Final Evaluation Report

Sawasya II - Promoting the Rule of Law in Palestine

July 2018 - June 2023

Evaluation: January - April 2023

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Commissioned by UNDP Palestine

UNDP Programme and Evaluation Information

Programme Information		
Project title	Sawasya II - Promoting the Rule of Law in Palestine	
Atlas ID	00111750	
Corporate outcome and output	2018-2022 UNDAF: SP2: All Palestinians, especially those exposed to vulnerabilities, have equal access to accountable, effective, and responsive democratic governance, in line with international human rights standards	
Country	Palestine	
Region	Arab States	
Date project document signed	July 2018	
Project dates	**Start**	**Planned end**
	July 2018	December 2023
Total committed budget	USD 37,987,355	
Project expenditure at the time of evaluation	**USD 28,229,047**	
Funding source	**Netherland, SIDA, European Union, Spain, UNDP BPPS**	
Implementing party	**UNDP/UN Women/UNICEF**	

Evaluation information		
Evaluation type (project/ outcome/thematic/country programme, etc.)	Programme	
Final/midterm review/ other	Final	
Period under evaluation	**Start**	**End**
	August 2018	March 2023
Evaluators	Dr Patrick Hagan, Shahzada Ahmed, Waddah Abdulsalam	
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Evaluation dates	**Start**	**Completion**
	January 2023	June 2023

Executive Summary

The evaluation's primary finding is that the Sawasya II Programme is a well-managed and highly effective joint effort to support access to justice for women and children in Palestine. Despite the highly difficult political, financial and crisis setting, the programme has achieved significant success in its efforts to improve access to justice for vulnerable populations. The programme's approach was very successful, utilizing a participatory and holistic approach that fostered a high level of engagement from most of the key stakeholders. Building on previous interventions, and with good follow-up based on research has yielded strong results for the joint programme.

Sawasya II remains highly relevant and attentive to the needs of women and children in Palestine. The programme's efforts with both government and civil society are crucial in addressing the current access to justice needs of the population. The ongoing lack of significant improvement in the political or financial constraints on the Palestinian Authorities in the West Bank or progress on the re-unification/reconciliation of the divergent legal and political system in Gaza means that the justice system continues to require support from UN actors.

The Sawasya II programme has demonstrably taken an adaptive approach during implementation, making adjustments to deal with issues as they arise and crucially bringing on board relevant stakeholders to ensure bottlenecks are addressed and progress continued. Programmatic adaptation on strategic issues has been very good, with the continued delays on the passage of the Family Protection Bill (FPB) and the Legal aid bill, the programme has adapted its approach by 1) developing activities that at least in part achieve the objectives of the proposed bills and 2) leverage its good will and strong relationships in back-channel efforts to keep momentum. Sawasya's emphasis on improving the speed and reducing the cost of use of the formal justice system represent highly sensible efforts to address real issues of difficulty in access, and this should remain the priority of the programme in phase 3.

One of the fundamentals that underpin the success of Sawasya II is the adequate resourcing of the core team, integrating as it does staff from the three agencies. The effectiveness of Sawasya II in minimising inter-agency competition is enabled by a number of fundamental decisions on approach, including suitable staffing levels, co-location of staff from the three agencies, consistent programme leadership and management, and the commitment and guidance from the 3 UN senior management teams. The team capacity enables it to efficiently managing the full range of activities of the programme, collect and analyse data, and maintain a continuous learning approach through implementation. Donor partners were highly positive about the value for money of the programme, something that is only possible due to adequate staffing.

Sawasya II has continued to expand and deepen its internal learning mechanisms to leverage the excellent monitoring system it has built and implemented within the Palestinian justice system. There is still work to be done on the alignment of programme learning systems to give them the best chance of having a positive effect impact on programme decision making and approaches, and for them to support external influence. Sawasya II is a highly complex programme, and the evaluators acknowledge that this alignment is difficult to implement and sustain immediately but the gradual approach adopted by the programme's management has proven effective.

Sawasya's II role in the Justice Sector Working group remains absolutely fundamental to the coherence of international support, and should be maintained. Sawasya II has also played an important role in supporting coherence through its approach to encouraging sharing and coordination between CSO partners. This is a highly effective strategy for leveraging the spread of Sawasya II support to achieve greater outcomes, and it is probably critical for the success of some of the advocacy efforts being undertaken.

Overall, the Sawasya II Programme continues to effectively deliver results for the vulnerable, providing services directly and supporting incremental gains in formal justice institutions. The programme has continued to do well to link CSO's and state organisations both for service provision and for advocacy and accountability. The results are evident, with more services made available and more women and children able to access them. The programme's role on advocacy remains as critical, albeit with less evidence so far that the programme has been successful in supporting strategic effects that have improved the state of the debate around women and children's rights to justice.

Sawasya has had a major impact through the introduction of an efficient court and case management system, known as Mizan. This achievement is remarkable considering most such initiatives are solely focused on the IT technical aspect, and, fail to produce any meaningful cultural change in institutional behaviour or support sustained improvements in court functioning and integration of the justice system. The success of Mizan is one predicated on a series of good programme choices during implementation, including the long development cycle and iterations of the program, the lengthy development and testing cycles, identification of the right government agency to start with, providing support and accompanying implementation at that agency to make it effective there first, using internal Palestinian adoption to spread the system to other organisations, successfully embedding technical support within each organisation, and placing emphasis on organisational management in addition to case management (including a strong monitoring capability). Finally the embedding of fundamental access for the citizens to their case details represents a huge success in empowerment, thereby enhancing the accountability of the system through increased transparency. The approach used by the programme fostered a sense of pride within the formal institutions which in turn accelerated adoption and integration of the system ensuring sustainability and ownership.

The evaluation supports the significate emphasis on early intervention and efforts to use diversion from full court processes that Sawasya II has adopted, given the clear and ongoing issues with the timeliness of the formal system. The efforts to improve initial contact with the police and legal system, the integration of social services at the earliest point, and the development of alternatives to legal redress and to detention represent a sensible investment and appear to be providing direct benefits to women and children who come into contact with the law. Despite this, there is still a great deal to be done, as the One Stop Centre's are a success in Ramallah but are still in the early stages of implementation elsewhere. The initial focus has also been primarily on women, despite the remit and capability clearly being the same pathway for children, and there is an opportunity to strengthen the integration of social and justice services for children more thoroughly.

The programme's efforts on institutional strengthening are also considered effective and should be sustained. There have been significant improvements in the functioning of the High Judicial Council and the Attorney General's Office, both of which show clear improvements in whole of system functioning. There are also improvements within the Police's Family Juvenile Protection Units and Sharia courts, albeit with a more emphasis on the gender and child focused capacities.

Finally the programme has succeeded in supporting the development of stronger accountability systems within and over the formal justice system. The programme has adopted a good balance of strengthening internal monitoring and oversight capabilities within the agencies, while also supporting external oversight through mechanisms involving CSO's.

Sustainability remains the most challenging domain overall. The programme has demonstrated consideration of sustainable outcomes, with capacity development in the formal system showing clear signs of being implemented into the partner organisations processes and capabilities. However more could be done to assess the balance between international good practices and what level of capability is realistically maintainable by the Palestinian state.

Recommendations

Recommendation 1: Phase 3 of Sawasya is necessary in order to sustain the progress achieved so far, and to expand access to justice throughout Palestine. There should be a very high degree of continuity with Phase 2 to develop and retain the gains made thus far. The project has accumulated a great deal of goodwill, trust and engagement from donors, government and Implementing Partners which can be leveraged to pilot new initiatives, address bottlenecks/spoilers and begin the handover process of key activities.

Recommendation 2: Sawasya should continue to invest in aligning its work with other actors, notably with EUPOL COPPS while also maintaining its role as a thought leader by providing its highly valued analysis and advisory support to the Justice Sector Working Group.

Recommendation 3: The Sawasya II Programme should be further reviewed by the UN system to identify and validate the factors that have enabled a successful and truly joint approach. The UN should look to standardise and promote approaches that enable more effective joint programmes.

Recommendation 4: Continue to support further integration of Mizan, including encouraging improved integration into Police systems.

Recommendation 5: UNDP corporately should learn from Sawasya's successful strategy, which is less about the specific IT system established, and more a result of the long term, iterative approach to implementation that was utilized.

Recommendation 6: Support CSOs advocacy and awareness raising efforts with public in a more targeted and strategic manner.

Recommendation 7: Maintain a concerted effort to promote the utilization, expand the availability, extend the reach, and strengthening the quality of the initial formal justice interactions with women and children.

Recommendation 8: The programme should continue to invest in enhancing diversion and alternative dispute resolution options to address issues of cost and delays in the formal justice system.

Recommendation 9: The next phase of implementation should maintain the core team staffing resources given the ongoing scope of the programme and the need for complex adaptive approaches.

Recommendation 10: Consider ways in which CSO connections can be improved such that they leverage their strengths and are assisted in recognising and pursuing opportunities for joint efforts.

Recommendation 11: The programme should clarify and document the analysis and assessments of the sustainability of international good practice concepts and capabilities it is developing or considering.

Contents

UNDP Programme and Evaluation Information 1

Executive Summary 2

Recommendations 4

Acronyms 7

Introduction 9

Description of the Intervention 9

Evaluation Scope and Objective 12

Specific objectives 12

Approach and Methodology 13

Approach and Participation 13

Sawasya II programme evaluation questions 13

Data Collection Methods 15

Stakeholder Participation and Interviews 15

Background documents 15

Ethical Considerations 16

Evaluation Team 16

Limitations of the Methodology 16

Data Analysis 16

Findings 16

1. Relevance 16

National development priorities. 17

Programme adaptation during implementation. 18

Internal learning 18

Access to Justice for women and children. 19

2. Coherence 20

Coherence of international actors 20

UN coherence 20

Coherence of effort between CSO's 21

3. Effectiveness and Impact 22

Court management and impactful IT system development 22

Palestinian community capacity and empowerment 23

Palestinian State capacity 24

4. Efficiency 28

Adequate programme resources 28

Efficiency of implementation 28

Information for decision making 29
Partnerships with civil society 29
UN systems and processes 29
5. Sustainability 30
Difficult financial context 30
Focus on sustainable options 31
Conclusion 31
Recommendations 32
Lessons Learned 33
Annex 1: List of organizations consulted 35
Annex 2: Programme Theory of Change 0
Annex 3: Reviewed Documents 0
Annex 4: Evaluation Matrix 1
Annex 5: Terms of Reference for the Evaluation 7

Acronyms

AGO	Attorney General's Office
CEDAW	Convention on the Elimination of All Forms of Discrimination against Women
CSO	Civil Society Organization
DCAF	Geneva Centre for Security Sector Governance
EU	European Union
EUPOL COPPS	European Union Police and Rule of Law Mission for the Palestinian Territory
GBV	Gender-Based Violence
HACT	Harmonized Approach to Cash Transfers
HJC	High Judicial Council
HQ	Headquarters
ISSAT	International Security Sector Advisory Team
JSWG	Justice Sector Working Group
M&E	Monitoring and evaluation
MoJ	Ministry of Justice
MoSD	Ministry of Social Development
MPTF	Multi Party Trust Fund
OECD DAC	Organisation for Economic Cooperation and Development, Development Assistance Committee
PBA	Palestinian Bar Association
PCBS	Palestinian Central Bureau for Statistics
PCP	Palestinian Civil Police
PJI	Palestinian Judicial Institute
RoL	Rule of Law
SDGs	Sustainable Development Goals
SJD	Supreme Judge Department
SOPs	Standing Operating Procedures

ToC	Theory of Change
UN	United Nations
UN OHCHR	United Nations Office of the High Commissioner for Human Rights
UN Women	United Nations Entity for Gender Equality and the Empowerment of Women
UNDAF	United Nations Development Assistance Framework
UNDP	United Nations Development Programme
UNFPA	United Nations Populations Fund
UNODC	United Nations Office on Drugs and Crime

Introduction

Sawasya II: Promoting the Rule of Law in Palestine is a joint "One-UN" programme comprised of UNDP, UN Women and UNICEF. The government signatories to the programme document are the Ministry of Justice (MoJ), Ministry of Social Development (MoSD), the High Judicial Council (HJC), the Attorney General's Office (AGO), and the Supreme Judge Department (SJD). Non-signatory partners include, inter alia the Palestinian Civil Police (PCP), the Palestinian Bar Association (PBA), and the Palestinian Judicial Institute (PJI). The programme is supported by the Netherlands, the Swedish International Development Agency, the Spanish Agency for International Development Cooperation, and the European Union (EU).

The programme was designed as a "3+2" in which the first three years of the programme would be evaluated and an optional two-year extension would be confirmed in 2021. The programme is budgeted at $10 million USD per year, and has currently received funds and commitments of approximately $44 million.

Strategically, Sawasya II serves as the primary vehicle of the United Nations for advancing the rule of law, integrity within the justice sector, gender justice and human rights in Palestine for the period 2018-2023. Bringing together the main UN entities mandated and invested in these areas in an integrated programme framework, Sawasya II seeks to elevate the state-building enterprise for a progressively functioning and increasingly inclusive rule of law system that respects, protects and fulfils human rights and gender equality commitments and promotes peace and security.

Sawasya II is adopting a holistic gender mainstreaming approach and developed a gender strategy which sets out tools, methods and approaches to ensure that women's rights, needs and interests are adequately taken care of in the programme's policy, programming frameworks and directions. Acknowledging that the ability to access justice is a human right itself and is key to the realization of all other human rights, Sawasya II is set out to address gender justice gaps and discrimination against women which are deeply entrenched in the justice and security systems in Palestine.

The legal framework for advancing children's access to justice is in place with the amendment of the Palestinian Child law in 2014 and the endorsement of the juvenile protection law by a presidential decree in 2016. The child justice and protection institutions have made efforts to implement these laws but an assessment of children's access to justice conducted by UNICEF highlighted existing gaps and challenges. The programme's interventions are focused on strengthening the capacity of specialised child justice professionals and establishing referrals, diversion and alternatives to detention systems.

The overarching objective of Sawasya II has UN Sustainable Development Goals (SDGs) 16 and 5 at its core: focused on the promotion of peaceful and inclusive societies for sustainable development, provision of access to justice for all, and the realisation of effective, accountable and inclusive institutions at all levels (SDG 16), and on achieving gender equality and empowerment for women and girls (SDG 5). Sawasya II builds on the considerable accumulated experience and expertise of the involved UN entities, at both global and local levels, including that of the Sawasya I joint programme of UNDP and UN Women, as well as the experience of UNICEF, and aims to leverage partnerships with other key bilateral and multilateral development partners, including the Office of the United Nations Special Coordinator for the Middle East Peace Process, the Office of the Middle East Quartet, the European Union (via both the Office of the EU Representative and the EUPOL COPPS), and lead bilateral donors in the justice and security sectors.

Sawasya II builds on established partnerships with government and civil society at all levels and capitalises on the extensive reach of the involved UN entities across the West Bank, including East Jerusalem, and the Gaza Strip.

Description of the Intervention

Efforts to advance the rule of law in Palestine continue to contend with three essential problems: the democratic deficit that profoundly affects the capacity, accountability and perceived legitimacy of the state's justice and security apparatus; the obstacles to full realisation by the Palestinian people of their basic human rights and fundamental freedoms; and gender inequality and stereotypes that are deeply entrenched in legal, social and

political norms. Stagnation of the peace process, the state-building process, and national reconciliation efforts have all hindered recent efforts to strengthen the rule of law, and while technocratic solutions have made positive inroads towards improving institutional capacities, strengthening services and advancing access to justice and security, many of the fundamental preconditions for sustainable rule of law development have yet to be realised.

There are key external and internal factors that affect sustainable development in the rule of law and the realisation of human rights in Palestine. The fundamental external factor is the ongoing occupation by Israel. While the key internal factors are the deep national division since 2006, a dysfunctional legislative environment, fractured legal jurisdictions, weak institutional capacities, corruption, discriminatory social norms, and a lack of clarity around institutional roles and mandates. Although there was a temporary breakthrough in the reconciliation process in 2018, it unfortunately did not result in any permanent gains. If the reconciliation process gains traction, there are numerous potential scenarios which will have a significant impact on the work in and of the justice sector. A flexible approach will be required in order to respond to the changing context to consolidate and capitalise on positive developments.

As a conflict-affected population, women and girls experience multi- layers of insecurity and discrimination due to the ongoing Israeli Occupation and the entrenched patriarchal norms and practices within the Palestinian society. Women and girls are disproportionately impacted by the discriminatory practices of the occupation, such as houses demolitions, prevention of family unification, freedom of movement and others, which put them at higher risks of violence in the public and private spheres. Gender myths and stereotypes on the other hand, have structurally influenced women's access to rights, power, resources and knowledge, and resulted in the development of discriminatory legislations, policies and practices, that undermine women's experience, voices and rights, and reinforce males' domination and supremacy over women. This is reflected in lenient legal provisions, which are inherited from various years such as the 1960 Jordanian Penal Code, still applicable in the WB, with lenient legal provisions regard family violence. In addition to the shortcomings in the Family Status Law, which is not in harmony with international conventions regarding early marriage, women right to child custody and others.

With this in mind, and due to the predominant cultural norms, women are often stigmatized when reporting GBV to the authorities particularly sexual assault crimes. In addition to the lack of proper specialized services for these cases in the justice system, which discourage them to pursue justice, and result in low number of prosecutions and convictions of VAW cases. Likewise, lack of serious official data regarding crimes against women and girls is another aspect that is seriously affecting the realization of rights.

Despite the challenges noted above, important progress has also been made. On the legislative front, Sawasya I played a pivotal role in drafting and promoting a Family Protection Bill aligned with international human rights standards. With regard to justice for children, the Juvenile Protection Law (by decree), passed into law in March 2016, has been widely welcomed as providing greater protection for children in contact with the law. The law unifies domestic and international law, and updates the Palestinian juvenile justice system. It recognises minors – those under the age of 18 – as victims in need of protection, rehabilitation, and reintegration into society, rather than as criminals deserving punishment.

Rule of law remains a cornerstone of state-building in Palestine and continues to be an important focus for international assistance. The international community has long recognised that developing functioning and successful public institutions is a long-term challenge for governments, particularly in fragile settings, but also that both short-term and long-term results can be achieved through well-designed and committed development assistance programming. Within the United Nations system, there is a general consensus that in the post-2015 agenda, gender equality and the empowerment of women are pivotal as intrinsic human rights principles, and as catalysts for achieving all human development goals and good governance. Realizing women's human rights implies recognizing and addressing the underlying foundations of gender-based inequality, and the root causes of women's human rights violations; challenging structural constraints to equal rights and putting in place appropriate policy and programmatic responses in line with human rights principles enshrined in the major UN Conventions.

At the level of institutional regulatory and policy frameworks, rule of law, integrity, human rights and gender justice in Palestine are all seriously affected by the democratic deficit, including the lack of regular elections and a functioning legislature, the bifurcated and fragmented legal and policy settings and weak enforcement of laws.

Laws promulgated after 2007 are subject to questions of legality and legitimacy and although Palestine ratified the core set of international human rights treaties in 2014, they have yet to be published in the official gazette and formally incorporated into law, policy and practice in a systematic way. Budget allocations are not yet fully aligned to the national and sector priorities, and the availability of data and statistics is insufficient to form a sufficient evidence base for law, policy and service provision.

At the level of effective, accountable and inclusive service provision, the influence of personal relationships over institutional frameworks and formal processes prevails. Corruption, whether actual or perceived, erodes public confidence in the public administration. Transparency and accountability mechanisms are also limited, both in the public sector and in non-government service providers who fill the gaps in service provision in Palestine where service delivery by the State is weak, limited, or unavailable.

Finally, access to justice, security and protection remains impeded by resource constraints (for example in the provision of legal aid and specialised services for vulnerable groups) and centralisation of services. Information about services is limited and poorly coordinated, meaning people are often unaware of services or where and how to locate them. At the societal and normative level, access to justice, in particular for women, is often impeded by discriminatory social norms that do not recognise gender-based violence as a crime or women's human rights claims. Access to justice for children is largely user-unfriendly, and traumatising for children as victims as well as offenders. Long delays in judicial proceedings, poor investigative techniques with specialist and non-specialist police and social services, almost non-existent diversion, as well as limited alternatives to detention, and limited rehabilitation and reintegration support services result in families and communities reliant on unregulated informal justice actors.

In order to address these issues Sawasya proposed a programme focused on addressing four critical and interlinked preconditions to improved access to justice supported through effective and accountable institutions. These are:

1. Rule of law institutions are strengthened and reunified by legal, regulatory and policy frameworks in line with international standards;

2. Service provision by rule of law institutions is effective, accountable and inclusive

3. All Palestinians, especially children and vulnerable groups, have access to justice, security and protection without discrimination

4. Women's access to justice and security are improved through gender-responsive service delivery and empowerment of women

The Sawasya Theory of Change (ToC) sets out the understanding of how change can be achieved through these interrelated factors and how UNDP will intervene to support such changes, as described below, and shown in Annex 2.

IF key legislations are revised to strengthen the independence of Rule of Law institutions and ensure their consistency with international standards, and; IF evidence-based planning and policy development in the justice and security sector is strengthened through enhanced data collection, monitoring and evaluation (in alignment with SDG/HR indicators); and IF West Bank and Gaza rule of law institutions are reunified, and IF advocacy on strengthening rule of law institutions and promoting human rights is reinforced.

THEN there will be rule of law institutions that are strengthened and reunified by legal, regulatory and policy frameworks in line with international standards;

AND

IF quality and efficiency of security and justice services provided to Palestinians are improved; and IF, quality and efficiency of security and justice services provided to areas unserved by the Palestinian government are improved;

THEN Service provision by rule of law institutions will be effective, accountable and inclusive;

AND

IF vulnerable populations have access to justice, security and protection; and IF vulnerable populations in areas underserved (Area C, Hebron 2, and EJ) by the Palestinian government have access to justice, security and protection;

THEN All Palestinians, especially children and vulnerable groups, will have access to justice, security and protection without discrimination;

AND

IF capacity of rule of law institutions to respond to needs of women are improved; and IF new practices of justice and security services providers are supported to transform their attitudes and behaviours towards women and girl; and IF women and children have access to justice, security and protection

THEN Women's access to justice and security will be improved through gender-responsive service delivery and empowerment of women.

The Sawasya ToC proposes that if all of these conditions are achieved, then the rule of law system will respect, protect and fulfil human rights and gender equality and promote peace and security. The programmes activities have been organised to support achieving the changes described in this overall theory.

Evaluation Scope and Objective

The main purpose of this final evaluation is to provide evidence and recommendations on the outcomes or results of the Sawasya II programme ”Promoting the Rule of Law in Palestine” on the lives of beneficiaries that can be attributed to UN-interagency interventions. It will also provide recommendations relevant to the formulation of a third phase of the Programme, Sawasya 3.

The secondary purpose of the evaluation is to provide UNDP and the Global Programme with further evidence of monitoring good practices at the country level, and contribute to assessing the extent to which the evaluation cycle is successfully contributing to programme learning and improvement.

Specific objectives

1) Assess the relevance of project activities, procedures and structures to the program’s context and overall goal including strategic decision-making and prioritization of limited resources.

2) Assess the efficiency, effectiveness, impact, institutional capacity, sustainability, coherence, coverage, and risk management of the program including the role of the program’s steering committee, UN agencies organizational, financial, administrative and fundraising systems and actions for the implementation of the programme.

3) Develop conclusions and suggest actions to inform the programme’s overall learning about what works and what does not so the programme can adjust/improve/refine if needed in the final phase of implementation. This should include not only the results the programme has achieved to date, but to explain the ‘how’ and the ‘why’ – why progress was made, and why not – in order to provide a process focus, rather than only a results focus – and what that learning informs for future programming.

4) Assess different stakeholders’ satisfaction from the program and its interventions.

5) The evaluation will also cover how cross cutting issues such as a human rights-based approach to programming (HRBAP), gender equality and equity has been addressed and make recommendations for increased mainstreaming of these cross-cutting issues as required.

Approach and Methodology

Approach and Participation

The main components of the evaluation were an initial document review and assessment of the details provided by Sawasya staff, followed by a two-week evaluation mission to Palestine to conduct interviews, focus groups, and carry out site visits to some of the programme implementation locations.

The evaluation used a participatory and iterative evaluation approach throughout all phases. A fundamental aspect of such an evaluation focus is the need for the UNDP/UN Women/UNICEF staff to have a strong sense of ownership over the evaluation, including the analysis and recommendations produced in the final report. The evaluation team worked closely with the programme staff and their key stakeholders to focus the evaluation correctly and to ensure that there is full transparency in the data being collected. The programme team had the opportunity to provide their views on all key areas explored or covered by the evaluation.

With the need to have impartial and accurate feedback from stakeholders on the programme, there is no direct attribution of statements or specific findings to individuals interviewed during the evaluation.

The evaluation used the ISSAT project evaluation methodology and OECD DAC Criteria for evaluations. The overall evaluation is framed around 6 key criteria which provide the key questions and organize the data collection: relevance, coherence, effectiveness, sustainability, efficiency, and impact. Across these criteria are two cross cutting frames of assessment, the programme's success in supporting human rights and gender equality.

Sawasya II programme evaluation questions

Relevance:

- To what extent was the programme in line with the national development priorities, the country programme's outputs and outcomes, and the SDGs?
- To what extent were perspectives of those who could affect the outcomes, and those who could contribute information or other resources to the attainment of stated results, taken into account during the project design processes?
- To what extent does the original programme concept and objectives address the justice needs of targeted beneficiaries?
- To what extent does the programme contribute to gender justice and equality, the empowerment of women and the human rights-based approach?
- To what extent does the programme contribute to child rights?
- To what extent the programme is flexible, adaptive and context-specific to adjust strategies over time, as circumstances evolve (eg. conflict in Gaza, the Covid-19 pandemic) and the changing external environment?

Coherence

- To what extent is this intervention coherent with other actors' intervention in the same context (This includes complementarity, harmonisation and co-ordination with others, and the extent to which the intervention is adding value while avoiding duplication of effort.)
- To what extent is the intervention coherent with international obligations on fair trial and access to justice?
- To what extent is the intervention coherent with international obligations on gender justice and justice for children?

Effectiveness

- To what extent did the programme contribute to the country programme outcomes and outputs, the SDGs, the UNDP/UN Women/UNICEF Strategic Plans and national development priorities?
- To what extent are the programme outputs and outcomes on track or achieved?
- In which areas does the programme have the greatest/fewest achievements? Why and what have been the contributing factors? How can the programme build on or expand these achievements or how can they be overcome?

- What have been the key results so far and to what extent those results to date are likely to lead to the achievement of the programme's objectives in the time remaining ?
- What, if any, alternative strategies would have been more effective in achieving the programme's objectives?
- Are the programme's objectives and outputs clear, practical and feasible within its time frame?
- To what extent is the programme management and implementation participatory and is this participation contributing towards achievement of the programme objectives?
- How effective have the programme partnerships with civil society organizations been in contributing to achieving results in Gaza?

Efficiency

To what extent:

- Has the programme delivered its expected results to date, including in terms of budget allocation and cost-efficiency of activities?
- To what extent has the UN programme's partnership strategy been appropriate and effective?
- Was the intervention implemented in a timely way?
- Was the intervention implemented in the most efficient way compared to alternatives?
- Did the targeting of the intervention mean that resources were allocated efficiently?
- To what extent do the M&E systems utilized by the programme ensure effective and efficient project management?

Impact

- What were the effects of the intervention on recipients' lives?
- To what extent is the programme on track to support, or likely to support/contribute to capacity change of partners, influence on broader policy/systems and impacts at beneficiary level?
- Did a specific part of the intervention achieve greater impact than another?
- Were there unintended (positive or negative) effects for recipients and non-recipients of assistance?
- What were the gender-specific impacts? Did the intervention influence the gender context?
- What is the contribution of an intervention to long-term intended results?

Sustainability

- To what extent did the programme intervention implementation arrangements include considerations for sustainability, such as capacity building of national and local government institutions, communities, exit strategies and other partners?
- Will targeted men, women and vulnerable people benefit from the project interventions in the long-term?
- Will financial and economic resources be available to sustain the benefits achieved by the project?
- Are there any social or political risks that may jeopardize sustainability of project outputs and the project contributions to country programme outputs and outcomes?
- Are lessons learned documented by the project team on a continual basis and shared with appropriate parties who could learn from the project?

Cross-cutting questions

Human rights

- To what extent have the poor, the physically challenged, women, children and other disadvantaged or marginalized groups benefited from the work of the programme in the State of Palestine?
- Have there been any changes in society/with authorities in terms of behaviour/practice?
- To what extent has the programme contributed to the protection and promotion of human rights in the state of Palestine?

Gender equality

- To what extent have gender equality and the empowerment of women been addressed in the design, implementation and monitoring of the programme?
- What evidence is there that the programme promoted positive changes in gender equality and the empowerment of women? Were there any unintended effects?

The above represents a significant number of wide-ranging questions, and so was organised into a coherent set of nested questions as described in the evaluation matrix, which can be found in Annex 4 below. This structuring of the question set enabled the evaluation team to present the findings and recommendations according to how the programme functioned in practice.

Data Collection Methods

The evaluation used three forms of data collection methods, comprised of document review, direct collection of perceptions from programme staff and partners, and the observation of sites of programme implementation. The previous mid-term review was conducted remotely due to the Covid pandemic, so a priority for the final evaluation was to conduct interviews and observation visits to government offices and CSO sites to collect information face to face. The evaluation data collection was centred around a two week visit to the programme, which included Jerusalem to meet with UN leadership and donor partners, Ramallah to visit the programme and implementation partners, and the Gaza strip to interview stakeholders and UN staff in that implementation location.

A mixed-methods approach using qualitative and quantitative data collection methods was applied to gain an understanding of the performance of the project. Data collection was conducted based on two main sources of information, i.e., **primary sources** (e.g., site visits to partner locations and personal interviews with 79 key informants, including 45 women, representing a cross section of stakeholders, including donors and international and government and civil society partners, project beneficiaries) and **secondary** sources (project documents, including annual progress reports and UN and national policy documents and internet sources).

The evaluation team remained in close contact with the programme management team throughout the process, discussing progress over a series of exchanges and concluding the visit with several briefings on initial findings.

Stakeholder Participation and Interviews

The primary source of data collection was through semi-structured interviews during the two week mission to Palestine. This made up the main data collection element of the evaluation. The team built from the guiding questions and adapted the specifics of what was asked for each key actor that was interviewed. The adoption of an evaluation visit to Palestine enabled greater access to programme partners, most notably from civil society but also from the partner government agencies.

The evaluation visit started with interviews primarily with UNDP/UN Women/UNICEF programme staff, management and supervision bodies, to get a first impression of the workings of the programme. This was followed by interviews with national authorities leading on implementation, including specifically the Ministry of Justice (MoJ), Ministry of Social Development (MoSD), the High Judicial Council (HJC), the Attorney General's Office (AGO), the Palestinian Central Bureau of Statistics (PCBS), and the Palestinian Civil Police (PCP), as well as other relevant programme partners including [1][redacted]. Finally, also donors engaged in support to the UN programme (the EU, the Netherlands, the Swedish International Development Agency and the Spanish Agency for International Development Cooperation) were interviewed.

The strong gender focus of the overall programme meant that the evaluation encountered no difficulty in ensuring adequate inclusion of women in the process, and more than half of all interviews were with female respondents.

Background documents

The review of documents included:

- Programme documents: documents outlining contractual obligations, programme budgets, workplans, progress reports, previous evaluations and evaluations of particular activities/ components, reporting templates etc.

[1]A full list of consultations can be found in Annex 1.

- Background documents: reports from the PCBS indicating baseline information of justice system performance at the time of the programme inception and meeting notes from the steering group meetings.

A full list of documents that have been provided to the evaluation team and reviews can be found in Annex 3.

Ethical Considerations

The evaluation team adhered to the transparency norms and ethical principles set out by the United Nations Evaluation Group (UNEG). The evaluation was conducted in line with the principles that are described in the UNEG's Ethical Guidelines for Evaluation and the Code of Conduct for Evaluators in the UN System.

In line with these guidelines the evaluation was carried out in a participatory and gender sensitive manner. The evaluation sought and was able to ensure equal participation of men and women, and emphasis was given to vulnerable groups. Due to the sensitivity of the subject matter all individuals were informed from the start of each interview that no comments would be directly attributed to them, and the names of the respondents are not recorded in this evaluation report, only their organisational relationship.

Evaluation Team

A three person evaluation team conducted the evaluation. The team was comprised of a team leader and evaluation expert; a justice reform expert; and a local member with experience of the Palestinian justice system.

Limitations of the Methodology

The two primary limitations to the methodology are the limited time available to conduct the evaluation mission, and the influence of the security situation at the time of the evaluation visit.

In terms of the first, two weeks is a limited time to fully assess a complex programme which has made efforts to support access to justice reforms across Palestine. The limited time available meant that the evaluation team could not get to many implementation locations, and could spend only a limited amount of time in Gaza. While the programme organised a number of group consultations with partners to ensure a high level of consultation, there were limits to the extent to which the full range of partners could be given adequate time to share their experiences, and a limited number of visits to implementation locations were possible.

Secondly the security situation in Palestine deteriorated over the time of the evaluation process. The evaluation team was unable to visit some implementation locations due to the UN security assessment advice. This resulted in a proportionately greater level of visits in Ramallah, and less direct observation in other West Bank sites. The impact of this was offset by ensuring that interviews were conducted with CSO's working across the West Bank, But direct observation would have added additional context to the assessment.

Data Analysis

The mixed methods approach was adopted to allow data triangulation and analysis, which was used throughout the evaluation. The reliability and quality of information and data was assessed through a critical review and analysis, including cross-check of facts with respondents while collecting information. Triangulation of data, sources and methods was also used to minimise the possibility of errors and discrepancies. Data from different sources was collected using different data collection techniques, e.g., semi-structured interviews with different stakeholders and document analysis.

Findings

1. Relevance

The high level finding for this evaluation is that Sawasya remains highly relevant for addressing the justice needs of women and children in Palestine. The programme's efforts with both government and civil society are crucial in identifying challenges to and providing access to justice services in Palestine. The programme remains well

aligned with the stated Palestinian national priorities, however this is within a context of limited investment by the government of political capital for needed reforms. Over the years of Phase 2 implementation, there has been no significant improvement in the political or financial constraints on the Palestinian Authorities in the West Bank, or progress on the re-unification/reconciliation of the divergent legal and political system in Gaza.

The absence of elections for over a decade has further eroded the legitimacy of the Palestinian Authority, with many within the community questioning the government's ability to represent and meet the needs of its citizens. The lack of elections has had a significant impact on the justice sector, as the government has not been held accountable to its citizens through elections or provided with the necessary mandate to carry out reforms due to the Parliament refusing to convene because of the lack of elections. This has contributed to limited political will in justice reform, with resources and attention directed towards other priorities. It has also resulted in societal tensions between the government and the community, which undermines the extent to which justice is seen as being something the government can promote effectively or is invested in overall.

Despite this overall stasis in high level reform, Sawasya II has done well to adapt its approaches and implementation to attempt to support changes in access to justice for women and children. The programme's success in continued incremental gains in the effectiveness of Palestinian justice systems represents a strongly positive judgement on Sawasya's ongoing work to implement a flexible programme of reform in a difficult context. Likewise the UN has little choice but to remain invested in full system reforms if women and children are to have adequate access to justice in Palestine, and the question of programme relevance is primarily one of judging how Sawasya II has adapted to address resistance and maintain some level of political investment into reform outcomes.

The clearest contribution by the programme in this respect is the continued evolution, dissemination, and use of the Mizan electronic system. The transparency that Mizan provides extends outside the institutions of the justice chain and to clients of the system. It empowers citizens to track their cases and hold their attorneys and justice sector actors to account. It is, as such, an important tool for NGOs or CSOs that endeavour to monitor and provide oversight on the effectiveness of the sector. As such, in terms of reforming the justice sector and improving access to justice for women and children, Mizan is certainly a highlight of the programme's relevance and may contribute to maintaining some level of confidence, trust and even pride in the government's justice sector even during the current political impasse.

National development priorities.

Little has changed from when the mid-term evaluation occurred in terms of the alignment between the programme's support and national development priorities. The programme is well aligned and integrated into the Palestinian Authorities strategies and plans for reform. The National Development Plan 2021-2023 includes policy priority 19, improving access to justice under its sustainable development pillar, with women and children specifically noted as a priority for integrated delivery of and fair access to justice services.

The strong alignment between Sawasya II and the national development priorities continues to occur within the broader context of limited state attention and investment into justice reform. The political divisions between Hamas and Fatah, as well as the ongoing Israeli-Palestinian conflict, have led to a diversion of political will into other priorities which results in significant limitations on reform pressure within government. This is exacerbated by the ongoing and overwhelming limitations on financial resources, which have been further strained by the ongoing conflict and the economic impact of the COVID-19 pandemic. As a result, the government has no current pathway to a sustainable and sufficient state justice capacity, which represents an external factor limiting the extent to which the programme can support such an outcome.

Recommendation 1

Phase 3 of Sawasya is necessary in order to sustain the progress achieved so far, and to expand access to justice throughout Palestine. There should be a very high degree of continuity with Phase 2 to develop and retain the gains made thus far. The project has accumulated a great deal of goodwill, trust and engagement from donors, government and Implementing Partners which can be leveraged to pilot new initiatives, address bottlenecks/spoilers and begin the handover process of key activities.

Programme adaptation during implementation.

The Sawasya II programme has continued to use an adaptive approach during implementation, making adjustments to deal with issues as they arise and crucially bringing on board relevant stakeholders to ensure bottlenecks are addressed and progress continues. This was evident at the time of the mid-term evaluation, and Sawasya has continued to improve on its adaptation capability through its implementation of the recommendations from that evaluation.

While much of the programme context can be seen as fairly successful implementation of institutional reforms, adaption remains most critical for Sawasya engagement on strategic issues. There has been continued delays on the passage of the Family Protection Bill (FPB) and the Legal Aid bill, requiring the programme to adapt its approach by 1) developing and investing in activities that at least in part support achieving the objectives of the proposed bills and 2) leverage its good will and strong relationships in back-channel efforts to keep momentum.

Where there is concern lies in questions of the extent to which justice occurs through the state-based justice system, as many respondents stated that the majority of issues are resolved through customary and informal systems. Sawasya's emphasis on improving the speed and reducing the cost of use of the formal justice system represent highly sensible efforts to address real capacity issues that constrain access. These, along with the efforts to improve the quality and responsiveness of services such that more people prefer to use them, should remain the priority of the programme in phase 3. However, consideration should be given to assessing the utility of some efforts to improve human rights and gender equality compliance in the customary and informal systems that represent the primary pathway current used for dispute resolution by Palestinian women and children. The programme has increased its scope by reaching out to and providing support to dispute resolution mechanisms in the ecclesiastical churches which is an innovative and promising area for expansion.

Internal learning

The Sawasya II programme has continued to expand and deepen its internal learning mechanisms to leverage the strong monitoring system it has supported and implemented within the Palestinian justice system. This is a very positive outcome linked to the recommendations of the mid-term evaluation, however there is still work to be done on the sequencing and alignment of programme learning systems to give them the best chance of having a positive impact on programme decision making and approaches, and for them to support external influence.

For the learning mechanisms to have a positive impact on programme decision-making and approaches, they need to be contributing to key issues under the overall programme strategy, and developed on a timely basis. The insights and recommendations generated by the monitoring system should be systematically analysed then incorporated into the programme's decision-making processes, then used to adjust and refine the programme's approach to ensure that it adapts to changes or issues discovered during implementation.

Furthermore, it is important that the learning mechanisms also support external influence. The programme should use the insights and recommendations generated by the monitoring system to engage with external stakeholders, including donors, civil society organizations, and government officials, to influence their policies and decision-making processes. By doing so, the programme can amplify its impact and contribute to broader systemic changes in the justice sector in Palestine.

The evaluators recognize that achieving alignment and integration of learning mechanisms into programme strategy is a challenging task, particularly for a highly complex programme like Sawasya II. However, the programme's management has adopted a gradual approach to implementing these changes, which along with an increased investment in resources has proven effective in making progress towards a greater and more consistent whole of programme learning approach.

Access to Justice for women and children.

Access to justice for women and children is a critical component of a fair and equitable society. The need for the strengthening of this is a clear priority of the UNDAF under which the programme was delivered, covering 2018 to 2022. The programme has supported progress against the UNDAF Strategic Priority 2: All Palestinians, especially those exposed to vulnerabilities, have equal access to accountable, effective, and responsive democratic governance, in line with international human rights standards. Women and children often face unique barriers in accessing justice due to gender-based discrimination, cultural norms, and socio-economic factors. These barriers can prevent them from seeking redress for violations of their rights and accessing essential legal services and protections.

The programme's focus on women and children remains sensibly on a range of approaches that endeavour to mitigate the negative influences of some cultural norms, support more responsive services from state actors to justice needs, and reduce all forms of discrimination. The programme adopts an approach that recognises the limitations of Palestinian organisational capacity. With reference to children, it asserts that better outcomes are associated with less contact with the formal justice system. This conceptualisation leads to programme efforts that attempt to provide better justice outcomes at all stages of the justice system, including before point of contact with formal justice actors. Children in conflict with the law and women face different challenges and as such require different approaches, monitoring and adjustments.

For most citizens, including women and children, the police are the first point of contact. Women are often reluctant or unable to access police services because of social stigma, family pressure and possible retaliation for bringing police into what is often understood as a family matter. The programme, which includes a strong technical component on gender equality and empowerment, supported the establishment of two key initiatives that have improved the quality and range of services available to women in Palestine. The first is the One Stop Centre which provides police, legal and social services to women and children in a discrete location. The first centre, established in Ramallah, proved effective enough to warrant the establishment of 2 additional facilities (Hebron and Nablus). This design provides women with specially trained police personnel, legal advisors, and social workers from the Ministry of Social Development. The second intervention is the establishment, training and operationalizing of the Family and Juvenile Protection Units within the Police Service. The FJPU provides gender sensitive policing services to Palestinian women and provide support to the One Stop Centre.

While research indicates that children are better served when there is minimal contact with the formal justice sector, that children will come into contact is an unfortunate reality throughout the world. There is no foster or alternative custody arrangements available in Palestine and as such, children in conflict with the law are forced to engage with police personnel, both Palestinian and Israeli. In the CAAC Semi-Annual Bulletin for 2021[2], UNICEF reported that "*a monthly average of 156 Palestinian children* were *in IPS detention from the West Bank, including East Jerusalem, for alleged security related offences, with a total of 145 children still detained at the end of December, of which 53 were serving a sentence (37%)*". The impact of the Israeli occupation and the complexity of the different legal systems makes Palestinian children particularly vulnerable to abuse and trauma from the justice and security sectors. As such interventions to improve Palestinian justice system interaction with children, including the training of MOSD social workers, is a positive step towards minimizing such negative effects. One area for expansion may be to increase child sensitive policing approaches to the Palestinian Police Service and consider option for creating child friendly spaces and services within the existing 3 One Stop Centres. Ideally, the programme can work in parallel to expand on efforts to propose and design alternatives to detention and engagement with the formal sector.

[2] 2021 CAAC bulletin Semi-Annual 2.pdf

2. Coherence

Coherence of international actors

In terms of the international community, Sawasya II's role in and contribution to the Justice Sector Working group remains absolutely fundamental and should be maintained. The working group plays a critical role in coordinating and harmonizing international support for justice sector reform in Palestine. It facilitates information-sharing, joint planning, and collaboration among different actors, and works to ensure that international support is aligned with the priorities and needs of the Palestinian justice sector. Sawasya's role on the working group has strengthened over time, and multiple partners spoke positively on the ability of the programme to provide the working group with the information and analysis it needed to function and make decisions.

Since the mid-term evaluation, the other major change has been the EU integration into the Sawasya II funding group. This is a significant success, bringing the largest remaining partner involved in justice reform into a direct positive relationship with the work of the programme. The positive relationship and integration of efforts between the UN and the EU is a strongly positive outcome in a context where a limited number of key donors remain invested in justice reform. However despite the success of this alignment the programme will need to maintain its efforts to support international coordination. There remain other programmes functioning in the area of justice reform, most notably the EUPOL COPPS programme, who use different organisational modalities to manage their support[3].

> ***Recommendation 2***
>
> Sawasya should continue to invest in aligning its work with other actors, notably with EUPOL COPPS while also maintaining its role as a thought leader by providing its highly valued analysis and advisory support to the Justice Sector Working Group.

UN coherence

Sawasya II continues to function as a genuinely joint programme, a fact of great credit to the in country UN leadership and the programme team. The success of this integration can be seen in the frequency with which partners describe their support as coming from Sawasya, and do not focus on the individual UN agencies that make it up. Many UN joint programmes, unfortunately, are unable to manage interagency competition, which often results in misalignment of approaches or objectives. The effectiveness of Sawasya II in minimising inter-agency competition is enabled by a number of fundamental decisions on approach including:

- Ensuring suitable staffing levels from all three UN agencies
- Staff co-location: having their staff work together in the same office in Ramallah organized by shared partners
- Consistent programme leadership and management to provide continuity of vision, fostering a spirit of cooperation and partnership
- Commitment and guidance from the 3 UN senior management teams to facilitate problem-solving and support higher level political interventions and advocacy when needed.

One of the key factors contributing to the effectiveness of Sawasya II is ensuring suitable staffing levels from all three UN agencies. By doing this, the programme is able to leverage the unique strengths and expertise of each agency, which helps to foster a collaborative and integrated approach to programming. This ensures that the programme is well-positioned to deliver results that are aligned with the objectives of all the participating UN agencies.

[3] EUPOL COPPS reported a flexible partner responsive approach strongly leveraging international advisors to guide implementation, which is a less structured management system. As a result of this difference in conceptual approach it will remain an ongoing challenge to retain alignment between specific activities and efforts given their changing nature and lack of pre-identification.

During the in-country evaluation mission, the positive impact of staff co-location stood out. Having staff from different UN agencies work together in the same office in Ramallah, and indeed in mixed office spaces organised by shared partners, is critical to the success of the programme. This approach fosters greater collaboration, communication, and teamwork among staff from different agencies, which in turn helps to ensure that the programme is implemented in a cohesive and effective manner. In Gaza, while the programme team worked in the same office building, the set up did not allow for team members to share office space. While there was a very good level of collaboration in the Gaza office, the mixed office set up in Ramallah is ideal in terms of the highest level of teamwork and collaboration at the strategic and activity levels.

Consistent programme leadership and management are also critical to the success of Sawasya II. The programme has benefited from continuity of vision, fostered a spirit of cooperation and partnership, and ensuring that the programme is aligned with the strategic priorities of all participating UN agencies. While more difficult to articulate, the soft skills of the team members, in addition to their technical competence, also contributed to the positive spirit of the team and the ability to adapt intervention to achieve higher level results. The importance of continuity can be seen from the cases where programme staff rotated, which in the case of one UNICEF advisor resulted in a significant gap in presence before a replacement recruitment process could be completed.

Lastly, commitment and guidance from the three UN senior management teams have been essential in facilitating problem-solving and supporting higher level political interventions when needed. The regular communication and discussions between the heads of agency in Palestine has underwritten the capacity of the programme to function effectively in a technical sense. The programme's work has also received acknowledgement from the UNSCO's office.

The success of the Sawasya II integrated approach is such that the evaluation's primary recommendation is to maintain it and learn from it. Changes in programme phase are a common time for programme disruption and should be carefully managed to avoid any loss of integration. While rotation of some staff is a standard occurrence, it would be ideal to keep this to a minimum where possible and maintain internal team knowledge and alignment. Likewise, there are no good reasons to change the current organisational system of co-location and adequate staff resourcing given the results it produces. If it is possible for the Gaza office to adopt the same approach, it would be advisable.

Recommendation 3

The Sawasya II Programme should be further reviewed by the UN system to identify and validate the factors that have enabled a successful and truly joint approach. The UN should look to standardise and promote approaches that enable more effective joint programmes.

Coherence of effort between CSO's

The third level at which Sawasya II has played an important role in supporting coherence is in its approach to encouraging sharing between its CSO partners. In a number of instances, CSO's pointed out that Sawasya expanded their network of partnerships and collaboration, sometimes through formal meetings and sometimes through the identification and sharing of specific opportunities and alignments. This is a highly effective strategy for leveraging the spread of Sawasya support to achieve greater outcomes, and it is probably critical for the success of some of the advocacy efforts being undertaken. That said it appeared that Sawasya II's support for facilitating CSO linkages was variable, with some areas indicating that they had not had much opportunity to collaborate, most notably with IPs in East Jerusalem.

Sawasya's relationships and partnerships with CSO's is fundamental to meeting and addressing the resistance to CEDAW and the Family Protection Bill, which represent core aspects of improved access to justice for women and children in Palestine. Much of the resistance to these reforms is grounded in concerns of change from external actors, and as such the UN benefits from working through local partners who can advocate more

effectively as Palestinian citizens. The coordination of such a range of CSO partners is an effortful undertaking and should be well resourced as such if it is to consistently identify opportunities and encourage joint efforts.

3. Effectiveness and Impact

Overall, the Sawasya II programme continues to effectively deliver results for the vulnerable, providing services directly and supporting incremental gains in formal justice institutions. The programme has continued to do well to link CSO's and state organisations both for service provision and for advocacy and accountability. The results are evident, with more services made available and more women and children able to access them. The programme's role on advocacy remains as critical, albeit with less evidence so far that the programme has been successful in supported strategic effects that have improved the state of the debate around women and children's rights to justice.

Court management and impactful IT system development

Sawasya has had a major impact through the introduction of an efficient court and case management system, known as Mizan. This achievement is remarkable considering most such initiatives are solely focused on the IT technical aspect, and fail to produce any meaningful cultural change in institutional behaviour or support sustained improvements in court functioning and integration of the justice system. The success of Mizan is one predicated on a series of good programme choices during implementation, including the long development cycle and iterations of the program, the lengthy development and testing cycles, identification of the right government agency to start with, providing support and accompanying implementation at that agency to make it effective there first, using internal Palestinian adoption to spread the system to other organisations, successfully embedding technical support within each organisation, and placing emphasis on organisational management in addition to case management (including a strong monitoring capability).

The success of the Mizan court and case management system was not accidental but the result of a series of well-thought-out choices and approaches that contributed significantly to its success. One of the key factors behind its success was the long development cycle and multiple iterations and testing cycles. The evolution of the software was done in a committee comprised of technical teams from each institution. This allowed the system to be thoroughly tested and refined, ensuring that it was reliable, robust and efficient for all users.

Another significant factor was the identification of the right government agency to start with. This approach ensured that the system was first implemented in an organisation that was most likely to be receptive to the change, and was able to demonstrate the value and effectiveness of the system to other agencies. By providing support and guidance to make the system effective in this agency, Sawasya was able to create a blueprint for success that could be replicated in other organisations. Once the government organisations had adopted the system, outside stakeholders like attorneys, were forced to adopt the system if they wished to engage with the justice system.

The successful embedding of technical support within each organisation was critical in ensuring the system was adopted and optimised for each agency's specific needs. The strengthening of internal technical support reinforced ownership and created expertise among users, leading to faster adoption and ensuring the sustainability of the system. The focus on organisational management in addition to case management, including a strong monitoring capability, also contributed significantly to the success of the system. The ability to track and measure the effectiveness of the system ensured that it was continuously improving and meeting the needs of the users.

The sense of pride fostered within the formal institutions was also critical to the success of the Mizan system. By involving these institutions in the design and implementation of the system, Sawasya was able to create a sense of ownership and responsibility among users, resulting in accelerated adoption and integration of the system.

Overall, the combination of these factors contributed to the success of the Mizan court and case management system introduced by Sawasya. The system's efficient and effective design, along with its ability to drive cultural and behavioural changes, represents a significant achievement in the development of justice sector infrastructure. The approach taken by Sawasya provides a valuable model for future initiatives, demonstrating the importance of a well-planned and executed strategy, and the benefits of involving key stakeholders in the process.

Finally the embedding of fundamental access for the individual defendants or accused to their case details represents a huge success in empowerment, thereby enhancing the accountability of the system through increased transparency. This transparency has allowed people to monitor the progress of their cases, including holding their lawyers to account for the work they do. This also potentially enhances their ability to understand and make decisions regarding their cases, which may improve their ability to get to an acceptable outcome. Such transparency, where it supports better functioning of the court system, improves perceptions of the formal system as a provider of fair and equitable justice.

Recommendation 4

Continue to support further integration of Mizan across the justice system, including encouraging improved integration into the Palestinian Civil Police systems.

Recommendation 5

UNDP corporately should learn from Sawasya's successful strategy, which is less about the specific IT system established, and more a result of the long term, iterative approach to implementation that was utilized. The programme also engages national counterparts to monitor and upgrade the system which is more sustainable, cost effective and reinforces national ownership and pride.

Palestinian community capacity and empowerment

Sawasya II's collaboration with civil society groups revolves around three key themes. The first theme focuses on providing direct justice services to the community, which includes creating awareness about legal rights and options within the formal legal system, and offering legal consultations and representation to individuals who are seeking action under the formal system. This aspect of support addresses the persistent lack of resources available through the formal system to provide adequate awareness and access to justice under the current resource-constrained situation in Palestine.

The second theme is geared towards mobilising and empowering civil society voices in advocacy roles. This theme addresses the obstacles to reform that arise from the variability of political will within the government to prioritise justice reform. The theme also confronts resistance to some of the changes proposed to address gender bias and promote human rights in the justice system.

The final major aspect of Sawasya II's community work involves supporting a greater role for civil society in holding the justice system accountable. This aspect is one of the most challenging yet vital components of the community's relationship with justice institutions. By promoting accountability, civil society groups can ensure that justice is served impartially and fairly to all citizens.

While all three of these themes are useful, the empowered advocacy and accountability roles that are being promoted get to the heart of the advantages that Sawasya's civil society partnerships bring. Many of the key issues on which progress in improving access to justice has been limited involve complex forms of resistance to change, rather than just limitations in justice system capacity. Through strong and effective partnerships with a wide range of civil society organisations Sawasya II engages with issues that require advocacy and influence rather than technical skills. Critically, as noted above, Sawasya II has often worked to enable linkages between CSO's, notably in Gaza, allowing them to be more effective collaborative actors.

The programme's engagement with Universities and respective law clinics is an example of how Sawasya II is able to weave interventions and partners together to achieve higher level results. While the law professors and students do engage with one another in academic circles, the programme offers an opportunity for their law clinics to work together to address the justice needs of Palestinians across the occupied territories. The law clinics not only extend legal aid services to citizens but also create a different aspect of partnership between the academic institutions, enabling some joint advocacy.

Notably, the legal aid clinics are instilling a culture of pro bono legal aid service in young law students. Exposure to the varied challenges Palestinians encounter in the 3 designated areas (A, B & C) increases the awareness of law students on the dire need for legal aid and services to vulnerable populations. During one consultation, participants from the law clinics noted that many students were unaware of how difficult life was for Palestinians living in different zones. There is an opportunity for the programme to further strengthen advocacy and service networks by connecting the legal aid clinics to CSOs in Gaza, East Jerusalem and the West Bank thereby pooling efforts and resources as the CSOs and students would mutually benefit from working together.

Unfortunately, the evaluators were unable to meet with the Palestinian Bar Association in Ramallah. This was particularly disappointing in light of the resistance to the Legal Aid Bill and the spirit of pro bono services that is currently being cultivated by the Universities and law school clinics. The evaluators did meet with the Bar Associations in Gaza and this provided some insight into the bifurcated legal systems developing in Gaza and the West Bank.

The programme's engagement with the Universities play an interesting role with respect to the differing and diverging legal systems in place effecting Palestinian lives. The Birzeit University School of Law is currently documenting the current and historical laws that have governed Palestine. With the territory changing hands multiple time over the course of centuries, legislation and laws from the Ottoman empire to the PA today are being digitalized and captured by the Law School. This database of laws is accessible and free to everyone, not only lawyers, academics or students – a powerful tool in raising legal awareness across the country. This may become very significant if the Law School is able to document the laws in place in Gaza and support the reunification of the legal systems which at this time are evolving separately. Overall, Sawasya II's support to this area is not only contributing to increasing access to justice services but also contributing to strengthening learning institutions and exchanges.

Recommendation 6

Support CSOs advocacy and awareness raising efforts with public in a more targeted and strategic manner.

Palestinian State capacity

The evaluation recognised and agrees with the consistent focus that Sawasya II has demonstrated in devoting the majority of effort and programme time to strengthening the capabilities of the formal system actors within Palestine. Despite the current capacity constraints, and noting the complex legitimacy issues with formal government justice systems at this time, strengthening the formal justice system remains the most viable pathway to a sustainable improvement in the quality and access that women and children have to justice in Palestine. The Palestinian state justice partners have demonstrated that they are committed partners in improving access to justice for the vulnerable, and as a result the programme has been able to support a wide range of significant improvements in the functioning of the formal system.

Early intervention

The current phase of Sawasya has seen an increased focus on attempting to ensure that women and children receive better quality justice at the earliest stages of the process, in an effort to ensure both access to justice and to address conceptual and practical limitations on the capabilities of the Palestinian system. In terms of capabilities the resource constraints in all aspects of the formal justice process mean that initial contact with state capacities is a key aspect of how women access and experience justice, and through efforts such as the one stop centres the programme has focused on improving access to a range of state services to ensure that women receive the support they need. On the other hand, conceptually UNICEF has corporately identified the need to divert children from significant exposure to the formal justice system where possible, due to the negative effects that such exposure has regardless of the overall end justice outcome. This conceptualisation also drives a sensible focus on improving the initial stages of justice system response to children, not the least because significant numbers of children encounter state justice capacities in terms of being in conflict with the law, and thus being processed as an offender and not as a victim.

Both capacity and concept sensibly drive a focus on initial responses, such that women and children who come into contact with the law have a range of options to address their issues and are empowered to do so. Sawasya II has supported improvements on this through multiple pathways, including much of the efforts to develop the police Family and Juvenile Protection Unit (FJPU), work on encouraging alternatives to detention, and the piloting of one stop centres to collocate key legal, social and police services for the benefit of women seeking legal redress.

The evaluation supports the significate emphasis on early intervention and efforts to use diversion from full court processes that Sawasya II has adopted, given the clear and ongoing issues with the timeliness of the formal system. The efforts to improve initial contact with the police and legal system, the integration of social services at the earliest point, and the development of alternatives to legal redress and to detention represent a sensible investment and appear to be providing direct benefits to women and children who come into contact with the law. Despite this, there is still a great deal to be done, as the One Stop Centre is a success in Ramallah but are still in the initial stages of implementation in Nablus and Hebron.

The initial locations were chosen on the basis of needs, but the number of centres will need to expand if the majority of Palestinian women are to have access to these integrated services should they need them. The centres will also need to be monitored to see that they function successfully in all locations, and that they can be sustained once developed. This last aspect is critical as while each centre may organise the availability of services under different systems, it is critical to the concept that the full range of social, legal and police services are easily available when people need them. This requirement will place more resource calls upon the social services specifically, which are not typically organised around constant availability, and operate under even greater resource constraints particularly in terms of the number of available social workers

The initial focus has also been primarily on women, despite the overall remit of the police component (The FJPU) and capability of the legal services clearly involving the same pathway for children[4]. As a result there is an opportunity to integrate children focused services more thoroughly into this capability. It appears that the hesitation to do so formally comes from a combination of preference for a completely separate pathway for children, and an aim to eliminate contact between children and the formal justice system altogether[5]. In terms of the first issue, that of the appropriateness of colocation of child and women focused justice services, it seems unlikely that the Palestinian system can afford to create a second separate specialised justice capacity, including appropriate offices. The combination of the child and women units into the FJPU within the police is emblematic of the effects of this resource constraint, yet does not appear to have significantly impacted on the quality of justice services that children receive from the police[6].

While fully avoiding contact with the justice system may be the ideal outcome, the evaluators could not see a viable pathway under which strengthening the currently available initial capabilities and responses by state justice organisations is not a key component of improving access to justice for children. Palestinian state capacities across social agencies can and should be strengthened, but not without concurrently strengthening how the justice system deals with the large numbers of children it will process. The cultural behaviours that currently contribute to the multiple ways in which children come into contact with the law as both victim and in conflict with it, mean that a significant majority of children in Palestine do come into contact with the law, and it is critical that they receive better services and have better outcomes.

Recommendation 7

Maintain a concerted effort to promote the utilization, expand the availability, extend the reach, and strengthen the quality of initial formal justice interactions with women and children.

[4] The Ramallah centre has an MoU in place with the MOSD for the provision of services to children, but the integration of efforts to support children has seen less support than has that for services towards women.
[5] UNICEF globally focuses on and advocates for the diversion of children from the justice system as soon as is possible and feasible, to minimise contact between the child and the formal justice system.
[6] Sawasya monitoring has not noted any decline in performance of the FPJU since the amalgamation of the family protection unit and the juvenile unit, suggesting that it continues to provide some level of service to children as well as women.

Recommendation 8

The programme should continue to invest in enhancing diversion and alternative dispute resolution options to address issues of cost and delays in the formal justice system.

Institutional strengthening

The programme's efforts on institutional strengthening are considered effective and should be sustained. There have been significant improvements in the functioning of the High Judicial Council and the Attorney General's Office, both of which show clear improvements in whole of system functioning. There are also improvements within the Police's Family Juvenile Protection Units and Sharia courts, albeit with a more emphasis on the gender and child focused capacities than on the overall functioning of those organisations.

The internal management and case management improvements have been covered under the section on Mizan, but beyond those significant achievements the programme has supported developments in organisational capacities to improve organisational functioning, such as the planning units that have been established in several organisations, and specific units to provide better access to justice for women and children.

Sawasya support to effective organisational planning units should be highlighted as a significant achievement. It was selected as a modality from the start of implementation, and has been consistently used to encourage internal coordination of aid flows and improve organisational management of their reform process. While much of the initial work to set up the teams occurred early in the programme, it is the ongoing nature of their use and function that represents a successful outcome. By directing internal review and prioritisation of support requirements the planning units appear to function as a key element of organisational buy-in to the reform efforts, while providing an ongoing capacity to oversee and assess progress in implementation. Development of such planning units are a common element of UN support, but appear to be functioning extremely well in this context.

One major success of this phase has been encouraging the HJC to implement a specific Violence Against Women (VAW) court to increase the extent to which it is an issue that the courts focus on, while improving the practice of the court by ensuring it has specialist judges and prosecutors. The implementation of this support is at an early stage, with the first pilot court now functioning in Nablus, however the early outcomes appear to be positive with 109 cases in process. Given the key aspect of this support is to improve the service and experience of justice that women receive for these issues, the programme is in the process of developing a survey to assess women's satisfaction with using the court.

Linking effective service delivery outcomes with the advocacy element of the programme, Sawasya II has identified the option to use these courts to identify areas for strategic litigation on VAW cases. This approach is used internationally to highlight where law and practice are poorly aligned, but it depends on a good evidence base from which to select cases that highlight the most relevant legal issues.

Further positive effects have been supported by Sawasya II in terms of developing coordination systems between state justice actors. Improving the interfaces between the justice organisations is critical to improving the consistency of treatment of women and children as they move through the justice system. Sawasya II has worked to encourage regular meetings between adjacent justice organisations (such as the police and prosecutors), focused on case management and overall coordination of work. These meetings have not yet reached the stage of being sustainable systematic processes yet, but improved communication between the organisations is occurring.

Internal accountability systems

Finally the programme has succeeded in supporting the development of stronger accountability systems within and over the formal justice system. The programme has adopted a good balance of strengthening internal

monitoring and oversight capabilities within the agencies, while also supporting external oversight through mechanisms involving CSOs and individual users. Critically, as a result of Mizan, any person with a case can track its progress at any stage and follow up with a government institution, their lawyer or reach out to a CSO creating a more accessible, built in complaint/feedback mechanism.

One key feature of Mizan is that it feeds into the performance evaluations of civil servants within the institutions. Because the cases are tracked, supervisors and relevant civil servants can see how long a case has spent with each person within the institution. This creates an incentive for civil servants to not only move cases along but to make sure that they have properly done their part as it can be viewed in the system. If a case is not progressing, it is easy for a supervisor to see where the blockage is and follow up.

Support to the court monitoring serves multiple useful purposes in the programme. While effective court monitoring provides a direct and clear benefit in terms of ensuring the accountability and transparency of court processes, its benefit from a programmatic perspective includes the development of an improved evidence base from which to guide programme (and Palestinian government) decision making. The court monitoring, if managed effectively, is key in terms of showing where courts deviate from the law, and how, so that systematic biases against women and children can be identified, raised and debated with evidence, and then addressed.

Sawasya II has continued to support several elements of internal accountability systems, albeit without collecting significant evidence of changes in the extent to which internal systems are functioning to clearly hold formal actors to account. While the evaluation concludes that the efforts are both sensible and worth continuing, it would be useful for the programme to consider what information it could collect to demonstrate the influence of such reforms on institutional performance and the delivery of justice services to women and children. Ongoing efforts to develop sustainable and influential monitoring structures in the prisons, family courts, and HJC represent sensible investments that should be maintained into the next phase of the programme. The impact of Mizan on the police service will be a significant step forward in terms of accountability, transparency and oversight on the protection of rights.

Reforming Laws and Systems

This thematic remains conceptually important, but given the consistent lack of internal political will, along with the absolute requirement for significant will to support any legal changes, the effort devoted to this line of action should remain limited consistent with the advice from the mid-term. The programme has worked well to attempt to address resistance to legal reforms, but despite this good work the passage of the Family Law bill remains debated, the National Legal Aid committee remains unformed, and the consistent implementation of the successfully passed Juvenile Protection Act remains contested.

In terms of efforts around improving legal aid systems, Sawasya II has continued to work closely with key partners including the Ministry of Justice, the Bar Association and the HJC. Unfortunately recent efforts to come to an agreed position between the parties were undone when the MoJ was unable to secure government backing for the proposed changes. This derailed an otherwise promising period of negotiation that seemed to be making progress towards an agreement on legal aid, and raises questions about the ability of the Palestinian organisations to secure the necessary political support for reform approvals.

Programme efforts with the family courts have progressed, which is an important component given that those courts address cases to do with core issues around women's status with the law. Progress has been achieved, albeit with much to be done given that implementation of court systems improvements, such as Mizan, has only recently begun and the Family court has encountered some issues with managing project implementation. Ongoing support seems highly relevant and important if the initial investments are to result in sustained improvements in how the Family courts treat women and children who come before them.

The mid-term review recommended that the focus of the programme's investment should be in addressing resistance to legal changes that strengthen the rights of women and children in the formal system, and this recommendation remains relevant today. This was and remains primarily a political issue rather than one of technical capacity. As such, the majority of effort towards addressing the ongoing issues with the Palestinian legal code should be influence and advocacy in a context of limited political will to support reforms and significant counter efforts to block said reforms. Sawasya II has done well to continually adjust and adapt, working as a trusted partner with the full range of Palestinian stakeholders who can influence improvements in the laws and processes that govern access to justice for women and children. The reforms remain critical, and as such the

programme should maintain its efforts to encourage negotiation and agreements that contribute to improved laws and processes.

4. Efficiency

Overall, the evaluation considers the Sawasya II programme to be managed efficiently. The programme's primary efficiency is driven by the strong programme team that has enabled the programme to manage the large range of activities involved in supporting the full range of Palestinian justice organisations. The programme has worked to improve the extent to which it is a data driven system, but it is not yet clear that the analysis and use of data is closely linked to programme decision making that supports efficiency (even if it does have a positive impact on programme effectiveness). Unfortunately, in terms of the overall UN system that Sawasya works within, there has been no discernible progress in UN process alignment, a fact which is beyond the remit of the programme to address but continues to result in inefficiencies.

Adequate programme resources

One of the fundamentals that underpin the success of Sawasya II is the adequate resourcing of the core team, integrating as it does staff from the three agencies, and having the good fortune of a large degree of consistency in the tenure of many key team members. The team capacity enables it to efficiently manage the full range of activities of the programme, collect and analyse data, and maintain a continuous learning approach through implementation.

It is worth expanding on the concepts that underpin this assessment. The justice reform in Palestine is a complex and challenging environment. Phase 2 of Sawasya has consistently encountered events and crisis that have had direct impacts on the progress of the programme's efforts. This complexity has demanded flexibility and adaptive approaches to implementation, all of which is impossible without adequate staff resources. Finally as a programme that is fundamentally about supporting Palestinian partners to achieve real change in how women and children experience justice, any international reform support must be first and foremost about developing relationships of trust and influence. Over the course of the last 2 phases the programme team has built a strong foundation of trust and goodwill with its partners and donors which in turn has aided its ability to remain flexible and adapt to a changing environment.

The success of the structure and staffing of Sawasya II can be seen in the outcomes, but also in the strongly positive attitude the key donors have towards the programme. Donor partners were explicitly positive about the value for money of the programme, and identified the role of the programme team as fundamental to this assessment.

Recommendation 9

The next phase of implementation should maintain the core team staffing resources given the ongoing scope of the programme and the need for complex adaptive approaches.

Efficiency of implementation

The programme has efficiently used the resources assigned to it. The most recent yearly Multi Party Trust Fund (MPTF) reporting demonstrates that the programme has continued to operate within its budget envelope, with an expansion in expenses as predicted in the lead up to the end of the programme and with the reduction in the impact of the covid pandemic on programme activities[7].

While the context for programme implementation has been highly volatile throughout the implementation period, Sawasya has continued to work through strong local partnerships. This represents the most efficient pathway for the programme to operate. The evaluation did not find any evidence of the programme adopting in-efficient or less efficient approaches to delivery and implementation.

[7] Consolidated Annual Financial Reports for 2020, 2021, and 2022

Information for decision making

The positive comments from the mid-term evaluation remain as relevant now as then, to the credit of the programme. The robust systems for monitoring and reporting continue to function and work to support good internal team communication and a broadly data driven approach to implementation. The regular sharing of information and ideas facilitates a learning environment, and across the team all staff understood and could articulate how change was happening within their focal area, as well as discuss and analyse how to adapt approaches to address resistance and seize opportunities.

The success of the programme in this strength can clearly be seen in the way that Sawasya II has strengthened its role in the JSWG as the primary provider of information to the international community on issues relating to justice reform. While Sawasya was demonstrably strong in this regard at the time of the mid-term, the extent to which it owns this role has only increased in the last two years.

The integrated and resourced team continued to enable regular reflection on progress, and shared assessment of options. The ongoing work of the monitoring team within Sawasya remains critical to the effective system, and the team has done more work developing a case study approach that focuses on identified issues and develops a researched evidence base to inform programme choices.

Partnerships with civil society

Overall perceptions of the programme by civil society partners remains highly positive. The evaluations meetings with the partners demonstrated that those partners had a clear and detailed understanding of the intent of the Sawasya II programme, how their projects were linked with it and the intended support for achieving agreed upon goals. They could articulate their work in ways that were consistent with the Sawasya II mandate, which demonstrated a good level of communication in maintaining intent and alignment.

In contrast to the mid-term, the programme did not receive specific negative feedback regarding the project focused nature of support to CSOs. In contrast CSO partners did not provide any significant critique of programme support. This is despite a lack of any clear change in how the programme manages its CSO grants from the mid-term, due to the ongoing political and donor constraints on funding approaches. It is apparent that the approaches proposed in the mid-term are not feasible at this time.

Coordination with CSOs has already been highlighted under coherence, but is also an important aspect of efficient use of programme support. The variety of CSO partners and the different roles they play provide a complex set of opportunities to make linkages and address issues jointly, which the programme has facilitated. However, more can be done to focus the work (joint projects, clear thematic organisation), and ensure that it is a consistent effort.

> ***Recommendation 10***
>
> Consider ways in which CSO connections can be improved such that they leverage their strengths and are assisted in recognising and pursuing opportunities for joint efforts.

UN systems and processes

There has been little change in the efficiency of alignment on UN systems since the mid-term review. The integration of the three UN agencies occurs primarily due to programme level efforts to align process and procedure but has no effect on overall UN system alignment. Budget and reporting timeframes (with some agencies using January to December, others July to June) causes unnecessary duplication of work and disrupts staff focus. The development programme monitoring systems used are not shared between agencies, with each UN agency having its own system despite shared goals and approaches to development. This increasingly may cause issues should there be a divergence in conceptual approaches to the role of formal justice systems for vulnerable groups.

There remains little to be said beyond what the mid-term evaluation concluded. This is not a programme or country level issue, this is primarily a failure of UN HQ management to adequately support and enable joint

programme efforts. Not only does the lack of alignment directly result in inefficient use of programme staff, it also reduces the incentives to work in truly joint ways. This is not a new or unknown problem, but still bears comment. Some improvements in UN organisational coordination, such as alignment of reporting timeframes, along with further work to agree upon shared systems, would provide benefits to the efficiency (and effectiveness) of the Sawasya II projects.

5. Sustainability

Sustainability remains the most challenging domain overall, with no significant change in the overall financial or political context since the mid-term evaluation which would change the difficulty in identifying or working towards a self-sufficient Palestinian state. Sawasya's approach continues to demonstrate consideration of sustainable outcomes, at least at the conceptual level, by focusing on capacity development in the formal system designed to be implemented by the partner organisations processes and capabilities.

Despite the continued lack of a clear path to an affordable set of Palestinian institutions, the success of Sawasya so far in building capacity of the Palestinian justice system warrants deeper consideration of the sustainability of results over the next phase. While core programme aspects, such as Mizan, are built in partnership with the Palestinian institutions, full hand over and ownership has not yet been achieved in any single organisation. It will be important for the programme to focus on how the capability gains are being maintained and represent aspects of a core culture change in how the justice actors respond to women and children. This is notably important given the ongoing tension between international good practice and the size and capabilities of justice organisations that Palestine will be able to fund within the next 10 to 20 years.

The never-ending series of crisis that disrupt planning and the development of forward-looking financial management have continued since the mid-term evaluation, including significant internal protests against the killing of a prominent critic by the Palestinian Authority security forces, and the recent escalation of conflict with Israel. The occupation of Palestine by Israel remains a fundamental limitation on the ability of the State to plan for and deliver sustainable and appropriate justice services to the entire community, and the escalation of the conflict risks further damage and disruption to the development of state services. Sawasya II has mostly maintained a focus on solutions that hold the potential of sustainable outcomes, in the face of extreme limitations to state capacity, budget and reach.

Difficult financial context

Programme implementation throughout this phase of Sawasya II has occurred within a context of constant financial difficulty for the State of Palestine. Recent UNCTAD reports have highlighted the bad and worsening financial conditions in Palestine, and the disproportionate impact these have on women[8]. As was the assessment at the time of the mid-term review, the justice system improvements that Sawasya II have supported are not sustainable without external support, and the whole Palestinian state remains primarily donor funded. For example, UNICEF, through other resources, needed to provide funds for Child protection councillor positions in order for that capability to provide minimally adequate coverage, due to the extreme budgetary limitations of the Ministry of Social Development. The existence of these roles is vital to the functioning of the legal approach for children described in the new law, but adequately staffing the capability is unaffordable under current Palestinian Authority budget. This sort of limitation with Palestinian institutions is common across all institutional relationships, and results in the programme often taking on a role in funding aspects of capability in order for services to be delivered. The evaluation team consider this a sensible approach to adopt under the current context, but as noted in the next section assess that Sawasya could do more to balance considerations of good practice with a reasonable assessment of likely Palestinian funded justice capacities under any self-sustaining model.

[8] "Report on UNCTAD assistance to the Palestinian people: Developments in the economy of the Occupied Palestinian Territory", TD/B/67/5, August 2020; "The Economic Costs of the Israeli Occupation for the Palestinian People: Cumulative Fiscal Costs", UNCTAD 2019.

Focus on sustainable options

There is and will remain a fundamental tension between the international standards that Sawasya II is promoting, and the realistic capabilities that are sustainable in Palestine on any reasonable timeframe. Programme must deal with the reality of the need for ongoing support without a clear end point of Palestinian state self-sufficiency. However this should not stop the programme considering and adapting its implementation to the probable limits of state capacities, which are already clear for a small country with limited resources.

In some cases where the programme's philosophy of justice service delivery aligns with capability limitations this encourages a very positive dynamic, such as in the case of the programme's strong focus on A2D and early intervention. As the justice system becomes more adapt at providing women and children with access to fair and equitable treatment in front of the law, more women and children seek to use the system to seek such outcomes, and the ongoing issues with the timeliness of case resolution are amplified. The programme's acknowledgement of this issue, along with the identification of the problems of experiencing the formal justice process for vulnerable groups like children, make the fair resolution of many issues at the earliest point the best outcome for both the vulnerable and the court system. As the mid-term evaluation noted, diversion from court processes through mediation is good for children, far quicker on average, and less costly to the state. Use of alternative to detention may or may not be less costly directly, but can have very positive longer-term impacts on juvenile crime and rates of reoffence.

Unfortunately, this alignment of international good practice and the capacities of the Palestinian justice system is not consistently one that encourages sustainable or less costly solutions, and in these cases it is less clear that the programme has a robust system of analysis to consider how to proceed. This finding is consistent with that made during the mid-term evaluation, where a number of respondents commented upon Sawasya's use of very high comparison points of justice delivery, that would be unrealistic under any probable Palestinian state funding model. The overall presentation of issues by programme staff is strongly weighted towards the international good practices, with the realistic capacity limitations of the justice system being noted rather than foregrounded. This is hardly surprising given that failures to align with international good practices have a direct negative effect on the quality of justice that women and children receive, and programme staff are highly invested into addressing exactly these issues, however it remains a significant issue for the likely sustainability of outcomes.

Recommendation 11

The programme should clarify and document the analysis and assessments of the sustainability of international good practice concepts and capabilities it is developing or considering.

Conclusion

The finding of the final evaluation is highly aligned with that of the mid-term evaluation from 2020. This phase of the Sawasya II programme has been a critical element of international support to the Palestinian justice sector, and the UN has maintained and indeed strengthened its unique position as a trusted partner to the State of Palestine. This second half of phase 2 of Sawasya is highly consistent with and building from the first half of phase 2. In a context of ongoing crisis and stress on the Palestinian people and state, the programme has continued to deliver effective support that, while correctly prioritising the needs of women and children, does so by strengthening the majority of the main justice sector institutions in Palestine, and supports overall strengthening of the sector.

Sawasya II has a central role in supporting the coordination of international efforts in the sector, and national level coordination between Palestinian agencies and organisations involved in justice delivery. This coordination role is matched by its key contribution to justice system coordination and coherence through the ongoing successful expansion of Mizan to be the core management system that serves all justice organisations. While this task is not complete, with the Police and the Family Courts both at an early stage of investment and integration into Mizan, it remains a major success and an important source of lessons for UN and bilateral programmes on effective practice in building IT systems in reform contexts.

The Sawasya II programme has supported a notable increase in the demonstrated ability of the formal justice system to provide access to justice for women and children, and has improved the quality of that justice in meeting the international standards. This has had a real impact on basic access issues such as state organisations responses to violence against women and children, in providing safe options for women and children to contact justice actors and seek advice on their rights and options, and in the number of cases the justice system can manage and resolve. Much remains to be done, and the fragility of the Palestinian system remains acute given the ongoing lack of financial sustainability, and the ongoing crisis that influence all Palestinian organisations and communities.

The Sawasya II programme has done excellently to have navigated such a difficult reform context and delivered as many tangible outcomes. This success remains grounded in the high-quality programme management and the set of core good decisions that the three agencies have made in how they manage and enable the programme to act as a true joint effort. The strong programme team has implemented a highly adaptive approach that has addressed blockages and surprises throughout implementation, and maintained an outcomes focused data driven system that underpins the overall picture of the justice system held by international actors in Palestine.

To the extent that this evaluation offers suggestions for improvements, it is from a base of a highly capable and very successful programme. None of the contextual constraints on justice reform have reduced since the mid-term evaluation, indeed in many instances there is more resistance and less appetite for reform. As a result a third phase of Sawasya is required, to maintain the gains that have been made, further encourage and support the embedding of better laws and practices that reflect an adequate level of access to justice for women and children, and to improve the sustainability of the outcomes achieved.

Recommendations

Recommendation 1:

Phase 3 of Sawasya is necessary in order to sustain the progress achieved so far, and to expand access to justice throughout Palestine. There should be a very high degree of continuity with Phase 2 to develop and retain the gains made thus far. The project has accumulated a great deal of goodwill, trust and engagement from donors, government and Implementing Partners which can be leveraged to pilot new initiatives, address bottlenecks/spoilers and begin the handover process of key activities.

Responsibility: Country Office Priority: High

Recommendation 2:

Sawasya should continue to invest in aligning its work with other actors, notably with EUPOL COPPS while also maintaining its role as a thought leader by providing its highly valued analysis and advisory support to the Justice Sector Working Group.

Responsibility: Programme design Priority: Low

Recommendation 3:

The Sawasya II Programme should be further reviewed by the UN system to identify and validate the factors that have enabled a successful and truly joint approach. The UN should look to standardise and promote approaches that enable more effective joint programmes.

Responsibility: UNDP/UNICEF/UN Women Priority: Medium

Recommendation 4:

Continue to support further integration of Mizan, including encouraging improved integration into Police systems.

Responsibility: Programme deign Priority: High

Recommendation 5:

UNDP corporately should learn from Sawasya's successful strategy, which is less about the specific IT system established, and more a result of the long term, iterative approach to implementation that was utilized.

Responsibility: UNDP Priority: High

Recommendation 6:

Support CSOs advocacy and awareness raising efforts with public in a more targeted and strategic manner.

Responsibility: Sawasya Priority: Low

Recommendation 7:

Maintain a concerted effort to promote the utilization, expand the availability, extend the reach, and strengthening the quality of the initial formal justice interactions with women and children.

Responsibility: Sawasya Priority: High

Recommendation 8:

The programme should continue to invest in enhancing diversion and alternative dispute resolution options to address issues of cost and delays in the formal justice system.

Responsibility: Sawasya Priority: High

Recommendation 9:

The next phase of implementation should maintain the core team staffing resources given the ongoing scope of the programme and the need for complex adaptive approaches.

Responsibility: Country Office Priority: High

Recommendation 10:

Consider ways in which CSO connections can be improved such that they leverage their strengths and are assisted in recognising and pursuing opportunities for joint efforts.

Responsibility: Sawasya Priority: High

Recommendation 11:

The programme should clarify and document the analysis and assessments of the sustainability of international good practice concepts and capabilities it is developing or considering.

Responsibility: Sawasya Priority: Low

Lessons Learned

Through implementation a number of useful lessons have been developed by the Sawasya programme that would bear further analysis and consideration by UNDP and the partner agencies. While these lessons have been integrated into the main text of the report, and are the focus of several of the recommendations, this section presents them as a collected whole.

The first is how the joint programme has successfully functioned as a joint programme in practice as well as name. While funding modalities such as the MPTF and headquarters mechanisms such as the GFP are designed to encourage joint UN efforts they very often fail in practice. Reasons for the failure range from the strageic misalignments in approaches and priorities, through to basic administration and financial systems, and even simple personality clashes. Despite the numerous systemic forces that encourage fragmentation the programme has achieved an internal coherence and has brought together the strengths of the three agencies involved. While the mid-term review recommended that the partnership be broadened, this final evaluation concludes that the

programme partnership is probably as complex as is sustainable at this time. The priority for the UN system is to maintain the current effective joint nature of the programme.

The second key learning is for UNDP's development approaches. The history of UN supported IT reforms is not encouraging, and much can be learned from the success of it here. The factors identified in this process as key were primarily about the importance of programme choices during implementation. The long development cycle and iterations of the program gave the project time to adapt and be modified for greater utility, using the lengthy development and testing cycles to refine and improve the usefulness of the system for the users. The programme was probably somewhat lucky to have correctly identified the right government agency to start with, but this also resulted from good initial understanding and analysis of the Palestinian justice system, both technically and politically. The long term and ongoing work of providing support and accompanying implementation at the agency level helped to embed it effectively there first, and then the centrality of that agency allowed the programme to use a sequenced process of internal adoption to spread the system to other justice organisations. Finally the system was conceived from the start as both an organisational management system and a case management system, and as such was useful at all levels of the organisation but especially to the management, which strengthened ownership and encouraged consistent internal adoption, but also allowed far greater utility from the system in terms of justice system monitoring.

None of the above constitutes an approach not in line with basic good practices in development, however it is striking the extent to which such approaches are not commonly or consistently implemented. While the technical approach should be studied and disseminated such that its basic characteristics are well understood, the programme context that encouraged such adaptable yet outcome/goal consistent implementation should be studied as well as these contextual factors probably drive successful outcomes more than do the competence of the technical details.

Annex 1: List of organizations consulted

AISHA Association for Woman and Child Protection (AISHA)

Al Quds university/Al Quds Human Rights Clinic (AQHRC)

Al-Mizan Center for Human Rights

Amal Faqih Human Rights and Democracy Media Centre 'SHAMS'

An-Najah National University/Law School

An-Najah National University/Legal Clinic

Attorney General Office/Attorney General Office, Planning Unit

Birzeit University/Law School

Birzeit University / Legal Clinic

Center for Women's Legal Research, Counseling and Protection (CWLRC)

Community Media Center (CMC)

Consulado General de Espana en Jerusalen

Consulate General of Sweden

Culture and Free Thought Association (CFTA)

Defence for Children International- "DCI"

Government of Netherlands

High Judicial Council

International Legal Foundation

Islamic Sharia Courts

Istiqlal

Jerusalem Legal Aid & Human Rights Centre –JLAC

Legal Center for Freedom of Movement –Gisha

Ministry of Justice

Musawa- the Palestinian Center for the Independence of the Judiciary and the Legal Profession

National Society for Democracy and Law (NSDL)

Office of the European Union Representative

Palestinian Association for Empowerment and Local Development "Reform"

Palestinian Ministry of Social Development

Palestinian Bar Association – Gaza

Palestinian Shari'a Lawyers Association – Gaza

Palestinian Center for Human Rights (PCHR)

Palestinian Central Bureau of Statistics

Palestinian Civil Police

Palestinian Judicial Institute

Shorouq Society

Supreme Judge Department

Terre Des Homme

The Center for Defense of Liberties and Civil Rights “Hurryat”

The Workers Advice Center WAC-MAAN

UN Resident and Humanitarian Coordinator for the OPT/Deputy Special Coordinator for the Middle East Peace Process

UN Women

UNDP

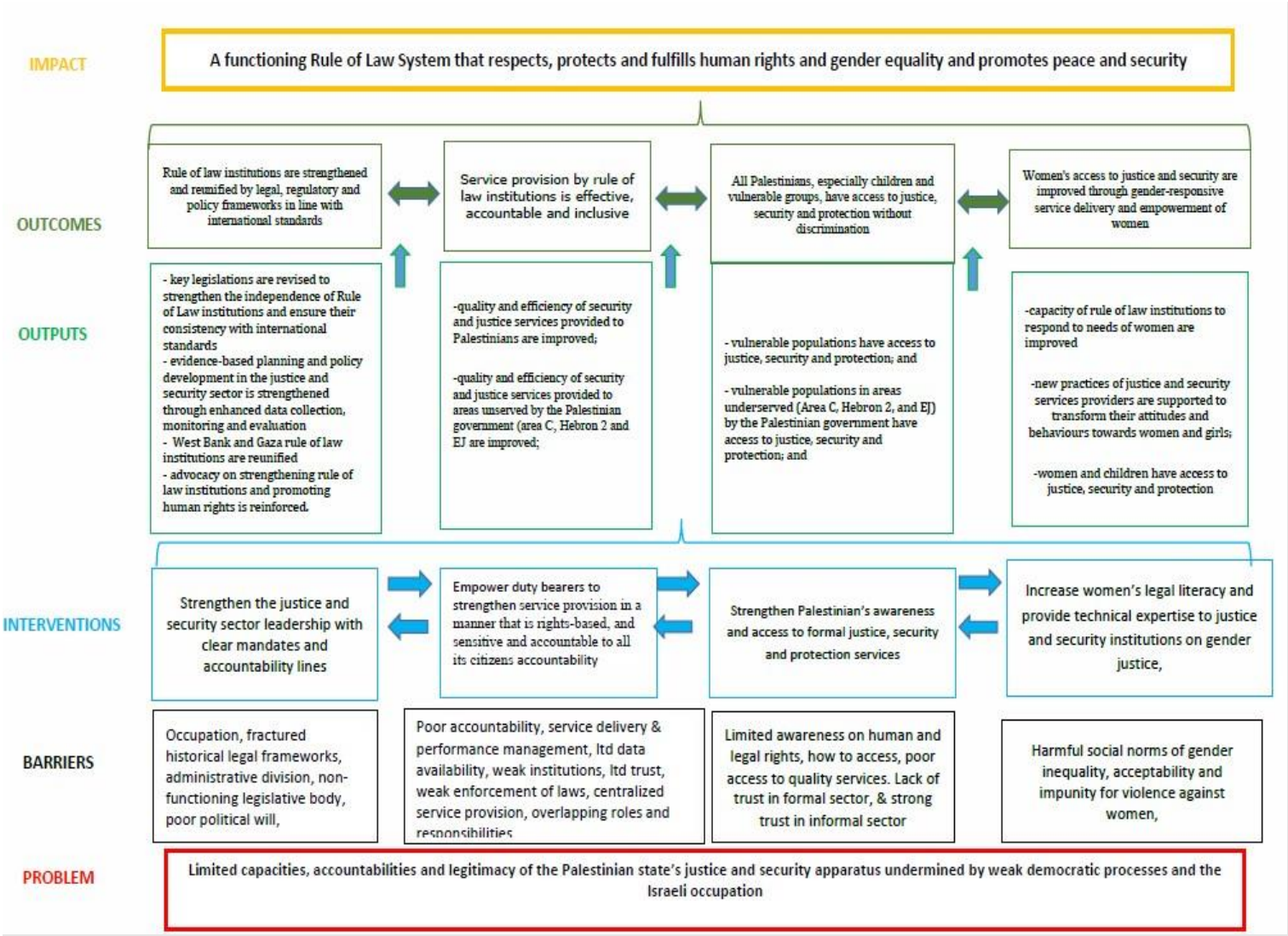
UNICEF

Women Affair's Center (WAC)

Women’s Center for Legal Aid & Counselling- WCLAC

Yesh Din - Volunteers for Human Right

Annex 2: Programme Theory of Change



Annex 3: Reviewed Documents

1. Evaluation Report Sawasya II - Promoting the Rule of Law in Palestine, DCAF December 2020
2. Project Document, Sawasya II - Promoting the Rule of Law in Palestine, July 2018
3. Final Evaluation of SAWASYA Programme "Strengthening the Rule of Law: Justice and Security for the Palestinian People," General Consulting and Training, 23 April 2017
4. Annual Workplan and Budget Sawasya 2023, UNDP, UNICEF, UNWomen & Government counterparts
5. Draft Annual Workplan Sawasya 2022, UNDP, UNICEF, UNWomen & Government counterparts
6. 6th Legal Monitor Report, Executive Summary of Sawasya funded surveys, Palestinian Central Bureau of Statistics, 2022
7. Public and experts perceptions towards the dynamics in the Palestinian justice sector, Palestinian Central Bureau of Statistics, 2021
8. 2021 Semi Annual CAAC Bulletin 2, "Situation of Concern: Israel and the State of Palestine" UNICEF
9. "Children in the State of Israel", Child development data from the 2019/2020 multiple indicator cluster survey (MICS), CRB English v4, 2021
10. "Key results and partnerships for children", State of Palestine, UNICEF 2021
11. UNICEF Assessment Report on Joint UN Interventions, 2021, Main Report, UNICEF December 2021
12. Evaluation Report of Mizan II: The Court Management System (Mizan) from the Users Perspectives, Sawasya, August 2022
13. A Review of the Performance of Legal Aid Providers: Quantitative Approach, Sawasya II, 2021.
14. Evaluation Report, The legal incubator program at the University College of Applied Sciences (INSAF), December 2022.
15. Palestinian Courts Performance, Quantitave Analysis, Sawasya II, August 2021.
16. Legal Aid Services Supported by Sawasya II, 2020.
17. Justice Sector: Context and Prospect for Engagement, Sawasya II, 2021
18. Annual Programme Narrative Progress Report January – December 2022, December 2022
19. Consolidated Annual Financial Report January – December 2022, December 2022
20. Annual Programme Narrative Progress Report January – December 2021, December 2021
21. Consolidated Annual Financial Report January – December 2021, December 2021
22. Annual Programme Narrative Progress Report January – December 2020, December 2020
23. Consolidated Annual Financial Report January – December 2020, December 2020

Annex 4: Evaluation Matrix

Key Evaluation Question	Sub Questions	Indicators	Data Collection and Analysis	Information Sources
Relevance				
EQ1 - To what extent was the programme in line with the national development priorities, the country programme's outputs and outcomes, and the SDGs?	1.1: To what extent does the programme concept and objectives address the justice needs of targeted beneficiaries?	Evidence of alignment with National Plans Stakeholder views on the priority issues for justice	Document review Context analysis Key Informant Interviews	Government and programme documents. KII with stakeholders, especially partners and beneficiaries.
	1.2: To what extent were perspectives of those who could affect the outcomes, and those who could contribute information or other resources to the attainment of stated results, taken into account?	Contents of yearly planning processes Stakeholder views on involvement in yearly planning processes	Document review Content analysis Key Informant Interviews	Government and programme documents. KII with stakeholders, especially partners and beneficiaries.
EQ2 - To what extent the programme is flexible, adaptive and context-specific to adjust strategies over time?	2.1: How has resistance to justice reform influenced programme approaches?	Stakeholder views on programme implementation and actor political positioning	Document review Context analysis Key Informant Interviews	Programme documents. Media reports KII with UN staff and stakeholders.
	2.2: Have internal learning mechanisms improved since the mid-term?	Review of internal learning documentation	Document review UN Staff Interviews	Programme documents, especially planning and lessons documents.

		UN programme staff views on learning mechanisms		KII with UN staff.
EQ3 - To what extent does the programme concept and objectives address the justice needs of targeted beneficiaries?	3.1: To what extent does the programme contribute to gender justice and equality, the empowerment of women and the human rights-based approach?	Review of monitoring reporting Stakeholder views on the prioritisation of gender justice and human rights in programme approaches	Document review Programme monitoring Programme site visits Context analysis Key Informant Interviews	Programme documents. Monitoring reports Direct observation KII with UN staff and stakeholders, especially partners and beneficiaries.
	3.2: To what extent does the programme contribute to child rights?	Review of monitoring reporting Review of annual workplans Stakeholder views on the prioritisation of children's rights in programme approaches	Document review Programme monitoring Programme site visits Context analysis Key Informant Interviews	Programme documents. Monitoring reports Direct observation KII with UN staff and stakeholders, especially partners and beneficiaries.
Coherence				
EQ4 - To what extent is this intervention coherent with other international actors' intervention in the same context?	4.1: How well is the Justice Sector Working Group functioning?	Stakeholder views on the JSW	Document review Donor reporting Key Informant Interviews	KII with government and donor partners KII with UN staff.
	4.2: Has coordination with other projects and the EU improved?	Stakeholder views on coordination on justice support in Palestine	Document review Donor reporting Key Informant Interviews	KII with government and donor partners KII with UN staff.
	5.1: How well are the UN partners integrated into Sawasya?	UN staff views on programme integration Review of the extent of joint project activities	Document review Programme site visits	KII with government, donor partners, and CSO's

EQ5 - To what extent is this intervention contribute to the coherence of UN approaches?			Gaza visit Key Informant Interviews	Programme planning documents Direct observation KII with UN staff.
	5.2: What factors contribute to the success of the programme as a joint effort?	UN staff views on programme success Changes in UN processes	Document review Programme site visits Gaza visit Key Informant Interviews	KII with government and donor partners Monitoring reports Direct observation KII with UN staff.
EQ6 - To what extent is this intervention contribute to coherence in Civil Society efforts?	6.1: To what extent does Sawasya actively enable coordinated CSO efforts?	CSO views on coherence	Document review Key Informant Interviews	KII with CSO partners Monitoring reports Direct observation KII with UN staff.
Effectiveness and Impact				
EQ7 - What have been the key results so far and to what extent those results to date are likely to lead to achievement of the programme's objectives in the remaining time?	7.1: In which areas does the programme have the greatest/fewest achievements? Why and what have been the contributing factors?	Review of programme monitoring UN and stakeholder views of the factors	Document review Programme monitoring Programme site visits Gaza visit Key Informant Interviews	KII with Palestinian Stakeholders Monitoring reports Direct observation KII with UN staff.
	7.2: What, if any, alternative strategies would have been more effective in achieving the programme's objectives?	UN and stakeholder views on alternatives	Document review Context analysis Key Informant Interviews	KII with Palestinian Stakeholders KII with UN staff.

	7.3: To what extent have poor, physically challenged, women, children and other disadvantaged and marginalized groups benefited from the work of the programme in the State of Palestine?	Review of programme monitoring UN and stakeholder views on the distribution of benefits	Document review Programme monitoring Programme site visits Gaza visit Key Informant Interviews	KII with Palestinian Stakeholders Monitoring reports Direct observation KII with UN staff.
	7.4: What evidence is there that the programme promoted positive changes in gender equality and the empowerment of women? Were there any unintended effects?	Review of programme monitoring	Document review Programme monitoring Programme site visits Gaza visit Key Informant Interviews	KII with Palestinian Stakeholders Monitoring reports Direct observation KII with UN staff.
EQ8 – To what extent is the programme on track to support, or likely to support/contribute to capacity change of partners, influence on broader policy/systems and impacts at beneficiary level?	8.1: What were the effects of the intervention on recipients' lives?	Review of programme monitoring UN and stakeholder views of the impact	Document review Programme monitoring Context analysis Programme site visits Gaza visit Key Informant Interviews	KII with Palestinian Stakeholders Monitoring reports Direct observation KII with UN staff.
	8.2: How effective have the programme partnerships with civil society organizations been in contributing to achieving results?	Review of programme monitoring UN and stakeholder views of the effectiveness of partnerships	Document review Context analysis Programme site visits Gaza visit Key Informant Interviews	KII with Palestinian Stakeholders, especially CSOs Monitoring reports Direct observation KII with UN staff.

	8.3: What were the gender-specific impacts?	Review of programme monitoring UN and stakeholder views of the impact	Document review Programme monitoring Context analysis Key Informant Interviews	KII with Palestinian Stakeholders Monitoring reports Direct observation KII with UN staff
Efficiency				
EQ9 - Was the intervention implemented in the most efficient way compared to alternatives?	9.1: How were programme resources organised, most notably staff, and was this adequate?	Review of financial reporting Review of annual workplans	Document review Programme site visits Key Informant Interviews	Programme planning and financial documents Direct observation KII with UN staff
	9.2: Has overall UN system alignment improved, and has this resulted in any gains in efficiency?	UN staff views on alignment	Document review Context analysis Key Informant Interviews	KII with UN staff
EQ10 - To what extent do the M&E systems utilized by the programme ensure effective and efficient project management?	10.1: Does programme monitoring inform decision making?	Review of monitoring reporting Review of annual workplans UN staff views on decision making	Document review Monitoring report review Key Informant Interviews	Monitoring reports Direct observation KII with UN staff.
EQ11 - To what extent has the UN programme's partnership strategy been appropriate and effective?	11.1: Is the programme using its civil society partnerships to efficiently support improvements in justice delivery?	Review of monitoring reporting Review of annual workplans CSO and UN staff views on the efficiency of support	Document review Monitoring report review Key Informant Interviews	KII with Palestinian Stakeholders, especially CSOs Monitoring reports Direct observation KII with UN staff.

Sustainability				
EQ12 - Will financial and economic resources be available to sustain the benefits achieved by the project?	12.1: Are there any social or political risks that may jeopardize sustainability of project outputs and the project contributions to country programme outputs and outcomes?	UN staff and key stakeholder views on sustainability	Document review Context analysis Media reporting Key Informant Interviews	KII with Palestinian Stakeholders, especially CSOs Monitoring and media reports Direct observation KII with UN staff.
EQ13 - To what extent did the programme intervention implementation arrangements consider sustainability?	13.1: How was sustainability considered in capacity building of national and local government institutions?	Review of monitoring reporting Review of annual workplans UN staff views on capacity building approaches	Document review Key Informant Interviews	KII with Palestinian Stakeholders, especially CSOs Programme planning documents Direct observation KII with UN staff.

Annex 5: Terms of Reference for the Evaluation

Sawasya II Final Evaluation Terms of Reference

The TOR should, at a minimum, cover the elements described below.

1. Background and context

1.1 Background on the Programme:

Sawasya II: Promoting the Rule of Law in Palestine is a joint "One-UN" Programme comprised of UNDP, UN Women and UNICEF. The government signatories to the Programme document are the Ministry of Justice (MoJ), Ministry of Social Development (MoSD), the High Judicial Council (HJC), the Attorney General's Office (AGO), and the Supreme Judge Department (SJD). Non-signatory partners include, inter alia the Palestinian Civil Police (PCP), the Palestinian Bar Association (PBA), and the Palestinian Judicial Institute (PJI). The Programme is supported by the Netherlands, the Swedish International Development Agency and the Spanish Agency for International Development Cooperation.

The Programme is designed as a "3+2" in which the first three years of the Programme are guaranteed by the development partners with the possibility of a two-year extension. Based on a positive mid-term evaluation, the Programme's development partners did extend the Programme for an additional two years. The Programme is budgeted at $10 million per year ($ 53.7 million in total) and has currently received funds and commitments of around $44 million.

Strategically, *Sawasya II* serves as the primary vehicle of the United Nations for advancing the rule of law, integrity, gender justice and human rights in Palestine for the period 2018-2023. Bringing together the main UN entities mandated and invested in these areas in an integrated Programme framework, *Sawasya II* seeks to elevate the statebuilding enterprise for a progressively functioning and increasingly inclusive rule of law system that respects, protects, and fulfils human rights and gender equality and promote peace and security.

Sawasya II is adopting a holistic gender mainstreaming approach and developed a gender strategy which sets out tools, methods, and approaches to ensure that women's rights, needs, and interests are adequately taken care of in the Programme's policy, programming frameworks and directions. The Programme is reaching between 30,000-40,000 beneficiaries through legal education, awareness, consultation/advice, legal representation, and psycho-social support per year.

Acknowledging that the ability to access to justice is a human right itself and is key to the realization to all other human rights, *Sawasya II* sets out to address gender justice gaps and discrimination against women which are deeply entrenched in the justice and security systems in Palestine. In doing so, *Sawasya II* has conducted a gender analysis for the underlying causes of gender inequality and discrimination against women as well as the

adverse impact of the identified underlying causes on women's access to justice and their realization to human rights.

As concerns children, the legal framework on advancing their access to justice is in place with the amendment of the Palestinian Child law in 2014 and the endorsement of the juvenile protection law by a presidential decree in 2016. The child justice and protection institutions made efforts to implement these laws but an assessment of children's access to justice conducted by UNICEF highlighted existing gaps and challenges. *Sawasya II* is informed by the recommendations made in the assessment and addresses a number of them. The interventions are focused on strengthening the capacity of specialized child justice professionals and establishing a referral, diversion mediation, and alternatives to detention systems.

The overarching objective of *Sawasya II* has UN Sustainable Development Goals (SDGs) 16 and 5 at its core: focused on the promotion of peaceful and inclusive societies for sustainable development, provision of access to justice for all, and the realization of effective, accountable and inclusive institutions at all levels (SDG 16), and on achieving gender equality and empowerment for women and girls (SDG 5). *Sawasya II* is fully aligned with the National Policy Agenda (2017-2023) and relevant sector and cross-sector strategies of the Palestinian Government, including the Justice Sector Strategy 2017-2023, Security Sector Strategy 2017-2023, National Strategy to Combat Violence Against Women (2011-2019), the National Cross-Sectoral Strategy to Promote Gender Equality, Equity and Women's Empowerment (2017-2023),[9] Juvenile Protection National Strategic Plan and implementation Framework (2016-2019),[10] the Child Protection Action Plan (2018-2023) and the National Intersectoral Violence Against Children Strategy (2021-2023)

Sawasya II is designed to contribute to key priorities in the five-year United Nations Development Assistance Framework (UNDAF) for Palestine, which was launched in 2018. *Sawasya II* secured commitment from the Palestinian government at the highest level and aims to reinforce broader national and international political and technical efforts aimed at supporting the realization of a well-functioning Palestinian State, based on principles of good governance and the rule of law in accordance with gender equality and social inclusion.

Sawasya II builds on the considerable accumulated experience and expertise of the involved UN entities, at both global and local levels, including that of the *Sawasya I* joint Programme of UNDP and UN Women, as well as the experience of UNICEF, and aims to leverage partnerships with other key bilateral and multilateral development partners, including the Office of the United Nations Special Coordinator for the Middle East Peace Process, the Office of the Middle East Quartet, the European Union (via both the Office of the EU Representative and the EUPOL COPPS), and lead bilateral donors in the justice and security sectors.

Sawasya II builds on established partnerships with government and civil society at all levels and capitalizes on the extensive reach of the involved UN entities across the West Bank, including East Jerusalem, and the Gaza Strip.

1.2 Context:

Efforts to advance the rule of law in Palestine continue to contend with three essential problems: the democratic deficit that profoundly affects the capacity, accountability and perceived legitimacy of the state's justice and security apparatuses; the obstacles to full realization by the Palestinian people of their basic human rights and fundamental freedoms; and gender inequality and stereotypes that are deeply entrenched in legal, social and

[9] A new strategy is currently being developed. However, the National Strategy to Combat Violence Against Women for 2011-2019 is still being used as a point of reference.

[10] A new strategy is currently being developed. However, the Juvenile Protection National Strategic Plan and implementation Framework (2016-2019) is still being used as a point of reference.

political norms. Stagnation of the peace process, the statebuilding process, and national reconciliation efforts have all hindered recent efforts to strengthen the rule of law, and while technocratic solutions have made positive inroads towards improving institutional capacities, strengthening services and advancing access to justice and security, many of the fundamental preconditions for sustainable rule of law development have yet to be realized.

There are key external and internal factors that affect sustainable development in the rule of law and the realization of human rights in Palestine, among which the key external factor is the ongoing occupation by Israel. While the key internal factors are the deep national division since 2006, a dysfunctional legislative environment, fractured legal jurisdictions, weak institutional capacities, corruption, discriminatory social norms, and a lack of clarity around institutional roles and mandates. Although there was a temporary breakthrough in the reconciliation process in 2018, it unfortunately did not result in any permanent gains. If the reconciliation process gains traction, there are numerous potential scenarios which will have a significant impact on the work in and of the justice sector. A flexible approach will be required in order to respond to the changing context to consolidate and capitalize on positive developments.

As a conflict-affected population, women and girls experience multi-layers of insecurity and discrimination due to the ongoing Israeli Occupation and the entrenched patriarchal norms and practices within the Palestinian society. Women and girls are disproportionately impacted by the discriminatory practices of the occupation, such as house demolitions, prevention of family unification, freedom of movement and others, which put them at higher risks of violence in the public and private spheres. Gender myths and stereotypes on the other hand, have structurally influenced women's access to rights, power, resources, and knowledge, and resulted in the development of discriminatory legislations, policies, and practices, that undermine women's experience, voices and rights, and reinforce males' domination and supremacy over them. This is reflected in lenient legal provisions, which are inherited from various years such as the 1960 Jordanian Penal Code, still applicable in the WB, with lenient legal provisions regard family violence. In addition to the shortcomings in the Family Status Laws, which is not in harmony with international conventions regarding early marriage, divorce, child custody and inheritance among others.

With this in mind, and due to the predominant cultural norms, women are often stigmatized when reporting GBV to the authorities particularly sexual assault crimes. In addition to the lack of proper specialized services for these cases in the justice system, which discourage them to pursue justice, and result in low number of prosecutions and convictions of VAW cases. Likewise, lack of serious official data regarding crimes against women and girls is another aspect that is seriously affecting the realization of rights.

Notwithstanding the challenges noted above, important progress has also been made. On the legislative front, *Sawasya I* played a pivotal role in drafting and promoting a Family Protection Bill aligned with international human rights standards. With regard to justice for children, the Juvenile Protection Law (by decree), passed into law in March 2016, has been widely welcomed as providing greater protection for children in contact with the law. It has galvanized justice sector actors to ensure child-friendly procedures and modalities are in place to implement the law. The law unifies domestic and international law and updates the Palestinian juvenile justice system. It recognizes minors – those under the age of 18 – as victims in need of protection, rehabilitation, and reintegration into society, rather than as criminals deserving punishment.

In addition, the provision of specialized services by law enforcement and prosecution has afforded greater state protection for victims of gender-based violence, and systems improvements have enhanced the case disposal rates in the courts. Recently, the National Policy Agenda (2017-2023) has also incorporated a strong justice and rule of law agenda for the coming six years, with specific plans to promote the rights of, and access to justice for women and children.

Rule of law remains a cornerstone of statebuilding in Palestine and continues to be an important focus for international assistance. The international community has long recognized that developing functioning and successful public institutions is a long-term challenge for governments, particularly in fragile settings, but also that both short-term and long-term results can be achieved through well-designed and committed development assistance programming. Within the United Nations system, there is a general consensus that in the post-2015 agenda, gender equality and the empowerment of women are pivotal as intrinsic human rights principles, and as catalysts for achieving all human development goals and good governance. Realizing women's human rights implies recognizing and addressing the underlying foundations of gender-based inequality, and the root causes of women's human rights violations; challenging structural constraints to equal rights and putting in place appropriate policy and programmatic responses in line with human rights principles enshrined in the major UN Conventions.

Investments made by donors and the UN, including through the first *Sawasya* Programme, have achieved progressively significant results in Palestine. However, impediments to achieving sustainable improvements on rule of law, integrity, gender justice and human rights remain.

At the level of institutional regulatory and policy frameworks, rule of law, integrity, human rights, and gender justice in Palestine are all seriously affected by the democratic deficit, including the lack of regular elections and a functioning legislature, the bifurcated and fragmented legal and policy settings and weak enforcement of laws. Laws promulgated after 2007 are subject to questions of legality and legitimacy and although Palestine ratified the core set of international human rights treaties in 2014, only the Convention on the elimination of all Forms of Racial Discrimination and the Convention on the Rights of the Child have been published in the official gazette and formally incorporated into law, policy, and practice in a systematic way. Budget allocations are not yet fully aligned to the national and sector priorities, and the availability of data and statistics is insufficient to form a sufficient evidence base for law, policy, and service provision.

At the level of effective, accountable, and inclusive service provision, the influence of personal relationships over institutional frameworks and formal processes prevails. Corruption, whether actual or perceived, erodes public confidence in the public administration. The lack of monitoring and oversight of the public service, the inward focus of the public service, and the lack of a stable and professional public service culture all impede an outward facing, service delivery-focused state apparatus. Transparency and accountability mechanisms are also limited, both in the public sector and in non-government service providers who fill the gaps in service provision in Palestine where service delivery by the State is weak, limited, or unavailable. The efficiency of the justice chain in Palestine has been significantly improved by the UNDP-supported Mizan 2 court management system, but the referral links between the justice chain and related service providers (police, health, housing, education, social services) remain weak.

Finally, access to justice, security and protection remains impeded by resource constraints (for example in the provision of legal aid and specialized services for vulnerable groups) and centralization of services. Information about services is limited and poorly coordinated, meaning people are often unaware of services or where and how to locate them. At the societal and normative level, access to justice, in particular for women and children, is often impeded by discriminatory social norms that do not recognize gender-based violence and corporal punishment as a crime; that do not recognize women's human rights claims and children's needs; and promote harmful practices and behaviours in communities and families. Moreover, social norms of preserving family honor translate into the resolution of violations by informal actors, often not in the best interests of women or children. Access to justice for children is largely user-unfriendly, and traumatizing for children as victims as well as offenders. Long delays in judicial proceedings, poor investigative techniques with specialist and non-specialist police and social services, poor referrals, almost non-existent diversion services, as well as limited mediation and alternatives to detention, and limited rehabilitation and reintegration support services result in families and communities reliant on unregulated informal justice actors.

1.3 Project objectives

Outcome 1: **Rule of Law institutions are strengthened and reunified by legal, regulatory and policy frameworks in line with international standards**	Indicative budget (USD): 7,467,287
Output 1.1: Key legislations are revised to strengthen the independence of Rule of Law institutions and ensure their consistency with international standards	
Output 1.2: Evidence-based planning and policy development in the justice and security sector is strengthened through enhanced data collection, monitoring and evaluation (in alignment with SDG/HR indicators)	
Output 1.3 West Bank and Gaza rule of law institutions are reunified	
Output 1.4 Advocacy on strengthening rule of law institutions and promoting human rights is reinforced	
Outcome 2: Service provision by Rule of Law institutions is effective, accountable, and inclusive	Indicative budget (USD): 11,740,341
Output 2.1.: Quality and efficiency of security and justice services provided to the Palestinians are improved	
Output 2.2: Quality and efficiency of security and justice services provided to areas unserved by the Palestinian government are improved	
Outcome 3: All Palestinians, especially children and vulnerable groups, have access to justice, security and protection without discrimination	Indicative budget (USD): 10,053,047
Output 3.1.: Vulnerable populations have access to justice, security and protection	
Output 3.2: Vulnerable populations in areas unserved by the Palestinian government have access to justice, security and protection	
Women's access to justice and security are improved through gender-responsive service delivery and empowerment of women	Indicative budget (USD): 9,719,981
Output 4.1.: Capacity of rule of law institutions to respond to needs of women are improved	
Output 4.2 New practices of justice and security service providers are supported to transform their attitudes and behaviours towards women and girls	
Output 4.3: Women and Children Have Access to Justice, Security and Protection	
Management, monitoring and evaluation and project visibility	Indicative budget (USD): 10,423,345
Programme cost	Indicative budget (USD):

	49,404,000
Indirect support cost (7%)	Indicative budget (USD): 3,759,000
MPTF administrative cost (1%)	Indicative budget (USD): 537,000

PROJECT/OUTCOME INFORMATION		
Project/outcome title	*Sawasya II*: Promoting the Rule of Law in Palestine	
Atlas ID		
Corporate outcome and output		
Country	State of Palestine	
Region		
Date project document signed	26 June 2018	
Project dates	**Start**	**Planned end**
	1 July 2018	30 June 2023 (31 December 2023 with extension)

Project budget	**$53,700,000 ($3,700,000 additional for extension) – approx. $44,000,000 received**
Project expenditure at the time of evaluation	**35,230,484**
Funding source	**Netherlands, SIDA, European Union, Spanish Cooperation**
Implementing party[11]	**UNDP, UN Women, UNICEF**

2. Evaluation purpose, scope and objectives

2.1 Purpose of the Evaluation:

The main purpose of this final (summative) evaluation is to provide evidence and recommendations on the outcomes or results of the *Sawasya II* Programme "Promoting the Rule of Law in Palestine" on the lives of beneficiaries that can be attributed to UN-interagency interventions. Moreover, it should provide recommendations relevant in the formulation of a third phase of the Programme, *Sawasya III.*

2.2 Specific objectives

1) Assess the relevance of project activities, procedures and structures to the Programme's context and overall goal including strategic decision-making and prioritization of limited resources.
2) Assess the efficiency, effectiveness, impact, institutional capacity, sustainability, coherence, coverage, and risk management of the Programme including the role of the Programme's steering committee, UN agencies organizational, financial, administrative and fundraising systems and actions for the implementation of the Programme.
3) Develop conclusions and suggest actions to inform the Programme's overall learning about what works and what does not so the Programme can adjust/improve/refine when creating the *Sawasya III* prodoc. This should include not only the results the Programme has achieved, but to explain the 'how' and the 'why' – why progress was made, and why not – in order to provide a process focus, rather than only a results focus – and what that learning informs for future programming.
4) Assess different stakeholders' satisfaction from the Programme and its interventions.
5) The evaluation will also cover how cross cutting issues such as a human rights-based approach to programming (HRBAP), gender equality, child-rights approach, intersectionality approach and equity has been addressed, how the intervention sought to mainstream gender in development efforts, considered disability issues and applied the rights-based approach and make recommendations for increased mainstreaming of these cross-cutting issues as required.

2.3 Scope of the Evaluation:

The Programme is now coming to completion, with this in mind the collective partners involved with the *Sawasya II* Programme are commissioning a final evaluation to examine the programmatic design, management structure, lessons learned, and achievements, covering the period from June 2018 – December 2023.

[11] This is the entity that has overall responsibility for implementation of the project (award), effective use of resources and delivery of outputs in the signed project document and workplan.

Geographically, the evaluation will cover the selected locations in the West Bank and Gaza Strip as agreed under the Programme document.

In every stage of the evaluation, criteria will be used (relevance, efficiency, effectiveness, sustainability, impact, coherence, equity, and human rights issues). The evaluation will present lessons learned, best practices and recommendations for future protection programming, while also adopting an approach that integrates the aspects of gender, human rights and equity throughout the evaluation and applied across the analysis of the programmes.

The scope of this evaluation will also focus on assessing the project contributions to gender equality and women's empowerment and providing actionable, evidence-based recommendations and lessons learned to inform the future United Nations System-wide Action Plan on Gender Equality and the Empowerment of Women (UN-SWAP) in UN agencies work.

2.4. Use and audience of the evaluation:

The findings, recommendations and lessons learned from this evaluation will be used to identify and implement strategies for enhancing the relevance, efficiency, effectiveness, and sustainability and impact of the rule of law Programme. The evaluation's target audience will be UNDP, UN Women, UNICEF, the relevant Ministries, other UN agencies, donors, beneficiaries, and partners.

The findings and lessons learned will be shared with partners involved in the rule of law sector, stakeholders, implementing partners and relevant actors.

The actors and other stakeholders not directly involved or concerned with this evaluation will be the

secondary audiences and users of the evaluation report such as UNDP, UN Women, UNICEF Regional Offices and UNDP, UN Women, UNICEF HQ as the lessons learned, good/best practices would contribute to strategic thinking around integrated approaches to rule of law programmes in the region.

3. Evaluation criteria and key guiding questions

Evaluation questions define the information that the evaluation will generate. This section proposes the questions that, when answered, will give intended users of the evaluation the information they seek in order to make decisions, take actions or increase knowledge. Questions should be grouped according to the four or five OECD-DAC evaluation criteria: (a) relevance; (b) coherence; (c) effectiveness; (d) efficiency; and (e) sustainability (and any other criteria used). The purpose of the evaluation criteria is linked to the purpose of the evaluation. Namely, to enable the determination of the merit, worth or significance of the Programme. The evaluation should be conducted according to the six criteria set by the Organization for Economic Co-operation and Development (OECD) - Development Assistance Committee (DAC) (relevance, coherence, effectiveness, efficiency, the likely impact and sustainability). Each criterion is a different lens or perspective through which the intervention can be viewed. Together, they provide a more comprehensive picture of the intervention, the process of implementation, and the results.

The criteria play a normative role. Together they describe the desired attributes of interventions: all interventions should be relevant to the context, coherent with other interventions, achieve their objectives, deliver results in an efficient way, and have positive impacts that last. The criteria are used in evaluation to: a) Support accountability, including the provision of information to the public; and b) Support learning, through generating and feeding back findings and lessons.

Suggested evaluation questions are provided below. These guiding evaluation questions will be further refined by the evaluation team and agreed with the UN evaluation stakeholders.

***Sawasya II* final evaluation questions:**

Relevance

To what extent:

- Was the Programme in line with the national development priorities, the country programme's outputs and outcomes, and the SDGs?
- Were perspectives of those who could affect the outcomes, and those who could contribute information or other resources to the attainment of stated results, taken into account during the project design processes?
- Does the original Programme concept and objectives address the justice needs of targeted beneficiaries?
- Does the Programme contribute to gender justice, women's access to justice, and equality, the empowerment of women and the human rights-based approach?
- Does the Programme contribute to realization of child rights?
- The Programme is flexible, adaptive and context-specific to adjust strategies over time, as circumstances evolve (e.g., conflicts in Gaza, the Covid-19 pandemic) and the changing external environment?
- The original Programme design addresses not only justice needs but also the contextual constraints, i.e., the different legal systems and jurisdictions?

Coherence

To what extent:

- Is this intervention coherent with other actors' intervention in the same context (this includes complementarity, harmonization and co-ordination with others, and the extent to which the intervention is adding value while avoiding duplication of effort.)
- Is the intervention coherent with national authorities' priorities?
- The intervention coherent is with international obligations on fair trial and access to justice?
- Is the intervention coherent with international obligations on gender justice and justice for children?

Effectiveness

- To what extent did the Programme contribute to the country programme outcomes and outputs, the SDGs, the UNDP/UN Women/UNICEF Strategic Plans and national development priorities?
- To what extent are the Programme outputs and outcomes on track or achieved?
- In which areas does the Programme have the greatest/fewest achievements? Why and what have been the contributing factors? How can the Programme build on or expand these achievements or how can they be overcome?
- What have been the key results so far and to what extent those results to date are likely to lead to achievement of the Programme's objectives in the remaining time?
- What, if any, alternative strategies would have been more effective in achieving the Programme's objectives?
- Are the Programme's objectives and outputs clear, practical and feasible within its timeframe?
- To what extent is the Programme management and implementation participatory and is this participation contributing towards achievement of the Programme objectives?
- How effective have the Programme partnerships with civil society organizations been in contributing to achieving results in Gaza?

Efficiency

To what extent:

- Has the Programme delivered its expected results to date, including in terms of budget allocation and cost-efficiency of activities?
- To what extent has the UN Programme's partnership strategy been appropriate and effective?
- Was the intervention implemented in a timely way?
- Was the intervention implemented in the most efficient way compared to alternatives?
- Did the targeting of the intervention mean that resources were allocated efficiently?
- To what extent do the M&E systems utilized by the Programme ensure effective and efficient project management?

Impact

- What were the effects of the intervention on recipients' lives?
- To what extent is the Programme on track to support, or likely to support/contribute to capacity change of partners, influence on broader policy/systems and impacts at beneficiary level?
- Did a specific part of the intervention achieve greater impact than another?
- Were there unintended (positive or negative) effects for recipients and non-recipients of assistance?
- What were the gender-specific impacts? Did the intervention influence the gender context?
- What is the contribution of an intervention to long-term intended results?

Sustainability

To what extent:

- Did the Programme intervention implementation arrangements include considerations for sustainability, such as capacity building of national and local government institutions, communities, exit strategies and other partners?
- Will targeted men, women and vulnerable people benefit from the project interventions in the long-term?
- Will financial and economic resources be available to sustain the benefits achieved by the project?
- Are there any social or political risks that may jeopardize sustainability of project outputs and the project contributions to country programme outputs and outcomes?
- Are lessons learned documented by the project team on a continual basis and shared with appropriate parties who could learn from the project?

Evaluation questions on cross-cutting issues

Human rights

- To what extent have poor, physically challenged, women, children and other disadvantaged and marginalized groups benefited from the work of the programme in the State of Palestine?
- Have there been any changes in society/with authorities in terms of behaviour/practice?
- To what extent the Programme contributed to the protection and promotion of human rights and in the State of Palestine.

Gender equality

- To what extent have gender equality and the empowerment of women been addressed in the design, implementation, and monitoring of the programme?
- What evidence is there that the Programme promoted positive changes in gender equality and the empowerment of women? Were there any unintended effects?

4. Methodology

The final evaluation should utilize a participatory and interactive approach using mixed method of data collection. UN agencies are strongly encouraging the use virtual tools such as phone interviews and phone surveys, virtual Focus Group Discussions (FGDs) and online and SMS-based surveys, among others, during this period of COVID-19 pandemic. Additionally, pre-existing secondary data such as administrative datasets and previous survey datasets can be used to answer some evaluation questions. The evaluators should conduct a thorough document review of the programme document, theory of change and results framework, programme quality assurance reports, annual workplans, activity designs, mid-year and annual reports, and results-oriented monitoring report. The evaluators will analyze synergies with existing programmes, projects that intersect strategically with *Sawasya*, based on the list preapproved by the evaluation reference group. The evaluators may also utilize semi-structured interviews with key stakeholders; focus group discussions with beneficiaries and stakeholders; surveys and questionnaires; field visits, where possible; outcome mapping, observational visits, group discussions; and data review and analysis of monitoring reports. Based on the rapidly changing circumstances and the travel and other restrictions due to the Covid-19, the methodology and data collection methods will be adapted keeping the do no harm and ethical considerations. This will be done in consultation with evaluation managers and the Evaluation Reference Group.

The Evaluation Reference Group will consist of the three UN Heads of Agency (or their designees), development partners, the Joint Programme Manager, the component lead from the three agencies and a representative from the Ministry of Justice, Ministry of Social Development, High Judicial Council, Supreme Judge Department, and Office of the Attorney General.

The evaluator is expected to follow a participatory and consultative approach that ensures close engagement with the evaluation managers, implementing partners and direct beneficiaries.

The final methodological approach including interview schedule, field visits and data to be used in the evaluation should be clearly outlined in the inception report and be fully discussed and agreed between the UN, stakeholders, and the evaluators. In the event that this evaluation will operate mainly through desk-based research, remote engagement and online surveys, the mitigation measures, including protocols for online data protection, should be addressed in the inception report.

The final methodological approach including interview schedule, field visits and data to be used in the evaluation should be clearly outlined in the inception report and fully discussed and agreed between UNDP, key stakeholders, and the evaluators.

5. Evaluation products (deliverables)

The following deliverables should be produced as part of the overall evaluation:

- Evaluation inception report (10-15 pages). The inception report should be carried out following and based on preliminary discussions with the programme team (the Joint Programme Manager and focal points of the three agencies responsible for the Programme) after the desk review and should be produced before the evaluation starts (before any formal evaluation interviews, survey distribution or field visits) and prior to the country visit, if the current situation allows. The inception report should include the final agreed upon evaluation questions.
- Evaluation debriefings. Immediately following the initial the data collection phase, the evaluators will be expected to conduct a preliminary debriefing and present findings to the UN, authorities, stakeholders, and development partners for discussion.
- Draft evaluation report (40 to 50 pages plus executive summary). The initial draft should be produced 2 weeks after the conclusion of information collection and/or possible country visit if the situation allows. The relevant stakeholders will provide comments to the evaluators within a week of receiving the draft.
- Evaluation report audit trail. All products such as inception, draft and final reports will be validated by the evaluation reference group. Comments and changes by the evaluator in response to the draft report should be retained by the evaluator to show how they have addressed comments.
- Final evaluation report. This should be provided within a week of the evaluators receiving the comments on the draft evaluation.
- Final presentations to stakeholders remotely. This should be done within two weeks of acceptance of the final evaluation report and will be organized remotely for the evaluation team.

6. Evaluation team composition and required competencies

Lead Evaluator

- Master's degree in law, political science, human rights, gender or related field;
- Minimum 7-10 years of professional experience in areas of democratic governance, rule of law, access to justice, justice for children, international human rights law or international relations, regional development, gender equality and social services;
- At least 5 years of experience in conducting mid-term and formative evaluations of rule of law, national human rights institutions or government and international development programmes;
- Experience in mixed method data collection.
- Direct experience working with civil society and government institutions is an added advantage;
- Excellent writing skills with a strong background in report drafting;
- Demonstrated ability and willingness to work with people of different cultural, ethnic and religious background, different gender, and diverse political views;
- Ability to use critical thinking, conceptualize ideas, and articulate relevant subject matter in a clear and concise way;
- English is required and proficiency in Arabic is an advantage.

Gender Evaluation Specialist

- Master's degree in law, political science, human rights, gender or related field;

- Minimum 7-10 years of professional experience in areas of democratic governance, rule of law, access to justice international human rights law or international relations, regional development, gender equality and social services;
- At least 5 years of experience in conducting evaluations of gender, rule of law, national human rights institutions or government and international development organizations;
- Direct experience working with civil society and government institutions is an added advantage;
- Excellent writing skills with a strong background in report drafting;
- Demonstrated ability and willingness to work with people of different cultural, ethnic and religious background, different gender, and diverse political views;
- Ability to use critical thinking, conceptualize ideas, and articulate relevant subject matter in a clear and concise way;

7. English is required and proficiency in Arabic is an advantage. **Evaluation ethics**

This evaluation will be conducted in accordance with the principles outlined in the UNEG 'Ethical Guidelines for Evaluation'. The consultant must safeguard the rights and confidentiality of information providers, interviewees, and stakeholders through measures to ensure compliance with legal and other relevant codes governing collection of data and reporting on data. The consultant must also ensure security of collected information before and after the evaluation and protocols to ensure anonymity and confidentiality of sources of information where that is expected. The information knowledge and data gathered in the evaluation process must also be solely used for the evaluation and not for other uses with the express authorization of UNDP and partners.

This evaluation shall be premised on a rights-based approach and be as participatory as possible. This will ensure that the beneficiary children and youth are engaged and that findings are derived from a collective contribution. In line with the Standards for UN Evaluation in the UN System (developed by the UN Evaluation Group), all those engaged in designing, conducting, and managing evaluation activities will aspire to conduct high quality and ethical work guided by professional standards and ethical and moral principles. The evaluation will follow the UNICEF Procedure for Ethical Standards in Research Evaluation, Data Collection and Analysis guided by the 1989 Convention on the Rights of the Child (CRC) which spells out the rights to protection from all forms of child abuse, neglect, exploitation and cruelty, including the right to special protection in times of war and protection from abuse in the criminal justice system. In addition to the CRC, the evaluation process will be guided by other important treaties reinforcing rights that concern children.

Standards for Evaluation in the UN System: www.uneval.org/document/detail/22

Norms for Evaluation in the UN System: www.uneval.org/document/detail/21

Integrating Human Rights and Gender Equality in Evaluation – towards UNEG Guidance: www.uneval.org/document/detail/980

UNEG Guidance Integrating Human Rights and Gender into Evaluation: www.uneval.org/document/detail/1616

UN SWAP Evaluation Performance Indicator: www.uneval.org/document/detail/1452

UNEG Quality Checklist for Evaluation Reports: www.uneval.org/document/detail/607

UNEG Ethical Guidelines: www.unevaluation.org/document/detail/102

UNEG Code of Conduct for Evaluation in the UN: www.unevaluation.org/document/detail/100

UNICEF Procedure on Ethical Standards in Research, Evaluation, Data Collection and Analysis: https://gdc.unicef.org/resource/unicef-procedure-ethical-standards-research-evaluation-data-collection-and-analysis

8. Implementation arrangements

The *Sawasya II* Programme, in consultation with its development partners, will seek to engage the services of an international team with field-based expertise that conducted the mid-term evaluation in accordance with the most recent guidance from the IEO. UNDP will be responsible for the management of the consultants and will in this regard designate focal persons for the evaluation and any additional staff to assist in facilitating the process (e.g., providing relevant documentation, arranging visits/interviews with key interlocutors, etc.). The UNDP/UN Women/UNICEF will take responsibility for the approval of the final evaluation report in coordination with the partners.

The *Sawasya II* staff will assist the consultants in arranging introductory meetings with the relevant parties in programme and the three agencies, partners and government and civil society. The consultants will work with the *Sawasya* team for setting up meetings and conducting the evaluation, subject to advanced approval of the methodology submitted in the inception report. The UN agencies will develop a management response to the evaluation within 1 week of report finalization.

The *Sawasya* Joint Programme Manager will convene an evaluation reference group comprising of technical experts, partners, and the UN agencies to enhance the quality of the evaluation. This reference group will review the inception report and the draft evaluation report to provide detail comments related to the quality of methodology, evidence collected, analysis and reporting. The reference group will also advise on the conformity of evaluation processes to the UNEG standards. The evaluators are required to address all comments of the reference group completely and comprehensively. The evaluators will provide a detailed rationale for any comment that remains unaddressed.

9. Time frame for the evaluation process

The following section describes all tasks and deliverables for which evaluators, or the evaluation team, will be responsible and accountable, as well as those involving the commissioning office (e.g., workplan, agreements, briefings, draft report, final report). In addition, the evaluators may be expected to support UNDP efforts in knowledge sharing and dissemination.

Example of working day allocation and schedule for an evaluation (outcome evaluation)

ACTIVITY	ESTIMATED # OF DAYS	DATE OF COMPLETION	PLACE	RESPONSIBLE PARTY/IES
Phase One: Desk review and inception report				
Meeting briefing with *Sawasya* team (programme managers and project staff as needed)	-	At the time of contract signing	Remote	Lead evaluator and Joint Programme Manager (JPM)
Sharing of the relevant documentation with the evaluation team	-	At the time of contract signing	Via email	JPM
Desk review, Evaluation design, methodology and updated workplan including the list of stakeholders to be interviewed	5 days	Within two weeks of contract signing	Home-based	Evaluation Team
Submission of the inception report (15 pages maximum)	-	Within two weeks of contract signing		Evaluation team
Comments and approval of inception report	-	Within one week of submission of the inception report	UN Agencies	JPM
Phase Two: Data-collection mission				
Consultations and field visits, in-depth interviews and focus groups (*inter alia*)	15 days	Within four weeks of contract signing	In country With field visits	*Sawasya* to organize with local project partners, project staff, local authorities, NGOs, etc.
Debriefing to UN Agencies and key stakeholders	1 day	Last day of mission	In country	Evaluation team
Phase Three: Evaluation report writing				
Preparation of draft evaluation report (40-60 pages maximum excluding annexes), executive summary (5 pages)	5 days	Within two weeks of the completion of the field mission	Home-based	Evaluation team
Draft report submission	-			Evaluation team
Consolidated UN Agency and stakeholder comments to the draft report	-	Within two weeks of submission of the draft evaluation report	UNDP	JPM and evaluation reference group

Debriefing with UN Agencies	1 day	Within one week of receipt of comments	Remotely	UN Agencies, evaluation reference group, stakeholder and evaluation team
Finalization of the evaluation report incorporating additions and comments provided by project staff and UN Agencies	3 days	Within one week of final debriefing	Home-based	Evaluation team
Submission of the final evaluation report to the UN Agencies (40-50 pages maximum including executive summary and excluding annexes)	-	Within one week of final debriefing	Home-based	Evaluation team
Estimated total days for the evaluation	**30**			

10. Application submission process and criteria for selection

The evaluation will be carried out by the Geneva Centre for Security Sector Governance's (DCAF) International Security Sector Advisory Team (ISSAT) as they performed the mid-term evaluation and in accordance with the recent guidance from IEO on retaining the same team for mid-term and final evaluations. ISSAT provides practical support to the international community in its efforts to improve security and justice, primarily in conflict-affected and fragile states. It does this by working with a group of member states and institutions to develop and promote good security and justice reform practices and principles, and by helping its members to build their capacity to support national and regional security and justice reform processes.

11. TOR annexes

The following annexes will assist the evaluation team in completing the preparatory work and the evaluation itself.

- **Results and resource framework and theory of change.** Provides more detailed information on the intervention being evaluated.
- **Key stakeholders and partners.** A list of key stakeholders and other individuals who should be consulted, together with an indication of their affiliation and relevance for the evaluation and their contact information.
- **Documents to be consulted.** A list of important documents and web pages that the evaluators should read at the outset of the evaluation and before finalizing the evaluation design and the inception report. Data sources and documents include:
    - National Action Plan
    - Justice Sector Strategy
    - *Sawasya II* Programme document
    - *Sawasya II* annual reports
    - Monitoring plans and indicators
    - Previous evaluations of the *Sawasya I* Programme
    - UNDP evaluation policy, UNEG norms and standards and other policy documents.

      UNEG Guidance Integrating Human Rights and Gender into Evaluation: www.uneval.org/document/detail/1616

- **Code of conduct.** Each member of the evaluation team to read carefully, understand and sign the 'Code of Conduct for Evaluators in the United Nations system'.