <p>Evaluation/assessment reports JJP and other programmes/programmatic structures RoL/justice/security</p> <p>Prodoc/Progress reports</p> <p>SC meeting minutes</p>	<p>Desk review</p> <p>Semi structured interviews</p> <p>Focus group discussions</p>	Data and source triangulation/contents analysis
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<p>C. Efficiency</p>	<p>To what extent have project funds and activities been delivered in a timely manner?</p> <p>Which factors have contributed to the efficient implementation of activities, including possible delays, and what has the project team been able to do to mitigate possible consequences of these delays?</p> <p>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 outputs and outcomes?</p> <p>Were the right mechanisms put in place to facilitate women's empowerment and <u>improve girls/women/persons with disabilities' access</u> access to justice services at the community level?</p> <p>To what extent was the project management structure <u>been</u> efficient in generating the expected results?</p>	<p>Planned delivery vs. actual delivery</p> <p>Above difference vs contributing factors</p> <p>Expenditure rates/inputs vs PUNOs vs outputs/outcomes</p> <p>Project management structure vs expected results</p> <p>Donor communication vs buy-in</p> <p>M&E systems designed per PUNO vs used for monitoring/results-based management incl. based on lessons learned</p>	<p>-JJP progress reports (monthly, quarterly, annually); monitoring reports</p> <p>-Traffic light monitoring system</p> <p>-Minutes of management meetings PSC</p> <p>-JP ProDoc</p> <p>-Financial data</p> <p>-Other evaluation reports</p> <p>-All stakeholders (see above)</p>	<p>-Desk review</p> <p>-Semi-structured interviews</p> <p>-Focus group discussions</p>	<p>Quantitative analysis, incl budgets/expenditures/other quantitative data such as frequency communication (if available), HR analysis</p> <p>Data and source triangulation/contents analysis</p>
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	<p>SEP</p> <p>Was the frequency and type of engagement/communication with donors, and government and other stakeholders sufficient to ensure strong buy-in to the Programme? How could this be improved?</p> <p>To what extent have the M&E systems been utilized to ensure effective and efficient project management and addressing results for the JJP and justice sector development in Somalia, including by means of collecting and sharing lessons learned by the different implementing partners with appropriate parties?</p>				
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D. Sustainability (<p>To what extent do stakeholders support the project's long-term objectives, including planning for the availability of long-term results?</p> <p>^[11]_{SEP} <u>government ownership</u></p> <p><i>What results will be sustainable at the end of the first phase of the JJP, including results advancing human rights, and girls/women's/persons with disabilities' access to justice?</i></p> <p><i>What factors contribute to and what risks possibly hinder sustainability, including the legal frameworks, policies and governance structures and processes within which the project operates and the availability of financial resources?</i> To what extent will financial resources be available to sustain the benefits achieved by the project? ^[11]_{SEP}</p> <p>To what extent do the interventions have well-designed and</p>	<p>-govt ownership vs outputs and outcomes and delivery process</p> <p>-Outputs and outcomes vs sustainability</p> <p>Contributing factors sustainability</p> <p>Availability of exit strategies.</p>	<p>-Progress reports/psc meeting minutes</p> <p>-Monitoring reports</p> <p>-Other evaluation reports</p> <p>-All stakeholders (see above)</p>	<p>-Desk review</p> <p>-Semi structured interviews</p> <p>-Focus group discussions</p>	<p>-Data and source triangulation;</p> <p>-Content analysis</p> <p>-Possibly quantitative analysis</p>
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	<p>well-planned exit strategies? What could be done to strengthen exit strategies and sustainability?</p>				
<p>E. (Early indications for potential Impact)</p>	<p>What were the positive, negative, intended, and unintended effects on <i>justice</i>, peacebuilding and democratic governance, including for girls, women and persons with disabilities, and what were its contributions towards the wider objectives outlined in the project document?</p>	<p>Results project – contributing to justice, peacebuilding and democratic governance</p>	<p>-Progress reports/monitoring reports; All stakeholders</p>	<p>-Desk review -Semi-structured interviews -Focus group discussions</p>	<p>Source/method/data triangulation</p>

Annex IV Interview guide

The following interview protocol online interviews is preliminary. Interviewers should customize and adapt questions for each interview based on interviewee's role, time constraints, response, and level of knowledge/ familiarity with topics revealed during interviews. (Note that all interviews should start with informed consent. The interviewee should be made aware that the information they provide will remain confidential and anonymous, they should be told how the information will be used and for what purpose, and they should agree to continue the interview.)

Script Introduction

This interview is for the evaluation of the Joint Justice Programme (JJP) phase I. The programme is implemented by UNDP and UNSOM, with UNODC covering 3 and Interpol 1 outcome of the project. The evaluation is an independent programme evaluation with the evaluation team composed of two consultants, namely one evaluation expert/lead (recruited by UNDP) and one national consultant/former (recruited by the Ministry of Justice). The evaluation will be guided by the following evaluation criteria: relevance, efficiency, effectiveness, impact, coherence, sustainability. Cross cutting issues considered here are human rights/gender equality and leaving no one behind. Good practices and lessons learned will also be collected, and recommendations will be given to UNDP on the design of a possible Phase. The interview is voluntary, and the information collected shall be treated confidentially and not be shared outside the evaluation team. Evaluation data will only be presented in aggregated form in the evaluation report. The evaluation follows UNEG and UNDP evaluation ethics and standards.

Name, organization and position:

Location:

Time Interviewee(s):

1.What is your role in connection with the JJP?

2.What do you expect to gain from this evaluation? What would make it most useful for you and your office/ organization? (Scoping question)

3a. From the perspective of your office or organization, what major results is the project expected to achieve? How would you know if it is delivering those results? Has it achieved these results, and how are these measured (what evidence is available)?

3b. What were the main obstacles to achieving results? How could those obstacles be overcome?

4. What has been the relevance of the project, and how has it continued to be relevant during its implementation and at this point in time? What would need to be revised in the future for it to remain relevant, if any? Please explain.

5. To what extent does the project meet the needs of the main stakeholders? How have these needs been identified? How have the needs of children/juveniles, girls/women, youth, minority clans, IDPs been identified?

6. What has been the rationale for the joint project? What has worked well, and which areas could be further improved on, including with respect to overall management of the project, the different components implemented by different agencies, and so on? Has there been duplication of efforts?
7. Have the right partnerships been established for the project?
8. Has coordination worked well with other joint project, and the overall aid architecture in Somalia, especially in the field of justice/rule of law/security reform and in relation to the peace building/humanitarian assistance/development triple nexus?
9. Describe your office's cooperation with national stakeholders/UNDP and/or other IPs/partners. Which lessons learned could be drawn from this cooperation?
10. From the perspective of your office/organization, what are the strengths and weaknesses of the project.
11. How do you ensure that the work has been implemented in an efficient and cost-effective way, and that inputs are converted to outputs in a timely and cost-effective manner? What is the role of your office on this?
12. What has been the impact of the Covid-19 pandemic on project design and implementation? Has the project been flexible and adjusted well to the changed circumstances?
13. What have been other factors impacting on project efficiency?
14. How has monitoring been done? What could be done differently to improve project monitoring and reporting?
15. How and to what extent has the project incorporated human rights, gender dimensions and 'leaving no-one behind'? What have been the results in these areas? How satisfied are you with HR and related efforts? What could be done differently or significantly improved?
16. To what extent are the results of the project sustainable in the long-term? Which results are sustainable at this point in time? How can this be improved and what are the conditions for sustainability?
17. What are good practices, lessons learned and recommendations to UNSOM/UNDP, IPs donors and/or MoJ? What should be done differently in JJP phase II?

Annex V List of individuals or groups interviewed/consulted

Organization	Role	Number	Gender
UNDP		4	M:2* F:2*
UNSOM		2	M: 1 F: 1
UNWomen		1	M: 1 F: 0
UNICEF		1	M: 1 F: 0
UNODC		1	M: 1 F: 0
UNOPS		2	M: 1 F: 1
IDLO		3	M: 2 F: 1
MoJ		17	M: 17* F: 0
Judicial Training Academy		1	M:1 F: 0
Somali Bar Association		1	M:1 F: 0
Judiciary		1	M: 1 F: 0
Civil society organizations (community conversations)		2	M: 2 F: 0
Donor (EU, Netherlands,		5	M: 1

UK)			F: 4
Recipients scholarships		13	M: 8 F: 5
Total		54	M: 40 F: 14

Focus group discussions

Mogadishu graduates (Male): 5

Mogadishu graduates (Female): 3

Puntland graduates/students: Male: 3 Female: 2

MoJ ADR coordinators (Male): 6 (& 2 UNDP staff 1 M/1F)

MoJ DGs (Male); 5

Annex VII JJP results model / results framework

	Main outcome: “Enhanced and accountable justice institutions operating in accordance with the justice model, increasingly deliver affordable justice services in key populations centres in cooperation with location populations. These institutions provide a visible and effective justice presence in support of security transition, facilitates the peaceful resolution of disputes and build trust and demand for federal and State provided justice services. Judicial authority and independence are provided for in revised legislation, including the constitutions”.										
	Sub-Outcome: Inclusive community dialogue on justice and security issues leads to the development of action plans at local level that informs the support for institutional strengthening, federalization of the justice sector, financial sustainability, and the establishment of accountability mechanisms. The programme focuses on delivery of the action plans that will improve access to justice for vulnerable groups, especially women and minority groups. These local plans would then lead to the emergence of basic principles for support to Somalia’s justice framework. This community-based change process will support innovative thinking and evidence-based learning for Rule of Law programming.										
	Primary Indicator: % of people who have trust in justice services (formal courts and alternative dispute resolutions mechanisms)										
	Baseline: 40% preference for formal courts and 10% for traditional justice mechanisms in 2017 (proxy data- UN perception survey)										
	Target: Increased percentage of women / vulnerable groups/ youth/ men having trust in justice services (formal courts and alternative dispute resolutions mechanisms)										
Expected Output	Output Indicators	Data Source	Baseline		Targets (by frequency of data collection)				Data Collection Methods	Responsible Party	Budget
			Value	Year	2018 (?)	2019	2020	2021			
	Outcome 1: Adequate justice services are provided to vulnerable people based on community participation in justice reform										
	Baseline: 21 districts received justice services in 2017										
	Target: 45 districts receive increasing improved quality justice services in 2019 ²⁶ ;										
Output 1.1 The justice chain, including policing, is strengthened through community-	# of decisions derived from consensus within the community; # of people disaggregated	# reports from community conversation sessions	Zero	2017	Concept design on community justice and security dialogue developed with strategy to ensure	Set of decisions related to justice and security agreed upon consensus by the community	70% of decisions falling under the responsibility of security and justice institutions implemented	Community Conversations in three locations in each FMS capitals; 70% of decisions falling under the	community action plan reports	UNDP , UN Women, HDC, CDRC, SORDA, Isha Foundation, YESO	

oriented approaches	by gender, age and vulnerability, actively involved in community conversation sessions				participation of women, minority clan and youth	Including specific decisions on SBGV/Women's access to justice		responsibility of security and justice institutions implemented Community c			
Output 1.2 Improved Access to Justice and human rights through a multi-track approach	# of beneficiaries disaggregated by gender, age and vulnerability, receiving legal aid services Level of satisfaction with services provided based on representative sample drawn from the cases (of total case) disaggregated by gender, age and vulnerability;	Reports by service providers on the implementation of activities	24,633 (W: 17,953 , M: 6,680) people received legal aid; 6 legal aid centres; 19 paralegals (W: 15, M: 4)	2017	5,000	8000 (50% women, and 50% IDPs) % of beneficiaries declaring being satisfied with the services provided (baseline undertaken in 2019)	20000 (50% women, and 50% IDPs) % of beneficiaries declaring being satisfied with the services provided (% determined after the results of the 2019 baseline)	34,000 (50% women, and 50% IDPs) % of beneficiaries declaring being satisfied with the services provided (% determined after the results of the 2019 baseline)	Reports by legal aid providers, assessment by third party monitoring	UNDP, UNSOM, FMS MOJ Puntland MJRA for PLAC, FGS MOJ for SWDC	

²⁶ Quality will be measured in pilot areas through a court monitoring project

	# of beneficiaries disaggregated by gender, age and vulnerability, receiving services from the ADR centres Level of satisfaction with services provided based on representative sample drawn from the cases (of total case) disaggregated by gender, age and vulnerability;	Reports from ADR centres, training reports	2,427 (W: 1,812, M:615) supported by CDR centres	2017	1000 received services (50% women, and 50% IDPs)	2000 received services + % of beneficiaries declaring being satisfied with the services provided (baseline undertaken in 2019)	3000 received services + % of beneficiaries declaring being satisfied with the services provided (% determined after the results of the 2019 baseline)	4,500 % of beneficiaries declaring being satisfied with the services provided (% determined after the results of the 2019 baseline)	Reports from ADR centres, assessment by third party monitoring	UNDP, UNSOM, IDLO and UN Women, FMS and FGS MOJ	
	# of beneficiaries disaggregated by gender, age and vulnerability, receiving services through mobile courts Level of satisfaction with services	Reports of registered cases.	277 (Criminal: 107; Civil: 170) cases addressed by MC; 21 districts where services were	2017	200 cases addressed; # of districts with mobile courts	500 cases addressed, + % of beneficiaries declaring being satisfied with the services provided (baseline undertaken in 2019)	1000 cases addressed + % of beneficiaries declaring being satisfied with the services provided (baseline undertaken in 2019)	1500 + % of beneficiaries declaring being satisfied with the services provided (baseline undertaken in 2019)	Reports from, judiciary about mobile courts, assessment by third party monitoring	UNDP, UNSOM, IDLO and UN Women, Puntland HJC, Puntland SWS and JS SC, HS and GS MOJ	

	provided based on representative sample drawn from the cases (of total cases) disaggregated by gender, age and vulnerability;		initiated								
	Pilot project on community-based response to SGBV and juvenile cases developed through the community dispute resolution centres	Number of healing/empathic circles for SGBV survivors and restorative dialogue and behavioural programmes for juveniles in conflict with the law	No specific response to SGBV survivors or for juveniles in conflict with the law in emerging states			Project concept developed based on emerging practices	15 of empathic/healing circle and restorative circles with action plans; Action plan implemented in each location; and diversion programme established	15 of empathic/healing circle and restorative circles with action plans; Action plan implemented in each location; and diversion programme established	Pool of national practitioners on restorative justice established	UNDP	

	Strategy on providing justice to recovered area developed and implemented in one location					Research	Research action about justice needs in recovered area (including transitional justice) with plan developed	Implementat ion of the plan in one location	Lessons learned from first intervention id recovered area developed		
TOTAL											
	Outcome 2:										
	Drawing from community consensus, key justice institutions are strengthened to deliver on the priorities identified in the community dialogue with enhanced sustainability										
	Baseline: 5 FMS capitals with justice institutions; Average nb. of cases filed per month per court in each FMS capitals, average time for cased to be processed by the court in FMS capitals ²⁷										
	Indicator: Number of regional capitals with functioning judicial institutions (functioning justice institutions should be understood institutions having justice personnel having benefited from a comprehensive and professional training programme and processing cases), average nb. of cases; average time for cases to be processed ²⁸										
	Target: 10 Regional and Federal Member States capitals with justice institutions; 15% increased of average nb. of cases filed, average time for case to be processed in FMS capitals ²⁹										
Expected Output	Output Indicators	Data Source	Baseline		Targets (by frequency of data collection)				Data Collection Methods	Responsible Party	Budget
			Value	Year							

²⁷ The data will be provided by the justice snapshot

²⁸ idem

²⁹ Idem

<u>Output 2.1</u> <u>Basic principles for a justice model agreed upon by FG and FMS</u>	# of FMS Rule of Law Working Group; # Basic principles agreed upon	ToR; minutes of meetings	One model agreed by FMS at Jowhar ;	2018	A ROL working group (technical committee) in at least 2 FMS exists and capacity is built on federalism	Rule of Law Working group established and operationalized; bi-monthly meeting; basic principles on federalism on the justice sector emerges from the discussions	RoLWG established in 4 FMS and operationalized; bi-monthly meetings; Basic principles,	RoLWG established in 4 FMS and operationalized; bi-monthly meetings; Link with constitutional review process established	FMS rule of law working group discussions	UNDP; UNSOM, FGS and FMS MOJ	
	Public expenditure review of the justice sector including propositions for sustainable financing model of the justice sector	Report on public expenditure review	SJPER by World Bank	2016	0	Workplan for PER	Implementation of workplan on PER	Financial analysis of the justice sector	Information collection sheets and government budget; workplan & report	UNSOM JJCS, UNDP, FGS MOJ	

Output 2.2 institutional and technical capacities of key justice institutions are established and informed from the community dialogue	Model information desks; information desk needs identified by the community in outcome 2	established information desks that would specifically help women clients	Information desk established as pilot in 3 institutions		0	2	4		Data from registry	IDLO & UNDP, SC and FMS Judiciary	No budget for 2021
	# of courts with manual case filing system and case flow and standardisation system with ability to record disaggregated data per type of cases (including SGBV)	Written procedures and protocols, asset registration, data produced	System set up in Banadir and Puntland	2017	1	Courts in 2 FMS capitals	Courts in 4 FMS capitals		quarterly case management data	UNDP, UNSOM, FGS SC and FMS Judiciary	NO budget for 2021
	Judicial training institute designed to strengthen the capacity of judicial officials to deliver justice.	Strategic framework, Results of court monitoring project	Informal trainings of 10 instructors and 10 modules developed without a formal	2017	Training needs assessment undertaken; Master training plan developed	JTI Establishment Options Paper, Strategic framework, structure, and Twining plan for the judicial training institute	Judicial training establishment charter, structure and strategic plan agreed implementing qualitative basic training programme	Total of 7 weeks of training for judges developed and implemented	TOR of judicial Training Institute	IDLO & UNSOM, UNDP, FGS SC, FMS judiciary	

			trainin g archite cture in place				for judicial personnel ³⁰				
	Model for specialised AGO units established on SGBV and serious crimes (capital crimes);	# of cases processed by AGOs' SGBV units,	SGBV units establi shed in PL and Mogad ishu	2017	Special SGBV Unit at AGO in Banadir with protocols established	Specialised SGBV and serious crimes unit established at AGO FGS	Specialised unit at AGO Puntland established	40 prosecutors trained; and leadership training/me ntoring provided to 12 women prosecutors. SGBV cases (2018-2021) recorded, analysed; based on the analysis, capacity building strategy to SGBV cases adapted, 100 GBV cases supported	Case management data from AG Office	IDLO, UNICEF and UN Women, FGS AGO and GMS AGO	

³⁰ Quality will be measured through a court monitoring project

	Model of Juvenile justice system established in Puntland	# of juveniles diverted from the formal justice system benefitting community-based care programme	Diversi on guideli nes adopte d in Puntla nd	2018	0 juveniles diverted benefitting from a community-based care programme	0 juveniles diverted	200 juveniles diverted	350 juveniles diverted	Ministry of Justice diversion report	UNICEF, Puntland AGO	
	# of law students benefiting from the programme	Graduation of students in law programme with practical legal education introduced	147 (W:48, M:99) benefit from the scholarship progra mme	2017	50 law graduates	Nb of law students supported (30% women)	Nb of students supported (30% women)	Nb of students supported (30% women)	Report from PSU and Mogadishu University	UNDP, PSU, FGS MOJ	
	Develop & finalize a roadmap for transfer of high-risk cases to the civilian courts through a stakeholder consultation.	Strategy documents in place; monitoring report;	No agree ment or strateg y	2017	0	Roadmap and strategy for transfer of high-risk cases to the civilian court, agreed upon	Roadmap implement ion started		case management data; approved strategy	IDLO, UNSOM, FGS AGO, FGS MOJ	No JJ budget for 2021 however the Government has allocated funding t for the establishment of the judicial police for the operationaliza tion of the Mogadishu Prison and Court complex

	# of bar associations established and functional with % of women lawyers registered; # of defence lawyers trained with % of women lawyers	Registration of lawyers, report from workshops, training reports,	Draft advocates act developed - however, only one Bar Association currently exists in Puntland	2017		2 bar associations established; 30 lawyers trained	4 bar associations established; 90 lawyers trained	100 lawyers trained; 200 lawyers registered (and disaggregated by gender and region) by SBA secretariat in SBA database. ³ women lawyers associations are established in Puntland, Jubaland and South West	registration data of lawyers from Bar Association,	IDLO, UNDP, UNSOM & UN Women, Bar associations,	
	# of laws monitored by PLDU on human rights and Constitutional compliance	PLDU reports	21 laws, 3 policies and 2 concept notes produced by PLDU in the last ROL	2017	0	5 laws monitored	10 laws monitored	5 laws monitored ³¹ digitization of 100 laws, including ensuring public engagement through awareness campaign	Analysis reports from PLDU	FGS MOJ, UNDP, UNSOM	

³¹ Number of laws decreased compared to 2021 since support to PLDU will be reduced.

			document period (2014-2017).								
Total Outcome 2											
Outcome 3: Programme management	# of evaluations conducted	2 evaluation reports	One end term evaluation report	2017	0	One midterm evaluation undertaken	1 end term evaluation undertaken	Lessons learned from JJP developed	Evaluation reports	UNDP	
	Next Programme design	Programme document				Consultations undertaken and document drafted		New Justice Programme designed and signed		UNDP	
	# of project monitoring visits per quarter, which specifically looks at access to justice for women clients;	Bi-annual reports	16 key evaluation findings with recommendations	2017	at least 2 per quarter	At least 2 per quarter	at least 2 per quarter	at least 2 per quarter	Monitoring reports	UNDP	
	10# of PSC's held during programme implementation	Reports and minutes from the PSCs	2 PSCs	2017	2	4	4	2	Reports and minutes from the PSCs	UNDP	

	# of Annual UN Global focal point arrangements for Rule of Law's retreat	Retreat report			0	1	1	1	Retreat report	UNDP & UNSOM	
	IDLO management and staff costs	# of reports provided to the JJP						2	Progress reports from IDLO		
	Bossasso court	Renovation of Bossasso court						Bossasso Court built			
Total Outcome 3											4,510,000