



UNDP/PAPP Evaluation

Construction and Equipping of the Hebron Courthouse Facilities: 2011-2022.

Project Evaluation Report

UNDP/PAPP



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3. Disclaimer

The opinions expressed in this report are those of the evaluation team, and do not necessarily reflect those of the UNDP. Responsibility for the opinions expressed in this report rests solely with the authors. Publication of this document does not imply endorsement by UNDP of the opinions expressed.

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7. Acronyms

AAU	AAU Anastas
AWRAD	Arab World for Research and Development
BMS	Building Management System
BoQ	Bill of Quantities
CBA	Cost Benefit Analysis
CBOs	Community-based Organisations
CDN	Canadian Dollar
CEMP	Construction Environmental Management Plan
CEERP	Construction Emergency Environmental Response Plan
CIDA	Canadian International Development Agency
CSOs	Civil Society Organisations
CTC	Technical Committee
DAC	Development Assistance Committee
DCAF	Geneva Centre for Security Sector Governance
DFATD	Department for Foreign Affairs, Trade and Development
EMP	Environmental Management Plan
EQA	Environmental Quality Authority
ET	Evaluation Team
FF&E	Furniture and Equipment
FGDs	Focus Group Discussions
FMU	Facility Management Unit
GAC	Global Affairs Canada
GMS	Grant Management System
H&S	Health and Safety
HJC	High Judicial Council
HQ	Head Quarters
HR	Human Resources
HVAC	Heating, Ventilation, and Air Conditioning
IAQ	Indoor Air Quality
IEQ	Indoor Environmental Quality
ILO	International Labour Organization
JSC	Joint Service Council
KIIs	Key Informant Interviews
KIs	Key Informants
LCCA	Life Cycle Cost Analysis
M&E	Monitoring and Evaluation
MOJ	Ministry of Justice
MOL	Ministry of Labour
MOPAD	Ministry of Planning and Development
MPWH	Ministry of Public Works and Housing
OAG	Office of the Attorney General
OAG/PP	Office of the Attorney General and Public Prosecution

OECD	Organisation for Economic Co-operation and Development
oPt	Occupied Palestinian Territory
PA	Palestinian Authority
PAPP	Programme of Assistance to the Palestinian People
PCBS	Palestinian Central Bureau of Statistics
PIU	Project Implementation Unit
PMF	Performance Management Framework
PP	Public Prosecution
PR	Progress Report
PSC	Project Steering Committee
PV	Photo Voltaic
PwDs	People with Disabilities
QMP	Quality Management Plan
SDGs	Sustainable Development Goals
SoPs	Standard Operating Procedure
SP	Strategic Plan
ToR	Terms of Reference
UN	United Nations
UNDAF	United Nations Development Framework
UNDP	United Nations Development Programme
UNOPS	United Nations Office for Project Services
USD	United States Dollar

8. Executive Summary

CONTEXT, OBJECTIVES, AND METHODOLOGY

Beginning in 2009, Global Affairs Canada (GAC) – at that time still known as the Canadian International Development Agency (CIDA) – conducted a needs assessment of courthouse infrastructure across the West Bank. This evaluation, which concluded that the facilities from which the Palestinian Authority (PA) dispensed justice and promoted the rule of law were wholly inadequate, would be the catalyst for a project to improve the ability of Palestinian institutions to deliver justice and provide the modern facility that would allow them to do so. With the United Nations Development Programme (UNDP) serving as the implementing partner, the High Judicial Council (HJC) of the PA as the owner, and GAC as the donor, the project to construct and equip a courthouse in Hebron was launched in 2014. Seven years later, on 21 December 2021, UNDP would hand over such a building to the HJC for it to begin to operate.

With the completion of this undertaking, symbolized in the handover of the project, UNDP commissioned an independent evaluation to assess the outcomes and achievements of the project. Palestinian research firm Arab World for Research and Development (AWRAD) was selected to conduct the evaluation. The evaluation was guided by three objectives: (1) to assess and review the project's level of achievement, (2) to identify key findings related to achieving of project outputs and outcomes, and (3) to identify key lessons learned and recommendations to inform future projects. The first objective would employ the Organisation for Economic Co-operation and Development (OECD) Development Assistance Committee (DAC), namely: relevance, coherence, efficiency, effectiveness, likely Impact, and likely sustainability. The Evaluation Team (ET) employed a mixed methods approach, drawing on a combination of qualitative and quantitative data. The Team conducted 20 key informant interviews (KIIs), two focus group discussions (FGDs), and two site visits, in addition to fielding a survey that sampled 384 court users. Data collection took place between January and February 2023.

The purpose of the evaluation was to evaluate the project implementation, while also serving to generate good practices and lessons learned, capable of informing future projects and strengthening ongoing efforts to reform the justice and rule of law sector. Reflecting these intentions, the results of the evaluation are relevant beyond UNDP, as the implementer of the project, but also for other across the Palestinian context. The primary users of the evaluation findings and recommendations include an array of project and sector stakeholders, among them GAC HJC, Office of the Attorney General, Bar Association, Ministry of Justice, and others.

The evaluation was conducted between December 2022 and June 2023, carried out by an evaluation team composed of experts in evaluation, social research, construction/engineering/architecture, gender, and rule of law. The ET, designed a non-experimental, theory-based approach to evaluation, drawing on data collected from a final evaluation survey with court users, focus group discussions (FGDs) and key informant interviews (KIIs) with project implementers, stakeholders and court users including citizens, judges, maintenance staff, project staff, civil society and representatives from HJC and the Public Prosecution. The methodology also relied on secondary sources such as data collected from programme documents, progress reports, meeting minutes. Lastly, data sources also included secondary sources including data from PCBS and other literature.

Data from the surveys were analysed using SPSS and disaggregated by gender. Data from both KIIs and FGDs were analysed through thematic analysis, with the ET creating summary reports to

allow for comparison between transcripts. Data from programme documents were analysed by the design of document review templates and structured according to the research questions. During data collection and analysis, certain limitations were encountered, chief among them missing data and gaps in documentation particularly baseline and outcome data. The ET worked to mitigate these challenges by expanding the inclusion of secondary sources and data. Throughout data collection and beyond, all operations and activities conformed to the highest ethical standards.

Gender was considered throughout the evaluation. First and foremost, the evaluation team is a majority-woman team, and includes two experts in gender. All field enumerators were also women. Secondly, all survey data were disaggregated by gender to allow for comparisons and analysis in view between male and female respondents. These findings are noted throughout the body of the report. The ET also tried to maximize the participation of female respondents to the extent possible.

FINDINGS

Relevance

Overall, the project was found to be well-aligned with national priorities, as articulated in a range of previous and current strategies and policy documents, as well as contemporary needs. Project documents explicitly cite PA strategies for national development and the Performance Management Framework (PMF), the chief reference for identifying objectives of the project and means of measurement, includes reference to these materials and aligned benchmarks. The project was also situated within the broader context of international frameworks and stakeholder goals. Strong alignment was observed with the United Nations Development Framework (UNDAF), with the project linking its Ultimate Objective to UNDAF's Strategic Priorities. Though recognizing linkages with the Sustainable Development Goals (SDGs), evidence of explicit alignment is less prevalent, representing one area where harmonization could have been pursued to a greater degree. Further, the governorate of Hebron had a clear need for improved judicial services, a reality confirmed by situation analysis and other assessments undertaken by project actors, evidenced by a backlog of extant cases and facilities that were inaccessible, inefficient, unsafe and, ultimately, not conducive to the fostering of a responsive and modern justice sector. Particularly important, key stakeholders, ranging from judiciary personnel to users, confirmed in KIIs and FGDs that the project responded to their needs.

Coherence

The project exhibited a strong working relationship with key actors in the justice sector, governance, and beyond. In the majority of instances, the project and stakeholders operated from a common vision, enabling responsive and constructive relationships that facilitated progress towards key project activities and amicable resolution of disagreements. The opening stages of construction were marked by a series of supportive measures and gestures by the heads of the Hebron Governorate and Municipality and, though disagreements later arose with the Municipality related to service connection, relationships with these actors remained strong and continued to benefit the project. The relationship with the HJC was also well-managed, defined by regular cooperation in bilateral and multilateral engagements, though, towards the close of construction, the HJC made increasing requests for changes in multiple elements and features of the Courthouse. The project's establishing of a Construction Technical Committee to oversee technical elements of the projects represents its most effective decisions, as the Committee functioned as an important forum for sharing partner perspectives and responding proactively to

matters requiring the attention of key project stakeholders. Though UNDP proved largely successful in establishing common direction and working with external partners, opportunities to draw on internal resources were not maximized. Though the project considered inclusiveness among the intended outputs, defined by greater access of women to the justice sector, minimal engagement was recorded with actors from the Sawasya program, focused on gender equality, that UNDP was implementing at the same time.

Effectiveness

The project proved successful in increasing the availability of a safe courthouse in Palestine by completing the construction and equipping of the Hebron Courthouse. The courthouse has a gross floor area of approximately 16,170 m² – four times the size of the previous court – the new courthouse represents a significant leap from the facilities previously used, all of which were sub-standard rented residential buildings not conducive to the dispensing of justice. The building is endowed with significance for this community owing to its perception as a symbol of the government and the ideals of the Palestinian justice system.

Judging by the perceptions of experts and court users, the project appears to have been successful in its overarching goal of increasing the availability of judicial services to the Palestinian public and, by doing so, inspiring higher levels of trust in the judiciary. Indeed, according to survey results 70 percent of court users reported placing greater trust in the court as a result of their visit and the character of the Courthouse, a measure of pride and satisfaction echoed by key informants. However, a segment of these experts added that though the courthouse was appreciated for being accessible, comfortable, safe, and stately, trust in the justice sector was dependent on many external issues, such as the perceived independence of the judiciary. Survey results confirmed this view as only 37 percent of survey respondents stated that their trust in the formal judicial system has increased.

When assessing the constituent elements of overall success (as defined by Intermediate Outcomes and Outputs), the project exhibited positive results. Users and key informants report high levels of satisfaction with the new courthouse facility in Hebron. Overall, 92 percent of court users reported being either satisfied or very satisfied with the new courthouse. Users are highly satisfied with design features including, signage (85%), temperature inside the building (82%), safety and security (81%), and waiting areas (81%).

The number of cases dealt with in Hebron Courthouse increased from 48,125 in 2021 to 49,473 in 2022. This is short of the project's goal of increasing the number of cases dealt with by 10 percent. Nevertheless, data from users (62 percent) and key informants suggest that services provided through the courthouse are more reliable and less time consuming because of the availability of new features. Courthouse is largely accessible to the public. . While the project's exclusive focus on mobility-related disabilities when considering the needs of persons with disabilities means that those with visual and hearing-related disabilities continue to face access barriers.

Similar trends are observed in the project's progress towards its four intended outputs: services, facilities, inclusiveness, and sustainability. The evaluation concluded that the character of services has improved as intended, evidenced by the presence of separate and secure circulations to separate different categories of individuals, the provision of ramps and elevators, and an increased number of service counters and windows. Key informants commented, however, that despite the expansion of the latter, the number of staff to operate them has not increased. Along

with similar observations on the non-function of intended systems, such as the queuing system, these experts were circumspect about the degree of improvement that could be expected. As noted previously, the Courthouse was successfully constructed and furnished, before being handed over to the PA / HJC. Though a snag list with few items remained as of March 2023, the commission and hand over was considered successful by key informants. The project's progress towards its goals regarding inclusiveness and sustainability was more mixed. The provision of segregated facilities for women, such as toilets, family rooms, and prayer rooms, and detention cells were provided. Further, in keeping with trends observed elsewhere, the project's conception of disability was limited to those individuals with mobility-related disabilities, with no considerations for those with other types of disabilities indicated in project reports. Regarding sustainability, the project proved effective in incorporating a series of elements and measures to promote environmentalism and reduce energy consumption, all of which were functioning during the site visit. According to project stakeholders, the PV system on the roof was operationalized on 21 March 2023, a little after the evaluation team's field visit. However, a more concerning issue as flagged by the evaluation team and key informants was the capacity of HJC staff to operate the Courthouse to the extent expected. Though an Operation and Maintenance Manual was developed by the contractor and training was held for HJC and Public Prosecution staff.

Efficiency

Overall, the project proved successful in completing all activities according to the allocated budget. As of December 2022, the project was approximately 96 percent completed and had expensed 89 percent of its budget, with several costs remaining into 2023. The success of the project in adhering to the budget reflects the incorporation of a series of strategies and practices that added value, such as the establishment of the CTC, the effective working relationship with local government actors, and the high capacity for adaptation and learning. By contrast, the project proved less successful in scheduling and establishing a timeline. Owing to the initial re-scoping and subsequent developments, both attributable to project actors and external factors (e.g., COVID 19), one cost extension and two no-cost extensions were necessary. As acknowledged in progress reports, UNDP also noted that its initial timeline was unrealistic and, reflecting the scale and character of the project, should have been longer.

On a technical level, assessing achievement towards the targets these indicators is challenging as the project failed to take baseline figures to serve as benchmarks at its inception.

Relationships with non-governmental stakeholders, principally the designer and contractor, were more uneven. Ultimately, the contract with the designer was terminated in 2019, following delays created by sluggish review of plans that had previously been deemed to be unsafe. The partnership with the new contractor was successful, with the contractor completing the construction to a high degree of quality and in a manner amenable to late requests for changes by HJC and others. However, in the course of completing the construction, delays were incurred owing to inadequate planning by the contractor.

(Likely) Impact

The successful construction and operation by PA actors of the Courthouse represents an important step forward in boosting institutional capacity. From a series of inherited military courts and rented apartment buildings, all of which were acutely inadequate for the task of dispensing justice, the people of Hebron now have a modern and effective institution, which stands as a monument to the contemporary judiciary. Survey results confirmed the satisfaction and pride that

Hebron users feel in the building, with the majority of respondents indicating their experience had made them more likely to use the Courthouse again the future. Information from key informants and project reports indicates that the most likely limiting factor of future impact is the presence and capacity of staff, as the intended facilities are present but require more staff to operate them, as well as staff who can maintain their functioning at a high level. The Courthouse has been constructed in a period of multi-sided pressures, from informal, tribal mechanisms that vie for credibility in dispute resolution and the Israeli Occupation that obstructs the functioning of the PA and its institutions. The high level the Courthouse appears to be functioning at, and the positive perceptions it is engendering in users and the population of Hebron, indicates that it has potential to challenge these inhibiting actors, though, as elaborated in the Sustainability section below, this is not a foreordained outcome.

Sustainability

From the design phase, the project worked to incorporate environmental considerations, soliciting the input of a range of experts, while also conducting studies, such as a Cost Benefit Analysis and Life Cycle Cost Analysis, to help inform decision-making. Reflecting these early activities, the project incorporated a range of environmental elements and practices, including the installation of the PV solar system, the installation of a water harvesting system on the roof, KNX systems and others to reduce energy consumption, and tree planting and greening of the Courthouse grounds. In the course of construction, the project was also conscious of the environmental effect activities might have and worked with the local community, including a nearby school, to ensure these risks and consequences were mitigated or responded to. The development of a Waste Management Plan and Environmental Management Plan, along with visits by Palestinian and Canadian environmental experts, were good practices that helped promote an environmentally responsible character. The project would have benefited from more explicit linkages with Sustainable Development Goal 13,¹ mention of the Goal is absent from project documents, though some practices appear to be consonant with its objectives, such as the installation of the storm water harvesting system.

Arguably the most important question with the handing over of the courthouse and imminent closing of activities is the durability of the results achieved, particularly the HJC's capacity to ensure such an outcome. As noted previously, the answer is unclear at present. An Operation and Maintenance Manual was developed for staff and training conducted for them, but the success or overall result of such activities is not provided in sufficient detail by project actors. The Manual, in particular, was developed two days after the first day of training took place, raising questions about the extent to which its components were integrated in training modules. The absence of training logs or information on even figures on basic characteristics of the training (e.g., number of days or trainees) is inauspicious. Intersecting with this issue is the observation of the final Progress Report that the HJC did not have adequate staff or resources at the time of drafting to operate or maintain the Courthouse as intended.

A final, critical factor that must be accounted for in considering the durability of project results is the fact that the judicial space in Hebron is contested. The formal justice sector does not exercise a monopoly on dispensing justice or providing resolution to disputes. Instead, it must grapple with the alternative mechanisms offered by tribal systems and similarly "informal" structures. The ability of the Courthouse to provide accessible, efficient, safe, and impartial services is crucial not

¹ SDG 13 calls for taking urgent action to combat climate change and its impacts.

only given its mandate to the citizens of Hebron, but also to stave off attempts to supplant its authority by tribal and informal structures. As acknowledged above, the perspectives of court users indicated that large numbers are impressed and satisfied by what their new courthouse can offer, though a notable, albeit smaller, segment is dissatisfied, even alienated or embittered by their experience. These perceptions are among the primary drivers in the future of the dispute resolution space, which, at the time of this evaluation is hotly divided; 40 percent of court users agreed that the formal judiciary is preferable to tribal structures, while 43 percent expressed a preference for tribal means.

RECOMMENDATIONS

Reflecting the key findings presented above, the Evaluation Team has derived the following recommendations:

1. Expand consultations in early project phases to include lawyers, judges, staff, civil society sector, and most importantly citizens facilitate a higher degree of alignment with needs. A stakeholder mapping or similar exercise undertaken in the design phase would be effective in ensuring the right actors are approached.
2. Adopt a more expansive perspective on disability, incorporating considerations for those with visual, hearing, and other disabilities, in addition to mobility. Future PIUs should include experts and focal points on policy changes, ensuring that the project is aware of the prevailing policy framework, including potential changes, as well as limitations that may impact project results and operations.
3. Where possible, linkages should be explored with projects that focus on policy reform with the aim of creating catalytic changes. Alternatively, coherent alignment of infrastructure interventions with existing policy reform efforts.
4. Allocating resources on the basis of unit costs and dependent on actual delivery, proved to be an effective practice and facilitated a high degree of flexibility, allowing UNDP to accommodate request for changes while maintain a positive relationship with the contractor. Such practice should be incorporated in future projects.
5. Obtain commitments from the government that installed systems will be used. This is essential to ensure that results materialize and facilitate sustainability.
6. Quality control planning, management and implementation should span both the design phase and the construction phase. Dedicated human resources to ensure that design outputs are quality assured should be considered when planning construction projects.
7. Having dedicated human resources who are specialized in infrastructure is a must have to cut costs and deliver in a timely manner.
8. Quality control planning, management and implementation should span both the design phase and the construction phase. Dedicated resources to ensure quality control and to review the work of designers in the design phase should be considered when planning construction projects. This means that additional resources must be dedicated to conduct quality control and reviews of designer outputs.
9. Factor variables related to human capacity into CBAs, LCCAs, and other assessments measuring sustainability and environmental benefits to ensure measures undertaken can be sufficiently operated and maintained by future personnel.

10. Brief key actors implementing projects or working in sectors related to rule of law on the status and services of the courthouse to help inform programs related to increasing engagement with the formal justice sector.

9. Introduction

The main purpose of this report is to present the results of the final evaluation of the project “Construction and Equipping of the Hebron Courthouse Facilities”, and to assess the level of achievement of the construction of Hebron Courthouse on the community of the Hebron Governorate and the justice sector in Palestine, in addition to the sustainability of the facilities and its functions after handover and operationalization.

1.1. EVALUATION FEATURES

The main objectives of the evaluation were to: 1) **"The scope** of evaluation will focus on **the outcomes and outputs** of the project and the performance indicators as stated in the project log frame; 2) Assess and review the project’s level of achievement according to the Organisation for Economic Co-operation and Development (OECD) Development Assistance Committee (DAC); 3) Identify key findings, in addition to factors and issues related to achieving of project outputs and outcomes; 4) Identify key learning lessons, and recommendations to support stakeholders involved and future projects. Included in these three objectives, the evaluation will address the following points:

- Assess the relevance, coherence, effectiveness, efficiency, and sustainability of the project.
- Assess the project's alignment with local community needs, the justice sector, and national development priorities.
- Evaluate the project's success in providing proper facilities, inclusive/sustainable access to justice, and contributing to desired outcomes.
- Determine the impact of the project's achievements on Palestinian people.
- Examine the project's consideration of cross-cutting issues, such as gender equality, women's empowerment, inclusion of people with disabilities (PwDs), human rights, environment, and their contribution to achievements.
- Assess the prospects for sustainability of a well-facilitated courthouse in Hebron and identify steps to increase sustainability.

The central scope of the evaluation is learning and accountability in accordance with the Terms of Reference (ToR) provided in Annex 1 and the Inception Report submitted by the Evaluation Team. For the United Nations Development Programme (UNDP), this final evaluation will provide valuable insights for future construction projects, with the aim of improving the integration of critical factors, such as gender equality, women's empowerment, human rights, environmental issues, and the inclusion of PwDs.

For the High Judicial Council (HJC), the evaluation provides learnings on the impact of construction of courthouse facilities on the rule of law and access to justice in Palestine. Additionally, the evaluation will illuminate the relationship between user satisfaction and court usage, thereby informing future courthouse designs across Palestine. Moreover, the evaluation aims to improve the access of Palestinians to safe courthouse facilities. Furthermore, this evaluation enables Global Affairs Canada (GAC) to ensure that their funds were appropriately utilized and in accordance with the agreed-upon objectives.

The project was implemented by UNDP and funded by GAC, with the HJC serving as the main partner and owner. During the evaluation, the main stakeholders identified were UNDP, GAC, HJC, citizens of Hebron Governorate, the Prosecution, the Judicial Police, the employees of the courthouse, and the users of the court.

The primary users of the evaluation findings and recommendations include an array of project and sector stakeholders. These include UNDP, GAC HJC, Office of the Attorney General, Bar Association, Ministry of Justice among others.

The primary users of the evaluation findings and recommendations are:

The evaluation was executed over a four-month period, from December 2022 to March 2023. The inception phase was completed in December 2022, following which the data collection and analysis phase began, spanning January and February of 2023. The final, evaluation and reporting, phase, which involved the synthesis and reporting of the evaluation findings, was concluded in June 2023. For a more detailed overview of the evaluation timeline, please refer to Annex 2. The subject of the evaluation is the Hebron courthouse located in Hebron city. Primary data collection and the majority of the indicators focused on the courthouse and were conducted in Hebron city with local citizens, staff, and civil society. Some interviews and some indicators were conducted with national actors. Henceforth, the evaluation mainly covered Hebron.

The evaluation team was led by Dr. Nader Said, an experienced national researcher and evaluator with extensive knowledge of social policy and evaluation methodology in Palestine. Dr. Said was supported by a team of experts with complementary skills and experience, including Dr. Shireen Bader Al Qadi, an accomplished architectural engineer with over 15 years of experience in public facility design and construction, and sustainable architecture, Dr. Sahar Qawasmeh, a gender expert with expertise in social protection and social change, and Mr. Samer Said, a researcher, analyst and evaluator. Mr. Said also co-authored the evaluation report along with Mr. Nicholas Hyman, a researcher and editor with 10 years of experience in research and evaluation in Palestine.

The senior experts were supported by Arab World for Research and Development's (AWRAD) team for coordination, research, evaluation, data analysis, and production of final deliverables. The team brought together a range of perspectives and expertise to ensure a comprehensive evaluation of the project.

1.2. SUBJECT OF THE EVALUATION

The final evaluation covers the "Construction and Equipping of the Hebron Courthouse Facilities Project" spanning the period of January 2011 to December 2022. This includes the projects activities across all areas of intervention by all participating organizations and across all partners. The project was implemented by UNDP, GAC, and the HJC, with the aim of supporting equal access to accountable, effective, and responsive democratic governance, and to improve the quality and efficiency of security and justice services provided to Palestinians.

The main stakeholders of the project are UNDP, GAC, and the HJC. Both UNDP and GAC were responsible for implementing and funding the project. These organizations also had significant capacities to contribute to the project based on their existing engagement in Palestine. All have relevant ongoing programmes in Palestine. The three partner organizations also have staff in place with extensive experience in Palestine.

UNDP has implemented multiple projects to support the development of the justice sector in Palestine. One of the main areas of focus for UNDP's work in Palestine's justice sector is to improve the efficiency and effectiveness of the justice system and the modernization of legal frameworks, court management systems, and legal aid services. UNDP has also provided technical assistance to Palestinian institutions to strengthen their capacities to investigate and prosecute crimes, and to deliver justice services in a fair and impartial manner. Further, UNDP has worked on separate projects related to the justice system in Palestine, such as Sawasya "Promoting the Rule of Law in

Palestine”², which focused on the promotion of peaceful and inclusive societies as drivers of sustainable development, provision of access to justice for all, and achieving gender equality and empowerment for women and girls. Additionally, UNDP in partnership with HJC also created “Mizan II”, which is a case management system that concentrates on court case access and monitoring.³

GAC has played an important role in supporting the justice sector in Palestine, particularly through its assistance to the Office of the Attorney General and Public Prosecution (OAG/PP). GAC’s projects focus on strengthening the organizational and operational capacity of the OAG/PP, with the aim of improving the effectiveness of public prosecution in Palestine. A range of measures have been designed to achieve this objective, including improving coordination and integration of the OAG/PP with other justice sector institutions, increasing their professional capacity through training and leadership development, and enhancing the understanding and application of human rights and gender sensitivity in their work. By providing this assistance, GAC aims to encourage the development of a justice sector that is more effective, accountable, and responsive to the needs of the Palestinian people.⁴

The HJC is responsible for overseeing the judiciary and promoting the rule of law in Palestine. The HJC focuses on developing and implementing judicial policies and strategies that improve the administration of justice, including enhancing the efficiency and effectiveness of the court system and establishing guidelines and standards for judicial conduct. Additionally, the HJC promotes judicial education and training to improve the professional capacity of judges and court personnel. The council is also responsible for the appointment, promotion, and disciplinary proceedings of judges in Palestine, ensuring that the judiciary operates in accordance with the principles of transparency, accountability, and integrity.⁵

Logical Model and Performance Management Framework

Project documents present an incomplete logical framework with activities missing from the Results Chain. The results chain clearly presents (Outputs-Immediate Outcomes-Intermediate Outcomes Ultimate Outcomes) however activities are not prescribed or linked to outputs making the logical framework incomplete. The Logical Model is not supported by a theory of change and project documents don’t detail underlying assumptions or cause and effect links. Annex 3 presents the logical model and Annex 4 the performance management framework.

Objective

The strategic objective of the project is to increase the availability of safe, efficient and well-managed courthouses in the occupied Palestinian territory (oPt). The project objectives are aligned with and contribute to the National Development Priorities in Palestine, in particular National Priority #7 Social Justice and Rule of Law of the National Policy 2017-2022 – Improving Access to Justice, Policy Intervention: Ensure integrated delivery of and fair access to judicial services, particularly for women and children.

Table 1: Project Outcomes

² UNDP. (2020). SAWASYA Promoting the Rule of Law In Palestine: Annual Programme Narrative Progress Report. Retrieved from: <https://mptf.undp.org/sites/default/files/documents/35000/34302>

³ UNDP. (2022). E-justice: Listen, learn, share. Retrieved from: <https://www.undp.org/blog/e-justice-listen-learn-share>

⁴ Government of Canada. Evaluation of the International Legal Programs Section. Retrieved from: <https://www.justice.gc.ca/eng/rp-pr/cp-pm/eval/rep-rap/2017/ilp-pji/p5.html>

⁵ High Judicial Council. About us. Retrieved from: <https://www.courts.gov.ps/details.aspx?id=sEugV5a60912192asEugV5>

Ultimate Project Outcome:	Increased availability of safe, efficient and well-managed courthouses in the State of Palestine.
Intermediate Project Outcomes:	Increased satisfaction of court users (both females and males) in Hebron with security and other design features such as signage, waiting areas and temperature control.
Immediate Project Outcomes:	Improved access of Palestinians to a safe courthouse facility in the municipality of Hebron.

Outputs

Budget

In 2011, the project was budgeted CDN 27,024,281 for the improvement of court infrastructure (Construction of the High Court of Justice) in the Ramallah/El Bireh. However, following the re-scoping of the project in 2014, the focus was shifted to the construction and equipping of a courthouse in Hebron, the budget was increased to CDN 32,793,367.⁶ Though the overall amount budget was approximately CDN 32 million, the actual expensed, up to the end of September 2022, was 24,699,792.49 USD or 89 percent of the project's total allocated budget.^{7 8}

Table2: Budget disaggregated by year⁹

Year	2011 – 2020	2021	Jan – Sep 2022	Total as of Sep 30 2022
Budget	15,670,653.02	6,452,155.76	2,462,279.86	24,699,792.63

1.3. CONTEXT

The Palestinian Justice system

For over a century, Palestinians have been forced to live under and navigate a series of overlapping, contrasting, and contradictory legal frameworks and arrangements, including Ottoman, British, Jordanian, and Egyptian law, as well as Israeli Military Orders. From 1948 to 1967, Palestinians in the West Bank were governed by Jordanian law, while those in Gaza lived under Egyptian. After the 1967 War and until the Oslo Accords in 1994, the Israeli Civil Administration¹⁰ governed through the issuing of various military orders and selective application of Jordanian law in the West Bank and Egyptian law in the Gaza Strip. During this period, there were no courthouses in the West Bank and Gaza Strip, except for Israeli Military Courts, which were frequently little more than re-purposed residential buildings or facilities not constructed for the purposes of administering justice. After the Oslo Accords, the PA inherited rented facilities from which courthouses operated, virtually all of which were inadequate in terms of size, space, and function, impeding the PA's ability to adjudicate in an efficient and effective manner.

⁶ Formerly, the Canadian Department for Foreign Affairs, Trade and Development (DFATD)

⁷ Annual Progress Report, 2022.

⁸ It should be note that the budget included contingencies and other budget lines accessible to the project after the express approval of the donor. The project is also dealing with final settlements and completing final requirements like this evaluation and the audit to follow which means that the remaining budget will likely be expensed by project closure. .

⁹ Ibid.

¹⁰ Despite its name, the Civil Administration is in reality a unit within the Israeli Ministry of Defense.

Accessing the justice system for Palestinians can be challenging due to various reasons, chief among them geographical fragmentation and movement restrictions imposed by the Israeli Occupation, an obstacle particularly acute for those living in rural areas, Area C, and East Jerusalem.¹¹ Additionally, some Palestinians elect not to resort to the formal justice sector, instead opting for tribal mechanisms, which they consider quicker, more likely to result in satisfactory solutions, and more credible than the formal judiciary. According to the 2021 Rule of Law and Access to Justice Survey, conducted by the Palestinian Central Bureau of Statistics (PCBS), 68 percent of Palestinians believed that tribal and non-formal justice is quicker, while 50 percent believe it is fairer.¹² Furthermore, a lack of knowledge regarding their rights may deter some Palestinians from seeking legal assistance; a 2018 UN Women study revealed that many women located in rural and marginalized areas of the West Bank had limited to no knowledge of their political, legal, and social rights.¹³

The Palestinian Court System

The Palestinian court system is comprised of the following tiers of justice: Magistrate Courts, Courts of First Instance, Appellate Courts, and the Palestinian High Court.

Magistrate (Soluh) Courts: Presently, there are 12 such courts in the West Bank and five in the Gaza Strip. These courts deal with misdemeanour cases, including civil and criminal cases have the authority to fine persons up to 10,000 Jordanian Dinars and can sentence persons up to three years in prison.

Courts of First Instance: Presently, there are eight such courts in the West Bank and three in the Gaza Strip. These courts handle both civil and criminal cases and have the power to fine individuals an unlimited amount and sentence them over three years in prison.

Appellate Courts: There are three Appellate Courts in Palestine (Ramallah, Gaza, and Jerusalem). Appellate Courts hear cases that come up from the Magistrate (Soluh) & First Instance Courts. Currently, due to the Israeli authorities' control over Jerusalem, the Ramallah/El Bireh and Jerusalem Appellate Courts both operate out of Ramallah, while the Gaza Appellate Court's work is suspended due to the internal conflicts in Palestine.

Palestinian High Court: The High Court, which is currently based in Ramallah, is the highest Judicial Authority, handling administrative, constitutional, and soon, the Cassation Court, which will hear cases arising from the Appellate courts.

Courthouses Infrastructure

The Palestinian justice system has been impeded by the 56-year Israeli occupation of the West Bank and Gaza, which has obstructed the development of a comprehensive and modern infrastructure, aligned with international standards. Although some modern courthouses have been funded and constructed by a range of actors, including the Government of Japan, UNDP, and various PA institutions, in Nablus, Jenin, Khan Younis, Jericho, and Bethlehem, most courthouses are sub-standard rented facilities that are inadequate for the dispensation of justice. The weak court infrastructure, combined with the lack of strategic planning capacity, human resources management challenges, and ongoing legal reforms, hinders the application of the rule of law,

¹¹ UN Women. (2016). In the Absence of Justice. Retrieved from: https://palestine.unwomen.org/sites/default/files/Field%20Office%20Palestine/Attachments/Publications/2016/In%20the%20Absence%20of%20Justice_Report.pdf

¹² Palestinian Central Bureau of Statistics. (2021). Rule of Law and Access to Justice survey. P.53. Retrieved from: <https://www.pcbs.gov.ps/Downloads/book2598.pdf>

¹³ UN Women. (2018). Caught Between a Rock and a Hard Place. Accessed at: <https://www2.unwomen.org/-/media/field%20office%20palestine/attachments/publications/2019/2/english.pdf?la=en&vs=4723>

along with the PA's ability to reform criminal and civil law, strengthen justice sector institutions, and develop the professional capacities of the justice sector.

Two assessments of Palestinian courthouses were conducted in 2007¹⁴ and 2009¹⁵, both concluding that the PA's courts were in substandard facilities that were operationally obsolete and physically overcrowded. The courts' infrastructure was completely inadequate for its intended task and unable to respond to current nor future infrastructure requirements. Even those courthouses with recently constructed or expanded infrastructure exhibited signs of infrastructure fatigue. Acting on the 2007 assessment, the Government of Canada, through CIDA, which was already investing heavily in providing technical assistance to the HJC and various other instruments in upholding the rule of law in Palestine, struck an agreement with the PA to fund the construction and equipping of three priority courthouses in the West Bank, located in Ramallah, Hebron and Tulkarem.

While significant work by various donors has gone into enhancing the technical capacities of judges and administrative staff of the courts, including UNDP's Rule of Law and Access to Justice Program – also funded by the Canadian International Development Agency (CIDA)¹⁶ – very little has been done to provide them with the proper venue to administer the law.

The "Construction & Equipping of the Palestinian Palace of Justice in El Bireh/Ramallah" project was designed and initiated in June 2011. However, owing to contextual changes, the project was rescope in June 2014, with the focus shifting to the construction and equipping of the Hebron Courthouse. The Construction and Equipping of the Hebron Courthouse Facilities project was implemented by UNDP in partnership GAC and HJC. Although the project was rescope in June 2014, the ultimate outcome remained the same: to increase the availability of safe, efficient, and well-managed courthouses in the "Palestinian Authority Territory."

Palestinian Bar Association Strikes

Palestinian lawyers have gone on a series of strikes in protest of different decisions taken by the PA. The most noticeable strikes were held in 2022 and in 2023. These strikes have been organized by the Palestinian Bar Association¹⁷, the body responsible for representing lawyers across the oPt.

Beginning in July 2022, Palestinian lawyers launched a strike to protest the protracted and deepening system of "rule by decree" that has defined policymaking in Palestine since the dissolution of the Palestinian Legislative Council.¹⁸ Abbas' authority to take these decisions derives from his establishment of the Constitutional Court in 2016, which analysts commented was a manoeuvre to further concentrate power in the hands of the executive and stifle political opposition. The catalyst for the strike was the announcement of a series of decrees that "shortened the period for appeals on judiciary rulings, as well as an increase in court fees, and granted special protections from prosecution for members of security forces."¹⁹ The Bar Association's protests demanded the suspension of these executive diktats until a broader

¹⁴ Preliminary facility needs assessment of courthouse infrastructure in nine of the West Bank's court districts, conducted by the Canadian International Development Agency (CIDA). Available at: https://info.undp.org/docs/pdc/Documents/PAL/00057409_CIDA%20Courthouse%2077024_UNDP%20AA%20Annexes%20Signed.pdf

¹⁵ January 2009 Assessment Report on the Palestinian Criminal Justice System conducted by the European Union Police Coordinating Office for Palestinian Police Support (EUPOL COPPS)

¹⁶ With a total budget of CDN 7,000,000.

¹⁷ Solutions. <https://www.solutions.ps/clients/palestinian-bar-association>

¹⁸ Qassam Muaddi, "Palestinian lawyers protest in Ramallah against legislation by decree," The New Arab, July 2022. Available at: <https://www.newarab.com/news/palestinian-lawyers-protest-against-legislation-decree>

¹⁹ Qassam Muaddi, "Palestinian lawyers strike sees Abbas abolish controversial decrees," The New Arab, August 2022. Available at: <https://www.newarab.com/news/palestinian-lawyers-strike-sees-abbas-abolish-decrees>

dialogue was convened to specifically consider them. Lasting 40 days, the strike ultimately proved successful, as the PA announced the abolition of the controversial decisions.²⁰

Five months following the resolution of the 2022 strike, the Palestinian Bar Association launched a second strike. The object of this strike was the PA's recent amendment to the regular court fees schedule, a decision that resulted in a significant increase in court fees, often beyond the means of citizens. Lawyers expressed concerns that the increased court fees will discourage citizens from seeking legal solutions through the formal judiciary, instead driving them to resort to alternatives, such as tribal courts.²¹ This strike, which began in February 2023, ended on March 23 2023.

1.4. EVALUATION METHODOLOGY, LIMITATIONS AND ETHICAL CONSIDERATIONS

The methodology for this evaluation was developed during the Inception Phase. A non-experimental theory-based approach was used. To design the methodology, the Evaluation Team reviewed key program documents, including: The Logical Model (Annex 3) Performance Management Framework (Annex 4) and Evaluation Matrix (Annex 5). The results frameworks and project logic helped the Team understand the envisioned links between interventions and expected outcomes and to identify key underlying assumptions. A detailed overview of the methodology is presented in Annex 2.

The evaluation methodology followed a sequential approach, with the Evaluation Matrix functioning as the main point of reference for all stages of inquiry and analysis. The Matrix provided the structure for the evaluation and all data collection tools were designed to inform responses to the evaluation criteria and their underlying questions and indicators. The suggested evaluation questions contained in the ToR were carefully reviewed and scrutinized for their logic, fit coverage, and clarity. An extensive list of indicators and measures of progress were compiled and added to the Evaluation Matrix. The key evaluation questions guiding the evaluation were:

Table3: Evaluation Criteria and Evaluation Questions

Evaluation questions per criteria
1. Relevance: Is the design of the project relevant to the context and contributing to increased availability and trust of the judiciary?
1.1 Is the project design and implementation based on sound analysis of context and needs?
1.2 Is the project aligned with national strategies?
1.3 Is the project aligned with the priorities of GAC, international development agenda including Agenda 2030, SDGs, and UNDAF
1.4 How responsive was the project to owner's needs? And how responsive was the project to stakeholders needs?
1.5 To what extent were human rights, gender, disability, accountability to population and do no harm principles included in the implementation and design?
2. Efficiency: Have the resources been allocated strategically to achieve programme outcomes? Were the capacities to manage and implement the programme sufficient?
2.1 Did UNDP efficiently implement the project in terms of delivering timely and reliable outputs while sufficiently managing costs, suppliers and partnerships?

²⁰ Ibid.

²¹ Arab News. (2023). Teachers, lawyers protest Palestinian Authority. Retrieved from: <https://www.arabnews.com/node/2245341/middle-east>

2.2 Could (and if so how) results have been achieved and monitored more efficiently?
2.3 How efficient was the process used to guide decision making on the use of resources by the project?
2.4 How efficient was the governance structure surrounding decision making?
3. Effectiveness: To what extent has the programme achieved its intended results, including any differential results across outcomes?
3.1 What intended results did the programme achieve or not achieve?
3.2 What are the internal and external factors affecting the delivery of results against stated objectives?
3.3 What are the unintended positive and negative outcomes? What explains these?
3.4 Are the objectives of the project realistic and sufficiently ambitious?
4. Coherence: Was the project compatible with and adding value to other interventions operation in the sector of justice in Palestine?
4.1 To what extent did the project align and contribute to building a shared vision for delivery of results and strategies for the justice sector?
4.2 To what extent is the project coherent with UNDP's mandate and aligned with its comparative advantage?
5. Impact: How has the project affected and been affected by the justice sector in Palestine and what are its wider effects on justice and rule of law in Palestine?
5.1 To what extent did the new building contribute to enhanced delivery and perceptions of the justice sector and rule of law in Palestine generally and Hebron specifically?
6. Sustainability: What is the likelihood that the benefits from the programme will be maintained, built on and possibly grow in scope and scale?
6.1 How sustainable are the results achieved?
6.2 How novel or innovative was the project approach? Is the operational model sustainable?
6.3 Did the project follow environmental practices and standards, did it increase know how around environmental practices and is the building environmentally friendly?
6.4 Is the building maintained and did the project consider maintenance costs and capacities?

Data Collection









The evaluation team followed a mixed methods approach by collecting and analysing qualitative and quantitative data from both primary and secondary sources.

Table4: Data collection tools and numbers, disaggregated by sex

Desk Review	Site Visits	FGDs	KIIs	Survey ²²	Total ²³
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²² The evaluation survey followed random sampling techniques for court users exiting the court. This means that the sample captured a representative cross section of court users who happen to be overwhelmingly male users. Henceforth, most court users are males. This explains the overrepresentation of males in the survey sample.

²³ The evaluation team attempted to maximize the participation of females in data collection activities where possible. Women were underrepresented among project stakeholders, implementers, and partners. Three women were identified during the inception phase as potential key informants and one was interviewed. Moreover, the number of women who use the court are much smaller than that of men. Therefore, a representative sample representing court users will ultimately lead to a higher number of men than women. The accumulation of these factors has led to lower participation among women than men.

Data and document review	2									
		#	10	13	3	14	60	324	73	354
		Total	23		17		384		427	

Document review: A systematic review of programme documentation was conducted using the Evaluation Matrix to guide the review. A list of the reviewed documents can be found in Annex 15. The Team conducted a comprehensive review of key national documents that structure and govern the justice sector in Palestine, as well as justice sector development projects. The Team also reviewed the projects documents, such as activity reports, implementation documents, monitoring reports, annual reports and other key documents identified during the inception stage. The Team used the different data sources to inform the design of the Evaluation Matrix and contrast them with evidence extracted from other data sources.

Key Informant Interviews (KIIs): Targeting court staff, court users, partners, and donors, the Evaluation Team deepened its understanding of the Palestinian justice sector through KIIs. A total of 17 interviews (three females and 14 males) were conducted, a list of which is included in Annex 6. Interview guidelines systematically addressed the evaluation questions, with appropriate customization of sub-questions to increase their relevance relative to the Evaluation Matrix and their role in the project. KIIs were conducted through a combination of face-to-face, telephonic, and virtual modalities, according to the wishes of the informant. KII guidelines can be found in Annex 6.

Interviews were conducted with representatives from GAC, UNDP, HJC, OAG, the Public Prosecution, the Judicial Police, the Hebron Municipality, and the Palestinian Bar Association. Interviews followed a semi-structured format, using questions drawn from the Evaluation Matrix questions, sub-questions and indicators that are most relevant for the stakeholders being interviewed.

Focus Group Discussions (FGDs): Three FGDs were designed by the Evaluation Team: one with community-based organizations in Hebron, one with the Hebron Courthouse’s physical plant and maintenance staff, and one with citizen court users. The fourth FGD, with special users (lawyers, staff of Hebron Courthouse, though was later replaced with seven in-depth interviews with users, reflecting discussions with the HJC and the difficulty in organizing such an FGD. Across the other two FGDs, 23 (10 females and 13 males) individuals participated, allowing the evaluators to collect information needed data. The FGDs were moderated by senior experts and were transcribed for future review and analysis. The Evaluation Team ensured the safety, security and confidentiality of all responses and communicate these protections clearly to participants. FGD guidelines can be found in Annex 7.

Site visits: The Evaluation Team undertook two visits to the Hebron Courthouse. These visits included assessments of the building, its services, inclusiveness elements, and environmental elements. The site visit log, as well as the elements surveyed, dimensions covered, and results of these site visits are detailed in Annex 8 and Annex 13, respectively.

Survey: To gather information about the experiences and needs of users of the Hebron Courthouse, the evaluation team conducted a structured survey with a total of 384 Hebron Courthouse users (60 females and 324 males), a sample that, relative to the population of the 2022 Hebron district, is representative at a 95 percent confidence interval and 5 percent margin of error. To collect the data, the members of the research team visited the Courthouse and spoke with various individuals who were using the facilities. The purpose of the survey was to gather feedback

about the effectiveness of the courthouse's operations and services and to identify areas for improvement or further development. The survey's design and analysis of its results was done to maximize complementarity with other datasets, principally the Survey of Public Perception on Status of Justice in Palestine, conducted by the PCBS.

Data Analysis and Reporting

The data analysis phase followed several steps, using both quantitative and qualitative analysis techniques to ensure a full triangulation of evidence. These included:

Statistical quantitative data analysis: Survey data were entered and analysed through SPSS. All survey results were disaggregated by gender of respondent and by type of facility visited. To allow for cross tabulation of results and to identify trends.

Document review: Analysis was structured based on the evaluation questions and designed to extract relevant information according to its relevance for certain evaluation questions. The evaluation team also consolidated and analysed financial data, as well as results data from across project's reports and secondary sources.

Thematic analysis of KIIs and FGD transcripts: Each interviewer performed their own individual analysis, followed by a consolidation of this work through a team brainstorming session. This facilitated an evidence-based discussion of results between team members who may hold different perspectives, reflecting their background and experience. After this round of team analysis, the summary report was developed and validated. Importantly, initial findings pushed the Team to conduct more KIIs, engaging additional partners to fill any gaps in the data or to verify findings.

Systematic and thorough data validation and triangulation: All findings were first validated through other sources of information, validation process focused on diversifying the source of information and not the method of its collection per se. Data triangulation always relied on varying the data collection method. Limitations faced in validating data were ensured through triangulation and limitations in triangulation led the evaluation to conduct its due diligence and validate the findings through other sources. All findings were coded against the specific indicators in the evaluation matrix. Indicators calculation was done twice independently to ensure consistent results. Sources of validity and triangulation are narrated when presenting findings throughout the report.

Limitations

In the course of conducting the research, the Team encountered certain limitations that affected the evaluation process. However, the evaluation team took proactive measures during the Inception Phase to mitigate these limitations and reduce their impact on the overall evaluation.

Among the most significant limitations was the lawyers' strikes, which created significant challenges in conducting the survey. The fieldwork for the evaluation was initially scheduled to commence on February 16, 2023, but owing to the strike, the Team faced difficulties in accessing the courthouse and speaking with lawyers and users. Fieldwork was not able to start until the resolution of the lawyers strike on March 23.

Further, members of the project team from 2011 to 2017 were not available, prompting the Evaluation Team to rely on project documents or the received information of later project members to understand this period of the project.

Lastly, the results framework was incomplete or specified data that is not accessible or out of date. This prompted the team to seek alternative data sources all while constantly triangulating results.

Ethical Considerations

The Evaluation Team places the highest premium on its responsibility to ensure and safeguard ethics at all stages of the evaluation cycle. This includes, but is not limited to, ensuring informed consent, protecting privacy, confidentiality, and anonymity of participants, ensuring cultural sensitivity, respecting the autonomy of participants, ensuring fair recruitment of participants (including women and socially excluded groups) and ensuring that the evaluation results do no harm to participants or their communities. All members of the evaluation signed the Pledge of Ethical Conduct in Evaluation. We also take this opportunity to confirm our pledge to integrity, accountability, and respect.

10. Evaluation findings

The evaluation findings and the evidence to substantiate them are presented below. The findings section is divided by evaluation criteria.

2.1. RELEVANCE

Alignment with National Priorities

The construction and equipping of the court of First Instance (Badaya) and Magistrate (Suloh) Court in Hebron City is among top priorities for the Palestinian Authority (PA). Key informants from within the government confirmed that the construction of the Hebron Courthouse is a highly appropriate intervention that is aligned with national plans. In particular, these KIs highlighted the importance of constructing new courthouses in all governorates and moving away from overcrowded and inappropriate rented facilities that are not equipped for litigation and judicial service delivery. Importantly, according to KIs the Hebron Courthouse was a pressing priority for the PA since 2002 and has only grown in need and relevance since then.

“The matter of the Hebron courthouse has been a national priority since 2002, and the need for it became more pressing year after year.” (Government KI)

“Even in the face of other priorities like the Ramallah Judicial Palace, the degree of need in Hebron is much larger.” (Government KI)

“Providing an environment that enables adjudication is a national priority, this project is fully aligned with this priority.” (Government KI)

The construction of the courthouse clearly fits within the priorities of the PA especially given the size of the population as well as nature and scale of need in Hebron. Indeed, the project played a significant role in strengthening institutional capacity, integrated delivery, and fair access to judicial services. The project’s critical role in this regard was acknowledged by key informants and through the alignment of documented objectives and approaches between the project and national plans which provided further evidence of synergies and relevance. Annex 11 demonstrated the purposeful and explicit alignment of the project with the national development plans in programme documents.

The PA strategy for national development is encapsulated within various documents during the planning and implementation stages. The Project Document makes explicit reference to the i) Palestinian Reform Development Plan 2008-2010; ii) Palestinian National Development Plan 2011-2013; iii) Homestretch to Freedom: The Second Year of the 13th Government Program. The Administrative Arrangement explicitly mentioned the i) 2008 Justice Sector Strategy; ii) and Justice and Rule of Law National Strategy (2011-2013).

“Will support the strengthening of the justice system by assisting the development of human resources and the establishment of specialized courts.” (PD and Homestretch to Freedom)

“Finalize planning and commence construction of the Justice Palace (Ramallah) and court facilities in Hebron & Tulkarem.” (PD and Homestretch to Freedom)

“Consolidate the rule of law and separation of powers in the democratic state of Palestine, to safeguard citizens’ rights and freedoms, ensure all institutions are accountable and comply with the law, preserve independence of the Judiciary, and manage the courts system in line with the principals of integrity, impartiality and effectiveness” (PD and Homestretch to Freedom)

The project aligns with the various national aspirations of the PA in its strategic planning documents, which were published over the life of the programme. Since 2011 the PA has committed itself to consolidating the rule of law through building institutions, ensuring an effective and credible judicial system, and fulfilling its obligations under relevant international conventions. It also sought to guarantee the rule of law without discrimination, including too vulnerable persons such as PwDs, women and children. National Policy number 19 specifies several policy interventions to improve access to justice these include:

- Strengthen and implement human rights legislation.
- Ensure a fair, transparent, efficient, and independent judicial system.
- Ensure effective implementation of court decisions.
- Ensure integrated delivery of and fair access to judicial services, particularly for women and children.
- Strengthen the institutional capacity and organization of the justice sector.

Importantly the Justice Sector Strategy (2021-2023) highlights that poorly equipped and minimally functional courts are a major obstacle, which has led to the accumulation of cases, poor services, and understaffing of courts. Through the construction of new court houses and renting of new facilities the PA hopes to increase satisfaction with services and enhance access to judicial services.

Cognizant of past and present frameworks, the project has explicitly aligned itself with the National Development Priorities in Palestine, particularly National Priority #7 Social Justice and Rule of Law of the National Policy 2017 – 2022: Improving Access to Justice, Policy Intervention: Ensure integrated delivery of and fair access to judicial services, particularly for women and children. Further, the PMF, responsible for measuring progress towards benchmarks, incorporates data and information from complementary projects. These include the UNDAF, the PCBS, and other PA agencies and bodies responsible for measuring progress towards goals delineated in the Palestinian National Policy (2017-2022).

Scale of Need

Data from secondary sources including project documents and national data sources also confirm that there is a large need for a courthouse in Hebron. The size of case load and back load in Hebron as well as the fact that Hebron is the largest governorate in size and in population made it a one of the priority projects of the HJC. Indeed, the data indicates that the current case load is 49,473 cases backlog is 10,376 cases. The Magistrate court constructed is one of two courts in Hebron each serving over 400,000 people, and the First Instance court is the only one in Hebron serving over 800,000 people.

Since 2002 the Hebron court occupied two apartment buildings neither of which were adequate in size, space, and function, affecting the ability of judges to adjudicate in an efficient manner and limited access of citizens. The old court's inaccessible location and inadequate functional space led to extensive case load and backlog. In addition to the design and functionality beneath the standard required for dispensing rule law lack of separated access and flow for the defendants and the public in the facility also acted as a barrier for promoting the rule of law.

The old courthouse did not meet safety and security requirements. Defendants, judges, lawyers, and the public all used the same hallways. Such circumstances led to multiple security incidents, including attacks on defendants or harassment of witnesses. Additionally, the old court did not provide women and families with any privacy, deterring women from using the court and prompting families to settle domestic affairs outside the formal judicial system.

Meeting Needs

The project is aligned with the needs of HJC and OAG and the design, construction, and equipping of the courthouse was done through a participatory process involving HJC, OAG, Judicial Police, Hebron Municipality, Hebron Governorate, GAC, and the Canadian Rep Office to ensure widespread integration of stakeholders' perspectives. Data collected illustrates some of the different processes that were employed to ensure responsiveness to needs, including meetings and workshops with relevant stakeholders. Consultations were mainly held with technical facility management and engineering units, planning and administrative units, as well as the political level at HJC and OAG. Although civil society organizations and lawyers largely believed the project to be relevant to their needs, local CBOs, including those working on matters of gender and disability as well as national syndicates commented that they were not consulted in the assessment, design, or construction process. Project documents confirm this absence, with scarce to no mention of engagement with local actors, as well as those focused on gender or disability. Judges also shared that they were not consulted.

The project is designed based on sound analysis of context and needs. A situational analysis was conducted before the project, which concluded that multiple courthouses including the Hebron courthouse occupied a sub-standard rented facility that is not conducive for dispensing justice. This conclusion was reached by a field mission conducted by CIDA. As confirmed by KIIs with governments and UN actors, a series of assessments, field visits and consultations were also held.

The Hebron Courthouse houses the First Instance and Magistrate Courts, Public Prosecution, and the Judicial Police. Representatives from both courts and from the Public Prosecution and the Judicial Police confirmed the relevance of the Courthouse's design, and its equipment to their context and needs. However, representatives from Public Prosecution shared that the building design and the implementation arrangement did not promote full ownership and autonomous operation of their side of the building. This partly reflects the operational circumstances of the Courthouse, principally that HJC is the owner of the building, while the OAG only occupies a designated space within it. The project separated all the systems to the maximum extent possible, such as the Internet, phones, parking, and other elements in response to requests by OAG. Despite these efforts, OAG continued to express a belief in their inability to influence certain decisions and lack of control over certain systems and facility management of their side. Such circumstances were also brought about by the departure of the focal point and the project engineer, who had been involved in the design phase, without a designated replacement.

Relevance of the design and the equipment was also ensured by ongoing monitoring, site visits, and change requests by the HJC and OAG through the Construction Technical Committee and, at times, through the Project Steering Committee (PSC). Members of the CTC included UN agencies (UNDP and the United Nations Office for Project Services [UNOPS]), GAC, the Canadian Representative Office, the designer, the contractor, HJC, OAG, the Hebron Municipality, and the Hebron Governorate. This ensured that the design and equipment were based and updated based on the needs of building owners and further assessment processes. The degree of changes posed a challenge for UNDP, as contracting was done on the basis of the 100% approved design. However, reflecting the high degree of flexibility and cooperation between actors, many of these proposed changes were accommodated, leading to a more effective and relevant building. The CTC meetings also provided an opportunity for raising comments and incorporating changes. This process was an institutional element of the project and promoted its overall responsive character. The project was indeed responsive to multiple change requests, most notably the decrease in the number of entry gates and the separation of the security systems and IT systems for HJC and OAG. The high degree of consultation, coordination and involvement of the Municipality and Governorate also ensured a wider understanding of local context.

Furthermore, opportunities were taken for research and learning to ensure sound decision making, with multiple instances provided in evaluation interviews and project documents. For example, annual and semi-annual reporting contained thorough and incisive sections on lessons learned. Further, project stakeholders reviewed the construction of the recently completed Tulkarem Courthouse and identified key lessons learned to be integrated to improve the services and functionality of the Hebron Courthouse. Among the most important outcomes of this learning activity was the segregation of electrical mains between the spaces occupied by HJC and the space occupied by the Public Prosecution, the use of electrical surge protection, and the segregation of the HVAC system by zone. However, design-level lessons were not incorporated, as well as other changes related to floor spaces and functionality, due to the timeline and budget limitations. Other examples of evidence-based decision making include the conducting of Cost Benefit Analysis (CBA), Life Cycle Cost Analysis (LCCA), Environmental Assessment and Screening Report, and a Quality Management Plan (QMP).

Alignment with International Frameworks

The project's focus on effective development to accelerate progress towards achieving the 2030 Agenda for Sustainable Development and the Sustainable Development Goals (SDGs) is clear, rooted in the understanding that strong institutions and effective governance go hand-in-hand with justice and rule of law. The programme was designed before the national SDG framework had been defined and therefore alignment to the SDGs in the initial project document is not explicit.²⁴ The project was later linked to SDG 16: Promote peaceful and inclusive societies for sustainable development, provide access to justice for all and build effective, accountable, and inclusive institutions at all levels through target 16.3 – Promote the rule of law at the national and international levels and ensure equal access to justice for all and target 16.6 – Develop effective, accountable, and transparent institutions at all levels. However, even in later Progress Reports, reference to potential or actual linkages with the SDGs is absent. Though references are made elsewhere to the project's contributions to SDG 16, which focuses on access to justice, and Target 16.3, it is not clear to what extent these goals were integrated in the project activities or engagement with Palestinian and non-Palestinian actors whose mandate or operations are geared towards achieving these goals. Mention of SDG 5, related to gender equality, is wholly absent.

Table5: SDG3 State of Palestine 2020

Goal	Indicators	Status	Most Recent Data	Source
16.3 Promote the rule of law at the national and international levels and ensure equal access to justice for all	16.3.1 Proportion of victims of violence in the previous 12 months who reported their victimization to competent authorities or other officially recognized conflict resolution mechanisms	52.4% (47% West Bank, 56.2% Gaza)	2020	PCBS

²⁴ The SDG Framework was established in 2015, the project kicked off in 2011.

	16.3.2 Unsentenced detainees as a proportion of overall prison population	57.6% (West Bank only; 56.5% males, 70.7 females)	2020	The Palestinian Police
	16.3.3 Proportion of the population who have experienced a dispute in the past two years and who accessed a formal or informal dispute resolution mechanism, by type of mechanism	NA	NA	NA

The project shows greater alignment with the United Nations Development Assistance Framework (UNDAF), the overarching cooperation framework for the UN and the PA. The project explicitly incorporates goals, elements, and resources from the UNDAF in setting goals for the project and measuring progress towards them. The Ultimate Outcome of the project, “Increased availability of a safe, efficient and well-managed Courthouses in the State of Palestine,” is linked to UNDAF’s Strategic Priority 2: “Supporting equal access to accountable, effective and responsive democratic governance for all Palestinians,” and Outcome 2.2: “Percentage of public who have trust in the judiciary.” This Outcome is common across both the Hebron Courthouse Project, as well as the National Development Priorities of Palestine, increasing harmonization and alignment. The baseline, targets, and data collection methods are also all pegged with UNDAF measures. In addition, one of the indicators (“Country has strengthened capacities for governance and oversight of rule of law institutions”) for Output 1111, related to Services, is linked to UNDAF measurements.

UNDP’s Programme of Assistance to the Palestinian People (PAPP) derives its mandate from the United Nations General Assembly Resolution 33/147 of 20 December 1978. Called upon by United Nations Member States in that year, UNDP was requested “to improve the economic and social conditions of the Palestinian people by identifying their social and economic needs and by establishing concrete projects to that end”. This project is at the heart of this mandate and responded to the wide scale need for developing the rule of law and justice sector. The project worker closely with Palestinian stakeholders to fulfil their aspiration for sustainable development and to advance the cause of self -determinations, equality, and freedom. As monument of justice and rule of law the newly established court strengthens the foundations of the Palestinian State through strengthening the institution of justice and rule of law, as well as through signaling and showcasing the strength of the state.

UNDP/PAPP is a responsive development agency that works together with the Palestinian people to fulfil their aspiration for sustainable human development based on self-determination, equality and freedom. As presented above, the project was directly linked with UNDP’s Palestinian Programme Framework 2018-2022, specifically:

- Outcome 2: Supporting equal access to accountable, effective, and responsive democratic governance for all Palestinians and the associated output (Output 2.6): Quality and efficiency of security and justice services provided to the Palestinians are improved.
- Output 1111: Services (Quality and efficiency of courthouse services provided to the Palestinians in Hebron municipality and surrounding area improved) was directly aligned with this output.

The project also displayed global linkages. The ultimate outcome: “Increased availability of a safe, efficient, and well-managed Courthouses in the State of Palestine” aligned with UNDP’s Global outcomes. Indeed the project,” is aligned with UNDP’s Global SP – 2.2.3: Capacities, functions, and financing of rule of law and national human rights institutions and systems strengthened to expand access to justice and combat discrimination, with a focus on women and marginalized groups.

The project is further aligned with the Canadian foreign policy objectives in the Middle East, namely: a comprehensive and negotiated peace agreement and the creation of a viable independent and democratic Palestinian state. This objective constitutes the foundation for Canada’s bilateral development assistance to Palestinians in the West Bank and Gaza and is overseen by the GAC. This project is part of Canada’s commitment to support institutional reform by the Palestinian Authority. A significant part of Canada’s portfolio was committed to support the security sector and justice reform, with this project representing one part of that commitment.

During the court’s design and construction process, UNDP considered human rights, gender, disability, accountability to populations and do no harm principles. The project considered the rights and access of defendants and juveniles and ensured that holding cells, courts, hallways, and other design features respect the rights of these often-marginalized groups. Separate holding facilities for adult males, females, people with disability and juveniles. Further, witness waiting rooms provide sight and sound separation from public waiting areas and access restrictions to keep occupants safe and free from intimidation.

2.2. COHERENCE

Overall, the project exhibited a high degree of coherence with internal and external initiatives in the Palestinian justice sector. Key program documents demonstrate that project management conducted a broad review of the larger ecosystem and attempted to align the objectives of the project with ongoing strategies and projects in the justice sector and Palestinian governance more broadly.

Internal Coherence

The different stakeholders especially GAC and UNDP have different levels of experience and expertise around issues of infrastructure and building courthouses. UNDP has some expertise in conducting infrastructure projects and justice sector development, whilst GAC has similar but albeit more limited experience in implementing infrastructure projects. This means that specialised knowledge in engineering and architecture was needed. Learning and increased capacities related to building courthouses were also needed for a prolonged period.

There is unanimity among project stakeholders, especially the donor, HJC, Public Prosecution, and the contractor that UNDP was successfully in implementing such a large and complicated project. The project benefitted from the technical and local knowledge of the implementation team and from UNDP’s expertise in project implementation in the governance and justice sector. From the beginning, there were questions as to how to manage a project like this. This learning curve was steep at the beginning especially during the design stage, however by the time the project reached the construction phase most lessons learned were being internalized and being used to deliver coherently.

“UNDP is on top of the list of whom we will think about for infrastructure projects in the future”.

(Key informant interview)

Both UNDP and GAC have different levels of experience and expertise in infrastructure project, especially those related to courthouse buildings. UNDP has expertise in infrastructure and had an infrastructure unit at some point during project implementation. Both GAC and UNDP had limited experience in building courthouses, this meant that the potential to collaborate and learn with each other to deliver more robust outputs was high. For example, GAC was dedicated to conducting different analyses to inform implementation, these outputs were used by UNDP to inform decision making and project implementation. Moreover, GAC Senior management were directly involved in project implementation which enhanced buy in, added value and contributed to learning.

External Coherence

The current project is well-situated within UNDP's broader portfolio related to the Palestinian justice sector and represents the product of a long-standing commitment to improve the judiciary in Hebron, specifically. The need for improved facilities in Hebron was first identified in 2009, when CIDA conducted a needs assessment of courthouse infrastructure across the West Bank and concluded that the court was "located in sub-standard rented facilities that were operationally obsolete and physically overcrowded."²⁵ The project was first included as part of the UNDP Rule of Law & Access to Justice Programme in the oPt, implemented for the period 2010 – 2013. This program included a range of outcomes across then justice sector, with the construction of the Tulkarem Courthouse and efforts to secure land for the Hebron Courthouse as activities implemented under Outcome 1: Capacity of Rule of Law Institutions Strengthened. Providing complementarity with the present project, these activities were carried out by the HJC and funded by Canada.²⁶

Further, the current project was implemented in parallel with other significant initiatives by UNDP in the justice sector. Chief among these was the Sawasya II – Promoting the Rule of Law in Palestine project, implemented for the period 2018 – 2023. Sawasya is designed to serve as the "primary vehicle...for advancing the rule of law, gender justice, and human rights in Palestine."²⁷ It also aims to support Palestine's achieving of SDG 16 and contributes to key priorities in the UNDAF, aiming to support the development of a "functioning and increasingly inclusive and independent rule of law system that respects, protects and fulfils human rights and gender equality and promote peace and security."²⁸ Reflecting this, the project focuses on women and children, who "come into contact with the law in multiple ways, are often underserved by the current system, and who have overlapping but distinct needs and experiences."²⁹

However, despite the fact that the Sawasya II program was being implemented contemporaneously with the Hebron Courthouse and was focused on objectives and themes with relevance for the current project, limited engagement was observed in the PRs. Only two engagements are noted:

- In 2018, the UNDP PM consulted with the Chief Technical Specialist for Sawasya II for the purpose of "identifying some indicators that will be required for the monitoring and evaluation (M&E) of the project."³⁰

²⁵ Project document

²⁶ Ibid.

²⁷ Geneva Centre for Security Sector Governance (DCAF), "Evaluation Report: Sawasya II – Promoting the Rule of Law in Palestine," December 2020.

²⁸ Ibid.

²⁹ Ibid.

³⁰ 2018 PR

- On 17 June 2021, as construction neared completion, a delegation from Sawasya “visited the site and had a walk through to check the work progress and the new systems that will be operated.”³¹

In neither instance does the PR elaborate on any outcomes that resulted from this engagement. Assuming these two instances represent the breadth of collaboration between the two projects, it appears that key opportunities were missed. Both projects were implemented under the umbrella of the Rule of Law Programme at UNDP and had some common staff. Though the presence of staff in common has the potential to result in cross-pollination, no mention is made of such benefits occurring. As explored below, the integration of gender in the project was limited to mainstream infrastructure considerations, this missed key opportunities to integrate gender considerations in a transformative manner, this is one area where greater engagement would have benefited the project.

2.3. LIKELY IMPACT

The Courthouse’s positive effects on state-building and society were attested to by a range of UNDP’s partners, including government figures, donors, and NGOs. The project was successful in providing essential infrastructure that enables the dispensing of justice in an appropriate and well-equipped environment, thus serving to strengthen the rule of law, as well. Unlike the previous building the new courthouse can accommodate current and anticipated needs for space and rising caseload. The new courthouse and additional space can accommodate an increased number of judges which will increase efficiency and decrease processing times. Judges and lawyers were especially satisfied with the new courthouse and its positive effects on professionalism, spirit and morale.

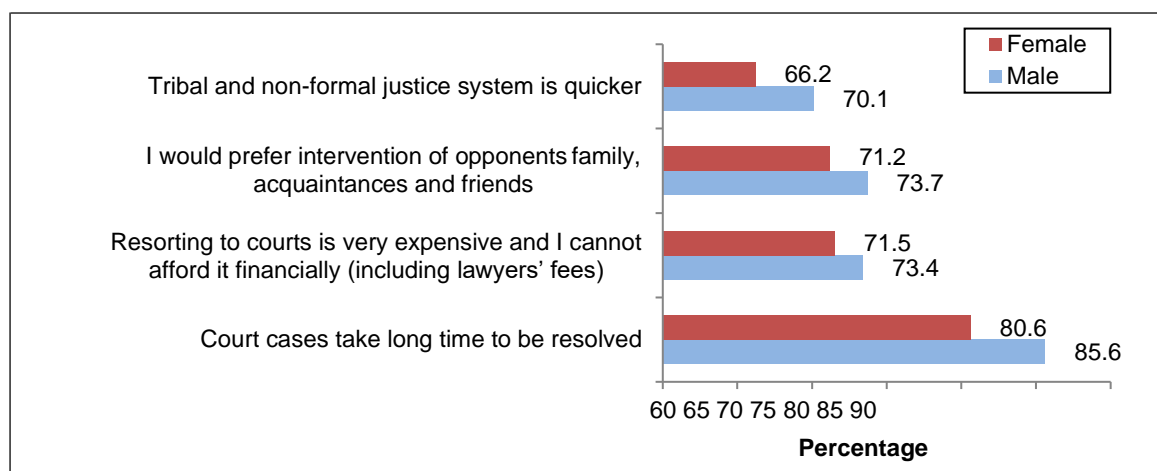
Previous courts were in military courts inherited by the PA or in rented apartment buildings. Between 1967 and the Oslo Accords and establishment of the PA in 1994, the Israeli Civil Administration utilized various military orders and Jordanian law in the West Bank and Egyptian Law in the Gaza Strip to govern Palestinian lives. There were no actual courthouses in the entire West Bank and Gaza Strip during this period except for Israeli Military Courts. In stark contrast to these meagre circumstances, the project managed to deliver a monumental courthouse capable of serving as a national symbol of the Palestinian state. Palestine, unlike the majority of contemporary and traditional states, has neither an army nor sovereignty over its territory, yet against these odds, the Palestinians started a “state building” project in 1994, which peaked in the tenure (2007-2013) of Prime Minister Salam Fayyad. The new courthouse was described by key informants as “a physical manifestation of the state,” standing as a clear and significant demonstration to locals and internationals alike of the ability of state capacity and of the Palestinians to govern and build.

The new courthouse was effective in minimizing certain gender-based barriers to accessing courts. Civil society partners as well as female citizens, lawyers, and judges reported that the new courthouse and open spaces within it are more comfortable for women which may in turn incentivize women to access the formal justice system. Moreover, additional privacy and added safety features within the courthouse decrease the worry around stigma and fear for personal security which may also incentives women to seek resolution of family issues through the formal justice system.

³¹ 2021 PR

However, simultaneously, the rise of informal justice mechanisms is threatening Palestinian institutions, rule of law and social justice, especially for women and for family related issues. Against these pressures, the courthouse is a strong symbol of institution building, rule of law and justice. National statistics published by PCBS in 2021 indicated that only four percent of adults (18 years and above) in the West Bank and, among those, only 51 percent were satisfied with the performance of the courts with their case. In comparison, among the two percent who used tribal justice and informal mechanisms in the same region, 63 percent reported that they were satisfied. Usage of tribal and nonformal mechanisms have been increasing over time in Palestine. This is partially explained by the fact that most of those who resort to tribal and informal justice system perceive it do be more efficient and less expensive (Figure 1). While these barriers remain, the new courthouse with its increased capacity will likely address some of the efficiency issues.

Figure 1: Percentage of Individuals (18 years and above) in Palestine who will not Approach Official Judiciary in Case of any Future Disputes and Conflicts by Reason and Sex



Source: PCBS, 2021.

At the same time, the current national circumstances have shifted dramatically since 2009, a period that marked the launch of Fayaddism and the first activities of the present project. At present, the future of the PA is in greater doubt than arguably any point in the past, save 2007 or the Second Intifada. No longer able to credibly present itself as the vehicle for Palestinian liberation, according to the two-state paradigm, the PA's other source of legitimacy, it's role as a service delivery actor, is also increasingly tenuous. As presented at varying points throughout the report, service delivery by the PA and its institutions has worsened in the past years, reflecting the protracted fiscal crisis, resulting in a series of strikes and demonstrations. Hebron, historically, has had a contentious relationship with the PA, resisting its pretenses to exert a monopoly on authority and governance in the city and broader environs, a reflection of Hebron's influential tribes and related social structures. Thus, the construction of a courthouse, operated by PA institutions, represents a challenge to alternate authority structures and a significant advance in the ongoing contest over the governance space. When considering the sustainability of the courthouse, additional attention must be devoted to the fact that influential actors will attempt to challenge its legitimacy and capitalize on its faults and deficiencies. Thus, efforts focused on promoting the sustainability of the courthouse should also consider how to shore up and defend the legitimacy of the Courthouse as an institution for seeking justice.

The second implication stemming from the changes that have transpired over the past decade is that the Hebron Courthouse will very likely not be operating in an independent Palestinian state. When the project was conceived in 2009, the proposition that such a policy would come into being

in a matter of years was plausible. Today, it has become wholly unrealistic. Thus, those Palestinians living in Area C of the Hebron governorate, instead of finding themselves under the sole authority of the State of Palestine remain governed by the Israeli Occupation and military law. Even Palestinians living in Areas A and B must still contend with the Israeli military when seeking services or defending their rights. Thus, a critical question to consider is whether the focus of future justice sector programs should shift to helping guarantee access to justice for Palestinians who have to seek remedy through Israeli institutions, namely military courts. At present, UNDP is implementing projects focused on the welfare of Palestinians in Area C and has further historical experience in promoting resilience of these communities. Reflecting the Leave No One Behind commitment, as well as the intensity of needs in Area C, it is pertinent to explore whether future programs should direct more greatly focus at the justice needs of these Palestinians.

While the provision of the new courthouse is essential for dispensing justice, key informants and secondary sources all point to the fact that there are many other complex challenges that face institution building, legal reform, and governance. The World Bank had constantly warned that “Israeli restrictions and controls...have a detrimental impact not only on economic growth but also constrain the PA’s ability to develop its institutions as well as limits room for maneuver on tougher reforms.” Fayyad’s “institution-building” was never intended to be a standalone project; its international sponsors, including UNDP and Canada, understood that its success would depend on progress made along parallel diplomatic and political tracks.

Moreover, unless additional space translates to the provision of additional judges and public servants, then the positive impacts of the courthouse may be reduced to its symbolic values. Similarly, without increased efficiency and decreased cost barriers to seeking resolution, formal courts will continue to be challenged by less just but more efficient systems, such as the informal tribal system.

2.4. EFFECTIVENESS

Logical Model

The underlying logic of the process of change, as outlined in the PMF and project documents, was partly confirmed by key informants and court users. Those not confirmed are discussed under each one of the respective indicators below. According to key informants, including project implementers and owners, the increased availability of a safe courthouse in Hebron that is fully equipped will generate gains in trust and accessibility, driven by the increased ability of the judiciary in Hebron to assert its grandeur and to execute its work in an enabling and safe environment. As per the evaluation survey and FGDs, citizen users have confirmed that their trust in the judiciary has increased because of the newfound availability of a safe courthouse in Hebron. Lawyers, judges, staff and CSOs have all highlighted that increased availability of an equipped courthouse is an essential and much needed step to building trust with the public, though it is not enough in its own right. Instead, they emphasized that, reflecting the reality of contemporary Palestine, trust in the judiciary is a function of its independence and its ability to enforce the law, in addition to national capacities and resources dedicated to the sector.

Stakeholders interviewed during fieldwork reported that progress towards outputs pertaining to facilities, inclusiveness, including gender, juveniles, and persons with disability, as well as environmental sustainability are well demonstrated, significant and connected to project activities. However, stakeholders held varied views on the ability of the project to enhance the quality and efficiency of services provided. Stakeholders divided service delivery elements into two distinct

groups, some that are associated with the facility, design, and equipment, and another pertaining to laws, staff, and procedures. Stakeholders confirmed the positive effect of the project on indicators associated with the facility, however they emphasized the scale of improvement would remain limited if not combined with significant reform and increased budget provisions, resources, staff, and judges.

Extent of Achievement of Log-frame Results

Evaluation data, as gathered by the evaluation survey, FGDs and KIIs, along with data from PCBS surveys and information from the project’s annual progress reports demonstrate progress towards all outcomes.

Ultimate Outcome (1000)

EXPECTED RESULTS³²	INDICATORS³³	Baseline	Targets	Endline	Target Achieved	Data Source
ULTIMATE OUTCOME						
1000: Increased availability of a safe, efficient, and well-managed Courthouses in the Palestinian Authority Territory	Contributing to the achievement of the Palestinian National Priority #7 of the National Policy (2017-2022) ³⁴ Indicator: Percentage of public who have trust in the judiciary	Baseline (2015): 58.15%	10% in public trust in the judicial system	Endline (2021): 65%	Achieved	-PCBS official Surveys
<p>Triangulation and ET Comment: According to official national statistics from PCBS the percentage of public 18+ who have trust in the judiciary have increased from 58.2% and to 65.0% in 2021. The next round of official statistics is due in 2024. Making the 2021 data point the most up to date. The evaluation asked court users three questions to triangulate the result. About 70% of respondents stated that they have confidence due to the existence of such a building. The survey also asked respondents about overall confidence levels in the Palestinian Judicial system, 37 % have stated that their trust in the judicial system has increased. This is much larger than the project target of 10%. Moreover, the evaluation survey if the project contributed to increasing trust in the Hebron Court, 56% of respondents stipulated that the new building lead to increasing their trust of the Hebron court. Overall the data clearly</p>						

³² From Logic Model

³³ Gender and Environment where possible

³⁴ National Priority #7 of the National Policy (2017-2022) Social Justice and Rule of Law (National Policy: Improving Access to Justice, Policy Intervention: Ensure integrated delivery of and fair access to judicial services, particularly for women and children.)

EXPECTED RESULTS ³²	INDICATORS ³³	Baseline	Targets	Endline	Target Achieved	Data Source
indicates to the fact that project have contributed to increasing public trust in the judiciary. A comparable and appropriate official figure to the baseline will not be available until 2024, but current data from 2021 and supplementary data from the evaluation single that the project had a positive effect on trust levels.						

Trust

Operationally, the Ultimate Indicator is measured, as articulated in the PMF, by the percentage of public who have trust in the judiciary. According to the PMF the baseline value, measured in 2015, was 58.15 percent. The results framework aimed to increase this rate by 10 percent to reach 64 percent. In line with the baseline, end line data extracted from PCBS indicate that this rate has reached 65 percent, representing a 12 percent increase in trust.

Baseline figures, as reported by the PCBS, indicate that males and females expressed confidence in the justice system at relatively equal rates. Overall, 57.5 percent of male respondents and 58.4 percent of female expressed confidence in the justice system. Relatively equal figures were observed in measures of confidence towards the courts (59.5 percent of males and 59.2 percent of females). Disaggregation by governorate is not available.

The evaluation survey was designed to promote triangulation and comparison with PCBS research. Specifically, Hebron court users were asked if their trust in the judicial system had increased because of the new building, furniture and equipment provided. A majority (55.5%) stated that their trust of the court in Hebron has increased as a result. Consistent with PCBS statistics, relative parity is observed in the perceptions of male and female respondents.

Importantly, the PMF set a target of increasing public trust in the judiciary by 10 percent. The evaluation survey has found that trust among court users has increased by 37 percent. Well more than the 10 percent target set by the project.

Table6: Trust in Hebron Court House

		Gender					
		Male		Female		Total	
		#	%	#	%	#	%
My trust of Courts in Hebron has increased	Yes, to a large extent	25	7.7%	6	10.0%	31	8.1%
	Yes, to some extent	151	46.6%	31	51.7%	182	47.4%
	No change	80	24.7%	11	18.3%	91	23.7%
	No to some extent	29	9.0%	5	8.3%	34	8.9%
	No to large extent	38	11.7%	7	11.7%	45	11.7%
	I don't know	1	0.3%	0	0.0%	1	0.3%
	Yes, to a large extent	13	4.0%	4	6.7%	17	4.4%

My confidence in the Palestinian judicial system has increased	Yes, to some extent	101	31.2%	24	40.0%	125	32.6%
	No change	121	37.3%	20	33.3%	141	36.7%
	No to some extent	37	11.4%	5	8.3%	42	10.9%
	No to large extent	50	15.4%	7	11.7%	57	14.8%
	I don't know	2	0.6%	0	0.0%	2	0.5%

Perspectives on the Role of the Courthouse in Increasing Public Trust

Qualitative data from key informants and citizens are divided on the ability of the Hebron courthouse to generate trust in the judicial system, with some observing that the building is unlikely to have a significant impact. Though acknowledging the provision of the building and its modern facilities and services is important, they instead emphasize that there are powerful external issues that are inducing low levels of trust in the judicial system and in the government. Secondary sources confirm that the justice sector is grappling with fundamental reform challenges. These include overlapping and conflicting jurisdictions, inadequate strategic management, basic coordination mechanisms. Importantly, the corpus of extant laws in the West Bank derives from several vastly diverging legal traditions – a mixture of Islamic, common law, and French law – all serving to inhibit understanding and navigating the judicial system. These challenges are amplified by the fact that the Palestinian Legislative Council – the body responsible for making laws – has not convened since 2007. Lastly, the influence of the executive branch and the security sector is growing more significant to the point of encroaching and exerting undue influence on other branches of government, serving to create high levels of distrust in the ability of the judiciary to act independently. Moreover, project implementers emphasized that trust is built by processes and procedures, fairness in the application of the law, not only the construction of the facility.

“The new courthouse has enhanced public trust in the judiciary but unfortunately the conditions of the justice sector and what it’s going through are larger issues that don’t have to do with building and infrastructure but with the ways we conduct our work” (Judge, Male).

“When people come to a courthouse, and you find that it meets its needs this will increase trust in it.” (Judge, Female).

“No doubt. I hear all the time that the new building is increasing public trust” (Court Staff, Male, FGD).

“I don’t think that the existence of the building has changed trust levels in the judicial system since it doesn’t affect how case proceedings go.” (Citizen, Female, FGD).

“Trust doesn’t emanate from the building. Trust comes from our dealings with the system and our general feeling of justice and fairness.” (Citizen, Female, FGD)

“I always have trust in the Judicial system, but I wish that they continue to improve their work especially in transparency aspects” (Lawyer, Female, KII)

Results from the evaluation survey effectively illustrate this reality and the disparity across attitudes. When respondents were asked how being in the building influences their levels of trust,

almost 70 percent of them stated that they feel trust to a large extent or to some extent due to the existence of the building and services offered.

Table7: Court House contribution to trust

		Sex					
		Male		Female		Total	
		#	%	#	%	#	%
Trust, due to the existence of such a building in which all judicial services are available	Yes, to a large extent	59	18.2%	12	20.0%	71	18.5%
	Yes, to some extent	162	50.0%	34	56.7%	196	51.0%
	Average	54	16.7%	6	10.0%	60	15.6%
	No to some extent	24	7.4%	1	1.7%	25	6.5%
	No to large extent	25	7.7%	7	11.7%	32	8.3%
	I don't know	0	0.0%	0	0.0%	0	0.0%

Availability

Measured relative to Ultimate Outcome (1000), the project proved successful in increasing the availability of a safe, efficient, and well managed courthouses in Palestine by completing the construction and equipping of the Hebron Courthouse. Indeed, the construction and furnishing of the Hebron Courthouse stands as a visible national achievement, a feat made more impressive by its presence in the largest governorate across both the West Bank and Gaza. The building is endowed with significance for this community owing to its perception as a symbol of the government and the ideals of the Palestinian justice system.

The courthouse is built and equipped, according to international courthouse architectural standards, and includes the First Instance, Magistrate and Appeal courts, as well as a facility for the Public Prosecution and the Judicial Police. With a gross floor area of approximately 16,170 m² – four times the size of the previous court – the new courthouse represents a significant leap from the facilities previously used, all of which were sub-standard rented residential buildings not conducive to the dispensing of justice. On 25 March 2022, the Courthouse was officially inaugurated in ceremony that was attended by all stakeholders and Hebron public figures. At present, the Courthouse is available to provide services, delivered in a safe and accessible environment, for over 800,000 people, serving approximately 500 people on a typical working day.

“Both HJC and Hebron deserve this building” (KII, Government)
 “The new courthouse facility met all the requirements of a modern courthouse, and we hope that there will be room for additional courts in this complex, since there is room to accommodate more courts” (KII, Lawyers Syndicate)
 “The availability of the new courthouse in the Hebron governorate strengthens the language of the law.” (KII, CSO’s)

Survey results confirm this view. Over 82 percent of survey respondents are proud to have the new courthouse in Hebron.

National Priority # 7

Moreover, key informants reported that the project contributed to the achievement of the Palestinian National Priority # 7 of the National Policy Framework (2017 -2022): Social Justice and Rule of Law, particularly its elements focused on improved access. These stakeholders expressed strong agreement that the new court has enhanced access for women and children, removing some of the chief barriers they previously faced, namely privacy, safety, comfort, and trust issues. The new building ensures a high degree of privacy for women, juveniles, witnesses and defendants. It also provides separated spaces for each to ensure safety, privacy, and comfort, and facilitates the physical access of PwD to the justice system, though primarily for those with mobility disabilities. The building also contributed to enhancing integrated delivery, as it houses an array of courts, and government legal services, with a designated reception area to inform and guide citizens.

“The new building gives citizens confidence in the courts. When a woman comes to the court, she will not worry that she will go from one building to another”. (Lawyer, Female, FGD)

“For Juveniles, things are much better now they have privacy and have their own holding cells. Similarly, for women. As to witnesses they have their own waiting rooms and they are not waiting with others, giving them more power and privacy to be without fear or intimidation.” (Judge, Male, KII)

“The building is PwD suitable, there are also entrances, exits, ramps, elevators, and parking reserved for those with mobility disability. Public spaces are also welcoming and suitable for PwDs.” (CSO’s, FGD)

“We now have separate rooms for juveniles. We also have a designated space for the Child Protection Counsellor from the Ministry of Social Development. The Juvenile Courts are also on the far end of one of the floors and are thus more isolated and able to provide a sense of privacy, comfort, and protection.” (Head Judge, Male, KII)

“The new courthouse conforms with the intentions of the Juvenile Protection Law and Family Protection Law. It truly facilitates secrecy and separation and meets the needs of families, juveniles, and PwDs.” (Head Judge, Male, KII)

“The building doesn’t change the fact that the judicial process doesn’t resolve cases and that cases get stuck forever. So, no, the new building doesn’t play role in helping me access justice.” (Citizen, Male, FGD)

Data from the evaluation survey confirms these perspectives. Survey results with court users found that 56.8 percent of users were prompted to use the formal judicial system when needed, with relatively equal rates of agreement between male and female respondents.

Table8: Court Users’ Perspectives on Hebron Courthouse

		Males		Females		Total	
It prompted me to use the formal judicial system if needed	Yes, to a large extent	24	7.4%	6	10.0%	30	7.8%
	Yes, to some extent	159	49.1%	29	48.3%	188	49.0%
	No change	80	24.7%	13	21.7%	93	24.2%
	No to some extent	26	8.0%	6	10.0%	32	8.3%

	No to large extent	33	10.2%	6	10.0%	39	10.2%
	I don't know	2	0.6%	0	0.0%	2	0.5%
Confidence, due in the existence of such a building in which all judicial services are available	Yes, to a large extent	59	18.2%	12	20.0%	71	18.5%
	Yes, to some extent	162	50.0%	34	56.7%	196	51.0%
	Average	54	16.7%	6	10.0%	60	15.6%
	No to some extent	24	7.4%	1	1.7%	25	6.5%
	No to large extent	25	7.7%	7	11.7%	32	8.3%
	I don't know	0	0.0%	0	0.0%	0	0.0%

Box 1: Consideration of Gender and Disability Concerns

Positive appraisals of the Courthouse's ability to provide a safe and accessible environment for women appear to vindicate efforts by the project to integrate special considerations for the need for privacy and dignity of women, girls and juveniles. Project documents highlight that in line with UNDP's corporate policy on gender, inclusion, and protection, the design of the Hebron courthouse was sensitive, to varying degrees, to the needs of disadvantaged groups and incorporated protection and privacy elements that are recommended internationally and needed locally. These elements include:

References to the significance of inclusivity and measures to ensure its effective integration are included throughout project documents, with varying degrees of elaboration or linkages to broader project activities or objectives. The 2016 PR states that "design of the Hebron courthouse will cover elements that will address gender and persons with disabilities...in line with UNDP's corporate policy on gender inclusion," adding that "special consideration will be provided to males/females in terms of holding, washrooms, as well access issues to facilitate movement throughout the different courthouse quarters."³⁵ The 2016 PR also states that "gender consideration" will be present in the recruitment of project personnel, without elaborating further.³⁶ As noted earlier, project documents provide no specific elaboration on how gender considerations were considered in the recruitment of personnel.

By the 2018 PR, these matters were discussed in greater detail, likely reflecting the finalization of the design process. Among the elements of the project that reflect the commitment to gender inclusion are:

- Separate holding facilities according to gender, age, and disability. The evaluation team was not able to confirm if juvenile cells separated boys from girls.
- Equal access according to gender and disability in all court services and areas
- Construction of witness waiting rooms that guarantee "sight and sound separation" and "access restrictions" in order to "keep occupants safe and free from intimidation"
- Construction of public prosecution interview rooms that "enhance a sense of safety and respect for modesty and privacy"

³⁵ 2016 PR.

³⁶ Ibid.

- Devotion of “special consideration for the privacy, and dignity of women and girls” when considering how to ensure safety and security for users
- Segregated and secure access to the courts for the judges, the accused, and the public³⁷

Further, the PR states that UNDP will “proactively seek opportunities to promote gender equality throughout project implementation,” providing the example of ensuring “equal access” of women to employment on the construction site.³⁸ However, consistent with the 2016 PR, no elaboration is provided on how this access will be ensured.

In later PRs, the cross-cutting issues section, where virtually all references to gender concerns appear, has been removed. The 2022 PR makes no reference to gender, beyond reproducing the PLM and PMF in the annexes.³⁹ The 2021 PR includes an explicit section devoted to gender, which states that “great attention” was devoted to gender considerations “during the design of the Courthouse facilities, and later during the construction.” Examples are not provided.

Explicit reference to the needs of users, according to gender or disability, are included in the PLM or PMF though the justifications or explanation of their inclusion is not provided elsewhere. The Intermediate Outcome is expressed in language that explicitly identifies male and female needs separately, while a specific Output is dedicated to “Inclusiveness, including Gender Equality,” and incorporates gender, age, and disability considerations.

While the PRs, site visits, key informants and focus groups provide varying evidence on the extent to which gender, age, and disability considerations were integrated in project activities, notably absent is any mention as to why these considerations were integrated. No indication is made of consultations with experts in the intersection between gender, age, disability and justice or review of standards or best practices from global or national guidance. In the course of enumerating the key activities and events of the given reporting periods, the PRs make no mention of engagement with experts such as these or meetings of the PSC or CTC that consider the topics. As a result, though many of the gender-specific measures and activities included in the project, such as the construction of sex-specific areas, appear logical, necessary, and mainstream. It is unclear however what factors were accounted for in their inclusion.

In the absence of more concerted engagement or consideration of these issues, the project may have missed key opportunities to improve the ability of the Courthouse – and project more broadly – to meet the needs and improve the experience of users according to their gender, age, or disability or even identify innovative approaches that could serve as guidance for future projects. The fact that gender and juvenile experts were not consulted, and that key departments in the police and Ministry of Social Development were not consulted adversely impacted the project’s ability to fulfil its o to reduce social barriers and to go beyond physical access for those most vulnerable. For example, the project’s considerations of disability, based on the PLM and PMF, appear limited to those users with physical disabilities ⁴⁰, as opposed to those with vision or hearing disabilities. Similar logic seems to define gender inclusion, a focus on physical access and presence of gender is well documented, privacy considerations were also cited, and the safety aspects associated with large and open spaces were often reported by women, however the degree to which the project went beyond mainstreaming of inclusion to reach transformative changes in these fields is limited.

³⁷ 2018 PR.

³⁸ Ibid.

³⁹ 2022 PR.

⁴⁰ Indicator: Access for people with disabilities to all court facilities provided through ramps and elevators.

Intermediate Outcome (1100)

EXPECTED RESULTS ⁴¹	INDICATORS ⁴²	Baseline	Targets	Endline	Target Achieved	Data Source
INTERMEDIATE OUTCOME						
1100: Increased satisfaction of court users (both male and female) in Hebron with security (e.g., public, private, and secure circulation) and with other design features such as signage, waiting areas and temperature control.	Level of satisfaction of court users (f/m) with the new courthouse facility in Hebron (including with security and other design features such as signage, waiting areas and temperature control)	Never Determined	Never Determined	92% of court users surveyed are satisfied or very satisfied with the new facility.		Baseline and final Survey
Triangulation and ET Comment: According to official national statistics from PCBS 28.2% of respondents 18+ stated that the infrastructure of the courts is decent. This data was collected in 2021 before the handover of the new courthouse and is used to provide an indication of satisfaction levels of the old court.						

The Intermediate Outcome measures the level of satisfaction of court users with the new courthouse facility in Hebron, as defined by: i) security and ii) design features including signage, waiting areas and temperature control. Baseline figures were not measured by the project, but qualitative data from different users (citizens, lawyers, CSOs, and judges) indicate that satisfaction with the old building was very low. Moreover, national surveys conducted with judges in the West Bank confirm that satisfaction with the existing infrastructure of the courts is very low. In 2021, the rate of general satisfaction with the general status of the infrastructure of the courts including rooms, equipment and other features reached 28.2. Given that the court was not handed over in

⁴¹ From Logic Model

⁴² Gender and Environment where possible

2021, this figure gives an idea of the general level of satisfaction with court infrastructure in Palestine.

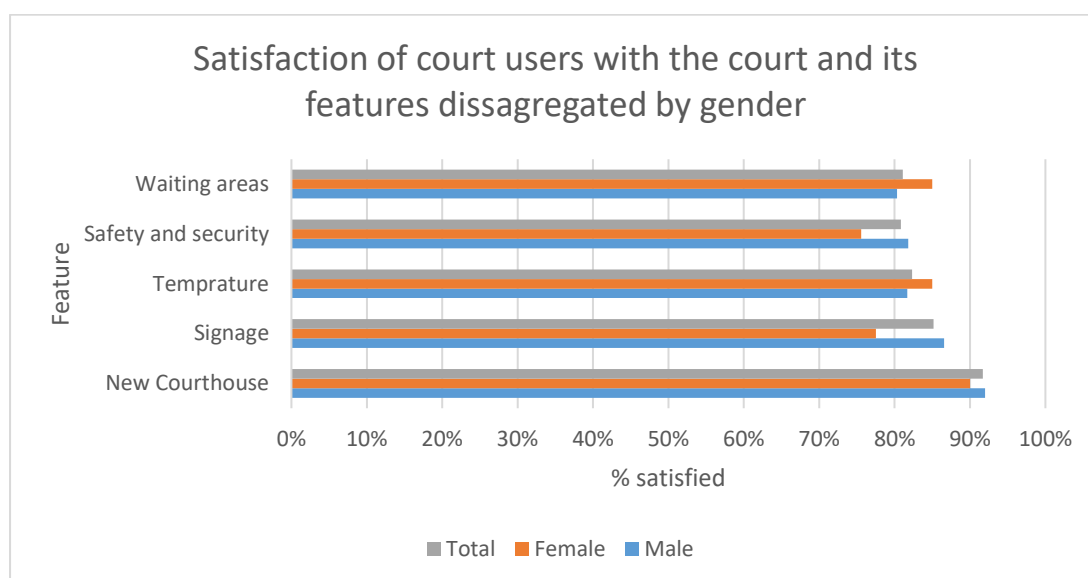
Satisfaction

End line data from the evaluation survey indicated high levels of satisfaction among users of the new courthouse facility. Overall, 92 percent of court users reported being either satisfied or very satisfied with the new courthouse, with little variation observed between male (92%) and female (90%) users.

Qualitative data further confirms these attitudes. Judges reported less interruption, more privacy, greater trust, and ease of court proceedings, while staff reported enhanced comfort and safety, and citizens higher levels of organization. Lawyers also reported high satisfaction with the building,⁴³ and CSOs expressed positive views, as well. Moreover, the new courthouse has enabled PwDs to attain their legal rights in an equal manner as other citizens by removing access barriers related to movement who were unable to use the old courthouse.

As figure 2 illustrates, users are highly satisfied with design features including, signage (85%), temperature inside the building (82%), safety and security (81%), and waiting areas (81%).

Figure 2: Satisfaction of court users with the court and its features, disaggregated by gender



Safety

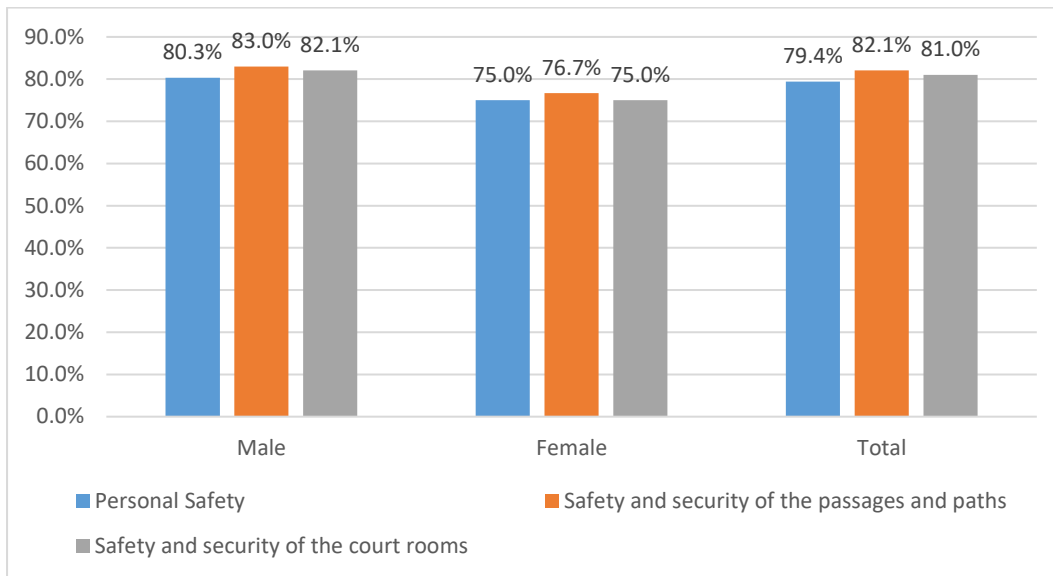
Key informants consistently noted the safety elements of the new courthouse, suggesting the features adopted by the project did succeed in promoting a sense of safety and security. Project documents highlight that UNDP considered the safety and security of all users, incorporating features such as segregated and secure access to the courts for judges, defendants, and the public, features confirmed by the site visit and KIIs.

The evaluation survey further corroborated this finding, with 79 percent of citizen users reporting satisfaction with their personal safety in the courthouse. Citizen users also reported high levels of satisfaction with the safety and security of passages and paths (82%) as well as of the court rooms

⁴³ Some lawyers wished that other courts will be brought into the building such as the recently established appeals court. They also highlighted the parking issue.

(81%). As illustrated in the figure below, female respondents reported slightly lower levels of satisfaction with safety elements than male respondents.

Figure 3: Satisfaction with safety elements of the courthouse, disaggregated by gender



Court judges, staff and employees confirmed the existence of a safe atmosphere, pointing to the many precautions installed in the building. The main entrance, for example, includes safety measures, personal and luggage screening, and a security room.



“In the past, as well as in other courts, assault attempts are sometimes made on defendants. However, in this courthouse the defendants come in without anyone seeing them. They have their own segregated pathways and elevators that lead them directly to holding cells and to courtrooms.” (KII, Staff)

The courthouse was also equipped with other safety features, such as a fire protection system installed with an early detection, warning, and response trigger system. Smoke detectors, fire alarms, and sprinklers were also distributed throughout the building. Fire extinguishers are provided in different types to suit the type of space for their intended use. Fire-doors were also installed in the building to prevent fire from spreading to other parts of the building. In addition, emergency evacuation plans are available in all the floors. A fire escape staircase was also installed. Although key informants and site visits have confirmed that the systems installed are among the most advanced, not all are in active use. For example, the fire protection system is not armed as many courts users smoke inside the building, which can cause false alarms. Further, the fire escape staircase is being used as a second entrance by the Public Prosecution.



Security is further provided through the clear separation of circulation routes for users in the proceedings and the elimination of spaces where a weapon or bomb might be placed. In addition, there is a single point of public entry to the building which includes a screening station where all entrants are screened for weapons. This is followed by a large open space (hall) which increases the visibility in the building. There is also a secure vehicular entrance for transfer of detainees to and from the building. In the courtrooms, panic buttons are installed in the proximity of judges, allowing them to send an alarm to manned stations in nearby police

departments, while also connecting the room's camera with the police station.

The building also includes an access control system to regulate entry to restricted areas of the building, such as the holding cells. Furthermore, the surrounding walls create a physical barrier to enclose the perimeter of the building and prevent attacks on its exterior. Lighting is provided in outdoor spaces to illuminate accesses to the building and parking areas. There is also an intrusion alarm system to monitor the status of doors, windows, and other exterior openings in the building. Finally, security cameras, are distributed throughout building, although they do not cover the entire floor area.



Signage

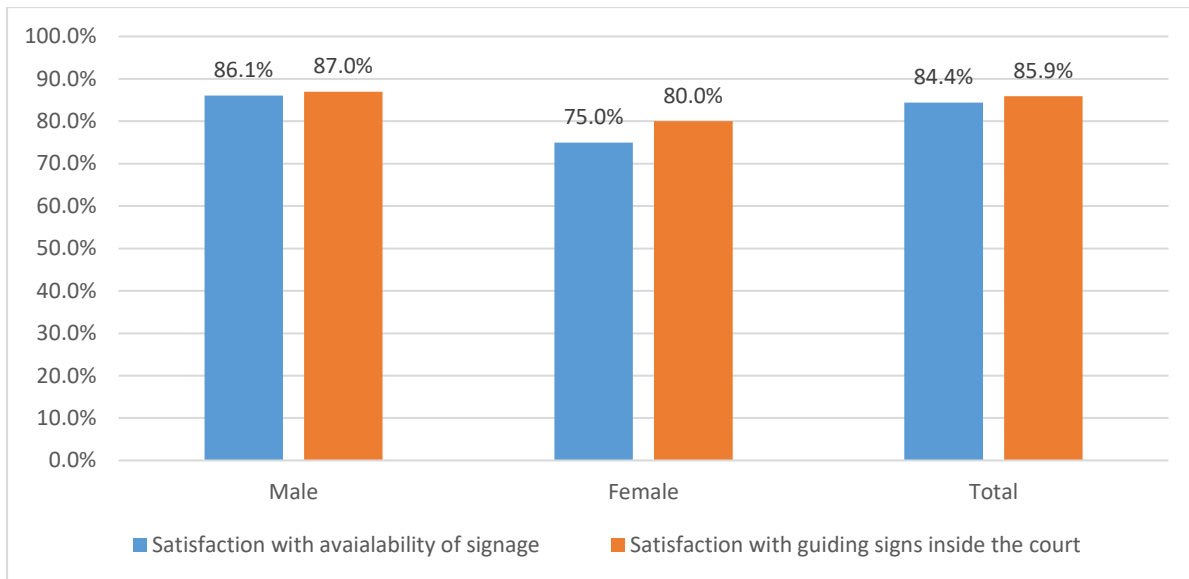
Signage is used throughout building to identify the spaces, exits, and vertical circulation. Signage of toilets, exits, and other locations are posted in clear positions. Male and female toilets are in visible locations with clear signage, as is the emergency staircase. During focus groups, citizen users and lawyers reported that the overall design and the signage installed help guide them.

Signage



Results from the evaluation survey confirmed the efficacy of current signage. Overall, 86 percent of citizen users reported that they were satisfied with the availability signage and a similar rate (84 percent) reported that they were satisfied with guiding signs inside the court. Female respondents reported lower levels of satisfaction with the availability of signage.

Figure 4: Satisfaction with Signage Disaggregated by Gender

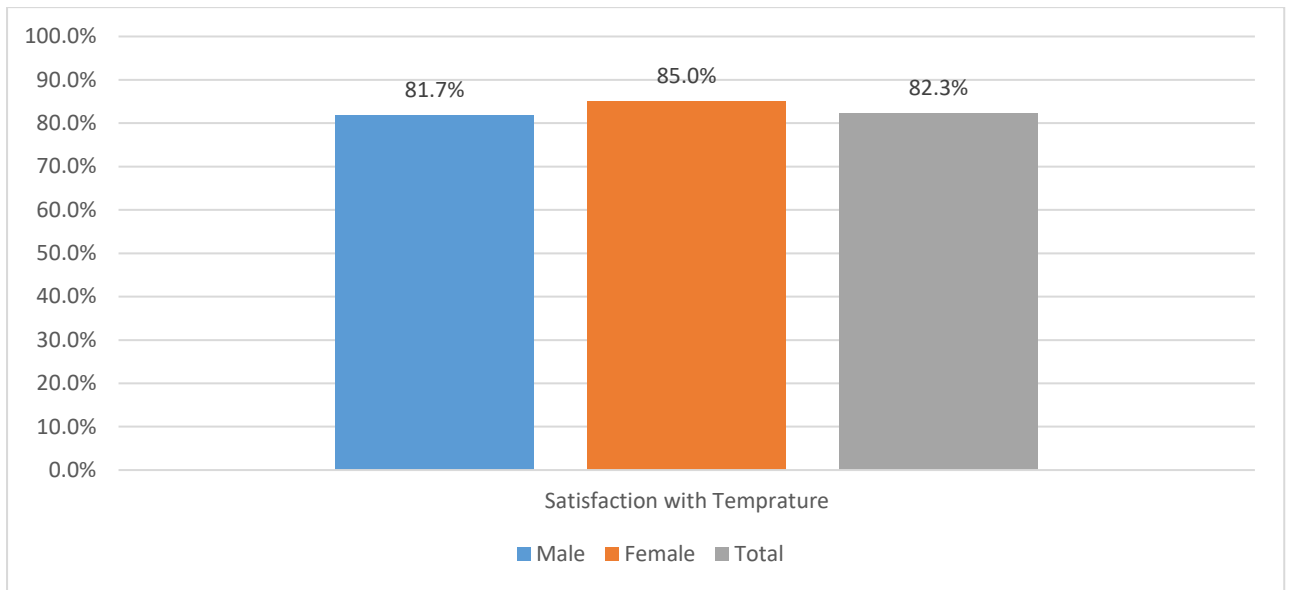


Indoor Environmental Quality and Temperature Control

Indoor environmental quality (IEQ) includes Indoor Air Quality (IAQ), the acoustic conditions, and occupant control over lighting and thermal comfort. Most of the building's windows can be partially opened, providing a limited amount of fresh air in the building. All the court rooms are acoustically insulated, and the suspended ceiling in the building's spaces has served to decrease the echo. Adequate lighting was provided in the spaces by coupling the natural and artificial lighting as possible. The Heating, Ventilation, and Air Conditioning (HVAC) system is connected to the central panel, meaning users have no control over the temperature in the building. However, the temperature was set to an acceptable level (21.5C) during the site visit. Citizens in FGDs and key informants in interviews all reported that they felt comfortable with the temperature inside the court. This finding was validated in the final evaluation survey, where 82 percent of respondents reported that they were satisfied with the temperature.



Figure 5: Satisfaction with Temperature disaggregated by Gender



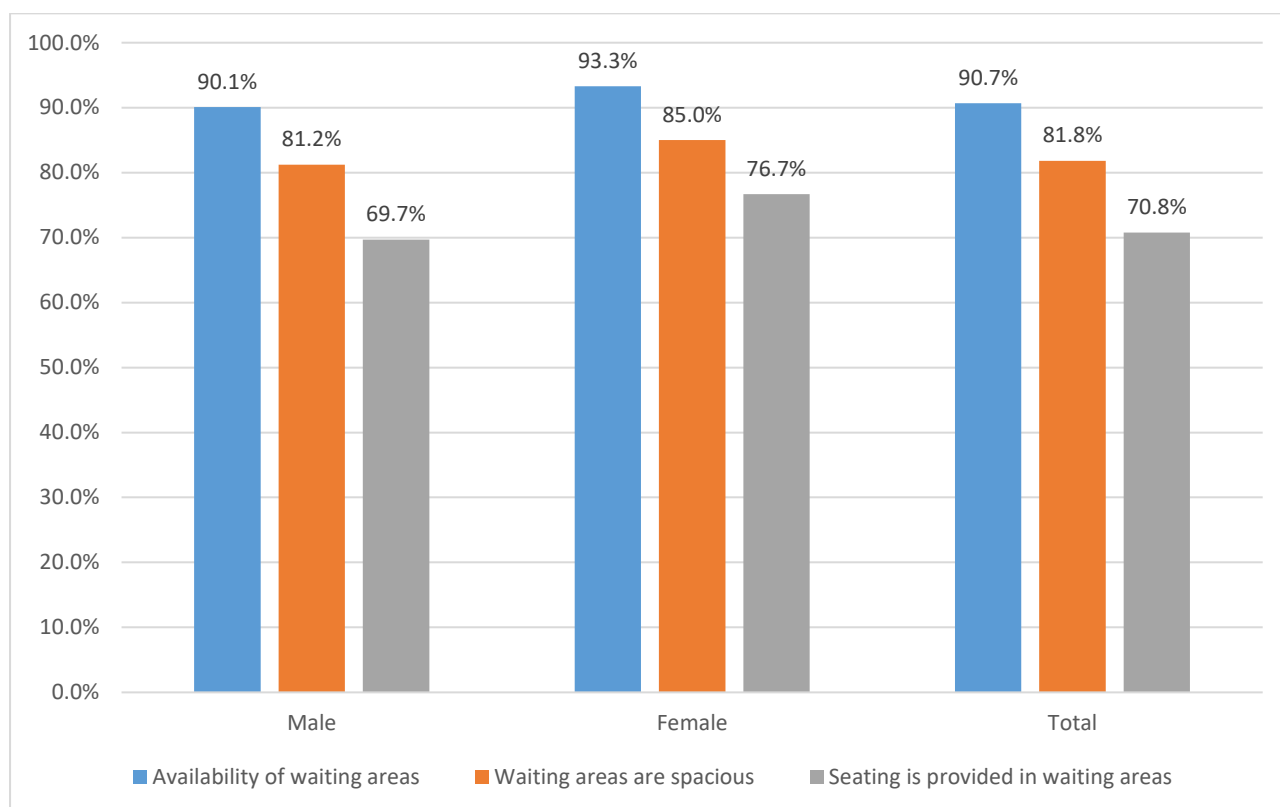
Waiting areas

Waiting areas are available across all four floors of the court. The waiting areas are open and large, serving to increase the sense of safety for women. This is confirmed by academic literature on space and gender, as well as by key informants and engineers who worked on the project. Additionally, female citizens, female judges, and representatives of CSOs all confirmed that spacious and large waiting rooms facilitate access and comfort for women.



Court users confirmed the positive state of waiting areas in the evaluation survey. Overall, 91 percent of respondents reported being satisfied with the availability of waiting areas, along with 82 percent who were satisfied with their spaciousness, and 71 percent who were satisfied with the seating provided. Across evaluations of these elements, female respondents were either more or equally satisfied as their male counterparts.

Figure 6: Satisfaction in certain elements of the waiting areas, disaggregated by sex.



Immediate Outcome 1110

EXPECTED RESULTS ⁴⁴	INDICATORS ⁴⁵	Baseline	Targets	Endline	Target Achieved	Data Source
IMMEDIATE OUTCOMES						
1110: Improved access ⁴⁶ of Palestinians to a safe courthouse facility in	-Number of cases dealt with in Hebron Courthouse increased because of improved	48,125 cases	10% increase	2022: 53,282 2023 (projected) : 58,852 ⁴⁷	Achieved	Al- Mizan Database. Data Retrieved on June 13.

⁴⁴ From Logic Model

⁴⁵ Gender and Environment where possible

⁴⁶ Access includes access for women, men, girls, boys, and persons with disabilities.

⁴⁷ Data Extracted from Al Mizan data base indicates that in the first 5 months (January to May) of 2023 the court has dealt with 24,785 cases (actual). Due to data and access limitations the ET assumed that the ability of the court to deal with cases is equally distributed across the 12 months of the year. The first 5 months of the year are equal to 41.6 percent of the year. Which means that the projected # of cases dealt with in 2023 = (24,785/0.416) = 59,582.

EXPECTED RESULTS ⁴⁴	INDICATORS ⁴⁵	Baseline	Targets	Endline	Target Achieved	Data Source
the municipality of Hebron.	access to a safe courthouse facility in the municipality of Hebron					
<p>Triangulation and ET Comment: The baseline value in the PMF was miscalculated. The data extracted from Al Mizan database for year 2021 holds that 48,125 cases were dealt with in 2021. The PMF calls for using the 2023 number of cases for the final evaluation. For reporting purposes, the ET reports on it, however we opted to use the actual 2022 numbers for cases dealt with and cases filed in our analysis as they reflect actual number of cases. Data Extracted from Al Mizan database indicates that in the first 5 months (January to May) of 2023 the court has dealt with 24,785 cases (actual). Due to data and access limitations the ET assumed that the ability of the court to deal with cases is equally distributed across the 12 months of the year. The first 5 months of the year are equal to 41.6 percent of the year. Which means that the projected # of cases dealt with in 2023 = $(24,522/0.416) = 58,852$.</p>						
(IBID) 1110: Improved access ⁴⁸ of Palestinians to a safe courthouse facility in the municipality of Hebron.	-More reliable and less time-consuming service provided to all court visitors because of the availability of sophisticated queuing system, more service counters in the different court departments, available signage, Audio-video system, waiting areas and temperature control.	Not Available	Not Available	62 percent	Achieved	Evaluation Survey
<p>Triangulation and ET Comment: As discussed in the evaluation report the data indicates that the building led to more reliable and less time-consuming services. While these improvements are not necessarily attributed to the availability of more sophisticated queuing systems and temperature control. These effects, non the less, have been found and the evidence to support them is strong. Moreover, the evidence comes from the evaluation survey, focus groups and</p>						

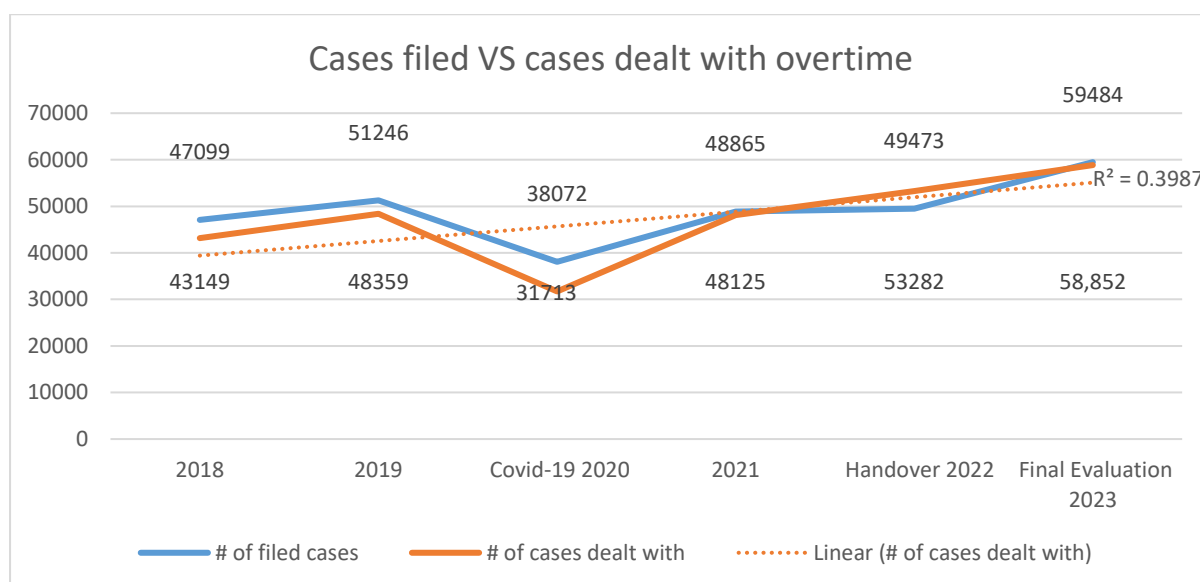
⁴⁸ Access includes access for women, men, girls, boys, and persons with disabilities.

EXPECTED RESULTS 44	INDICATORS 45	Baseline	Targets	Endline	Target Achieved	Data Source
key informants. And from different types of stakeholders including citizens, project owners, court users such as judges and lawyers.						

As per the PMF, Immediate Outcome 1110 aims to improve access of Palestinians to a safe courthouse facility in the municipality of Hebron. The Framework developed two indicators to measure this outcome. The first indicator measures and expects an increase in the number of cases dealt with in Hebron courthouse, while the second assesses the reliability and speed of service provision as a result of newly installed systems, such as queuing systems, service counters, and audio-visual systems.

The baseline for Indicator One was derived in 2021 from Al Mizan data base and set at 48,125. The project aims to increase the number of cases dealt with in Hebron courthouse by 10 percent (i.e., 52,937 cases) as a result of improved access to a safe courthouse facility in the municipality of Hebron. Endline data extracted from the same sources in 2022 and 2023 indicate that the target was met with 53,282 cases dealt with in 2022 and 58,852 cases are projected to be dealt with in 2023. An increase in the actual number of cases dealt with in 2022 is indicative of improved efficiency and not access. The logical connection between number of cases dealt with and improved access is not well established in the PMF and is not found valid by the evaluation.

Figure 7: Cases filed vs cases dealt with overtime



However, the relationship between outcome and indicator is not logically established. While the expected result focuses on access of Palestinians, particularly the most vulnerable in society, the indicator tracks, instead, the gross number of cases over time. Indeed, this is also confirmed by data extracted from Al Mizan Data base as the ratio of number of cases filed and resolved every year is similar across 2021, 2022, and 2023. A change in the number of cases, however, can be

driven by factors outside of improved access, such as a rise in crime in society, which, rather than indicating expanded access would represent that the typical cohort continues to use the court, just at a higher volume. Even still, it is difficult to isolate the improved safety procedures as the reason for increased case load, which might instead be capturing institutional factors such as efficiency of the court system, demographic determinants related to population and geography, or socio-economic determinants of crime.

Moreover, multiple key informants confirmed that courts are still dealing with backlog created by COVID-19 closures. This is evident in the data as well. Figure 7 above shows that the number of cases dealt with dipped to 31,713 in 2020 from 48,359 in 2019. Similarly, the number of cases filed also dipped in 2020 to increase again in 2021 and beyond.

“I didn’t notice an increase in the number of filed cases whether in the First Instance or Magistrate courts” (Head Judge, KII)

“The Covid-19 emergency impacted the entire country including the justice sector, we were unable to play our role and do our jobs” (Head Judge, KII)

Reliability and Time Consumption

The baseline and target for Indicator Two were never determined. Indicative data from national surveys indicate that national satisfaction levels among court users was 51 percent in 2021. The evaluation survey found that, among users of the Hebron Courthouse, 62 percent stated that they were satisfied with the services provided to them, with relatively equal rates observed among male (62 percent) and female respondents (63 percent).

Moreover, the indicator, explicitly links improvements in efficiency and time to the provision of sophisticated queuing system, more services counters, signage, audio-visual systems, and other system features. While there is evidence of enhanced efficiency in some elements of the court’s work, this indicator does not capture access effects. In fact, on the conceptual level, these two indicators appear to be negatively correlated; for example, an increased caseload would likely produce a less efficient / more time-consuming process, even with the provision of advanced equipment and facilities. Whether this potential relationship was explored and accounted for in the PMF’s targets is unclear.

Evaluation survey participants spent an average of 105 minutes in the court on the day of their interview. Court users are divided in their appraisals of the queuing system and to the organization and scheduling of court sessions. A simple majority (51 percent) of survey respondents stated that they were satisfied with the court queuing system, though only 29 percent were satisfied with the scheduling. Most respondents were also not familiar with audio-visual systems used; a finding partially explained by the fact that the installed queuing system is not used.

Key informants and citizens reported that access to services is quicker and easier, but that cases and processing still take a long time. The chief cause of this inefficiency is the inadequate number of judges relative to the volume of demand for case services. According to key informants, the minimum number of judges for the Courthouse to function efficiently is 25, while only 19 are currently on staff. While the new courthouse can accommodate a much larger number of judges and staff, the lack of crucial resources is the principal limiting factor that is currently inhibiting the court from reaching that scale.

Access

The building capitalized on the site's suitable location, near an array of governmental and security facilities, namely the Ministry of Directorate of Health, Hebron Governorate building, Military Intelligence building and the National Guard building. The advantageous location was confirmed by evaluation survey results, where a majority (56.3 percent) expressed satisfaction with the ease at which they could find the Courthouse. When asked to assess the time required to reach the Courthouse, a majority (58 percent) of males reported that they were satisfied with the time required to reach. In contrast, only 33 percent of female respondents expressed satisfaction. Consonant with related studies on gender, this result confirms that the burden of time frequently falls heavier on women. It also confirms that while the building has a positive effect on the people of Hebron it will not resolve structural problems with justice system or with access to it. Finally, 48.2 percent of court users who participated in the evaluation survey positively assessed access to the court for PwDs.

Table9: Satisfaction of users with accessibility of the court for PwDs.

		Gender					
		Male		Female		Total	
		#	%	#	%	#	%
Ease of access to the court by persons with disabilities.	Strongly satisfied	25	7.7%	3	5.0%	28	7.3%
	Satisfied	124	38.3%	33	55.0%	157	40.9%
	Average satisfaction	47	14.5%	9	15.0%	56	14.6%
	Dissatisfied	15	4.6%	3	5.0%	18	4.7%
	Strongly dissatisfied	13	4.0%	0	0.0%	13	3.4%
	I don't know	100	30.9%	12	20.0%	112	29.2%

Across FGDs, citizens reported that their access to the court had improved. Citizens, CSOs, judges, and staff also reported that vulnerable groups such as women, children, and PwDs are more able to access the court. Female respondents in FGDs were also more likely than their male counterparts to comment on the role of the building in their decision to seek judicial services, a perspective echoed by judges, lawyers, and CSOs. These experts also commented on the linkage between access issues and broader structural issues in the judicial systems, emphasizing that substantive reform needs to take place to enhance access to justice for women and children.

"The new building made it easier for every citizen to access the court. PwDs weren't able to access the courthouse and now they can." (Judge, Male, KII)

"In family cases, all sides - women, children - can now reach the court and feel safe. They can come to give a testimony or file a case with more privacy." (Judge, Male, KII)

"Previously, I was hesitant to go to the old courthouse since it was far away." (Citizen, Female, FGD)

“The new courthouse is in an advantageous location. It’s close to all residents and easy to get to using public transport or going on foot.” (Lawyer, Male, KII)

“The old building was far away from people and was always crowded. We used to face many difficulties moving around the courthouse.” (Lawyers, Female, FGD)

Outputs: 1111 to 1115

Output 1111

Regarding Output 1111, assessing the quality and efficiency of the Courthouse, the evaluation determined that separate and secure circulation solutions to separate the public, accused, and judges are present in facilities’ floor plans, as confirmed during site visits and key informant interviews. The number of service counters and windows have increased, though the number of staff has not. Facilities’ floor plans, key informant interviews and site visits all reported access for people with mobility difficulties is provided through ramps and elevators. According to key informants, these results and others indicate that the country has strengthened capacities for governance and oversight of rule of law institutions.

The absent combination of increased availability of safe and equipped courts alongside increased capacities and resources, principally increases in the number of judges, staff, and resources for maintenance, has limited the effect of the project on the service provision elements of reliability and time consumption. Despite the provision of a modern and system-driven facility, key informants highlighted that many of the systems are not being used to their full capacity or at all, such as the new queuing system. Furthermore, some of the additional counters and space are not yet staffed, further limiting progress towards the indicators of Immediate Outcome 1100. This reality prompted key informants, including court insiders, to highlight that filing a case or administrative service may be quicker, but it is unlikely that the new courthouse will trigger decreases in processing times. Achieving this type of decrease requires significant reform and additional resources, both of which are in scarce supply in Hebron and the broader Palestinian context.

EXPECTED RESULTS ⁴⁹	INDICATORS ⁵⁰	Baseline	Targets	Endline	Target Achieved	Data Source
OUTPUTS						
Services 1111: Quality and efficiency of courthouse services	Separate and secure circulation solution for public, accused, and judges is provided	Not available in the current court’s facility	To be available in the new court’s facility	Available	Achieved	Site Visit, FGDs, and KIs, Design Plan

⁴⁹ From Logic Model

⁵⁰ Gender and Environment where possible

EXPECTED RESULTS 49	INDICATORS 50	Baseline	Targets	Endline	Target Achieved	Data Source
provided to the Palestinians in Hebron municipality are improved.	through safe access					
	Number of service counters and windows are increased to provide more efficient and quicker service	39	20% increase = 47	53	Achieved	Site Visit, Project Annual Progress Report 2022 page 26
	Access for people with disabilities to all court facilities provided through ramps and elevators.	Not available in the current court's facility	Available	Available	Largely Achieved	Site Visit, Facilities floor plans
	Number of security and justice related community services provided with the support of the project	0	1	Project is fully operational, and the building provide many justice related services to the community	Achieved	Site Visit, FGDs, and KIs
	Country has strengthened capacities for governance and oversight of rule of law institutions	Not available	Not available	Not available	Achieved (Check discussion under impact and effectiveness)	Baseline and final

Output 1112

As of this report, the Hebron courthouse facilities have been built, equipped, commissioned and handed over to the PA, in the form of the HJC. The handover from UNDP to the HJC and Public Prosecution was completed on 23 December 2021, alongside the issuing of the certificate for substantial completion on the same day. The handover date was initially delayed from August until December, which, according to the 2021 Progress Report, was attributed to “the contractor’s inability to secure the skilled workforce needed to complete the finishing and low voltage works.”⁵¹ The process was also delayed owing to the numerous visits and improvements needed to satisfy the Civil Defence. From their first visit on 04 July 2021, another six visits were necessary before the Civil Defence issued an occupancy permit on 22 December 2021.⁵² Further, “all furniture and equipment were delivered and fixed...from mid-September 2021 to mid-January 2022,” save for some items related to the metal furniture.⁵³ However, the 24-inch monitors for the queuing system were delayed until February 2022, along with the PV solar panels. As of 2023, the solar panels had not been successfully connected, while, mention of the monitors is absent from the 2022 Progress Report.

EXPECTED RESULTS 54	INDICATORS 55	Baseline	Targets	Endline	Target Achieved	Data Source
OUTPUTS						
Facilities 1112: Hebron Courthouse Facilities built, equipped, commissioned and handed over to the Palestinian Authority (HJC)..	Courthouse equipment’s purchased, installed, commissioned, and handed over to the courthouse operational team (HJC).	0	Courthouse equipment’s purchased, installed, commissioned , and handed over to the courthouse operational team (HJC).	Courthouse equipment has been purchased installed, commissioned and handed to the courthouse operation team.	Achieved	Site Visit, FGDs, and KIs, Design Plan
	Handover and commissioning processes is completed as per the commissioning plan.	0	Handover and commissioning processes is completed as per the commissioning plan.	Handover has been complete.	Achieved	Site Visit, Project Annual Progress Reports

⁵¹ 2021 PR.

⁵² Ibid.

⁵³ Ibid.

⁵⁴ From Logic Model

⁵⁵ Gender and Environment where possible

Output 1113

The project was only partially successful in constructing an inclusive facility, as defined by its conception of gender, age, and disability considerations. According to the PMF, there were two indicators for measuring inclusivity: (1) presence of cells for different users, according to gender, age, and disability and (2) presence of other facilities for females.

In addition to the female cells, the project was successful in providing other areas for women and girls. The building was designed with large, open waiting areas, increasing women’s sense of safety and, consequently, their ability to access the court. Women toilets and family rooms are also provided, while specific cells were designed and furnished to meet the women’s needs and provide privacy and separation from men. All the courtrooms are acoustically insulated. Moreover, specific courtrooms are allocated for family courts which provides privacy for the households. Lastly, while a prayer room and a family room are provided there are no sinks which enables ablution.

As noted previously, the building’s design reflects attempts to promote accessibility among persons with mobility disabilities. Ramps are equipped with handrails and handicaps’ toilets are provided. However, there is no provided evidence on how persons with disabilities other than mobility-related ones were considered or had their needs integrated.

EXPECTED RESULTS ⁵⁶	INDICATORS ⁵⁷	Baseline	Targets	Endline	Target Achieved	Data Source
OUTPUTS						
Facilities 1113: Hebron Courthouse Facilities built, equipped, commissioned, and handed over to the Palestinian Authority (HJC).	Number of detention cells provided disaggregated by group.	0	Single girl holding cell=1 Group girl cell=1 Single boy cell=1 Group boy cell =1 Group men cell=4 Single men cell=1 Mental health holding cell =1 Segregate d single cell=1	Single girl holding cell=1 Group girl cell=1 Single boy cell=1 Group boy cell =1 Group men cell=4 Single men cell=1 Mental health holding cell =1 Segregate d single cell=1	Achieved	Site Visit, Design Plan

⁵⁶ From Logic Model

⁵⁷ Gender and Environment where possible

EXPECTED RESULTS ⁵⁶	INDICATORS ⁵⁷	Baseline	Targets	Endline	Target Achieved	Data Source
	Number of other facilities provided for females within the court facilities.	0	Female toilet rooms including diaper changing pad =22 Female Prayer room=1 Female witness room=1 Family room=1 Single and group holding cells for girls and women=5	Female toilet rooms including diaper changing pad =22 Female Prayer room=1 Female witness room=1 Family room=1 Single and group holding cells for girls and women=5	Achieved	Site Visit, Design Plan

Output 1114

Though the PMF designates that Project Progress Reports will serve as the “data collection method” to inform progress towards the two indicators, there is scant mention of the Manual or trainings in either. The 2021 and 2022 PRs note that the contractor developed the Operation and Maintenance Manual, delivering it to UNDP on 23 November 2021, the Manual was turned over to UNDP, with “a copy...handed over to HJC for information.”⁵⁸ No mention is made of the Manual in the PRs before its submission by the contractor. There is no information on how the Manual was developed or its review by pertinent national or international stakeholders or whether further additions or revisions were necessary. There is also no indication of how or whether the Manual was integrated in the training sessions held for HJC staff.

Training for the HJC and Prosecution teams began on 21 November 2021. As noted in previous sections, the PRs contain limited information on the course or character of the trainings. Further, according to this timeline, training began two days before the first version of the Manual – assuming subsequent editions were developed – was delivered, suggesting that it was not used in developing any of the training modules and reducing the chances that it could be integrated in time after being received. Similar manuals, such as one pertaining to the operation of the Tulkarem Courthouse, may have been used in instead, but this is not indicated. As the training continued until January 2022, according to the 2021 PR, there may have been time to integrate the manual into training modules, but no indication is provided. Further, though the 2021 PR notes that training will continue into 2022, no mention is made of training activities during the year in the relevant PR.

Basic figures necessary to evaluate progress towards training are not provided in the PRs, despite their centrality to measuring outputs. The PMF annexed to the 2021 PR establishes the targets for the training as 16 days of training and 10 individuals trained. However, neither the 2021 nor 2022

⁵⁸ 2021 PR.

PR includes figures on either target, or the “Training logs” that would be necessary to extract such figures, along with other information on the course and character of the sessions. The 2021 PR includes some comments on the training, though these are not presented in a systematic way. In addition to noting that both HJC and Prosecution teams were trained on “all systems installed in the Court and Prosecution building,” the Report adds that “UNDP ensured that HJC involve women from their staff to be trained.”⁵⁹ The Report also includes a lesson learned from the training, sharing that “some of the trainings needed to be done after the HJC and the Prosecution moved into the new premises,” which would have been “more effective than doing the training for the staff on short visits before they move in.”⁶⁰ Whatever the outcome of the training, the 2022 PR notes with concern that the Courthouse may not have adequate personnel to “effectively operate the Courthouse.”⁶¹

EXPECTED RESULTS ⁶²	INDICATORS ⁶³	Baseline	Targets	Endline	Target Achieved	Data Source
OUTPUTS						
Sustainability, including Environmental Sustainability. 1114: Hebron Courthouse is operationally sustainable through well trained and well-equipped operational team.	Operational and Maintenance manual for the operation of the courthouse facility management systems (e.g., heating, security systems, firefighting, water pumping ventilation and air conditioning, etc.) is finalized and handed over to HJC operational team	0	One comprehensive manual		Achieved	KIs
	HJC operational team provided with the	0	-16 days of training		Achieved	KIs

⁵⁹ Ibid.

⁶⁰ Ibid.

⁶¹ 2022 PR.

⁶² From Logic Model

⁶³ Gender and Environment where possible

EXPECTED RESULTS ⁶²	INDICATORS ⁶³	Baseline	Targets	Endline	Target Achieved	Data Source
	necessary training on the newly installed systems which enable them to do their job efficiently and effectively.		-10 individuals trained			

Output 1115

As confirmed through the site visit to the finished court, a range of measures were integrated into the construction to promote environmental sustainability, as measured by the PMF. Lighting is provided through a combination of natural lighting and LED lights connected to motion sensors to minimize energy consumption. Further, the building's envelope is thermally insulated and double-glazed windows, which prevent heating gain in summer and loss in winter, are used throughout the building. Elsewhere, a central Heating, Ventilation, and Air Conditioning (HVAC) system is installed, though it does not work efficiently in all locations, requiring the use of electrical heaters in the winter. The temperature maintained by the HVAC is centrally controlled and, during the site visit, was set to an acceptable level (e.g., 21.5C). Owing to the size of the building, the estimated energy bill is estimated at 50,000 NIS in the summer, 40,000 in spring and autumn, and 70,000 in winter. Perhaps the most important element for promoting environmental sustainability is the PV solar system on the roof. Efforts to install the PV system were delayed on several occasions, first owing to a strategic decision to wait for the technology to improve and later owing to problems with securing the personnel. At present, the PV solar system is installed on the Courthouse roof. The system was connected to the grid on March 21 2023. All told, once the entire system is operating it is expected to save 20 percent of the annual energy bill of the building. This view was suggested during key informant interviews and from the different environmental analyses conducted by the project, but in reality the evaluation team was not able to confirm this rate as the system was only connected after the conclusion of data collection for this evaluation.

EXPECTED RESULTS ⁶⁴	INDICATORS ⁶⁵	Baseline	Targets	Endline	Target Achieved	Data Source
OUTPUTS						
1115: Hebron Courthouse is environmental	Number of energy efficient systems installed by type (e.g.	0	-All external walls, roofs, and		Achieved	Site Visit,

⁶⁴ From Logic Model

⁶⁵ Gender and Environment where possible

EXPECTED RESULTS ⁶⁴	INDICATORS ⁶⁵	Baseline	Targets	Endline	Target Achieved	Data Source
<p>y sustainable, as an energy efficient facility</p> <p>PAPP Programmatic Framework – 3.6 (3.3.2) - Installation of solar Photovoltaic (PV) panels and mainstreaming solar energy supported</p>	<p>photovoltaic solar system at roof top, smart control of lights and A/C, and better insulation system integrated during construction in walls, roof, and windows).</p>		<p>windows thermally insulated</p> <p>-BMS, KNX system installed</p> <p>-Central control of A/C</p> <p>-PV on Roof</p>			FGDs, and KIs, Design Plan
	<p>Percentage of reduced energy consumption of the new facility compared to the previous one</p>	Data not available	<p>15% decrease compared to the old facility consumption</p>	Data not available	Not available	

Unintended Outcomes

Positive

The evaluation identified several unexpected positive results, which are elaborated below.

The construction phase of the project adhered to several successful and responsible construction principles. These principles were identified using best practices, lessons learned, desk documents, and consultations with project stakeholders. Value engineering was used on multiple occasions. The construction project decisions were then compared to cost benefit analysis of these principles to identify which good practices should be adopted and where potential savings, changes, and cuts could be made.

The addition of the solar PV system has been reported as a positive unintended result of the project. Beyond the positive impact on the environment and building sustainability, stakeholders reported that the incorporation of the solar PV system has set a new standard to be followed in future courthouses. Additionally, it adds institutional pressure on the government to regulate the relationship between utilities and small solar power producers. While the decision to employ the PV system is looked to for its potential in other projects, much of the future adoption hinges on the ability of the Courthouse to successfully connect and operate it. The project also constructed a water cistern to collect rainwater and reduce storm water run-off, which ultimately leads to better urban planning, less damage from extreme weather events, and better city management.

Further, the project enhanced the capacity of HJC to manage and implement construction courthouse construction projects. Institutionally, the project contributed to strengthening the Facility Management Unit (FMU) at HJC, the only unit of its kind among PA institutional hierarchies and the youngest unit within HJC. FMU staff and engineers reported that this experience provided them with specialized knowledge and introduced them to best practices in the design and construction of courthouses. They also highlighted that they would carry this knowledge with them into future projects.

Additionally, local staff of the HJC reported that they were introduced and trained on operating some of the new systems and have gained significant knowledge in maintenance and advanced building management. Local staff highlighted that this was challenging at times but that, ultimately, the experience was enriching. The physical plant and maintenance staff of the new courthouse reported increased workload and the need for time to efficiently maintain some of the installed systems. They praised the advancements in the system but also highlighted the need for routine maintenance and daily follow up to ensure their functionality.

“We as a facilities management unit responsible for this building, we gained a vast experience. We now have experience in electricity, mechanicals, and computer systems. If I wanted to gain this type of expertise I would need to work on multiple projects and would require many years to gain. But we had learned and train on operating these systems so we can operate the building.” (FMU, Male, FGD)

“There was a training programme in the different operating systems installed, including electric and mechanical. The trainings also introduced us to expected problems and how to do troubleshooting and routine maintenance.” (FMU, Male, FGD)

“The entire building is connected through Building Management System (BMS) system, when there is a malfunction, we it appears on the computer” (FMU, Male, FGD)

“For us as employees the burden of our work has increased as we the building is operated by advanced and complicate systems that require daily and routine follow up”. (FMU, Male, FGD)

The project emphasized site safety. Both GAC and UNDP reported that the project contributed to building a culture of safety around construction sites as this was a main theme in the construction phase. This is confirmed by project progress reports and key informants.

Negative

The primary unintended negative result of the project was its creation of a parking and traffic issue in the city. For security purposes, the courthouse parking was limited to the use of judges, the prosecution, and the judicial police, meaning citizens, lawyers, and other users were without designated parking. While HJC was later able to secure a small piece of land adjacent to the courthouse, which was subsequently converted to a parking lot, it is a temporary solution and remains insufficient to accommodate the parking required for the courthouse and needs further attention. Key informants across the board, staff and citizens in focus groups, and citizens in the evaluation survey all reported that parking was an issue. To resolve the issue, the Municipality is calling for employing smart parking solutions, the construction of a multi-story parking complex, or to secure an additional piece of land to expand the lot further.

UNDP was cognizant of this issue and exerted effort to solve it. The parking issues was discussed with the donor and with local stakeholder son multiple occasions. During project implementation,

UNDP have introduced both HJC and the Hebron Municipality to a company that provides parking solutions. Meanwhile, several local land owners converted their land in the adjunct area to paid parking lots providing extra parking that is paid.

“The only negative outcome of this project is the parking issue. As a result of the multiple security considerations the prospect of internal parking within the building was limited to judges, prosecution and judicial police, with no space available for court users and lawyers.” (Municipality Engineer, Male, KII)

“Reflecting the small size of the current lot, there are smart parking solutions that can be employed to accommodate a larger number of cars. Another solution could be building a multi-story parking lot. Additionally, surrounding lands are owned by the government and perhaps some can be acquired by HJC to solve the problem.” (Municipality Engineer, Male, KII)

2.5. EFFICIENCY

The evaluation has found that the PIU team were successful in employing strategies that both minimized the effects of both covariate and anticipated timeline challenge. Despite these efforts, however, multiple no-cost extensions were required throughout the duration of the project, some of attributable to delays caused by project members and others by unforeseen circumstances, including the COVID-19 pandemic. The project leveraged the positive relationship between the PIU and the contractor to ensure continuity of work, in parallel with on-going efforts to solve retrospective issues, which may, presently, still be under discussion internally within UNDP. Overall, this parallel-track strategy proved effective, especially reflecting its early adoption in the design phase, which was defined by lengthy delays created by partners in reviewing design outputs and providing feedback.

The project went through six critical phases: four of which pertained to the design, construction, operationalization, handover, and deficit follow up of the Hebron Courthouse directly. The two phases from 2011 to 2014 related to the Ramallah Judicial Palace and, subsequently, the re-scoping of the project to focus on the construction and equipping of the Hebron Courthouse. The design phase started in late 2014 and was completed in 2017. Preconstruction, pre bidding, licensing, and contractor selection were completed in 2017. Construction effectively started in 2018.

Extensions and re-scoping

The timeline for the project, especially estimations of the construction phase, was very ambitious and meeting it was ultimately proven unrealistic, as UNDP acknowledged in the lessons learned of the 2021 PR.⁶⁶ The project required a cost extension in 2014, and no cost extensions in 2017 and 2022. In 2011, DFTAD wished to make a financial contribution to UNDP in support of the project entitled Construction and Equipping of the Ramallah Judicial Palace. After the design phase in February 2013 the Government of Canada approved re-scoping of the project and the accompanying reallocation of resources.⁶⁷ Delays in the design of the Hebron Courthouse required a no-cost extension until February 22, 2022 to complete the project and corresponding

⁶⁶ 2021 PR.

⁶⁷ The re-scoping process was lengthy due to the large budget of the project. Accountability and governance measures for such budgets require approval from a central treasury board.

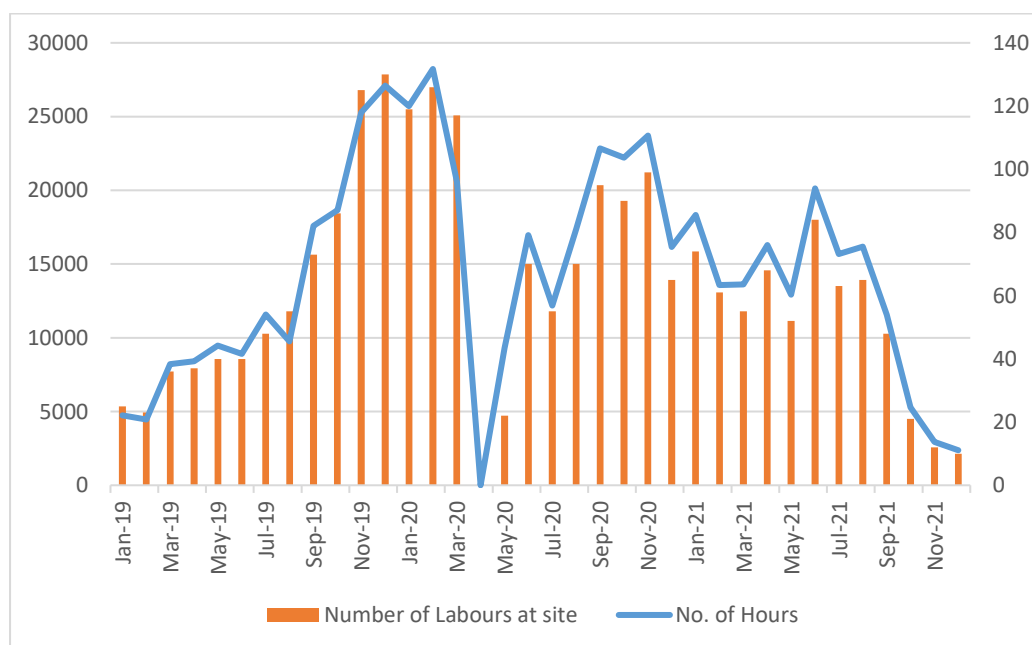
changes to the existing budget. A final amendment in July 2022 extended the project until December 2023.⁶⁸

Rescoping began in the March 2013 letter and meeting with UNDP. The first amendment was signed on June 25, 2014, extending the period of the project by 54 months to December 31, 2018 and increased DFTAD's financial contribution to the project by an additional CDN\$ 5,769,086 for a new maximum amount up to CDN \$32,793,367. The project was re-assigned from the construction and equipping of the Judicial Palace in Ramallah to the construction and equipping of the Hebron Courthouse. This resulted in time losses and cost losses for the project. The project lost over two years (2011 and 2012) in its implementation and was then re-scoped through 2013 and 2014. In effect, the Hebron construction project started in June 2014. Although the project was four years into implementation (31% through its timeline) the costs associated with this period 2011-2014 did not exceed three percent of the project budget. These circumstances were indicative of the slow kick-off that the project faced in working on the Ramallah Judicial Palace, as well as good practices by UNDP Support Services to limit losses related to direct costs associated with construction and design.

The project faced multiple covariate challenges that had a significant effect on its final timeline. According to annual and quarterly progress reports, the design process, the discovery of caves beneath the selected site, the failed soil survey, the need to re-design the foundation, the inability to consistently secure the skilled workforce, and the outbreak of COVID-19, and the following disruption on shipping and supply chains all contributed to major delays in the project.

As of the 2022 PR, nearly 66,340 work days were performed "without a lost time incident."⁶⁹

Figure 8: Site manhours and labours numbers



⁶⁸ 2022 PR.

⁶⁹ Ibid.

Box: 1

Covid-19

As illustrated in the figure above the number of laborers and the number of hours spent on site reached Zero in April of 2020. The Covid-19 pandemic and associated restrictions on movement and mobility caused major disruptions to the construction timeline. Moreover, national priorities and capacities shifted to support the public health response. However, the UNDP team managed to stay focused on the delivery of this project. UNDP lobbied the Hebron Governor Office to allow a reduced number of laborers to reach the site and continue their work. This effort was successful in ensuring the continuity of work on site however the timely delivery still suffered due to reduced number of laborers and the need to maintain distance.

Labor Drain

The contractor wasn't always able to secure labor due to high labor drain to Israel. Work in Israel is coveted to many Palestinians in the West Bank due to significantly higher pay in Israel compared to Palestine. The number of Palestinian workers has increased in the past 6 years as the Israeli authorities made more work permits available. According to the PCBS in 2020 around 133,000 Palestinian worked in Israel and the settlements. According to ILO the majority of work in the construction sector.⁷⁰ This reality was a constant challenge during the construction period and caused some delays as the contractor wasn't always able to secure enough laborers to staff the site.

Strategies and Value Added

A high degree of value-added was generated by the low transaction costs of establishing the CTC, an effective decision-making body, ownership by local stakeholders and a small number of implementing partners, along with a large budget. This finding is exhibited in the range of technical matters to be resolved, processes, and problem solving. This added value was especially visible in the construction phase through the constant provision of feedback and comments and consultations convened in an effort to build a court that would be effective and relevant. HJC and OAG requested multiple changes during the construction phases, and, where feasible, these changes were made. Overall, this challenge was addressed effectively by the PIU through the CTC mechanism.

"We were super impressed with what they -UNDP- were able to do and the issues they -UNDP- were able to solve on their own "

Additionally, the role of UNDP in convening and coordinating cooperation with local stakeholders, such as the Hebron Municipality and the Hebron Governorate, was often referred to as a critical factor by KIIs that produced gains across the technical and operational aspects of the project. The Municipality played an important role in discussions and decision-making around the location of the building, provision of electricity, licensing, and parking, and, despite the occasional disagreements explored above, proved an important factor in facilitating activities. The Governorate cooperated with the project during the emergency state associated with COVID-19, allowing the project to continue construction, albeit with limited numbers on the construction site. This positive relationship and its effect on the project were illustrated in the ability to hold the

⁷⁰ https://www.ilo.org/wcmsp5/groups/public/---ed_norm/---relconf/documents/meetingdocument/wcms_745966.pdf

project inauguration ceremony at the Hebron Governor's Palace and certain PSC meetings at the Hebron Municipality.

The range of priorities held in common between the different stakeholders facilitated a high degree of added value, as well. In the construction phase, value was added through value engineering and cross-pollination of ideas between PIU team at UNDP, the contractors' team, and GAC's third-party monitoring team. As highly skilled and knowledgeable experts, these actors were able to develop innovative solutions to unexpected challenges and shortcomings that were only discovered during implementation. Even when experts encountered problems that required revisions and accompanying delays, these served to avert what could have been much more serious and expensive crises in the future. The most illustrative example is the contractor drawing attention to issues in the designer's original design, which were later determined to render the proposed structure unsafe. The Progress Reports did an effective job cataloging and detailing solutions and corresponding cost savings created as a result of expert input and consultation.

In the design phase there was also some value added that resulted from GAC's commitment to conduct a range of studies, including environmental assessments, a Cost Benefit Analysis (CBA) and a Life Cycle Cost Analysis (LCCA). These assessments facilitated informed decision making on key issues, including the addition of Solar Photo Voltaic System (PV), inclusion of KNX system, proper wall and window insulation and lighting systems, and the modification of the domestic hot water system.

UNDP's team displayed a high capacity to learn and adapt using existing resources and tapping into additional ones when needed. Among the most important lessons that UNDP learned from the design process is to onboard all engineering specialties within the PIU to facilitate specialized decision-making. This was quickly incorporated and a complete site team with all specialties on site was hired in the early stages of the construction phase. Moreover, UNDP regularly engaged its Quality Assurance Team in support of this project.

In some cases, however, project structures and actors did not add value or detracted. PRs note that, although all CTC government representatives were technical experts, some were not vested with full authorization to take technical decisions and had to revert for internal discussion within their respective organizations, circumstances that delayed decision-making. This also led to sub-optimal outcomes as those authorized to make decisions did not always have the technical expertise.

According to key informants, the OAG was not always clear on its role and responsibilities, as delineated in the project contract and during initial coordination meetings. While UNDP managed to incorporate lessons learned from the Tulkarem Courthouse Construction Project, related to the separation of certain systems and functions between OAG and HJC within the building, OAG considered themselves to be a co-owner of the project. This discrepancy created some dissatisfaction among OAG technical experts who felt like the needs of the Office were not being met and their input was not being considered. There were few cases of critical disparity in views which were solved bilaterally between OAG and HJC at the senior and at political levels, later incorporated by UNDP for implementation.

Inclusion Dimensions

The project considered the various and overlapping dimensions of marginalization, related to gender, age, and disability, striving to ensure that the new courthouse promoted inclusiveness, including gender equality. Reflecting this objective, they provided facilities for women and girls including female toilets with baby changing stations, a female prayer room, a female witness room,

a family room, as well as single and group detention cells designed for the comfort and safety of women and girls. Men’s washrooms were also equipped with baby changing stations.

Additionally, the project has also committed itself to considering access and usage issues for PwDs, This inclusive approach reflects UNDP’s understanding of the importance of accommodating diverse needs and promoting equal access to justice for all members of the community. Overall, the project's consideration of gender, marginalized communities, and people with disabilities demonstrates a commitment to creating a professional and inclusive courthouse that reflects the values of equality and justice. It’s important to mention however, that resources allocated to support inclusion dimensions are not separated from overall costs for activities which inhibited the ability of the evaluation team from fully assessing the degree to which resources were allocated. Moreover, as mentioned in the effectiveness section the only limitation that the ET found was related to focus on a narrow definition of disability which focused on mobile disability and didn’t consider other forms.

Cost of delivery activities

According to financial data, as of December 2022 the proportion of the budget expensed reached 89 percent of the project budget.⁷¹ At this same point, the project was 96 percent through its timeline, thus, indicating it was on track to meet the deadline stipulated in Amendment 3.

Table10: Time Elapsed and Budget Expensed over the Course of the Project Timeline

	Ramallah Judicial Palace		Re-scoping		Hebron Courthouse Design			Hebron Courthouse Construction				Operation alization and Handover	Deficits and comple tion
	201 1 (Yea r 1)	201 2 (Yea r 2)	201 3 (Yea r 3)	201 4 (Yea r 4)	201 5 (Yea r 5)	201 6 (Yea r 6)	201 7 (Yea r 7)	201 8 (Yea r 8)	201 9 (Yea r 9)	202 0 (Yea r 10)	202 1 (Yea r 11)		
	1	2	3	4	5	6	7	8	9	10	11	12	13
Time passe d	7.69 %	15.3 8%	23.0 8%	30.7 7%	38.4 6%	46.1 5%	53.8 5%	61.5 4%	69.2 3%	76.9 2%	84.6 2%	92.31%	100.00 %
Amou nt expe nsed	0.10 %	0.92 %	0.80 %	0.89 %	2.00 %	2.45 %	20.4 1%	8.16 %	8.07 %	12.8 5%	23.3 2%	9.31%	5.47%
	0.10 %	1.01 %	1.81 %	2.70 %	4.70 %	7.15 %	27.5 6%	35.7 1%	43.7 8%	56.6 3%	79.9 5%	89.26%	94.73%

According to key informants, certain expenditures are anticipated in the final months of the project as the deficit and completion stages are finalized and payment is issued to the contractor. Remaining payments include the present evaluation and financial auditing. Key informants highlighted that some of the funds may remain at the close of these activities and stages, but given the current level of expenditure and commitments made it is unlikely to exceed more than four

⁷¹ 2022 PR.

percent of the total budget. From an operational perspective, this rate of remaining balance is understandable given the scope and the budget of the project.

Moreover, from an operation perspective the expenditure was, as anticipated, notably lower in the design phase than in the construction phase. The small amount of expenditure between 2015 and 2016 is associated with the limited budget reserved for the design phase. Indeed, the direct cost of the design phase was estimated at USD\$ 800,000 or three percent of the budget. In those two years the project expensed a proportional amount to progress this phase. Expenditure spiked in 2017, a development largely explained by the fact that the project approved the 100 percent design works and finalized the contractor selection, leading to payments made to the designer and the first payment for the contractor to enable mobilization and kickoff of construction works.

An overall look at the distribution of the budget from January 2011 to December 2022 indicates that approximately 70 percent of the budget was spent on the construction (61%), furnishing (6%), and design (3%). In addition, 25 percent of the budget was spent to cover the project implementation staff, quality assurance, internal support services, direct costs, GMS, auditing, monitoring and evaluation.⁷² This is largely in line with the breakdown of the planned budget annexed in the re-scoped amendment in 2014 and the cost extension amendment signed in 2017. There were some reallocations from the construction and furnishing budget (about 3 percent of planned) for supporting project staff due to prolonged delays in the project. This did not result in a notable change in the budget breakdown, nor did it impact the quality of project outcomes. Indeed, both FF&E, construction, and design works amounted to 73 percent of the original budget. Moreover, UNDP requested an external price verification of the approved Bill of Quantities (BoQ), which was found to be aligned with the external price verification results. Lastly, any changes along with any use of the contingency funds were subject to the review and approval of the Project Steering Committee and to GAC.

The Construction Sector

Over the past decade, UNDP has implemented a series of infrastructure and construction projects across the West Bank and Gaza, allowing for the accrual of important experience and contextual knowledge of the sector in Palestine. Further, UNDP possessed a series of resources and requirements for key construction activities, which were applied throughout the project.

Another resource that UNDP's inclusion in the project offered is the UNDP/ILO Health and Safety Plan, which "provide[s] practical guidance and framework for safety and health during the construction phase."⁷³ Adherence with the Plan was mandatory for the contractor. The project also had a "dedicated (full time) safety officer on site as per UNDP contract with the contractor." However, it appears that adherence with the Plan was incomplete, evidenced in a series of site incidents and work stoppages, as well as reports by other parties who conducted site visits. However, given the site incidents and work stoppages, it appears that there was either incomplete adherence by the contractor or inadequate provisions in the Plan. In 2019, four "major incidents"

⁷² HR costs included the PIU, the Quality Assurance Team and implementation support services. The PIU team involved a Project Manager, a Project Assistant, a Resident Engineer, a Mechanical Engineer and an Electrical Engineer. The Quality Assurance Team included a Senior Programme Analyst, Contracts Associate, and Area Manager. Implementation Support Services included Procurement Analyst, Finance Associate, HR Analyst, IT Associate, and Driver.

⁷³ 2018 PR.

happened on site and twice UNDP ordered a work stoppage for a total of four days.⁷⁴ On 24 November 2019, UNDP sent a request to the contractor to stop works “due to unsafe conditions at [the] site” and requiring “major rectification to the site safety situation” before work could resume^{75,76} This followed a “safety report on the situation” that had been issued on 19 September 2019. In response to the identification of safety concerns, UNDP conducted more than 10 “toolbox talks” in 2019 with the work force to improve safety conditions. These toolbox talks are designed as “mitigation measures for safety as well as capacity development for the work force on best safety procedures and practices at site.”⁷⁷ UNDP also signed a contract in December 2019 with the Palestinian Engineering Association Health and Safety (H&S) inspector to “visit the site frequently to produce safety inspection reports and support the site team on the best way to implement H&S at site.”⁷⁸ Safety appears to have improved on the site after 2019 as only one incident was reported going forward⁷⁹, including with the adoption of a night shift⁸⁰ in 2020.⁸¹ However, PRs indicate that safety issues did persist to some extent. In 2020, 13 safety inspection reports were sent to the contractor, “in addition to many formal emails...regarding safety violations at site.”⁸² Though none of these issues were serious enough to warrant additional work stoppages, UNDP did apply “contractual penalties” as a result of safety violations at the site on 10 June 2021.⁸³ A 2021 GAC visit report on a site visit noted that “site safety had been improved considerably,” but observed three issues that persisted^{84,85}

Despite experience in the construction sector, project documents indicate that UNDP lacked prior experience in key elements and did not anticipate certain issues that arose over the course of the project. The root of these issues, as indicated by key informants and program documents, is the size of the project. Lessons learned sections from the PRs are particularly illustrative of the matters that UNDP did not anticipate, including:

- Requiring contractors to have a qualified Planning Engineer on staff
- Requiring the designer to submit a detailed take-off for the Bill of Quantities items
- Phasing projects according to several milestones, where “liquidated damages could be applied on the delay on completing each milestone⁸⁶

In addition, a lesson deemed “very important” is planning for “an extended construction period for such large projects.”⁸⁷ The PR observes that the two-year duration by which the project was initially scheduled proved an underestimate, leading to “inaccurate planning projections.”⁸⁸

⁷⁴ 2019 PR.

⁷⁵ The 2019 PR notes that, in the four site inspections by the MoL, the inspectors “were satisfied with the safety and welfare level at site, and first aid facilities available.”

⁷⁶ Ibid.

⁷⁷ Ibid.

⁷⁸ Ibid.

⁷⁹ Occurring on 10 March 2020. The specifics of the accident are not elaborated.

⁸⁰ The night shift was adopted to “reduce the current delay in the project.”

⁸¹ 2020 PR.

⁸² 2020 PR.

⁸³ 2021 PR.

⁸⁴ (1) Scaffolding in need of proper alignment, (2) lifting activities done without proper tie-up of the load, (3) accumulation of large amounts of waste on-site before transfer to approved dumping site.

⁸⁵ 2021 GAC Site Visit Report

⁸⁶ 2021 PR.

⁸⁷ Ibid.

⁸⁸ Ibid.

Governance

Project staffing and governance structure developed organically overtime, reaching its peak around the start of the constructions process in 2017/2018.

Committees

The Project Steering Committee co-chaired by HJC and GAC, represents the highest body within the governance structure of the project. These meetings covered project progress, works schedule, challenges, lessons learned, financial situation, and health, safety and environmental compliance. The PSC also defined the role of the CTC and reviewed their decisions and made decisions regarding project stages, timeline, and budget changes.

Two bodies were set up for the purposes of coordination: the Project Steering Committee (PSC) and Construction Technical Committee (CTC). The PSC was structured as follows:

Co-chairs: HJC and GAC

Members: Office of the Attorney General (OAG), Ministry of Justice (MOJ), Ministry of Planning and Development (MOPAD) and the Ministry of Public Works and Housing (MPWH)

Agencies: UNDP, UNOPS89

According to the Project Document, the PSC was tasked with:

Provision of oversight and strategic direction,

Coordinate donor mobilization and information sharing efforts,

Approve/Certify Quarterly progress Reports,

Approve/Certify Final architectural design plans,

Approve/Certify major design changes. (Major design changes consist of changes to the functionality of the courthouses schedules or costs. Any cumulative delay of three months or more and increase of 2% of the construction budget will require PSC approval.)

According to the Project Document, the PSC is expected to meet biannually or “as required” at HJC facilities. However, the PSC only met once a year.

As indicated, in only one year did the PSC meet biannually. In certain years, no meetings were held. Overall, the PSC did not appear to play an active role in project operations, with its absence being notable in key instances, particularly in light of its mandate. For example, only one meeting was held in 2019, occurring over a month after the contract with the designer, AAU, was terminated and two months after the receipt of the designer’s letter requesting termination.⁹⁰ Based on Progress Reports, the decision to terminate the contract with AAU was taken bilaterally between UNDP and GAC. No indication is provided as to whether the HJC, a co-chair of the PSC, was consulted or if any consultation or formal endorsement was sought from the PSC, reflecting its mandate to provide oversight and approval to design plans. By the close of the project, the role of the PSC appears to have diminished to non-existence. No mention is made of the body in the 2022 PR and, in the 2021 Report, only the decision not to hold a PSC meeting that year is noted. However, according to the 2021 PR, the PSC remained vested with important authority in managing potential risks.⁹¹

⁸⁹ PECDAR was originally a member, as well, until its dissolution in 2013.

⁹⁰ The PSC meeting was held on 16 July, while the contract with AAU was terminated on 25 May. AAU's letter requesting termination was received on 30 April.

⁹¹ The PSC is identified as the risk owner of risk: Significant changes in End-User’s requirements Or new stakeholders emerge and request changes, which is rated as “high” risk.

Moreover, certain opportunities for consultation and discussion among key project stakeholders were not maximized. For example, the PSC met infrequently – in some cases, going an entire year without convening – limiting the ability of the project to draw on the experience and priorities of key actors. Moreover, the scheduling of meetings was not ad-hoc and was not always aligned with milestones and reporting cycles.

Bi-weekly work meetings between UNDP, government partners, implementing partners, and relevant stakeholders has been key to allowing the programme to adapt and respond to needs. The CTC was assigned with the project's technical change authority. The CTC was a more active body and considered "a very efficient tool to keep all project stakeholders involved and aware on the project developments and part of the decision-making process in the project." Members of the CTC were:

- HJC (Head)
- UNDP
- GAC
- UNOPS
- AGO
- Hebron Municipality
- Judicial Police

SoPs for the CTC were approved by the PSC in its seventh meeting and its authorization as the technical change authority was renewed in the eight meeting on 27 November 2018. In large part, it appears that the CTC assumed the role of the PSC, at least as a common forum for the major stakeholders that was convened in a timely fashion. Between 2018 and 2021, a total of 50 CTC meetings were held:

- 2018: 11 meetings
- 2019: 19 meetings
- 2020: 13 meetings
- 2021: 7 meetings

References are also made to a Technical Committee in the 2016 and 2017 PRs. The functioning of the Committee is identified as a risk, as "members are not empowered with decision-making authority to make decisions and thus the delays in the approvals and the back-and-forth discussions." (2017 PR). The Committee does not appear in future PRs and the authorization of the CTC as the "project technical change authority," may indicate that this body subsumed the responsibilities of the Technical Committee, which was subsequently dissolved.

Staffing

The UNDP project Manager was the focal point for the CTC with technical change authority. The Project Manager was responsible for the overall responsibility for quality assurance. The project manager was supported through the work of the larger Project Implementation Unit (PIU) which expanded towards the start of the construction process as UNDP recruited an electrical engineer, mechanical engineer, assistant resident engineer, and control engineer. This recruitment was undertaken to respond to the recognized need for technical expertise in the different aspects of construction. It also reflected lessons learned in the design phase early construction phase, which identified the need for such expertise to balance the roles of third-party experts.

The 2016 Progress Report also notes that "gender consideration is also given while recruiting and hiring project personnel," though does not offer details as to how such matters are considered or provide examples. The 2018 PR also noted that UNDP would "proactively seek opportunities to promote gender equality throughout project implementation, for example by making efforts to

ensure that women have equal access to employment on the construction site.” No further details or examples beyond the one is provided, and no monitoring data is provided. In 2019, “the entire UNDP site team were fully recruited,” but there is no indication of the sex distribution or how gender was reflected in recruitment. The final team was composed of four men and one woman:

Project Manager who joined on 13 August 2018

Mechanical Engineer who joined on 16 January 2019

Project Electrical Engineer who joined on 23 April 2019

Architect Drafting Engineer who joined on 21 July 2019

Project Finishing Engineer who joined on 02 September 2019

The dedication of staff at the national level has been critical for the programme. The capacity of the management team to communicate, liaise with government, resolve problems, make hard decisions, and maintain momentum has been very important. Additionally, the degree of experience and knowledge that the UNDP team had was also critical for the success of the project.

“In regard to UNDP, it’s a respectable organization with excellent capacities, we don’t have any comments on their performance, and we commend their qualified and efficient team.”

Decision making was highly participatory and based on a consultative process. The level of detail and the corresponding number of decisions involved in this project are large and have wide implications on the outcomes of the project. UNDP went above and beyond its mandate to conduct all necessary due diligence and to consult concerned stakeholders when it came to different decisions. For example, during the planning stage, the Hebron Municipality advised UNDP to change the original location and suggested a new location for the building. This request was considered by UNDP and HJC and the location recommended by the Hebron municipality was ultimately selected for the new courthouse.

“We conducted a field visit to the original location, and we concluded that the location was not suitable, we also communicated with project implementers and owners and made a suggestion for an alternative location which is the current location.” Municipality Engineer, KII

“UNDP’s role was special and when you consider our other construction projects this was the most successful one.” HJC, KII

Qualitative data clearly illustrates that these decisions had a ripple effect that go beyond programmatic considerations and extend to community level considerations. For example, the new location recommended by the Municipality considered community safety aspects and was recommended in part because it’s located within a secure perimeter and surrounded by the headquarters of multiple security agencies.

“In terms of the location of the court, the location is good and located within the security perimeter in the city and within quick reach of security agencies, which gives the building more prestige. The location also facilitates a larger sense of safety given that it is surrounded by security centres.”

Monitoring of results

The project’s PMF was largely adopted from CIDA’s West Bank and Gaza Program outcomes for the justice sector, as outlined in the Performance Management Strategy (2008-2013). However, the Administrative Arrangement and following Amendments have clearly stated that the main

result expected from the project is a quality designed and built courthouse. The Project however took on almost the entirety of CIDA's results framework for the justice sector and ambitiously attempted to achieve it through this one project. This set up challenged monitoring and evaluation efforts by project implementers and for the evaluation team during this evaluation.

"For the purposes, of the administrative arrangements and reporting, however, expected results for UNDP and UNOPS are limited to the design and construction (Output 1) of courthouse facilities that meet building codes, construction standards and best practice courthouse architectural design standards."

The PMF does incorporate elements from the UNDP Global SP and PAPP programmatic frameworks. However, monitoring of programme processes and results has been weak. The project did not include a comprehensive Performance Monitoring Framework from the start, monitoring was not directly linked to reporting or implementation process but was rather treated as a standalone activity. Which lead to progress reports seldom including the PMF.

Moreover, the logical links between indicators and results were never established. A review of the PMF clearly demonstrates that indicators did not always logically correspond to activities or to expected results. This has been a significant limitation.

While the PMF highlights performance indicators, data sources, frequency of collection and responsible actors. Baseline figures and targets for each result were not always set, in fact for many indicators the baseline and the target were never set. This is especially visible at the outcome level. Moreover, the logical framework in which the Results Chain (activities – outputs – outcomes-impact) was not clearly described and was missing activities. The fact that the PMF was not treated as an integral part of learning processes has limited the ability of UNDP and the evaluation team to capture lessons and show the full extent of effects and results achieved by the project.

Quarterly and annual progress reports provided an opportunity for review and learning, with corresponding adjustments. Progress reports were comprehensive and of excellent quality, they also included a section on lessons learned. However, PMF reporting M&E suffered from significant weaknesses. This has made it difficult to understand the full range of results that the project has achieved. This experience highlights the significant challenges of reconciling monitoring and evaluation functions with project implementation. Especially, given the technical aspect of the project and the technical aspect of monitoring and evaluation.

Internal and external factors affecting delivery

The Progress Reports elaborate on instances of disagreement or requests for certain changes by governmental stakeholders (e.g., HJC, Hebron Municipality). However, few, if any, of these instances are indicative of divergence on fundamental points or visions. It appears the most substantive disagreements were encountered in 2020, when the Hebron Municipality initially refused to connect the Courthouse to municipal services. In other instances, disagreements appear to be reactions to individual exigencies, encountered over the course of construction, commissioning and handover, which were resolved to the satisfaction of key parties and with minimal delay. Among some of the exceptions are unspecified "different local authorities," who are described in the 2018 Progress Report as evincing a "negative cooperative attitude," which created delays in excavation. No further elaboration or identification is provided, likely indicating the insignificant character or influence on larger activities of these objections.

In the early stages of the project, public sector actors representing the municipality and governorate of Hebron proved cooperative and served to facilitate the implementation of the

project. On 16 November 2017, UNDP met with these actors⁹² to discuss key elements of the project⁹³, in which both the Municipality and Governor's Office "assured their full commitment in supporting and facilitating the implementation of the Courthouse."⁹⁴ This commitment was substantiated by a series of enabling decisions, including electing to "not impose restrictions with regards to the possibility of having two working shifts in case of delays" and waiving "issues regarding licensing fees/payments and parking issues" so as not to cause delays.⁹⁵ Further, on 06 December 2017, following the ground-breaking and laying of the cornerstone, the project's inauguration ceremony was held at the Hebron Governor's Palace.⁹⁶ Similar measures were taken by different actors in the same period, including:

- 23 October 2017: HJC letter sent to Hebron Municipality, requesting support in issuing of required licenses.
- 22 November 2017: Letter from Chief Justice sent to Ministry of Local Government requesting land allocation, in the vicinity of the Courthouse to accommodate 150 parking spaces.
- 22 November 2017: Payment of Civil Defense Department fees by HJC
- 26 November 2017: Ministry of Interior's Directorate of Civil Defence, Department of Safety and Prevention, issues No Objection Letter and Approval of Hebron Courthouse Design
- 27 November 2017: Environmental Quality Authority (EQA) issues approval of Hebron Courthouse Construction Environmental Management Plan (CEMP) and the Construction Emergency Environmental Response Plan (CEERP)
- 28 November 2017: Access and Construction Permit issues

In the Challenges section of the 2017 PR, no issues with government actors were included, underscoring the positive working relationship between UNDP and government actors at the outset of the project. However, the 2020 PR indicates that greater opposition on the part of the Hebron Municipality was encountered when it became time to connect the courthouse to municipal services. As described, the Municipality "did not show commitment to their responsibilities in providing those connections [electricity, water, and sewage services]." This impasse resulted in delays in the commissioning of the Courthouse, as well as the project being forced to bear the responsibilities and costs of providing these services, including:

- Sewage draining connection: The initial agreement called for the Hebron Municipality to install 60 linear meters of the sewage line, with the project responsible for the remainder. Owing to Municipality refusal, the project ultimately was responsible for installing the entirety of the line
- Asphaltting of the south side road: The PSC and HJC requested the Municipality to asphalt this section of the Courthouse perimeter. Ultimately, by February 2021, an agreement was reached with the Municipality to share costs, though, by that point, the project had already supplied materials that were the responsibility of the Municipality.⁹⁷

While these issues did cause delays, they were ultimately managed in an amicable manner between the two government agencies. The 2021 PR notes that the Municipality successfully

⁹² In addition to the principal of a girls' elementary and high school.

⁹³ (1) Start of construction, (2) Licensing issues – building and access permits, (3) Public parking space, (4) Construction working hours, and (5) Requirements as stipulated in the Construction Environmental Management Plan.

⁹⁴ PR 2017.

⁹⁵ Ibid.

⁹⁶ Ibid.

⁹⁷ 2020 PR.

connected to the electricity, water, and sewage networks.⁹⁸ However, an issue that persisted through 2022 was the installation of the PV panels on the roof of the Courthouse and their connection to the municipal electricity grid. The 2022 PR notes that the Municipality had refused the connection, until the HJC pays delayed licensing fees.⁹⁹ As of the writing of this report, the system remains unconnected.

The issue of paying for licensing was encountered at multiple stages. HJC is responsible for paying licensing fees, however these fees were often delayed or not accounted for in annual budgets. Commitments made by HJC in 2017 to initiate construction were still unfulfilled. The relationship between HJC and the Hebron Municipality goes beyond UNDP's mandate, but it had implications for the project forcing UNDP to intervene or to resolve things bilaterally or trilaterally. This created both cost-related and time-related inefficiencies for the project.

Over the course of construction, national and local government actors conducted a series of site visits. In 2019, the Palestinian Ministry of Labour (MoL) conducted four site visits and "conducted site inspections for safety measures and labour welfare."¹⁰⁰ The MoL also reviewed labourer IDs to ensure no workers under the age of 18 years old were employed. As detailed further below, the Environmental Quality Authority (EQA) also conducted regular site visits.

In other instances, project partners required multiple rounds of engagement to achieve consensus. The 2021 PR describes the requirements of the HJC and Public Prosecution as "ever changing," and, along with other PRs, includes numerous examples of requests for alterations in layout or design or provision of additional or different equipment, especially technology.¹⁰¹ However, as noted above, the Report does not indicate that these requests materially compromised activities or led to extended disagreement, non-cooperation, or obstruction. Indeed, this was framed as a challenge and risk to the project by progress reports and by KIs. In addition, the project proved successful in satisfying most of these requests; the most notable exception being the rejection of the HJC's request to separate registries across the ground and first floor.¹⁰²

In few instances, the perspectives of key stakeholders were solicited at too late a point to be actionable. The 2021 PR notes that some comments from the Civil Defence's official inspection could not be implemented, as they "should have come during the design phase."¹⁰³ However, the Report indicates the Civil Defence ultimately found that their comments were suitably addressed and, on 22 December 2021, issued an occupancy permit, allowing it to be handed over to the HJC the following day (23 December 2021).¹⁰⁴ The lessons learned from the Tulkarem Courthouse were only incorporated into the construction phase and was not incorporated in the design phase as the review was also delayed.

The onset of the COVID pandemic created additional threats to health and safety. Over the implementation period a total of 16 people were infected with COVID. In response to the pandemic, a series of new safety measures were adopted, including "working in smaller groups, keeping distance between workers at site, [and] wearing face masks and personal hygiene."¹⁰⁵

⁹⁸ 2021 PR.

⁹⁹ 2022 PR.

¹⁰⁰ 2019 PR.

¹⁰¹ 2021 PR.

¹⁰² 2022 PR.

¹⁰³ 2021 PR.

¹⁰⁴ Ibid.

¹⁰⁵ 2020 PR.

2.6. SUSTAINABILITY

Integration of Environmental Considerations

Efforts to integrate environmental considerations throughout the life of the project were successful. From early stages a range of strategies, plans, and related documents were developed to govern the project's integration of environmental issues. These were reviewed national and international actors and regularly updated and revised. Many elements of these documents also display integration of lessons from similar projects, such as the construction of the Tulkarem Courthouse. Further, compliance with these standards was consistent across the project, with only minor deviations observed by inspectors.

Many of the most significant environmental decisions were made on the basis of the CBA and LCCA. On 29 March 2016, UNDP and the designer met with the GAC Environmental Consultant, which discussed a range of environmental factors and decisions, many of which were integrated in the final courthouse design. Ultimately, the following elements were incorporated into the project:

- Electricity – Solar Photo Voltaic (PV) Systems: The use of the PV system was determined to have a positive impact on “environment and building sustainability.” Reflecting the evolving nature of solar technology, it was decided to delay procurement and installation until June 2019 so as to “benefit from its evolving and improved technology and lower investment cost.” However, the PV package contract was not signed until 08 September 2021, at which point the installation was anticipated by end of March 2022. As of December 2022, however, the PV system was still not connected to the Hebron municipal grid, owing to a dispute between the Municipality and HJC. The 2022 PR anticipated the connection would be completed by “end of February 2023.”
- Water Harvesting and Storm Water: A 573 m³ cistern on the roof to collect rainwater, along with “other surfaces and roads” which would serve to irrigate green areas, increase building sustainability, and minimize the need for fresh water. The cistern was also linked to reductions in storm water runoff.
- Domestic Hot Water System: Based on the findings of the LCCA, electric heaters were selected for the water heating system, owing to being a more economical option than solar water heaters.
- Wastewater: Based on the environmental study, waste water collection and disposal were coordinated with the Municipality of Hebron Joint Service Council (JSC), with anticipated connection to the future treatment systems / plant, scheduled for 2017
- Solid Waste Management: The project design included a location for container storage and access for a solid waste vehicle, arranged in in coordination with the Hebron Municipality JSC. The design also incorporated a loading bay, which also required coordination and approval from the JSC.
- Reduction of Electricity Consumptions: Based on the CBA and LCCA, the project introduced “KNX systems, proper wall and windows/glass insulations and lighting systems,” which would “reduce significantly the electric consumption.”
- Positive Green Net Policy: The project integrated landscape designs, in addition to replanting existing trees and pursuing a net gain policy for vegetation, including the planting of new trees around the courthouse perimeter and grounds.

During the construction phase, an Environmental Management Plan (EMP) was submitted to the Palestinian EQA, which approved it on 27 November 2017¹⁰⁶. The EMP included the following key elements:

- Excavated material re-used in back filling: During the excavation process for the foundation, approximately 70 to 80 per cent of soil was stockpiled within the site to be used for back filling, which “considerably lowered” vehicle movement to remove the excavated soil and import soil for filling. The choice to use the excavated soil was made only after UNDP site engineers inspected the excavated soil and designated the portions that met acceptable quality standards.
- Separation for reinforcement steel and wooden waste: By agreement between UNDP and the contractor a location was established to gather reinforcement steel waste and wooden waste. Later, the steel reinforcement waste was given to local steel scrap collectors and wooden waste to neighbours for ovens and heating purposes. During the finishing stage, plastic waste was also collected and sent for recycling.
- Concrete trucks washing area: An area for washing concrete trucks before they leave the site was established and divided into two ground pits: one for washing extra fluid concrete and the other pit for solid materials. The collected waste from periodic cleanings was dumped in locations authorized by the Hebron Municipality
- EQA site visits: The EQA pledged to conduct regular site visits, though, judging by the PRs, these visits were infrequent. In 2018, the EQA visited the site twice to inspect and, on the second visit (on 29 October 2018), requested improvements to the concrete washing area and parking area at the project entrance. The EQA also visited the site on 03 February 2020 and 15 February 2021 to conduct an inspection of the site facilities. Reports were later sent to the contractor presenting the key findings.
- Environment compliance officer: A part-time environmental compliance officer was on site to following environment-related matters. The officer’s specific tasks or responsibilities are not specified and there are no references to this individual in future PRs. The Project Quality Management Plan (QMP) also does not list them as part of the Project Implementation Unit (PIU) or elsewhere.
- Neighbours’ complaint procedure: Beginning in November 2017, meetings were held with the neighbouring school to establish complaint procedures in the event the project activities caused a disturbance to school activities, the local neighbourhood, or local environment. In 2018, only one complaint was received, related to closure of a nearby road. In 2019, “a few” complaints were received relating to dust and noise, as well as additional road closures. In all cases, the PRs, note that issues were dealt with immediately.
- School start and end time: Vehicles were prohibited from entering or leaving the site by its south entrance “during school times with students come and leave.”¹⁰⁷

The EMPs were regularly updated as new issues arose and needed to be addressed. In 2020, the following elements and measures were adopted:

- Neighbours’ complaint procedure: In the first quarter of 2020, two complaints were received regarding the “road situation at the south side of the project (the area between the school and the project).” In response, a special pedestrian sidewalk was installed with a basecourse layer.

¹⁰⁶ The EQA also approved the Construction Emergency Environmental Response Plan (CEERP) on the same day. (2017 PR)

¹⁰⁷ This element did not appear in the 2018 PR, similar to the ones above. It appears first in the 2019 PR.

- Plastering and stonework waste: Both were collected and sent to the official construction waste dump site in Hebron. In the finishing stage, the primary waste generated at the site was paint cans and false ceiling materials (e.g., gypsum and metal channels). Gypsum was sent to the dump location specified in the site waste plan, while paint cans and metal channels were sent for recycling
- Dust control: Two complaints were received about dust generated from the dumping of plastering dry waste. This was stopped immediately and a garbage chute installed inside the shafts.
- Site housekeeping: To respond to the waste generated by block work and plastering activities, the UNDP site team and H&S inspector monitored the site to ensure proper cleaning. The contractor was also requested to provide a special team for cleaning.
- Opening the road at the south side of the project: The contractor completed the stone cladding on the retaining wall on the south side of the project so the area could be opened for pedestrian use, particularly students in the nearby school.
- PV solar panels on the roof: Panel design was initiated in the last quarter of 2020 and the initial distribution on the roof was approved by the Civil Defence.
- EQA site visits: The EQA visited the site and inspected facilities on 03 February 2020.

In 2021, additional environmental compliance requirements were implemented, in accordance with the EMP. These include:

- Guaranteeing safe student access: In the first quarter of 2021, roadwork, including upgrading and widening and the construction of a new asphalt road and new sidewalks, was completed on the road separating the Courthouse from the nearby school. As a result, students were guaranteed safe access, especially on newly-constructed sidewalks.
- Separation of finishing works waste: As pledged in the original EMP, a site was established to collect waste from finishing works (e.g., cartons, cans, and furniture plastic wrapping) and send on to recycling.
- Site housekeeping: housekeeping activities were carried out due to the heavy accumulation of plastic wrapping and cartons.
- Planting trees: The site plantation plan was implemented in August 2021, including the planting of trees, flowers, and shrubberies in planters, and designated green areas. The plants were irrigated by a dedicated automated irrigation system, which also contains fertilizer.

A Waste Management Plan was prepared in July 2019 by the Environment Engineer and then updated in December 2019, based on GAC comments. A December 18, 2019 site visit by the GAC Environmental Advisor observed there were deficiencies though, such as omissions of certain kinds of waste (e.g. oil spills, spent batteries, broken glass). A February 2020 field visit by GAC noted that “further actions are still required” regarding “implementing the waste management plan.”

Contributions to SDG 13

The extent to which SDG 13 was considered and integrated in project activities is unclear. In none of the PRs, especially those covering periods containing design activities, are references made to SDG 13 and, in none of the PRs, does the word “climate” appear. In a 2016 meeting, UNDP discussed with GAC Environmental Consultant about how to incorporate UNDP’s Environment and Natural Resources Unit. However, no mention of this Unit appears in subsequent PRs and it is unclear what, if any, role they played in project activities.

However, certain elements of the EMP are likely to contribute to this goal. Chief among these is the installation of the rainwater harvesting system, which will both provide the Courthouse with a more renewable source of water, and preclude drawing on groundwater resources, while also preventing damaging runoff from storms. The Site Plantation Plan, and its planting of trees, shrubberies, and planters across Courthouse grounds, may also contribute to preventing of storm runoff. From the perspective of electricity consumption, the project pursued several means to reduce consumption through the use of more efficient systems. These include the installation of BMS and KNX systems, along with walls, roofs, and windows that are thermally insulated, and central control of the A/C. Finally, the use of solar PV panels is expected to provide a renewable source of electricity, as well as support the “mainstreaming of solar energy” as envisioned by PAPP Programmatic Framework – 3.6

Consideration of Maintenance Elements

UNDP along with GAC and UNOPS were aware of risks related to facility maintenance and management. This awareness pushed the partners to invest in maintenance capacities of HJC, in hope that the newly built courthouse including the Hebron Courthouse will be well managed and well maintained. The joint force of the three organizations as respectable partners contributed to creating an enabling environment and encouraged the HJC to establish the Facilities Management General Directorate. UNOPS with support from GAC invested in the capacities of the new directorate and conducted a series of trainings and provided tools to support maintenance efforts. Capacities in preventive maintenance and ad-hoc maintenance were also provided.

By the time of this evaluation UNOPS engagement had ended and direct support for the unit has now dwindled. Key informants emphasized that without funding the ability of the facilities management unit may be limited. The core business of the recently established unit remains focused on engineering with limited resources dedicated to maintenance. HJC have stated that support for the Facilities Management General Directorate increases year after year as evidenced by the HJC annual budget. This is true, however dedicated budgets remain insufficient to enable them to conduct maintenance.

“The main challenge for maintenance is financial and human resource shortages.” (KII)
“The new directorate will not work very well unless funding is provided.” (KII)

Project documents indicate that management was aware of the need to account for maintenance considerations in the course of the project. This was partly informed by the experience in ensuring the Tulkarem Courthouse was operational and well-maintained. The 2016 PR noted that “a special budget has been allocated to manage the facilities and maintenance under the Higher Judicial Council’s budget of 2017.” The project accounted for the importance of maintenance through two key indicators, under Output 1114: Hebron Courthouse is operationally sustainable through well trained and well-equipped operational team. These were:

- The development of an Operational and Maintenance Manual for “operation of the courthouse facility management systems, which would be handed over to the HJC operational team.
- Training for the HJC operational team on the newly installed systems, which enable them to do their job efficiently and effectively.

Training for the HJC and Prosecution teams began on 21 November 2021, two days before the Manual was received from the contractor (23 November). As noted in previous sections, the PRs contain limited information on the course or character of the trainings. The same is true in regard to the Manual. No mention is made of the Manual in the PRs before its submission by the contractor. There is no information on how the Manual was developed or its review by pertinent national or global stakeholders and whether further additions or revisions were necessary. There is also no indication of how or whether the Manual was integrated in the training sessions held for HJC staff. As noted previously, the first version of the Manual – assuming subsequent editions were developed – was delivered two days after training had begun, suggesting that it was not used in developing any of the training modules and reducing the chances that it could be integrated in time after being received. Similar manuals, such as one pertaining to the operation of the Tulkarem Courthouse, may have been used in its stead, but this is not indicated. As the training continued until January 2022, according to the 2021 PR, there may have been time to integrate the manual into training modules, but no indication is provided in the PRs.

As presented above, limited information on the trainings is contained in the PRs. Few concerns are raised about the quality or outcome of the training, though this may reflect omission in the PRs as opposed to the absence of such issues. One issue that is explicitly identified in the 2021 PR is that certain training modules should have been undertaken after the HJC and Prosecution moved into the new premises as opposed to training “on short visits before they move in.” As additional elaboration on the topics or modules that were most affected is not included, it is not possible to determine to what extent the HJC’s ability to maintain the courthouse may have been impacted.

The maintenance challenge continues to pose a risk to sustainability, this is mainly due to limited financial resources and understaffing. However, UNDP and GAC continue to be proactive and responsive to a limited set of “justified” requests made by HJC to support their maintenance efforts. For now, the project will provide a stock of spare parts for a limited number of agreed on systems to support HJC’s effort to maintain the new courthouse.

Most critically, the final annual PR, covering 2022, expresses concern over the HJC’s lack of staff to “effectively operate the Courthouse and ensure proper maintenance of the systems and equipment installed within the constructed facilities.” Specific identification of those staff or resources that are most needed is not provided. In response to this risk, UNDP agreed to support the HJC “with all matters related to the maintenance and operation of the Courthouse until the end of January 2023.” The lack of necessary personnel is identified as a medium risk, with the HJC committed to hiring unspecified “engineers and technicians” to conduct maintenance activities. Project documents do not detail the causes of the problem, when it was first identified, or preliminary measures taken in an attempt to address it. The 2018 PR indicates the HJC had committed to “secure the required expertise (Hebron courthouse operational team) and operational budget by end of 2019/ beginning 2020,” though, based on the challenges identified in the 2022 PR, this was either unsuccessful or inadequate.

Ability of Project to Document Lessons Learned

Lessons documented in the 2021 PR, which summarize the project implementation experience, are effective. They cover virtually all the major problems that the project encountered in the course of implementation and offer practical solutions to avert similar issues in future projects. However, problems that were encountered during 2022 are not captured by the PR for that period, despite their magnitude and risk of recurrence in future construction projects. Chief among these include:

- Disputes with the contractor over final claim pertaining to losses incurred as a result of COVID-19 and currency exchange fluctuations. This dispute required the mediation of the Head of the Contractors' Union and required the involvement of UNDP Senior Management, UNDP HQ Legal Department, and GAC and was ongoing as of 28 December 2022. Further, the 2022 PR indicates the possibility of the dispute being elevated to arbitration if an amicable solution is not reached.
- Refusal of the original court designer AAU to turn over the "hard stamped copies of the new design documents."
- At the beginning of 2022, there were 894 items on the snag list, which, had been reduced to 23 by the end of the year. This was accomplished despite the ongoing disputes over the contractor's claims. The remaining items were expected to be "concluded in the first quarter of 2023." Given the undertaking in addressing these issues over the year, valuable lessons could be documented for future projects.

The PMF only covers a baseline and final assessment indicating that without an intermediate or regular monitoring tool the ability to collect data that could indicate a need to course-correct is not available.

Likelihood of Achieved Results to Persist

The major issue identified in the likelihood of results persisting beyond the project's conclusion is the ability of judicial actors, primarily the HJC, to provide the staff and resources necessary to maintain these achievements. The final progress report, drafted in 2023, flagged that the "HJC still does not have enough staff and resources to effectively operate the Courthouse and ensure proper maintenance of the systems and equipment installed within the constructed facilities."¹⁰⁸ This was classified as a medium risk and it was noted that the HJC would be hiring additional engineers and technicians for maintenance activities. The risk of the HJC being unable to provide the requisite staff was identified as early as 2020, when it was flagged as a "high" risk.¹⁰⁹ As described in the PR, the 9th and 10th PSC meetings agreed that the HJC would "provide enough staff and funds to correctly operate and maintain the facility after being handed over."¹¹⁰ However, the 2021 PR includes no mention of a lack of staff or funds as anticipated, though it does devote multiple sections to the training of HJC and Prosecution personnel.¹¹¹ As noted above, the issue has returned by the 2022 PR, listed as the first challenge, without any further elaboration as to the causes of this problem or measures that have been taken to address it.¹¹²

Further, certain infrastructure issues are still outstanding at the time of this report. The two standby generators remained inoperable. Beginning on 07 February 2022, the HJC flagged to UNDP that the unit was faulty. Following the contractor's inability to address, UNDP contacted the supplier and manufacturer to arrange for specialists to inspect the units. Though UNDP contacted the manufacturer on 21 June, the promised expert did not arrive until 24 October and did not

¹⁰⁸ 2022 PR.

¹⁰⁹ Ibid.

¹¹⁰ 2020 PR.

¹¹¹ 2021 PR.

¹¹² 2022 PR.

conduct the full-day test of the generators until 16 November.¹¹³ The PR did not elaborate on the results of the test or future action, if any was necessary.¹¹⁴

Particularly relevant to the question of whether results achieved will persist into the future is the ability of the court to deliver an improved experience for its users. The results of the user survey conducted in 2023 offer positive results in several key indicators linked to increased trust in the Palestinian justice system. Overall, 56 per cent respondents reported their trust in the Hebron court increased as a result of the new building and its equipment, while 57 per cent reported their experience will increase their chances of using the formal justice system in the event of a future need. Though only 37 per cent of respondents agreed that their confidence in the Palestinian judicial system had increased, this figure exceeds the rate (27 per cent) of those who disagreed. Perhaps most importantly, 58 per cent of respondents reported that they will advise everyone who needs the offered services to use the courthouse.

However, it is important to note the presence of a dissatisfied cohort, who linked their dissatisfaction to their overall experience. For example, 21 per cent of respondents disagreed that their trust in the Hebron court had increased as a result of their visit, while, perhaps most importantly, 19 per cent of respondents disagreed that they have become more likely to use the formal justice system in the event of a judicial need. These figures indicate there is a segment of the population who has not only become alienated from the formal judiciary, but, given its size, has the potential to alienate others in their orbit. Underscoring this possibility is the 24 per cent of respondents who disagreed with the statement that they will advise others to use the services available at the Hebron Courthouse.

Reflecting the factors noted above, it appears that, the judicial space in Hebron remains contested between the formal and tribal institutions. Overall, perspectives on the efficacy or superiority of the formal judiciary as compared to the tribal judiciary are divided; while 40 per cent agreed that the formal judiciary is a better choice than the tribal, 43 per cent disagreed. Importantly, while male respondents were more likely to believe the tribal judiciary was superior, female respondents were more likely to express support for the formal judiciary. Nonetheless, these figures illustrate the character of the challenge posed to the durability of the results achieved by the project. If the court is not able to continue provided services at the same level as these initial years, it risks ceding the space to tribal institutions who are considered legitimate alternatives in the eyes of much of the population.

¹¹³ Ibid.

¹¹⁴ Ibid.

11. Conclusions & Recommendations

CONCLUSIONS

Relevance

Overall, the new courthouse is highly relevant to the context. The scale and the scope of the project are based on the available knowledge of needs and local conditions. The inclusion of governmental throughout the implementation stages of design, construction, and handover ensured a high degree of relevance and facilitated an outcome that is highly aligned with the requests and vision of court owners.

The inclusion of governmental and international stakeholders throughout the implementation stages of design, construction, and handover ensured a high degree of relevance and facilitated an outcome that is highly aligned with the requests and vision of court owners. However, inclusion of clients, lawyers, and court staff was, comparatively, insufficient. Consultation with these stakeholders at the assessment and design phases would have enhanced the ultimate relevance of the project and mitigated the volume and character of changes requested in later phases (e.g., designated space for a bank facility). The project was designed and re-programmed in a different era (2007-2013). In an era in which Palestinian Public Policy was focused on building the state, developing its institutions, and strengthening governance. Through a dedication to innovation at the planning and design stage the project and its outcomes managed to stay relevant and to meet needs.

Challenges to relevance included limited data on courthouse use, limited authority for decision making assigned to technical counterparts, inability to envision what design decisions will translate to in reality. These challenges were overcome through continuous consultation, through the maintenance of a high degree of flexibility, and allowing change were permissible.

Efficiency

The project was implemented efficiently. As an infrastructure project, the budget was divided almost equally between direct costs and indirect costs. The scale of the building and risk involved in the operation of the contractor is high, especially the degree of changes made to ensure relevance. Yet, UNDP successfully managed those risks without tapping into contingency funds and without reliance on the donor.

At first instance a hard view of the project would make it seem like the project was inefficient due to a cost-extension and two no-cost extensions. The project was originally undetermined and under budgeted. This is largely why the scope was changed from three courthouses to two courthouses. This forced the reprogramming process which took a long time since the project has such a high budget. A deeper dive shows that UNDP especially from 2016 onwards was highly time efficient and cost aware. The onboarding of a multidisciplinary and dedicated team to manage and deliver the project was very important for the successful delivery of the new courthouse. Their own experience and knowledge in the construction sector allowed for the successful management of the sensitive relationship with contraction and enabled cooperation around change requests without any cost change at times. Moreover, UNDP/PAPP institutional legacy, long experience in the field of governance, and deep knowledge of Palestinian context are another reason for that success.

UNDP's corporate policies, such as those relating to procurement ensured higher degrees of accountability and transparency. They also ensured that gender and inclusion issues are properly acknowledged.

Coherence

Overall, the project was defined by strong and productive working relationships among the key stakeholders. Activities and operations benefited from the development of a common vision that served to guide the undertaking of key tasks across the different phases, facilitate problem-solving, and prevent isolation. The disputes with the Hebron Municipality over the connection of the Courthouse to public services, which transpired towards the close of the construction period, but was ultimately resolved through repeated engagement and the good offices of project stakeholders is emblematic of how the project, while not being free of setbacks or disagreements, was able to solve these through constructive engagement.

Synergy on the ground was built and consolidated through constant coordination and communication through the CTC committees to ensure alignment and responsiveness to needs. This was developed through meetings of the CTC and regular coordination with stakeholders. A missed opportunity, however, was the lack of engagement with the UNDP-implemented Sawasya II project, which was being implemented simultaneously and focused on gender justice and human rights in the justice sector. Despite a common implementer and staff members, engagement was limited to only two instances, depriving the project of opportunities to integrate elements that could boost women's access and trust in the Courthouse.

Likely Impact and Effectiveness

Overall, the project was successful in meeting some of its core objectives and targets. In addition to the Courthouse being successfully constructed and opened for public use, data indicate that users of the new building are responding positively to its features and services. Specifically, users reported a high degree of satisfaction with the features of the facilities (e.g., signage, temperature, security), alongside the overall efficiency of services, and trust in the Courthouse itself. The building itself also offers several features to make it accessible and comfortable to women, as well as persons with mobility disabilities. In other dimensions and measures of progress, results proved more mixed. Though aiming for a 10 percent increase in cases handled, a proxy for overall efficiency, the number of cases handled actually declined since the baseline. Linked to this, though many new points of service were added, the number of staff available to work these remains the same, limiting potential efficiency gains. The number and capacity of staff were flagged as a potential risk at the close of the project, with assessments warning the HJC might not possess the requisite staff to operate the building as intended. Finally, though respondents' perceptions of their experience at the Courthouse was largely positive, these perspectives are not rippling out to the broader justice sector, which received low levels of reported trust, an indication that, whatever the improvements in infrastructure or operations, the judiciary struggles with more fundamental issues, such as credibility and independence.

Sustainability

The project was marked by the integration of several good practices related to environmental sustainability, a result of the integration of input by environmental experts and the conducting of several studies, namely the CBA and LCCA, at the onset of the project. Chief among these practices and features were the installation of the PV solar system, the installation of a water harvesting system, KNX systems that reduced energy consumption, and tree planting and greening of the

Courthouse grounds. The project also exhibited a high degree of responsiveness to the environmental needs of the nearby community, chiefly a local school. While the project benefited from the consultation and guidance of environmental experts, a missed opportunity was the failure to situate project activities within the broader framework and national activities around SDG 13.

Regarding the ability of the project to sustain results achieved thus far, the evidence offers a contrasting picture. Though training was conducted for HJC staff who would operate the Courthouse and the Operation and Maintenance Manual developed, it is unclear whether these will be adequate to ensure the continued functioning of the facilities at the intended level. The issue with recruitment of sufficient numbers of staff is also a key factor in this regard. Perhaps the most important determinant, however, is pressure and competition by institutions outside of the formal justice sector, principally tribal mechanisms that are present and influential in Hebron. Evaluation data underscore the extent to which the judicial space is contested, with relatively equal numbers of respondents preferring the formal or informal justice sector as their means of dispute resolution. To prove successful and counter these pressures, the Courthouse will need to continue operating at a high level of efficiency and quality, driving overall credibility in its authority and mitigating the alienation or frustration that may prompt others to seek alternate means to resolve their disputes.

LESSONS LEARNED

Relevance

- A degree of consultation during the design phase with judges, staff, lawyers syndicate, and CSO's in the gender and the disability fields could have facilitated better outcomes in alignment with court processes. It would have also facilitated more efficient and effective delivery.
- Maintaining a degree of flexibility and adequate margin for changes between the stages of design and construction is crucial for risk mitigation and to enable the incorporation of any changes that may arise during the construction phase. This is paramount in construction projects, particularly, as it can be challenging for project owners to fully envision how designs will materialize.
- Ensuring that technical counterparts in the government are making technical decisions is particularly important to ensuring a robust and relevant outcome, in addition to the sustainability of the building.
- Putting emphasis and weight on the decisions being made during the design phase is critical to ensuring a relevant and robust outcome. This also limits changes and minimizes risk.
- UNDP's corporate policies, such as those relating to procurement ensured higher degrees of accountability and transparency. They also ensured that gender and inclusion issues are properly acknowledged.
- Innovation in infrastructure projects and employing cutting edge technologies is essential for projects to stay relevant when delivery. This is especially important given that infrastructure projects can be lengthy and time consuming.

Efficiency

- The PIU and its role in quality management and expertise in mechanical, electrical and civil engineering would have been of great value if formed as early as the design phase. Their

input on key design issues could've minimized reliance on third parties during the design phase and would've minimized challenges in the construction phase.

- The whole-of-organization approach followed by UNDP resulted in cost-related efficiencies during implementation. Moreover, the long history and experience of senior staff strengthened the PIU team to take hard and decisive decisions when needed, provide general guidance for implementation, and shaped relationships with project partners.

Coherence

- Utilizing the Construction technical committee effectively, through routine on-site and offsite meetings facilitated the building of a shared vision and allowed for high coherence internally and externally
- Maximizing internal coherence through linkages with projects in the same sector has the potential to add value to the project.

Likely Impact and Effectiveness

- A high degree of alignment between policy reform projects and infrastructure projects has the potential to achieve the kind of catalytic change that the project hoped to achieve in its results framework.
- The high degree of consultation and buy-in at the local and national levels facilitated effective and efficient delivery.
- Installing new systems must be accompanied with guarantees that these systems will be used. Unused systems limit the effectiveness of the courthouse, this includes safety and comfort effects related to the fire alarm system, the suspension of the system encourages smoking inside the build and marginalizes an important safety feature in the building. Moreover, efficiency gains in service provision related to the queuing system are not observed as the owner is not using the system in managing daily operations
- Progress reporting and tracking of the results framework are both essential for learning and analysis. Relying on one or the other is not enough.
- Operationalizing indicators is essential for learning and identifying patterns. It is not possible to implement a project locally but expect results nationally. Moreover, it's not possible to aggregate the contexts of Gaza and the West Bank and measure achievement across both regions because of the programme.

Sustainability

- The integration of perspectives from key environmental voices proved effective in ensuring the project was implemented responsibly and in identifying innovative ways to increase the sustainability of the Courthouse.

RECOMMENDATIONS

Relevance

- UNDP, HJC, government: Convene consultations in early project phases that include lawyers, judges, staff, civil society sector, and most importantly citizens facilitate a higher degree of alignment with needs. A stakeholder mapping or similar exercise undertaken in the design phase would be effective in ensuring the right actors are approached.
- UNDP, HJC, government, GAC: should adopt a more expansive perspective on disability, incorporating considerations for those with visual, hearing, and other disabilities, in addition to mobility. This can be facilitated by early engagement with national and international experts in inclusion, as well as ensuring that designers and similar parties incorporate these elements.

Coherence

- UNDP: Future PIUs should include experts and focal points on policy changes, ensuring that the project is aware of the prevailing policy framework, including potential changes, as well as limitations that may impact project results and operations.
- Where possible, linkages should be explored with projects that focus on policy reform with the aim of creating catalytic changes. Alternatively, coherent alignment of infrastructure interventions with existing policy reform efforts.

Effectiveness

- UNDP, GAC: Allocating resources on the basis of unit costs and dependent on actual delivery, proved to be an effective practice and facilitated a high degree of flexibility, allowing UNDP to accommodate request for changes while maintain a positive relationship with the contractor. Such practice should be incorporated in future projects. This could minimize the risks related to changes between the design and implementation phase and maintain a higher margin for change.
- UNDP, GAC: Obtain commitments from the government that installed systems will be used. This is essential to ensure that results materialize and facilitates sustainability.
- UNDP, GAC: Quality control planning, management and implementation should span both the design phase and the construction phase. Dedicated human resources to ensure that design outputs are quality assured should be considered when planning construction projects.

Efficiency

- This project is another example of how infrastructure projects will likely require more time and more resources than planned. Planning for infrastructure projects must be done with that thinking in mind.
- The learning curve in infrastructure projects is steep, the correlation between how proficient people were at completing tasks and the amount of experience they have was notable. Proficiency increased with time, and it did across all project stakeholders including UNDP, GAC and HJC. Having dedicated human resources who are specialized in infrastructure is a must have to cut costs and deliver in a timely manner.

- Quality control planning, management and implementation should span both the design phase and the construction phase. Dedicated resources to ensure quality control and to review the work of designers in the design phase should be considered when planning construction projects. This means that additional resources must be dedicated to conduct quality control and reviews of designer outputs.

Sustainability

- UNDP, GAC: Factor variables related to human capacity into CBAs, LCCAs, and other assessments measuring sustainability and environmental benefits to ensure measures undertaken can be sufficiently operated and maintained by future personnel.
- UNDP, HJC, GAC: Brief key actors implementing projects or working in sectors related to rule of law on the status and services of the courthouse to help inform programs related to increasing engagement with the formal justice sector.

12. Annexes

Attached separately

UNDP/PAPP

**Final Evaluation of the Construction and
Equipping of the Hebron Courthouse 2023**

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