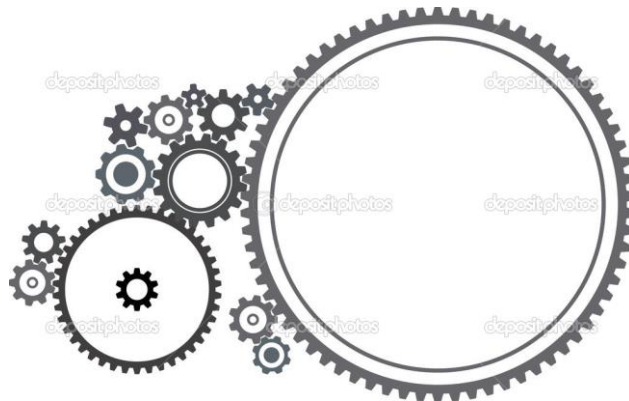# Restoring Trust in the Trust Fund

A report on the Mid-term Evaluation of
Liberia's
Justice and Security Joint Programme

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for: The Justice and Security Board

October 8, 2013

Gothenburg, Sweden

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Abbreviations

ADR	Alternative Dispute Resolution
AfT	Agenda for Transformation
BCR	Bureau for Correction and Rehabilitation
BIN	Bureau for Immigration and Nationality
CSO	Civil Society Organisations
CDR	Combined Delivery Report
DCAF	Democratic Control of Armed Forces
EMT	Executive Management Team (in the Ministry of Education)
EPF	Education Pooled Fund
ESDC	Education Sector Development Committee
FMOG	Fiduciary Management Oversight Group
GoL	Government of Liberia
HSPF	Health Sector Pool Fund
JSB	Justice and Security Board
JSC	Joint Steering Committee
JSJP	Justice and Security Joint Programme
LNP	Liberian National Police
LNPTA	Liberia National Police Training Academy
LPP	Liberia Peacebuilding Program
L-PERP	Liberian Primary Education Recovery Programme
MACs	Ministries, Agencies and Commissions
MDTF	Multi-donor trust fund
MoE	Ministry of Education
MoF	Ministry of Finance
MoHSW	Ministry of Health and Social Welfare
MoJ	Ministry of Justice
M&E	Monitoring and Evaluation
NGO	Non-governmental organisation
OSI	Open Society Institute
PBC	Peacebuilding Commission
PBO	Peacebuilding Office
PBSO	Peacebuilding Support Office
PFMU	Project Financial Management Unit
PMU	Programme Management Unit
PRS	Poverty Reduction Strategy
Sida	Swedish international development cooperation agency
SGBV	Sexual and Gender Based Violence
JS-TAG	Justice and Security Technical Advisory Group
UN	United Nations
UNDG	United Nations Development Group
UNDP	United Nations Development Programme
UNHABITAT	United Nations Human Settlement Programme
UNICEF	United Nations Children's Fund
UNMIL	United Nations Mission in Liberia
UNOPS	United Nations Office for Project Services

UNPOL	United Nations Police
USAID	United States Agency for International Development
WPF	World Food Program

Currency equivalents
Unless otherwise stated all monies are in United States Dollars (USD)

Preface

The two primary purposes of this report are, firstly, to inform the Justice and Security Board on how to strengthen the coordination and implementation mechanisms of the Justice and Security Joint Programme, including the Justice and Security Trust Fund and, secondly, to see how best the Joint Programme can be aligned with the implementation plan of Pillar 1 of Liberia's Agenda for Transformation.

The report at hand summarises the findings and conclusions of a Mid-term Evaluation of Liberia's Justice and Security Joint Programme and it's Justice and Security Trust Fund. The evaluation has been commissioned by the trust fund's board – the Justice and Security Board, which also functions as the main oversight body for the Programme.

The Swedish international cooperation agency Sida, on behalf of the board contracted Swedish Development Advisers AB, Gothenburg, Sweden on June 20th, 2013 to carry out the assignment. The findings of this evaluation are to be used by the Justice and Security Board to help formulate an evaluation management response, including a timetable and responsibilities for tracking progress in the implementation of the agreed actions.

Field work was carried out by Lennart Königson, Senior Consultant and Counsellor Viama Blama between July 8th and 21st and between August 26th and 30th. The Terms of Reference for the assignment are attached in Appendix 1.

Section 1 Summary of Findings and Recommendations

Findings

Programme achievements

The Terms of Reference for this Mid-term Evaluation refers to "certain concerns regarding the effective and efficient delivery of results" for the Justice and Security Joint Programme. What the evaluators found was much more than 'certain concerns'. We found a programme replete with negative emotions, with frustration, anger and resigned disillusionment. One donor staff member told us that she loved her work but that this programme had darkened her days for more than a year. The Justice and Security Joint Programme (JSJP) is clearly in disarray in the sense that people involved have lost faith in their ability to guide and manage it. Yet it is a vitally important programme for peace and security.

However, and paradoxically the Programme has made considerable progress towards its aim in its 18 months of existence. Although data on Programme activities are fragmented and scattered and although no monitoring of the Programme itself has taken place we have collated information that suggests that projects corresponding to more than 70 percent of all activities that were planned have been initiated. More than 40 percent of the expenditures foreseen in the Programme Document have been committed to individual projects. A large part of the completed and ongoing activities are projects for capacity building. Civil Society Organisations have been involved in close to a dozen different project most of which have been UNMIL (UN's Mission in Liberia) sponsored.

The following table shows were we believe the Programme stands today with respect to its four principal output categories, which are, in broad terms, infrastructure, manpower, competence and legal framework. It needs to be underlined, however, that part of the data we have had to rely on has not been crosschecked and that there are inconsistencies and most likely some errors. On the whole, however, we believe the table[1] below represents a reasonably close approximation of Programme reality as of mid-2013.

	No of planned projects	Total estimated cost	Committed funds	No of initiated projects by mid-2013	Total cost by mid-2013	% of projects initiated	% of committed funds
	Project Document Workplan			**Estimated Result by Mid-2013**			
Infrastructure	45	66.26	32.38	37	16.7	82	25
Manpower	75	69.13	20.11	51	25.9	68	38
Competence	16	8.56	7.28	24	11.4	150	133
Framework	14	1.93	2.3	0	0.0	0	0
Total	150	145.88	62.07	112	61.8	75	42

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[1] The main sources have been the Mapping Survey carried out by Mr. Alfred Hill under contract for Sida, interviews with bilateral donors (Norway, Sweden, Ireland, UK and the US), UNDP and PBO Annual Reports and a 2012 document with PMU, which lists some bilateral donors' project activities.

The results have been achieved in spite of a growing sense of frustration and gloom in the main bodies that have been set up to govern the Programme i.e. the Joint Steering Committee (JSC), the Justice and Security Trust Fund's (JSTF's) board and Justice and Security Technical Advisory Group (JS-TAG). A large part of what has been achieved has been the result of work by UNMIL and through funding by bilateral donors. The main issue facing the Programme is therefore not that it does not work or that the governing structure functions poorly – which it certainly has done – but instead that the poor functioning has become an obstacle for further funding. The Programme is gradually running out of funds in the two main funding bodies – the trust fund and the UN's Peacebuilding Fund (PBF). Recent efforts to attract more funds have not been successful. The most serious obstacle for Programme implementation is therefore funding.

Key challenges for implementation and funding

This evaluation concurs with the diagnosis of Liberia's most recent development plan – the Agenda for Transformation (AfT) - which identifies operational inefficiencies and endemic corruption in Liberia's security agencies as the two key challenges for the sector. The two are inter-related because corruption in agencies such as the police and the judiciary constitutes a management failure. Two consecutive Transparency International surveys show that corruption in the police and judiciary has reached exceptional proportions. Improving institutional management competence and capacity while reducing corruption are prerequisites for strengthening the coordination and implementation of JSJP. Our interviews with donors also suggest that these factors, unless forcefully addressed, will seriously compromise Liberia's prospects for attracting funding.

Addressing management improvement needs was at the top of the list of activities to be undertaken by JSTF when it was created in 2010. A strong focus on developing comprehensive regional hubs, introduced in 2012 with the JSJP, is likely to have overshadowed the management issue and contributed to it having received only scant attention. Of the 40 odd capacity building projects carried out to date under the JSJP Programme we have been able to identify only three that have been devoted to institutional management at middle- or senior management levels.

The governance trauma

Our analysis has concluded that the governance dysfunctionality has been caused by a combination of factors. Lack of management capacity is one. JSTF was never implemented in the manner set out in UNDP's original document. It specified both governance and management capacity by way of a Strategic Committee and a Project Outcome Board as well as project management staff. Instead JSTF was run during its first year with essentially only a governing board. This was not a critical shortcoming for as long as the purpose was to allocate funds for very specific agency needs that required little in terms of coordination and supervision. When JSTF's board was made responsible for a complex integrated process involving virtually all sector agencies in remote areas of country the lack of management capacity became critical. UNDP, which has been responsible for providing management services for JSTF, did not step up its support in spite of an offer by a donor to cover the extra cost.

Another reason is the role played by the UN. Its Peacebuilding Fund is seen by donors and the Government as having used a privileged position to set the Programme's agenda around

ambitious regional hubs, for which it would provide part of the funding with earmarked funds. What was originally a Liberian idea to improve police and border control in remote areas was, in the course of the work leading up to the JSJP, turned into a flagship project involving almost all sector institutions. The UN was a driving force in this development with JSTF's donors feeling themselves confined to a spectator role. The UN persuaded a partly reluctant JSTF board to increase its management responsibility to cover also the JSJP and as a result also the complex UN-sponsored hub project. The result was loss of purpose and strategic direction in respect of JSTF's own goals, micromanagement of mainly hub related issues and increased intervention by UNMIL and donors who felt a loss of control and deteriorating JSTF performance. UNDP's lack of responsiveness to donor concerns added to their frustration. UNDP was seen to misuse its monopoly administrative and management position vis-à-vis JSTF to such an extent that its trust with donors was severely damaged. UNDP's poor performance has kept donors away and served both the sector and UNDP itself badly.

The failure of the JSJP governance structure to resolve basic contradictions with respect to consensus, control and ownership has added to the other difficulties. Ownership was promised but not delivered and ambiguity was used to hide unresolved conflicting institutional logics. The absence of a result and criteria-driven process short-circuited prioritisation attempts.

A substantial part of the responsibility for these shortcomings rests with the UN. It allowed its own interest in getting easy access to all the sector's actors through JSTF take precedence over JSTF's need to develop its institutional capacity to match its own needs. The UN should have the competence and insight to realize that a small and very tender organisation such JSTF with only what was in reality a steering committee and without management board or own managers would not have a real chance of handling both its own agenda and the complexities of the hubs. A self-centred UN framework for trust funds is likely to have contributed to the shortcomings of JSTF.

The UN can also be criticised for exacerbating these shortcomings (through the Programme Document) by design flaws such as the cogwheel structure, the co-chair structure, built-in conflict of interest and the unclear rights and responsibility structure of different bodies. The UN was clearly the part with the most experience and with access to the very best advice when it comes to how to design a governance and management structure. It should have used this access better.

Incomplete financial reporting by UNDP

The evaluation shall cover both the Programme and the trust fund. One of the most challenging tasks of this evaluation has been to bring together information on the use of JSTF's resources, which have been entrusted to UNDP. In its capacity as the fund's fiduciary agent UNDP is accountable for the financial aspect of JSTF. UNDP's own regulations require it to prepare consolidated financial statements and reports, based on submissions provided to UNDP by each so-called Implementing Organisation (normally in-country beneficiary organisations). UNDP's Monrovia Office has prepared annual JSTF reports for respectively 2011 and 2012, two quarterly reports for 2013 in respect of the Swedish contribution and several other donor specific reports. In addition UNDP New York prepares certified financial reports for all its different trust funds worldwide. The evaluators' request for certified financial reports covering the fund's total resources for the period under review (January 2011 to June 2013) was first denied. After a delay

of more than one month we received a report for 2011 only[2]. This certified financial report contained only aggregate amounts for contributions and expenditure. It did not answer the question 'on what funds have been spent'.

UNDP Monrovia's annual and the quarterly reports for the Swedish contribution cover the period January 2011 to June 2013. Since all funds contributed by all donors apart from Sweden were reported to be exhausted as of the end of 2012 it follows that the two quarterly reports for 2013 can be taken to reflect the financial situation in 2013 for the trust funds as a whole. Taken together these reports show that JSTF, since its inception, had committed USD 5.9 million and disbursed USD 5.3 million out of the USD 13.1 million contributed by five donors. This leaves a balance of USD 7.2 million of which we understand that 1.8 million has been allocated by the Board but not yet committed or disbursed. UNDP states that the balance in the Swedish account of the trust fund as of June 30, 2013 and after the allocation was USD 478 092 million[3]. In addition, some USD 200 000 of unused Irish and Japanese funds was reallocated in 2012. This leaves a total of USD 4.7 million for which we have not received any explanation. If it is correct, as the evaluators have repeatedly been told, that only Swedish funds remain in the trust fund the conclusion is that UNDP has not accounted to the evaluation team for USD 4.7 million of trust fund money.

	Received	Uncommitted balance	Allocated but not committed	Reallocated funds	Reported balance	Unaccounted for funds
Sweden	7 638 499	5 576 340	1 800 000		478 092	3 298 248
Ireland	1 308 901	-55 051		97 469		-152 520
Australia	1 069 519	69 957				69 957
Japan	3 000 000	1 632 430		103 385		1 529 045
UK	150 316	0				0
Grand total	**13 167 235**	**7 223 676**	**1 800 000**	**200 854**	**478 092**	**4 744 730**

Are there any other accounts than the ones the evaluation team has been given access to? One clue to the answer to this question is the fact that UNDP's Functional Review report of June 2013 contained a consolidated financial statement covering the above-mentioned period. It differs considerably with respect to fund expenditure as compared with the annual and quarterly reports (USD 8.5 million as compare to USD 5.3 million). In comparison with the reported balance on June 30, 2013 it shows a deficit of USD 4.1 million assuming that it does not include allocated but not committed funds among expenditures[4]. The evaluation team has sought clarification for this on several occasions. The response of UNDP's New York office during the course of this evaluation has been poor and uncooperative, which has lent credence also to donors' many complaints.

The Future – aligning to the Agenda for Transformation

Operational inefficiencies of Liberian security agencies, caused by a lack of human capacity and *endemic corruption, the culture of impunity and the lack of accountability* are, according to the

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[2] We understand that the report for 2012 was submitted to donors first after completion of this evaluation report
[3] Total board allocations were USD 2 521 908 of which 721 908 has been committed including 260 000 disbursed. The amount of USD 721 908 is included in the USD 5.9 million committed funds.
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[4] For further details see below UNDP as Administrative Agent and Appendix 6

Agenda for Transformation, the two most serious challenges for the justice and security sector. The Agenda proposes to address them through a "*paradigm shift to embrace change and a results-focused approach to transformation*". The Agenda is a much more ambitious and disciplined attempt than previous plans. But with respect to the two key challenges it is remarkably un-ambitious. Its list of 21 priority interventions for security and justice is noteworthy not for what it contains but for what it ignores. It contains virtually nothing to address either poor and incompetent management or corruption. Corruption is treated as a minor part of 'Management of Public Assets' in another part of the plan. It is passed over with only a reference in the discussion of the police. Liberia must wake up to the fact that its endemic and pervasive corruption poses a much larger concern than just "*misuse and damage of vehicles*".

The Agenda for Transformation has a level of ambition, which sets it apart from previous plans as well as from JSJP. It seeks to serve change not only through the priorities and interventions it lists but also by way of its structure and implementation and monitoring processes. In this respect it is a consequence of the body of development thinking that is embodied in the New Deal and which saw its first large scale attempt with the Millennium Development Goal structure. JSJP needs updating in order to be fully aligned to a plan with these dimensions and ambitions[5]. Its project formulation does not meet the Agenda's requirements and its monitoring and evaluation process must be entirely overhauled so that it becomes part of the Agenda's ambitious *paradigm shift to embrace change and a results-focused approach to transformation*.

But will the Agenda itself live up to its lofty ambitions of embracing *change and a results-focused approach to transformation*? The Agenda has taken upon itself to define the outcome indicators and other project design parameters as did the JSJP. For the justice and security pillar it has produced a massive 24-page logframe document that is difficult to read and use. There is an obvious risk that this document will have the same fate as JSJP's long list of output indicators, i.e. turn out to be inoperative. Defining projects, which means answering the question "Why do I propose to do this?" and "How should I measure it?" is key to ownership, which is key to accountability, responsibility and performance. This should be the task of the agencies that own the problems that the interventions shall resolve or mitigate. The Agenda should help train and support leaders and project managers in the law enforcement agencies, the judiciary and the ministry to take responsibility for defining interventions for solving their problems and the management tool – the indicators – they would use to manage. The trust fund should be capable of doing the same.

Recommendations

Governance for a JSJP trust fund

The JSJP's governance structure and poor functionality is, we believe, largely the consequence of a complex and dominant organisational culture, in this case the UN's, PBF's and UNDP's, interfering with the operational logic of a small and single purpose driven organisation. JSTF's board was set up for the purpose of governing an allocation process to deliver relatively straight forward solutions needed by individual justice and security agencies. By way of the reconstitution its board was given both governance and management responsibilities for the

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[5] The evaluators have been given to understand that such an updating process is ongoing. In the absence of information of how far this updating process has advanced this evaluation is based on the JSJP as it is presented in the Programme Document.

entire JSJP. In addition, both governance and management tasks were poorly defined and much more complex than what JSTF had been equipped to handle. In addition to serving single agencies with specific solutions the new structure made the reconstituted board responsible also for the management of a complex process in remote areas of the country that involved all of the agencies in the sector an d which required funding from a number of different sources.

The manner in which the UN, through PBF's in essence hub-earmarked funds, imposed new priorities and a new management responsibility on the fund contributed to a sense of marginalisation on the part of, firstly, JSTF's donors and eventually also the Government. Added to this was the fact that UNDP did not compensate for JSTF's lack of own management capacity, that the division of responsibility between principally UNDP, the Board and the TAG was unclear and that the governing structure's design contained flaws and ambiguities.

We believe that the solution to the current dysfunctionality of the JSJP governance and management structure requires:
- that programme governance and programme management are recognized as different functions that need to be exercised by separate but linked bodies within an organisation,
- that management is a labour-intensive task that requires some amount of in-house resources
- that the most influential party to a programme must assume responsibility for ensuring that its role and dominance does not create conflict with other contributors.

Trust fund structure and resources should be made up to match both the transformation ambitions of the Agenda and the complexities and diversity of interests in the JSJP itself. In order to achieve this we recommend for a justice and security trust fund to have separate bodies for respectively governance and management, as is now common practice in Europe in both public and private sector. A European type governance board (usually called supervisory board) is required to not only take into account the interests of shareholders, as in the case with a U.S. board of directors, but also the interests of other constituents, such as employees, the public interest, environmental interests, ethical standards of conduct, etc. Its members therefore usually represents a much more diversified group of stakeholders than in the case of the board of a US corporation. The supervisory board oversees the company's board of management and appoints its members. Supervisory board members cannot serve on the management board or otherwise be involved in day-to-day management. The same philosophy has created strict rules to protect managerial integrity also in European public organisations.

Our recommendation is for a future JSTF to have effectively three decision-making levels of which one – a strategic steering committee – would correspond to a European supervisory board and the two others would correspond to, respectively, the management board of a European company and its executive management team. Each level should have clearly delineated responsibilities and authorities. A governing Strategic Committee at the apex, a management board and a team project managers headed by a programme manager is also similar to the structure outlined in UNDP's 2009 presentation for the JSTF but which was never fully implemented. The table in Section 5, item "Proposed Make-up of the Trust Fund" lists some of the recommended features for each of the proposed trust fund bodies.

With respect to PBF our recommendation is that it should have a role equal to that of other contributors, i.e. it should channel its funds through the trust fund on equal terms with

Government and donors. With respect to UNDP our recommendation is for it to serve, not as the only but as an alternative source of implementation management service for trust fund recipients and contributing organisations.

The common but debilitating practice of linking one decision-making body to another through commonality of members (the cog-wheel syndrome) should be avoided as should board representation for organisations that are also client institutions. Co-chair arrangements - if needed - should be made into alternating instead. Forum for cross-sector consultation with all actors could be achieved by formalising the various workshops, retreats and conferences that JSJP has been quite successful in arranging.

What kind of trust fund?

Can the recommendation be implemented by amending the existing fund or do they require a new fund to be established? There is no given legal definition of a trust fund. The basis is a relationship - a trust - whereby a person or a legal entity, the trustee, holds property or assets of some kind on behalf of a grantor and for the benefit of a specific person, group of people or organization known as the beneficiary/beneficiaries. The property in respect is contributed by a grantor. A trust can be a separate legal entity, it can belong to a trustee or it can remain in the ownership of the grantor but it should be kept apart from other assets or monies. The three actors – grantor, trustee and beneficiaries - are normally related by way of a trust deed that defines their respective rights and responsibilities. The grantor usually prepares the trust deed through which the property, the beneficiaries, the role and responsibility of the trustee, etc. are defined.

JSTF, being a UN MDTF, is different, however. Under its MDTF framework the UN defines the purpose (through a programme document), establishes a steering committee, defines its tasks (terms of reference), invites grantors (donors), and appoints itself as trustee (administrative agent) and as managing agent (for a UN stipulated fee). The underlying logic of a UN MDTF is one of donors supporting UN by funding UN defined activities in a given country. The governance role given the national government by the framework is very limited. It may participate in the preparation of the programme but this is not necessary. It is expected to co-chair the steering committee with the UN but the committee's powers are restricted. Its decisions should be carefully monitored by the UN to ensure compliance with the rules and regulations of all participating UN organisations. The donors, likewise, have a very small role if any. They may, if the UN so decides, serve as members of the steering committee. If not, their only contribution to the process shall be to disburse their funds to an account designated by the administrative agent. Their only right under the framework's standard administrative arrangement is to receive reports from the administrative agent. A critical feature of the UN framework, apart from the very limited roles it gives to government and donors, is its lack of external accountability. The administrative and managing agent is only accountable to the UN itself.

Our recommendation is a for a trust fund logic that would be the reverse of the one embodied in the UN MDTF framework. The two critical factors for the success of the trust fund are donor funds and government governance and implementing competence and capacity. The trust fund structure should recognize this by making the fund a joint donor/government undertaking and joint responsibility. The UN's role should be to support donor and government rather than the reverse. As a service provider the UN should be accountable – not to itself – but to those who

provide the funds and to those that are responsible for putting them to work, i.e. to donors and government.

It is likely to be very difficult if not impossible to amend the existing JSTF to meet these requirements. In the case of JSTF it appears that UNDP has appointed itself. It is not accountable to either the donors or the JSTF board but only to an oversight structure within the UN itself. Although considerable effort has gone into creating a UN accountability structure for the MDTF administrative and management functions, there remains what donors have labelled an "accountability gap". In the case of JSTF, this gap has proven to be considerable. The UN framework furthermore does not distinguish between governance and management functions, which we recommend. Probably because of its accountability weakness, it stipulates an inefficient co-chair arrangement for the steering committee thereby compromising national ownership.

Lessons learnt from Liberian pooled funds

The evaluation has reviewed the experience to date of two other pooled funds in Liberia, namely the Education Pooled Fund (EPF) and the Health Sector Pool Fund (HSPF). They differ from JSTF in two critical aspects, firstly in that both have given the line ministry a very clear leadership role and responsibility and, secondly, in that they use national financial management and procurement procedures and rely on the Ministry of Finance (MoF) to ensure adherence. They also differ from each other in that one – the HSPF – has its own in-house management capacity whereas the EPF originally relied entirely on the education ministry. One of the two funds has been a success while the other (EPF) has failed to meet expectations. However, both the governance and the financial management structures have, never the less done what they were supposed to do in both instances. They have promoted the growth and development of the successful fund but blocked further expansion in the case of EPF.

The main reasons for success or the lack of it lies with combination of two vital capacities, firstly, the line ministry's capacity to exercise leadership as the fund's governing body and, secondly, the existence of accountable fund management capacity and competence. In the case of the HSPF the Ministry of Health and Social Welfare (MoHSW) has provided governance to the satisfaction of other partners and therefore made the fund attractive to a growing number of donors. The health ministry has made good use of the technical assistance it has received, developed a comprehensive 10-year health plan (2011-2021), shown respect for the governance structure and the integrity of management of the fund but also acted decisively when fund management performance was inadequate. The result is a pooled fund that is currently looked upon as one of Liberia's most successful donor-government cooperative efforts.

In the case of EPF, however, both line ministry governance capacity and fund-specific management capacity has been inadequate. The education ministry has not performed the leadership role it was given to the satisfaction of either funding partners or the MoF. Like the health ministry it also received technical assistance to strengthen its planning, implementation and monitoring capacity but was not able to produce the costed action plans that the governance structure was based on. The education ministry's ability to prepare for the meetings of and lead the several fund bodies where it held the chair proved inadequate. Its fund withdrawal requests were not considered to be in compliance with prescribed procedures by either the two funding partners UNICEF and Open Society Institute or the MoF. Initially the EPF itself had no in-house

management capacity but relied on the ministry. Eventually a small coordinator's office was established to take over the role of the ministry's executive management team but it has not been able to make up for the governance weakness of the ministry. There are several reasons for the latter – possibly insufficient support through technical assistance but also staff and leadership turnover in the ministry, which contrasts sharply with the stability of leadership of the health ministry.

The main options for a JSTF trust fund structured as per the recommendations in this report would appear to be either a separate legal identity or to a part of a ministry. The latter could be the line ministry, i.e. the Ministry of Justice as in the case of the HSPF, or the MoF as in the case of the EPF. In theory it could also be established as part of one of the contributing donors but this is likely to be a difficult and legally complex arrangement that few donors would favour.

The experience to-date of the HSPF is such that the evaluators feel that its legal framework should be a realistic alternative. It works to the satisfaction of the government and the donors and it would meet most of the recommendations of this report. Both the HSPF and the EDF experience furthermore proves that national financial management and procurement procedures monitored by the MoF has provided the checks and balances required.

A JSJP trust fund could also be established as a separate legal entity by, for instance, the Ministry of Justice. It would then enter into legally binding agreements with donors, fund recipients, management and administrative service providers and, if need be, UN agencies. In legal parlance such a trust fund should be an entity that can sue and be sued. Which alternative to chose should depend first and foremost on its attractiveness to donors and secondly to what a review by legal expertise would deem to be best.

To manage is to measure

The JSJP has so far failed with respect to monitoring and evaluation that would have enabled the Board to exercise programme oversight and management . The Agenda appears determined not to do so. But JSJP failed not only because the monitoring and evaluation plan was not put into operation. Once the monitoring capacity was in place it was discovered that the Programme's indicators did not work. In a like manner indicators are the key to the success or failure of the Agenda's monitoring and evaluation process. The reason is that measuring is the basis for good management. In fact *to manage is to measure*. This simple truth is difficult to gain acceptance for in many organisations because it also implies accountability and responsibility. Without measuring there is little accountability and with little accountability there is even less responsibility. With no or little responsibility there is poor performance and possibly even worse: a risk for graft and corruption.

Performance
Responsibility
Accountability
Measure indicator
Define indicator

Measuring becomes central to the whole issue of managing organisations and institutions. So how to manage is a matter of what to measure and how to measure? As this report demonstrates JSJP has failed when it comes to measuring and as a consequence also to monitoring and to management.

Managing change starts with the answer to the question Why? – that is with the definition of purpose. Measuring starts with the indicator, which should tell us if interventions result in intended outputs and if outputs result in outcomes. The difficulty lies in understanding the outcomes in the so-called 'missing-middle' or 'black box' between the outputs and the outcomes. This is where the fate of the Agenda's sub-pillar on justice and security will be decided. Projects that have a purpose that link them to the overall objective of the programme through measurable indicators will make it possible to manage the programme. One early instance where the veracity of indicators would be tested would be when project proposals are considered by the trust fund for funding. The trust fund should have a gatekeeper role with respect to indicators. Are they relevant? Are they quantifiable? Can they be measured? Who will be accountable? For this purpose the fund will need in-house competence in techniques and methods for project design, monitoring and evaluation including how to identify and define indicators.

Corruption

A growing body of research identifies corruption as not only a moral and economic issue but also as a dominant obstacle to peace and stability in that it, firstly, creates inequality and, secondly, erodes trust not only in government but in society as such. Trust is the prerequisite for social capital – the life-blood of state building and government legitimacy. Professor Bo Rothstein, in a recent book, concludes, "Since social trust is an important intrinsic value and also has a political value and an economic value it may be that dysfunctional [corrupt] government institutions are the worst social ills of all." He goes on to say that "poor countries may thus find themselves trapped in continuing inequality and mistrust. High levels of inequality contribute to lower levels of trust, lessening the political and societal support for the state to collect resources".[6] Rothstein and other leading political science scholars[7] believe that endemic corruption is the singular most important reason why fragile states remain trapped in fragility.

We have argued that the existence of corruption in institutions represents a management and at times a leadership failure. In case of the Liberia National Police it has been found to be an inability on the part of management to make use of tools that have been provided mainly through UNMIL assistance. A recent Management and Accountability study notes that many of the necessary tools, such as guidelines and manuals are in place and that there has been extensive training and technical assistance by UNPOL. The authors of the Management and Accountability Study believe that there is lack of ability on the part of management. But is there also lack of will and political determination? If so - why?

We have concluded that the Agenda for Transformation, in the parts that concern justice and security, represents a very substantial elevation of the level of aspiration with respect to project design, monitoring and evaluation. But it shows a lack of trust in the agencies that must carry out the projects. It is them who must decide what the solutions to their problems should be and how they should measure the effect of what they are undertaking. The Agenda's subdued approach to corruption must be reversed. Liberia must make concerted efforts not to be perceived as soft-

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[6] "The Quality of Government: Corruption, Social Trust, and Inequality in International Perspective", Bo Rothstein, The Quality of Government Institute at the University of Gothenburg, 2013

[7] See Elinor Ostrom & James Walker; "Trust and Reciprocity: Interdisciplinary Lessons from Experimental Research" 2003, Eric Uslaner, "The Moral Foundations of Trust", J.G Lambsdorf et al, "The New Institutional Economics of Corruption", 2004

pedalling on corruption. The JSJP cannot compensate for the shortcomings of the Agenda but it could help fortifying its results-focused approach to transformation and it should include forceful interventions to improve management and reduce corruption.

Section 2 Overview and Programme Governance

The issue of governance, structure and funding

The Justice and Security Joint Programme (JSJP) is a critically important program for Liberia's near-term peace and security. Its principal purpose is to support the build-up of national justice and security competence and capacity in step with a winding down of the UN Mission in Liberia (UNMIL), which has secured peace since the end of the civil war in 2003. The Programme faces two partly related issues; firstly, lack of funding and, secondly, a poorly functioning governance and management structure. The funding issue is exacerbated by a failure on the part of Liberian police and judiciary – the two largest recipients of JSJP support - to reduce corruption. Transparency International's Global Corruption Barometers shows that the level of corruption in these two institutions has remained among the highest in the world since the start of the JSJP. One donor interviewed in the course of the evaluation suggested that police corruption and impunity has increased further during the last year and that it is seriously considering cutting back on existing support.

The Programme has relied on two principal sources of funding along with support on a project by project basis by several bilateral donors such as Norway, Germany, UK, the US and Ireland and extensive technical assistance provided by UNMIL staff. The two sources of funds specifically dedicated to supporting JSJP are the Justice and Security Trust Fund (JSTF) and UN's Peacebuilding Fund (PBF). Both have so far not been able to replenish their resources for JSJP. In the case of JSTF there were originally five bilateral donors. All but one have since chosen not to continue channelling funds through the JSTF. Out of total JSTF contributions of USD 13.2 million only USD 0.5 million remain as uncommitted funds. In 2012 the UN's peacebuilding entities in New York were did not succeed in raising more funds for the Programme through the UN network.

The main purpose of this evaluation under its Terms of Reference is to address the issue of *how the governance and management structure for the programme and the trust fund could be strengthened in order to deliver results more effectively and efficiently.* However, given the funding issue, the problems relating to structure need to find a solution that also enhances the trust fund's ability to attract donor funding. The issue of the dysfunctional governance structure can be regarded as a binding constraint with respect to the overarching need to solve the funding issue. If not solved the issue of strengthening governance and management becomes moot in the near future as the fund's limited remaining funds are used up. While these two concerns are related they are not necessarily identical. Attracting funding is an issue with more dimensions than effective and efficient delivery. This report also addresses the other funding related issue – that of institutional strengthening and corruption. The purpose of this report is therefore to explore the issue of *how the governance and management structure for JSJP and JSTF could be strengthened in order to attract funding*.

The other binding constraint is inadequate institutional management. Our interviews with donors have made it clear that unless the institutions to be supported are strengthened so that they can reduce corruption and put in place credible results-based management structures the Programme's ability to attract funding will be severely constrained.

The issues discussed in the report are related in the manner illustrated in the following illustration:
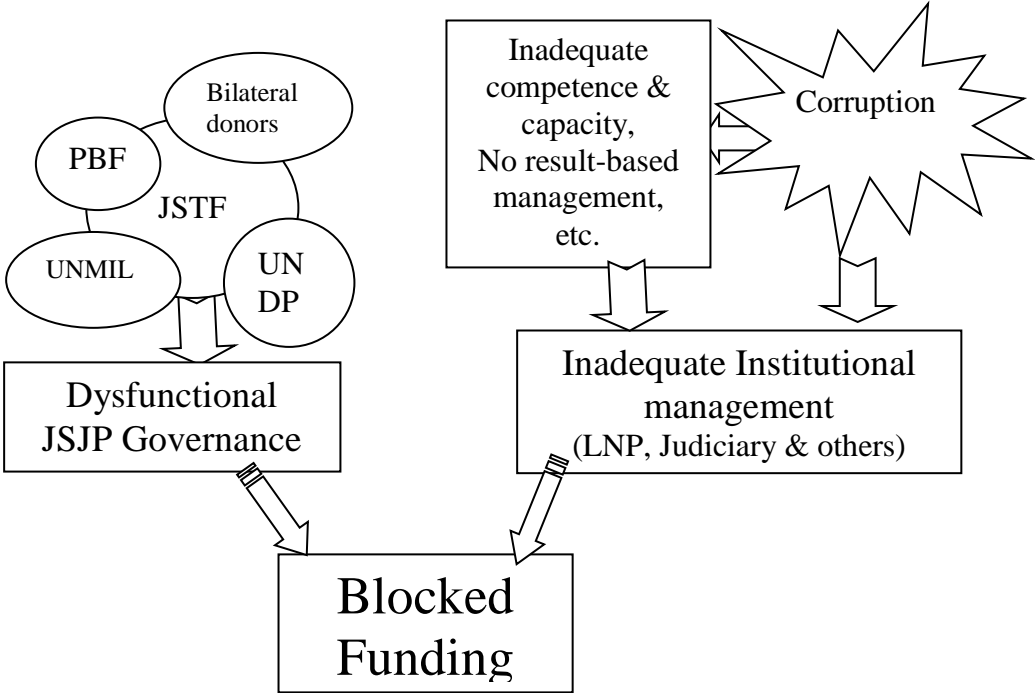
The Justice and Security Joint Programme is a very complex set of interactions, funding mechanisms, institutional arrangements and project activities. Among the many parties we have interviewed in the course of the evaluation there appears not to be a shared view of what the Programme represents and how it should be defined. The following were some of the dimensions that were commonly mentioned as defining features of the Programme.:
- its objectives and huge number of projects,
- the interaction between its many institutions,
- its sources and uses of funds, and
- through its structure, procedures and processes.

A consequence of this multi-dimensionality is that it is a very difficult Programme to understand, analyse and describe. In its different sections this report will analyse the Programme through the four above-mentioned perspectives. Section 4 reviews objectives and projects as well as the Programme's financial aspects while Section 5 discusses structure, procedures and processes in relation to those required under the Agenda for Transformation. However, to facilitate an understanding of the report we start by giving a structure to the institutional dimension of the Programme in the following chapter.

JSJP's institutional dimension

The justice and security sector can be seen as functioning through three interlocking levels: the programme level, the institutional level and the project level. Two partly connected institutions

are mandated to operate at the programme level: the Justice and Security Board (JSB)[8] and the Joint Security Committee (JSC). They are interrelated through a third grouping – the Justice and Security Technical Advisory Group (JS-TAG).

The institutional level comprises a large number of organisations having essentially three different functions, namely fund contributors, fund receiving institutions and supporting or implementing agencies. The table below shows the different organisations operating at respectively the programme and institutional level.

Programme level	Justice and Security Board (JSB) — Joint Steering Committee (JSC) — Justice and Security Technical Advisory Group (JS-TAG)		
	Fund contributing institutions	**Fund receiving institutions**	**Supporting, implementing institutions**
Institutional level	Justice and Security Trust Fund (JSTF)	Ministry of Justice & departments	UNMIL
	Peacebuilding Fund (PBF)	Liberia National Police (LNP)	UNDP
	Bilateral donors (Norway, US, Germany; Sweden, Ireland, etc)	Bureau of Immigration and Nationality (BIN)	UNOPS
	Government of Liberia (GoL)	Bureau of Corrections and Rehabilitation (BCR)	LNP
	UN agencies (core funding from UNDP & UNOPS))	Judiciary	BIN
		Liberia National Police Training Academy (LNPTA)	BCR
		Local Civil Society Organisations (CSOs)	Judiciary
			Programme Management Unit (PMU)
			Peacebuilding Office (PBO)
			CSOs
			LNPTA
			Others

The two levels dealt with in this report are the programme and the institutional level. The Programme's very many projects or activities are only discussed in an aggregate manner.

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[8] It is sometimes also referred to as the Justice and Security Joint Board

Structure of the report

Besides the concern with governance structure and alignment with the Agenda, the Terms of Reference (ToR) for the evaluation poses seven specific questions (See Annex 1, ToR, section 3). They are partly general in nature and relevant for both programmatic as well as institutional aspects. They are also partly related and in some cases partly overlapping. The report seeks to respond to them as well as the Programme governance issue through the following structure:

Section 3 deals with one of the two binding issues –governance dysfunctionality. It does so at the programme level. It seeks to also respond to the second (lessons learnt) and the seventh (recommendations for governance) of the ToR questions.
Section 4 seeks to respond to the question of what has been achieved and by whom (the first and part of the third ToR question). It also discusses the role of UNDP in response to questions 4 and 6 of the ToR.

Section 5 discusses the need for improved institutional management, how the Programme itself and the trust fund should be designed and structured to support change and the Programme's relation to the Agenda for Transformation. It also discusses the issue of corruption – the second binding issue with respect to funding.

The Terms of Reference also contains set of specific questions, which are responded to by way of the discussion in the different sections but also in condensed form in Appendix 5.

Section 3 Structure - Findings and Conclusions

Why a Management Treadmill

Micromanagement by default

What was a simple and straightforward governance and management structure for JSTF during 2011 has subsequently become a maze of meetings, workgroups, conferences and retreats. Our meetings with participants such as Board members, programme managers and other stakeholders revealed that issues of every dignity are debated by several scores of participants in several fora and often over and over again. Essentially two factors in combination appear to have caused this transition from simplicity to complexity that has frustrated participants. The first is a flawed implementation of the planned management structure for the trust fund, which left the fund with very limited management capacity and forced upon its board a micromanagement task that eventually overwhelmed it. The second is the unclear and ambiguous governance structure for the Programme, introduced in the Programme Document. An added factor has been the lack of monitoring and evaluation data, which has limited the Board's ability to focus on strategic issues.

According to UNDP's original JSTF proposal to donors there would be a governance and management structure in keeping with what has evolved as a relatively common arrangement for most pooled funds. It would consist of a Strategic Committee, a management board with a secretariat and two layers of programme managers. As such the fund would have scored well on the Paris Declaration's five effective aid criteria (ownership, alignment, harmonisation, delivery of results and mutual accountability)[9]. It would also satisfy many (but not all) of the governance and management best practice criteria identified in a number of assessments of pooled funds[10].
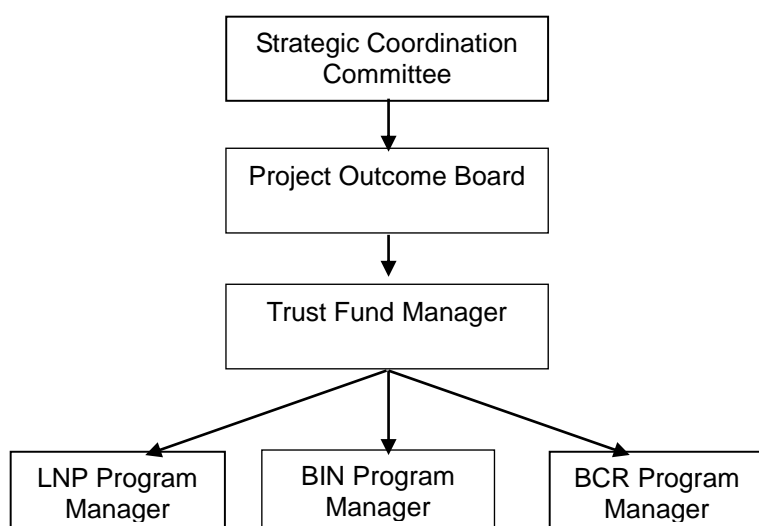
However, when the fund started out in late 2010 it had neither the governing committee nor the day-to-day management team. Instead of an in-house management capacity it had to depend on a small and sometimes overloaded project team in UNDP's country office, which had many other assignments apart from JSTF. As a consequence the Project Outcome Board had to deal with all policy, coordination and management issues. This could function during for the first year when there were few and relatively uncomplicated projects.

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[9] See" Measuring good pooled funds in fragile states" Coppin et al 2012

[10] See "Pooled Funding to Support Service Delivery Lessons of Experience from Fragile and Conflict-Affected States", DFID 2013 and "Pooled funding for transition at the country level", Ball et al, 2010

In late 2011 Liberia launched a revised and expanded UN sponsored justice and security sector programme – the JSJP. It was centred around an ambitious regional hub project for which the PBF would provide funding. Rather than relying on PBF's existing institutional structure for implementation of the hub project the UN persuaded the trust fund's somewhat reluctant Project Outcome Board to become the management board for the new and enlarged Programme. One important reason was that JSTF had for the first time managed to gather on its board all justice and security sector institutions. The board should, in addition to managing JSTF as before, "take on the additional task of providing overall guidance for the implementation of the JSJP". It was therefore renamed to the Justice and Security Board (JSB).

The JSJP Programme Document provided for a strengthening of the trust fund's in-house management capacity by way of a Programme Management Unit reporting to the board. Its staff of two was intended to complement UNDP, which already at this juncture was overloaded and unable to provide the reporting to the standards required. However, as the number of members of the board as well the volume of business expanded it became clear that the board also required much more secretarial support. The Programme Management Unit (PMU) had to take on this task and it has since acted mainly as a secretariat and project follow-up entity for a board that became more and more engaged in micro managing of primarily the construction of the first of five regional security hubs. The continued lack of in-house day-to-day project management capacity in combination with weak performance on the part of UNDP (see UNDP's General Management Support in Section 4 below for more on UNDP performance) is likely to have contributed significantly to the poor functioning of JSJP's management structure.

JSJP and a dysfunctional management arrangement

The second factor behind the growing dysfunctionality of the structure is the governance structure that the Programme Document introduced. The Programme Document illustrated the organisational structure in the manner shown below.
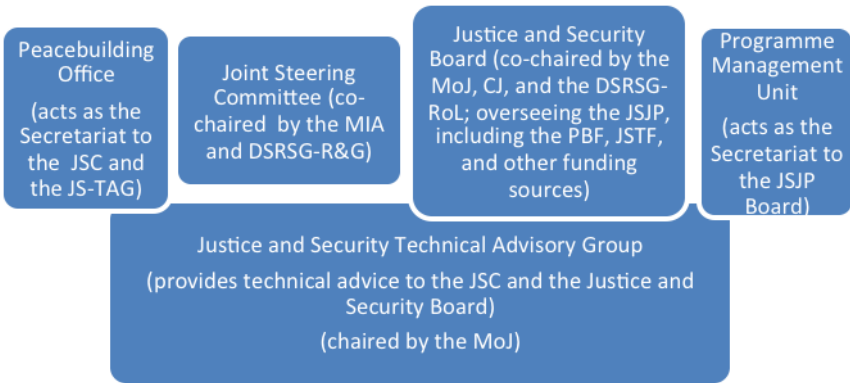
The two decision-making entities in the structure are the JSC and the JSB. Their relation to each other is left vague and undecided. The Programme Document only stipulates that they should "engage closely with" each other "to ensure coordinated and cohesive direction to the JSJP". This vagueness characterizes also other parts of the document which is, in many ways, a study in

ambiguity with lengthy and imprecise descriptions of duties without any mention of authority and little in terms of responsibility.

The stated purpose of the management arrangement was to
1) ensure full ownership and direction from the Government;
2) ensure coherence among the different stakeholders; and
3) offer effective monitoring and evaluation mechanisms to measure progress towards the specified outputs.

What the Programme Document means by coherence is not clear. It could possibly be consensus and for this purpose the arrangement has functioned very poorly. Interviews with most participants at the institutional level suggest that the arrangement has failed in respect of all three purposes. The Government's feeling in so far as the Ministry of Justice and its agencies as well as the Judiciary, is that they have lost ownership and influence over their own programme and been marginalized in the TAG where a number of proposals are seen to be decided. The latest proposals to be submitted to the board have required more than eight months of preparation and reformulation before they could be approved. The Government's partners in JSTF – the donors – state that they have felt equally disenfranchised and marginalized, as their concerns for the Programme's strategic direction were ignored. UNMIL participants in the TAG felt unable to influence the process of prioritisation which had left the Programme with a huge and highly user unfriendly workplan document few seem to attempt to understand and much less follow. That monitoring and evaluation has been ignored by mainly the Peacebuilding Office (PBO) may not be a direct consequence of the arrangement but it is never the less a fact that has contributed to the perception of loss of strategic direction and therefore to the discontent with the structure.

Mounting discontent

Lacking performance and poor of responsiveness on the part of UNDP and UNOPS, which have a statutory monopoly on implementing PBF-funded projects, have contributed significantly to the frustration felt by the many stakeholders. UNOPS, in particular, performed poorly initially and was held responsible for delays and poor quality of work. New management is reported to have improved the situation since last year. UNDP did quite well initially and with respect to implementation but the quality of it's reporting has been a constant irritant for the donors since the start of trust fund operations. Slow processing of disbursement requests and inadequate support in case of preparation of proposals are other complaints. UNDP, which has been criticized during nearly two years mainly by donors who saw themselves as its clients, has failed to respond in a manner that has satisfied the donors. This added a sense of powerlessness and frustration on their part.

In spite of the fact that projects were identified in the Programme Document, the process of documenting and reviewing projects – the project preparation phase - became gradually more and more complex and time consuming. In addition to this 'documentation creep' there was also a monumental 'participation creep' as the number of participants in meetings of the JSB and JSC as well as the TAG grew to take on near unmanageable proportions. JSC and JSB meetings, which in JSTF's early days gathered a dozen participants, had grown to more than 50 participants by the end of 2012.

The micromanaging forced upon the JSB diverted attention away from the Programme's strategic dimensions. Staff members in donor agencies as well as in the Government and the UN

have admitted to a growing sense confusion as to the direction of the Programme. Added to this was poorly prepared proposals which led to repeated logjams in the TAG. The TAG became preoccupied with arguments between UNDP, on the one side, and UNMIL on the other. The donors, in an effort to regain some control, requested a presence at the TAG and the Government representative felt more and more marginalized. In the end, towards the latter part of 2012, frustrated donors blocked the project approval process through JSB.

In a meeting between the evaluators and UNMIL, chaired by Mr Tamrat Samuel DSRSG, the question was put as to why nothing had been done to this JSJP-JSTF governance structure that everybody we had met was so intensely unhappy with. His answer, after some reflection, was "we all seem to be prisoners in this". This candid admission suggested that the governance structure was driven by institutional logics over which few if any of the individual participants had influence.[11]

When we evaluators in turn reflected on the difficulties in finding a way out of what felt like a JSJP prison we concluded that it would not be possible to propose a change to the structure without an explanatory framework. We need to understand what combination of factors and circumstances have made even one of the most influential officials in the structure feel like a prisoner. The following is an attempt to create a framework that would help us analyse and understand the forces that have kept ministers, high UN officials, donor representatives and many staff members shackled to a structure and to proceedings they all felt were wrong and unproductive.

An Analytical Framework

The concept of institutional logic

The Liberian justice and security scene is dominated by institutions rather than by individuals. There are Government institutions; donor organisations and UN institutions. All of those are large and mature with well-defined structures, extensive set of rules and regulations that guide their actions and behaviour. They face and handle a multitude of demands often inconsistent and they combine at times conflicting interests. The one institution that differs in this respect is the JSTF. It is small, set up for a single purpose defined in a list of projects and it has virtually no internal staff resources and therefore no capacity to handle different demands and inconsistent interests.

Although all institutions involved in the JSJP, including their leaders and staff, claim to strive towards the same objectives there is a pervasive sense that their cooperative structure has failed. The issue would therefore appear to be one of underlying institutional forces or possibly hidden institutional agendas affecting the manner in which the institutions behave and operate. The discipline that studies and analyses organisations and institutions from the vantage point of their defining culture or logic is commonly referred to as 'New Institutionalism.'

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[11] The evaluators have since learnt that attempts were indeed made to find a way out. The Peacebuilding Support Office engaged in discussions with the UN in Liberia in October 2012, along with the head of the Peacebuilding Commission. This dialogue was continued between the PMU, PBO and UNMIL for some months, with a review of roles and responsibilities under the JSJP without arriving at any conclusion. Eventually a suggestion for a full evaluation was made and accepted.

Although New Institutionalism is only one of several disciplines aimed at understanding institutional behaviour it stands out in that it has been successfully tested empirically. Its veracity has been measured not only for enterprises in competitive environment but also for institutions in the public sector such as health care and education[12]. As a consequence it has gained a substantial following among management practitioners as an instrument to better understand how to design organizational change processes. Because of its explanatory capacity it has become a fertile source of inspiration for other disciplines such as management, economics, sociology, international relations and political science[13].

New Institutionalism recognizes that while humans both create and influence institutions, institutions also exert a decisive influence on human behaviour. In order to be understood institutional behaviour needs to be analysed from different perspectives with respect to the logic that drives it. The theoretical approach used in this report is to analyse institutions with the help of different broad categories of institutional logic or culture. This evaluation will use three broadly defined perspectives on institutional behaviour that have been recognised as quite distinct in a number of studies. One is a rational logic imposed by a dominating external force or objective. It is an external reactive logic referred to as 'consequential' meaning that the organisation reacts as a consequence of changes to its environment. It dominates organisations exposed to strong competition. The other type of logic is referred to as internal, is a preserving and protecting logic. It seeks to avoid control over the organisation from the outside and to protect it from having to change on account of outside influences. It is an internal self-preserving institutional logic also referred to as the 'logic of appropriateness'. A variation of this internal logic, which we believe has particular relevance for the situation in the justice and security sector, is a social logic - formed by how the environment expects the organisation to act and behave. It could be referred to as the 'logic of legitimacy'.

In most large organisations external and internal logics co-exist. The external logic drives actions whereas the internal logic shapes the discourse and policies of the organisation so that it can satisfy different conflicting demands in different ways and uphold the legitimacy it needs for continued existence. The theory of New Institutionalism postulates that changing the behaviour of institutions requires changes to the balance between the different logics that drives it.

Consequentiality, appropriateness and legitimacy

Our perception of how an organizational structure should be constructed emanates to a large extent from what is often referred to as the rational perspective – from a single purpose organisation dominated by an owner/master – one that is dominated by an external logic - the 'logic of consequentiality'. It is the type of organization that the JSTF was supposed to be according to its Programme Document and which it by and large succeeded to be in its first year. What defines such an organisation is a consequence of its given purpose. It exists only if it can achieve its purpose and for as long as it serves this purpose. It is an organisation set up mainly to produce solutions. The logic of consequentiality makes the organisation easy to manage and

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[12] See for instance "Members' sensemaking in a multi-professional team" by Roy Liff and Airi-Rovio Johansson in Journal of Health Organizations and Management nominated for Highly Commended Award Winners of Literati Network Awards for Excellence 2013

[13] Douglass North at Washington University in St Louis was awarded the Nobel Prize in 1993 for his work in New Institutionalism

which promotes efficiency and goal orientation. Small organisations operating in a competitive environment, taskforces or a project teams are examples of organisations dominated by a rational consequential logic. It is poor at adapting to different purposes and to handle conflicting demands.

Other organisations are able to survive even though they do not serve the original purpose or they serve it very poorly. Their defining logic is different and so is their behaviour. Their logic is related to the interest of different internal and external stakeholder groups, typically staff in organisations with strong unions. In the literature it is referred to as 'logic of appropriateness'. Typical for this logic is an organization that has little or no guidance and support from owners or stakeholders and which has to ensure survival by itself. It is good at handling conflicting interests, good at satisfying demands of different categories of stakeholders and flexible when it comes to purpose. It adapts easily to new circumstances. Large corporations with widespread ownership can develop a very strong internal culture of self-protection and of pursuing what they consider appropriate for their interest. Many public sector institutions are dominated by the logic of appropriateness. It makes them very resistant to change and sometimes almost impossible to close down or move but conversely, good at dealing with problems and inconsistencies.

A third perspective can be referred to as the logic of legitimacy. It postulates that individuals and the institutions in which they are active are guided not by self-interest or requirement of external owners or stakeholders, but by their own perception of what is expected of them, what their environment requires, what is legitimate and correct given what they are. This social institutionalism is predicated on the notion that individuals and their institutions, for their well-being and success, need to gain and maintain legitimacy in the environment in which they operate. Schools and hospitals are typical examples of organisations that must follow prevailing norms in order to enjoy funding and support from their external environment.

The latter is also a logic of conformity where appearance, language and image becomes important. It promotes rule-driven bureaucratic behaviour. Organisations dominated by this logic are usually large and they easily become inflexible and difficult to change – a world on to themselves. They frequently use their rules and inflexibility to dominate and control their environment[14]. "Under our statutes we cannot…" etc. are common expressions of the logic of legitimacy. Political and religious institutions are examples of organisations with behaviour that is guided by a desire to gain legitimacy, to conform but also to dominate. The UN and donor organisations are other examples of organisations where legitimacy plays a significant role and where it affects behaviour, opinions and, in turn, language and appearances. These organisations seldom produce solutions. They are engaged in problems - sometimes insoluble problems.

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[14] See "The Organisation of Hypocrisy", Nils Brunsson, 2003 which defines hypocrisy as a necessary survival behaviour for simultaneously satisfying different incompatible requirements and inconsistent norms through respectively "talk, decisions and actions", i.e. by saying one thing, deciding another and acting a third.

The UN and institutional logic

The UN and its agencies exhibit a number of traits that are typical for the internal logic, both the appropriateness and the social-legitimacy logic. A UN agency is judged not only on what it does but equally on the values it represents and purports to pursue. This is a consequence of the fact that its existence is dependent on how it is perceived at UN headquarters and by distant donor governments – more so, possibly, than on how it is perceived by those it actually serves. The UN's image is very important to the organisation and it has been successful in upholding a positive image of itself in the eyes of people around the world. This it has achieved in spite of occasional scandals and, on occasions, poor efficiency and bureaucratic procedures typical of the logic of legitimacy. The UN is also exceptionally good at constantly focussing on new problems and at serving new interest groups. The UN's dependence on appearance is reflected in a constant search for success stories. A UN agency needs to own its story.

Something went wrong in a PBF programme somewhere in the world. This resulted in a new internal instruction as to how PBF should protect itself against similar incidents. Thus, on March 28, 2013 PBF introduced a complicated technical verification process as follows: "*Once the Priority Plan and allocation have been approved, the JSC is responsible for determining and implementing a process that identifies – in the most transparent manner – the programmes and projects that reflect the 'best value' for achieving the Priority Plan strategic outcomes (see PBF Templates 3.2 and 3.3; Guidance Note 5.5.2). To ensure that the selection of Recipient United Nations Organizations (RUNOs) reflect the best value for the PBF, a competitive call for project proposals or concept notes is recommended if possible within the given country context. The clarity in the JSC decision-making process relies on quality assessment of the technical feasibility of projects proposals by the technical committee and their strategic leverage for peacebuilding.*" Although this procedure is <u>not</u> binding on JSC it never the less represents a powerful tool for exercising control over the use of PBF's funds. It serves to protect the interests of PBF at the expense of national ownership. From PBF's perspective this is *appropriate* and it is *legitimate*. The process embodies a bureaucratic approach, which gives the impression that it is an objective decision-making process. What is in fact subjective judgement is hidden in the mantra-like language. This is an illustration of how the internal self-protective logic of an organisation places the organisation's own interests ahead of the aims it says it pursues. The internal logic can at times make an organisation appear to be hypocritical.

To be funded UN agencies must also be receptive to donors' intent and desires and to serve the good interest of governments where it operates. UN bodies have to be seen as legitimate. In order to ensure it's own survival while pursuing other parties' interests a UN agency needs to have a good measure of control over its environment. It needs to be able to claim credit for achievements while being a good team player. Control can be achieved by way of capacity in different areas. The UN can use its wealth of methodologies, rules and regulations to gain control over processes. It can use its access to knowledge and competence and its advisory role for control. The UN's trust fund framework is good example of how internal logic and the need for control has twisted what should have been a UN support and service role into one of dominance and lack of accountability. The consequence is that UN agencies do not always act in the manner they say they should act and that their logic is much more internal and less overtly rational than, in this case, that of JSTF.

The prison structure

The original JSTF was a simple organisation with a single objective to provide funds for specific needs in individual justice and security agencies. These needs were outlined in its founding document. It had a single governing body but no staff of its own, no organisational turf to protect and no future beyond the point when its funds had been used up. It was motivated by a rational,

"to do" logic driven by the Government and the donors. During JSTF's first year the organisation was allowed to focus on processing and implementing a number of relatively uncomplicated projects (mainly training, and equipping law enforcement agencies and some repair and renovation works), which did not require much in terms of coordination with agencies outside the implementing partners. The donors and the Government were able to establish modalities for effective collaboration through the Project Outcome Board. The results were by and large satisfactory and some were even both vital for security and quite impressive, such as the support to Liberian National Police (LNP) in connection with elections. UNDP managed to find ways to implement some projects on record time and have vital equipment shipped across borders and delivered when and where it was needed. There were shortcomings, such as poor reporting, but it was felt that those would be overcome with some strengthening of UNDP's resources.

However, although JSTF got off to a good start it was vulnerable because the board handled too large a proportion of its activities and UNDP's management support was under-dimensioned. Internal control and follow-up procedures were undeveloped and reporting was late and unfocussed. But projects were uncomplicated and not very demanding with respect to coordination and management. There were cars for the police, uniforms for officers, training, the odd repair of a roof and occasionally a smaller building project but always for one agency at a time. Had JSTF been given time and resources it is quite probable that it would have been able to sort out its shortcomings, establish better processes and procedures, strengthen its management capacity and find ways to reduce the burden on its board.

When PBF entered the justice and security sector scene and co-opted the JSTF board into enlarging its remit to cover the whole of an expanded sector programme – the JSJP - new management demands were imposed on a very small and immature governance structure. JSTF was supposed not only to govern the entire Programme but also to manage and supervise a large project involving almost all agencies in the sector. This forced it to adapt to a different and much more bureaucratic institutional logic. JSTF's simple "to do" approach met PBF's strong, self-serving and rule driven logic which was backed up by UN's resident representative office. The UN persuaded JSTF to link itself to PBF's standard JSC-centred organisational structure although both the Ministry of Justice and the Judiciary representatives voiced concern. The other part of JSTF, its donor representatives, voiced concern over the new hub priority, which they felt would take attention away from institutional capacity building. Both concerns unfortunately proved to be very relevant.

Both donors and Government also sensed a desire on the part of the UN's peacebuilding entities to set the stage so that they could claim credit for having brought an 'innovative' hub concept to fruition. The dominant feature of the new, largely UN inspired joint Programme was to be the hubs. It had been given dimensions adequate for serving as a PBF success story once implemented. Although the hubs had been upgraded to become much more ambitious and costly than the Government had originally planned the Government was in favour, as this would increase funding for the sector. Donors voiced reservations, but were ignored as was their view that PBF made room for itself in the sector at the expense of those that had been there from the outset.

The UN prevailed and the JSJP came into being along with its Programme Document. This is a document, which pays tribute Government ownership but, with its ambiguity and extensive use

of opaque UN vocabulary, has achieved the opposite. That PBF had had no intention of granting the Government ownership was made clear by a visiting representative of the Peacebuilding Support Office (PBSO) in New York[15] in August 2012. Since PBF funding was necessary to realise the central hub concept and since PBF (through PBSO) reserved for itself the right to determine if, how and when its funds could be used, it in effect controls the JSJP without appearing to do so. This is a classical example of domination techniques driven by a combination of the logic of 'appropriateness' on the one hand, the 'legitimacy' logic, on the other. The appearance is one of championing ownership while in reality retaining control by virtue of rules, procedures and language that conform to the practice of the environment and which the smaller rational organisation does not have the capacity to refute. The net effect of the governance and management structure has been to set PBC and PBF apart from other donors in a manner that makes a PBF dollar more powerful than a donor dollar.

The structure should also have allowed the UN, through UNOPS, UNDP and UNMIL, to exercise considerable control over hub implementation through different complementing roles. UNDP can exercise influence both at the board and the implementation level. However, UNOPS' and UNDP's poor performance and lack of responsiveness strained their relationship with UNMIL and the donors, which led to a significant loss of influence on their part. It also led to considerable friction between UNMIL and UNDP, which contrasted with the good relations that were said to have characterized the period prior to JSJP. The end result of PBF's management design was a sense of marginalisation on all fronts.

The donors in JSTF were perhaps the unhappiest of all. UNDP's lack of responsiveness to growing complaints concerning quality of proposals and poor reports led to a sense of entrapment in a relationship they could not break out of. Their sense of not being listened to by PBF exacerbated the frustration. The picture below tries to illustrate how different influences, demands and requirements from UN bodies interfered with JSTF's core of rationality from different directions once the Project Outcome Board had been reconstituted. What is significant is that the influence was directly with the JSTF core since there was no in-house management that could be shielded and given time to digest and adapt to a new situation, new Programme priorities, new oversight demands, etc.

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[15] See comment made at JSB board meeting in August 2012
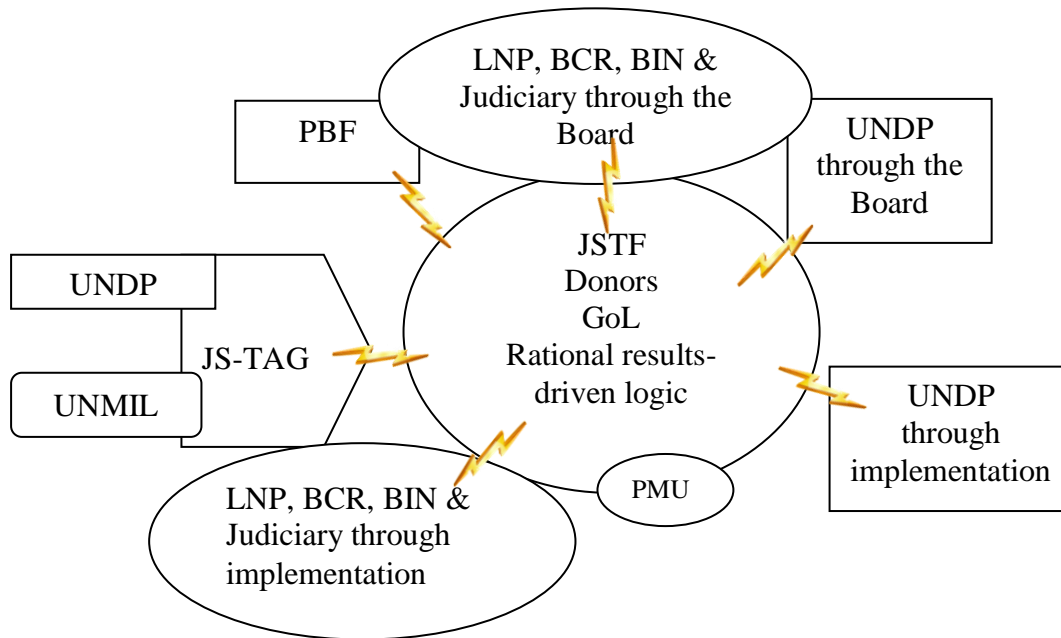
As participation creep added more and more people to each board meeting interference increased rather than decreased. Added to this were two other structural design failures.

The first is a classical mistake usually made in the mistaken pursuit of coordination. It is referred to as the 'cogwheel fallacy'. It is a governance structure where the same individuals and or institutions take seats in a number of loosely and vaguely related fora. What happens in this situation is that the same issues will be debated in forum after forum, time after time sometimes until participants are exhausted. One board will grip into the next and so on like cogwheels and the slowest wheel will determine the pace of the whole structure. The three loosely linked bodies JSB, JSC and in between them the TAG are the permanent cogwheels of the JSJP but in between there have also been meetings, workshops, retreats with the same group of participants to add to the cogwheel effect.
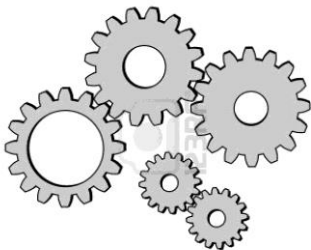
Another source of frustration, reported by stakeholders, has been the structure's poor performance with respect to prioritisation among the Programme's many projects. Through a analysis with the Results Based Management methodology, frequently used by UN and donors, we have concluded, firstly

- that the Program has lacked agreed measurable for goals for each project
- that, in turn, contribute to the overall objective of the Programme, and
- that this was caused by the absence of an operational and time-set definitions or indicators for what the Programme should achieve.

In the absence of agreed goals there is no objective or independent basis for a compromise between conflicting interests. Available documents in the case of JSJP suggest that the Justice

and Security Board was unable to agree on meaningful prioritisation criteria[16] and the result was a prioritisation which few if any understood and most parties chose to ignore. This inability on the part of the Board is a consequence of the fact that the agencies that have been served by the trust fund also govern it by being members of its board; a clear conflict of interest.

This is the virtual prison no one has been able to break out of since late 2011. It is a result of a UN embrace of the justice and security sector and the JSTF, which failed to recognise an already stretched trust fund's inability to suddenly handle a Programme expanded by PBF's reporting and coordination needs, by UNMIL interventions through TAG and by UNDP's lack of responsiveness. It is also a prison of ownership promised but not delivered, of deliberate ambiguity used to hide unresolved conflicting institutional logics, of UN 'doublespeak' and of a dysfunctional prioritisation process.

How to break out?

Decoupling or loose coupling

Lessons learned with respect to organisational change tell us that unless the issue of prevailing institutional logic is recognized and dealt with organisational change will not succeed. The logic defining an institution is usually stronger than a management command to change. Another lesson is that logic is difficult to change through internal reorganisations and alterations. New management from a different environment will not change the manner in which an organisation behaves. The result is almost always the opposite. A bureaucratic organisation that recruits business people will not become less bureaucratic and more businesslike. The former business people will become new bureaucrats. The JSJP conundrum will not be resolved by trying to change an institutional logic that cannot be changed in the case of PBF, UNMIL or UNDP. Equally impossible would be a solution that would relieve the Government of ownership in favour of some combination of PBF, UNMIL, UNDP and UNOPS.

The two types of solutions developed by scholars and used by management practitioners for resolving conflicts of rationality versus internal organisational logic are 'decoupling'[17] or 'loose coupling'[18]. Decoupling is defined as the creation and maintenance of gaps between formal policies and actual management practices. Loose coupling is a solution to organisational conflicts that retains interdependence but seeks to eliminate the influence on behaviour through policies or procedures. It aims at protecting or sheltering the integrity of management while allowing for influence through governance

Decoupling of JSTF from UN interference with its rationality of purpose would imply separating JSTF from the JSC, UNMIL (TAG) structure as well as from UNDP. In its report on a Functional Review Mission in May and June 2013 UNDP proposed such a decoupling but only from PBF and UNMIL. It recommended separating JSTF management structure "out of the hybrid structure in favour of the standard trust fund architecture" and to increase the

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[16] Interventions with priority 1 were those for which funding had been committed, i.e. which had been prioritised by funding agencies not by the Board.
[17] See. "Explaining Institutional Decoupling: The Case of Stock Repurchase Programs." James Westphal, Edward Zajac, 2001 Administrative Science Quarterly
[18] See "Loosely Coupled Systems: A Reconceptualization" Karl Weick, Douglas Orton, Academy of Management Review, 1990

management capacity of JSTF through a technical secretariat. The functions of the existing board would be split between a Steering Committee and a Policy Board with representatives of the contributors. In addition UNDP's report proposed to substantially expand the current PMU, which should become part of UNDP's country office and have a capacity to provide full programmatic oversight for the entire JSJP. The capacity of the strengthened PMU might also be "leveraged" by UNMIL. There should also be an additional substantial strengthening of UNDP's country office through which quality assurance, technical assistance and implementation support would be provided on the basis of Service Level Agreements.

The proposal is UNDP-focussed. It does not mitigate the lack of accountability and responsiveness on the part of UNDP – the 'accountability gap'. Nor does it deal with the issue of how to ensure that PBF and JSTF funding for the JSJP is coordinated at either a management or policy level. It furthermore, does not discuss how JSJP and the independent JSTF should be aligned with the Agenda for Transformation. It states that the JS-TAG would be superfluous given the technical secretariat and it suggests that UNMIL would contribute through PMU instead of as now through the TAG.

At the programme level UNDP's proposal would appear to imply that the JSJP would end up with three policy level boards, the JSC, the JSB and a new JSTF policy board. Since PBF is required to have both the PBO and a TAG the UNDP proposal would result in two separate structures for respectively PBF and JSTF with the JSB situated in between and PMU located in UNDP with programme oversight but reporting to JSB. The 'old' JSB would presumably be a coordinating body that retained the oversight of the entire JSJP but had no decision-making function since PBF funding is the prerogative of JSC and since JSTF funding would be decided upon by the new Steering Committee in JSTF.

Another issue with UNDP's proposal is that it does not recognise the fact that UNDP's monopoly position relative to implementation of JSTF funded projects has become a significant obstacle for the fund's resource mobilisation. The proposal would streamline decision-making within JSTF provided UNDP's implementation management work. It would also eliminate policy interference from UNMIL and PBF but its main purpose would appear to be to strengthen UNDP's position and role.

The alternative to UNDP's proposal would be a loose coupling that retained PBF, UNMIL and UNDP in roles that would not result in interference with JSTF's core rationality and the integrity of its management. Such a solution could use the JSTF standard trust fund structure originally proposed by UNDP, which adheres well to best practice recommendations and which keeps governance and management functions apart. However, instead of separating JSTF from the present joint board JSTF should include PBF as a contributor on equal term with all other contributors in a governance capacity. This would better align PBF's interests in JSTF with those of donors and the Government. It would reduce the risk for a conflict between the rationality that donors and the Government seek for the management of the trust fund, on the one hand, and PBF's logic of appropriateness and legitimacy, on the other.

UNDP's two roles, as participant with donors on the board of the trust fund, on the one hand, and as a remunerated implementing and administrating agent, on the other, should be clearly delineated. UNDP's monopoly on implementation has made donors reluctant to contribute to the fund. While UNDP needs to remain as a management agent for PBF funds (as required under

PBF rules) its monopoly in the case of other donors need not remain. For other projects but those funded by PBF UNDP should be a choice rather than an obligation. The alternative to UNDP would be implementation managed by a recipient agency, by the trust fund's own in-house project managers or by a contracted management firm. The UNMIL connection should also be retained but be through technical advice by individual UNMIL experts at the request of a trust fund programme manager. This avoids UNMIL's involvement in JSTF's decision-making process, which hitherto has been quite substantial as a result of the role given to the TAG in the Programme Document.

This option would allow for a structure in which a PBF dollar is worth the same as a donor or a Government dollar. It would also make it possible to give more ownership to Government than it currently feels that it has. It would also place more of the discussion of Programme priorities into JSTF's governing body than in JSC. It is worth noting that this solution was available already at the outset of the Programme. PBF's statutes say that, once the Peacebuilding Support Office in New York has approved a Priority Plan it is the national Joint Steering Committee that decides how to allocate funds from the Peacebuilding Recovery Facility. Had this option been used in 2011 it is probable that many complications could have been avoided.

The third option would be the simplest. It would produce itself if nothing were done. The JSTF, which UNDP says has less than USD 0.5 million in uncommitted funds will soon be exhausted. Our interviews have confirmed that the donors that have so far contributed are not prepared to make new commitments to the fund as it stands today. Other donors are unlikely to come forward. However, several donors are currently supporting the sector. In the absence of a trust fund they are likely to want to continue to do so on a bilateral basis. Some have done it through UNDP's country program while others have found alternatives implementation modalities.

In case the third alternative is chosen actively or by default it is recommended that a coordination unit is established in the Ministry of Justice. It could consist of the current permanent members of the JSB as this would ensure continuity. It could also continue to be served by the PMU. This option would require an increased engagement in fund raising on the part of the Government if funding on a meaningful level is going to be found. We also believe that it would require the refocusing on management competence and capacity, on performance and anti-corruption that has been mentioned above and which is discussed more in detail in Section 5 below.

Our recommendation

Our recommendation would be for the original UNDP governance and management structure of JSTF to be used for a JSJP trust fund. It should include a governing Strategic Committee, a Project Outcome Board for management, a secretariat and in-house programme and project management capacity. The remit of this fund should cover the entire Programme (in Section 5 we are recommending alterations to the Programme and how it should be aligned with the Agenda for Transformation). PBF's influence over the JSJP, the hub and other Programme activities for which it provides finance should be equal to that of other contributors and be exercised through the Strategic Committee in the same manner as that of other donors. This

would eliminate the need for coordination[19] through any other channel such as TAG or PBO. It would ensure that projects are implemented through one single chain of command, which also serves for reporting back on results.

Members of the Strategic Committee should be representatives of Government and of the contributors including PBF, of UNDP and of the UN resident representatives office. Our view is that a financial institution should not be governed by those it is made to serve. This risks impairing its integrity and would inevitably create conflicts of interest. In the case of JSTF the Board includes both the judiciary and the law enforcement agencies, which is widely regarded as beneficial for the development of the sector. However, it is probable that this benefit is associated with a cost in terms of the functionality of the JSTF board - in particular when it comes to setting sector priorities. The JSJP, it appears, has been quite successful in creating venues for relevant participants in the sector by way of frequent conferences, retreats and workshops. To formalise fora of this nature would appear to be much better for exchange of views and experience than creating decision-making bodies with in-built conflicts of interest.

In Section 5 under the heading Proposed Make-up of the Trust Fund we provide details with respect to the composition, role and function of the proposed JSJP trust fund. They are in summary as follows:
- a governing Strategic Committee - members representing Government, contributors and UN, should arrange funding, set Programme priorities, align with AfT, liaise with JSC, ministries, etc., should meet quarterly at most
- a managing board - no more than 10 members appointed on an individual basis by the committee, should decide on all project funding issues, should meet monthly
- a secretariat - to serve both committee and board.
- an executive programme manager - appointed by the chairperson of the board, should manage the affairs of the fund, lead team of in-house project managers, present projects and other resolutions to the board.

An important task for the project managers should also be to assist and train the beneficiary agencies' staff in preparation of proposals, in implementation and with measuring and monitoring during and after implementation. This was a task that UNDP did not perform to the satisfaction of JSTF's stakeholders. In case UNDP is chosen as a fiduciary agent this should be entrusted to UNDP New York, which should guarantee that reporting would be beyond reproach.

UNDP's country office should however, provide implementation management services for PBF funded activities, as this is required under PBF's statutes. UNDP could also provide such services for activities funded by other donors on a case-by-case basis through Service Level Agreements. Such services could also be provided by the fund's own in-house management team.

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[19] UN and other development agencies often labour under the impression that results are improved by much coordination and many control stations. The opposite is often the case. Programmes and projects that require extensive coordination and control are often poorly designed or placed in poorly functioning governance structures. Efficiency is for programmes to be designed to require a minimum of coordination and governing structures to function with a minimum of control. This requires well defined, measurable and time-set goals and specified accountability for results.

The picture below illustrates the governance and management structure we would recommend for a justice and security sector trust fund.

Agenda for Transformation alignment
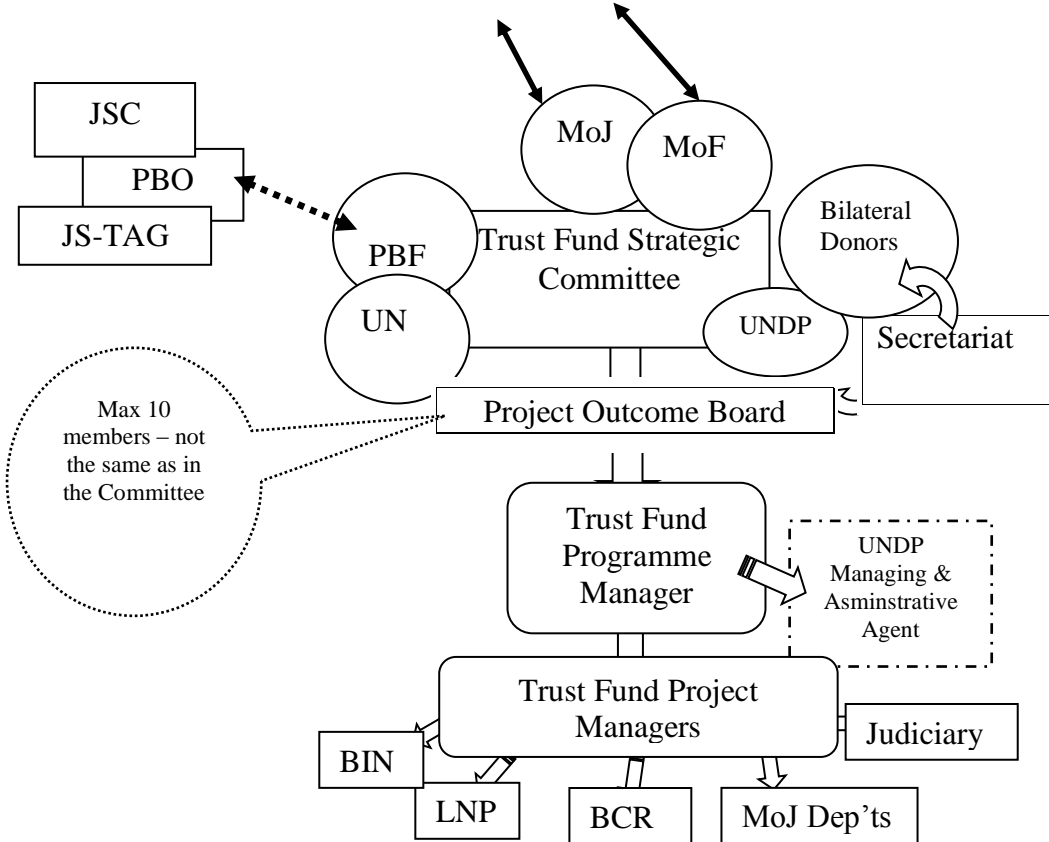
A new trust fund or a modified JSTF?

Can the structure that this report recommends for a JSJP trust fund be achieved through amendments to the present JSTF or does it require replacing the latter with a new fund? The answer to this question is contingent on the legal status of JSTF and on what this implies with respect to changes and amendments. While an analysis of the legal aspects of JSTF lies beyond the scope of this evaluation and the competence of the evaluators it is never the less an issue which is relevant for resolving some of the problems related to implementation of JSJP. The following discussion of the legal framework of JSTF is based solely on the limited documentation available on the website of UNDG. It is not in anyway a legal opinion.

The UN's multi-donor trust fund (MDTF) is a relatively recent phenomenon. The first such mechanism was established in 2004 as a financing instrument for the reconstruction of Iraq. Most of the legal framework for this MDTF was created by UNDG. This framework, which consists of a Memorandum of Understanding for UN organisations that participate in the implementation of a trust fund financed programme, a Standard Administrative Arrangement for donors, Terms of Reference for a Steering Committee, reporting procedures, etc. was further

developed and standardised in 2008 in order to serve as the basis for the growing number of UN MDTFs that has since been created[20].

Under this framework an MDTF is referred to as a mechanism. An MDTF appears not to be a legal entity and donors can therefore have no direct contractual relation with their respective MDTFs. Instead they enter into a contribution arrangement with a UN Administrative Agent for the MDTF. Under the standard arrangement, this Administrative Agent has been appointed by 'Participating UN Organizations', that is those UN organisations through which funds or assets will be channelled to 'Implementing Organizations' – typically government bodies or NGOs. In fact, the Administrative Agent can also be a Participating Organization, i.e. be party to appointing itself as Administrative Agent.[21]

The following summarizes the preamble to the Standard Administrative Arrangement that donors enter into with the Administrative Agent, which in the case of the large majority of UN MDTFs is UNDP.

Participating United Nations Organizations

- *have developed a Fund/Programme as part of their development cooperation with the Government*
- *have agreed to establish a Steering Committee to facilitate the effective and efficient collaboration between the Participating UN Organizations and the host Government for the implementation of the Fund/Programme;*
- *have developed a TOR/Joint Programme Document to use as the basis for mobilising resources for the Fund/Programme,*
- *have agreed that they should offer donors the opportunity to contribute to the Fund/Programme and receive reports on the Fund/Programme through a single channel; and*
- *have appointed Administrative Agent (which is also a Participating UN Organisation) in a Memorandum of Understanding concluded between the Administrative Agent and Participating UN Organizations to serve as their administrative interface between donors and the Participating UN Organizations.*

A typical trust fund would be a relationship between three parties, a grantor, a trustee and beneficiaries. The grantor normally defines the purpose, identifies the beneficiaries, appoints the trustee and provides the funds. Under its MDTF framework the UN has assumed all of those roles except for the last – that of providing the funds. The UN defines the purpose (through the programme), establishes the steering committee, drafts its terms of reference, and appoints one of the Participating UN Organisations as Administrative Agent. It thereafter "offer donors the opportunity" to help the UN finance its trust fund activities in the country concerned. Although the UN exercises full control over every aspect of a UN MDTF it never the less claims that their MDTFs ensures "the principles of national ownership, inclusiveness and balanced representation".

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[20] http://www.undg.org/?P=1615
21 For over 90 percent of all MDTFs UNDP serves as Administrative Agent. 'Operational Effectiveness of the UN MDTF Mechanism', Charles Downs, 2011

In case of JSTF, the administrative arrangement is called "Third-Party Cost-Sharing Agreement. It specifies what reports the Administrative Agent UNDP shall deliver to the respective donor. With respect to what UNDP should do as regards administration and management for the fund the agreement only refers to UNDP's rules and regulations. The only remedy for the donors under the standard administrative agreement in case they are dissatisfied with UNDP's performance is to discontinue future contributions[22]. However, in the case of the Third Party Cost-Sharing Agreement not even this remedy exists. In case there is evidence of improper use of funds the responsibility of the UN is limited to "best efforts [on the part of Participating Organizations] to recover any funds misused".

UNDP, in its capacity as Administrative Agent is not accountable to either the donors or to the Government. A UN Administrative Agent is instead accountable only to the UN in the form of its own agency (normally UNDP) and ultimately to the Fiduciary Management Oversight Group (FMOG), which is part of the UNDG. Donors have referred to this as an "accountability gap" and voiced concern that collectively they do not have a recognized role in oversight of the MDTF mechanism. Through interviews in a 2011 UN study they have also expressed concern about the lack of comprehensive programmatic responsibility and oversight and dissatisfaction with the lack of clear results focus in many narrative reports.

It would appear that a UN MDTF that adheres to the framework is based on an entirely different philosophy than the one this evaluation believes should guide a trust fund. Our recommendation would be for a structure whereby the administrative and management agent serves and is accountable to donors and host government. The UN framework appears to be based on the opposite notion; namely that donors should serve the UN. This evaluation has therefore concluded that the JSTF framework does not allow for either the ownership of host government and influence of donors or for the accountability and clearly defined responsibility for performance on the part of administrating and managing agent/s that we recommend should exist. A UN MDTF is an entirely UN created instrument which is controlled by the UN and which can only be altered and modified by the UN.

Two Liberian Pool Funds

The evaluators have reviewed two other Liberian funds, both of which have a different structure than that of JSTF. They are the Health Sector Pool Fund (HSPF) and the Education Pooled Fund (EPF). Both funds were established by respectively the Ministry of Health and Social Welfare (MoHSW) and the Ministry of Education (MoE) and their framework differs from that of the UN MDTF. Both are based on the principle of national ownership and place the respective line ministries in the driver's seat. The funds belong to the government once they have been deposited in Liberia and both funds use national financial management and procurement systems.

The following table compares the three pool funds JSTF, HSPF and EPF.

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[22] "The Donor reserves the right to discontinue future contributions if reporting obligations are not met as set forth in this Arrangement; or if there are substantial deviations from agreed plans and budgets".

Main fund features	JSTF	HSPF	EDF
Number of contributors	5 donors: Sweden, Ireland, Australia, Japan and UK	6 donors: UK, Ireland, Switzerland, France, UNHCR and UNICEF	2 donors: UNICEF (partly using Dutch funding) and Open Society Institute
Total value of contributions	USD 13 million	USD 53 million	USD 21 million
Government ownership	UN and GoL prepared joint programme. UN established JSTF. GoL agencies are Implementing Partners under UN Participating Partners.	MoHSW has prepared a 2007-11 and a 2011-21 national health policy and plan to serve as the basis for the HSPF. GoL established HSPF. MoHSW chairs steering committee. Funds belong to MoHSW	MoE prepared programme with UNICEF assistance. MoE responsible for preparing Annual Plan of Action and implementation of programme. MoE chairs all the governing bodies. Funds released to the EPF belong to GoL
Governing structure	UN established fund and programme governance and management structure. GoL co-chairs JSTF Board with UN but it has limited authority shared with other UN established bodies	Pool Fund Steering Committee has 5 GoL members & representatives of all contributing donors. One CSO member is observer.	Comprising MoE Executive Management Team, Education Sector Development Committee executive board, EPF Advisory Board and Project Financial Management Unit (PFMU) of MoF
Fund financial administration	UNDP is self-appointed administrative agent accountable to UNDG only	Steering Committee appoints administrative and management agent, contracted by UNICEF. Currently private consulting company HDI fully accountable to Steering Committee.	UNICEF is fiduciary agent for off-shore funds and MoF is administrative agent for funds in Liberia.
Pool fund management	UNDP is self-appointed provider of General Management Services (GMS) accountable to UNDG only		Initially by MoE's Executive Management Team. Now through small coordinator's office within MoE.
Administrative and management fee	Administrative fee 1%, management services fee 7%	Administrative and management fee 7%	Fiduciary fee to UNICEF 1% Administrative fee to PFMU 1%
Technical assistance (TA)	No TA for MoJ. Ad hoc project related TA for agencies by UNDP	TA by mgmt company for MoHSW financial and accounting staff	TA by Opens Society Institute for MoE planning, implementation and monitoring functions.
Use of National Legislation and Procedures	No use of national systems. UN implementation systems and procedures	All processes based on Public Procurement and Concessions Commission Act aligned with GoL budget calendar.	Financial management support provided by PFMU. Processes based on national procedures, aligned with GoL budget calendar.
Sector integration	JSTF mandate covers only part of sector scope. Major sector project (the hubs) not included in JSTF scope.	HSPF mandate to help finance priority unfunded needs with the national health plan.	Initial EPF mandate only programme for recovery of primary education. Since expanded to include other sub-sectors and eventually a comprehensive education sector plan.
Sector Coordination	Through JSTF's board, PBF related committee (JSC) and Technical Advisory Group (TAG)	Through MoHSW	EPF processes formalise collaboration among international partners through an Education Sector Development Committee acting as a full partner to the MoE.

The health fund has a steering committee governance structure similar to that of UN MDTFs and an administrative and managing agent accountable to the committee. The committee is chaired by the minister who has also been a driving force with respect to fund-raising. HSPF funds are kept on a separate MoHSW account with Liberian banks. Withdrawals are made by the pool fund manager to an account with MoHSW's Office of Financial Management which procures health infrastructure, essential drugs, human resources and direct support for service delivery. The latter has accounted for 70 percent of pool fund expenditures to date. It is given primarily through performance-based contracts with NGOs.

Monitoring and evaluation is carried out by MoHSW's M&E unit. The current 10-year health plan has a monitoring framework with indicators that monitor progress against the goal and objectives of the plan. The ministry's M&E unit tracks progress against of the indicators and reports to the pool fund on those that can be tracked in sequence with the pool fund's quarterly and annual reports prepared by the pool fund manager. The pool fund's accounts are audited annually by an independent Liberian auditing firm.

The following graph taken from the HSPF's 2012-13 third quarter report summarizes the structure of the pool fund.

Structure of the Pool Fund
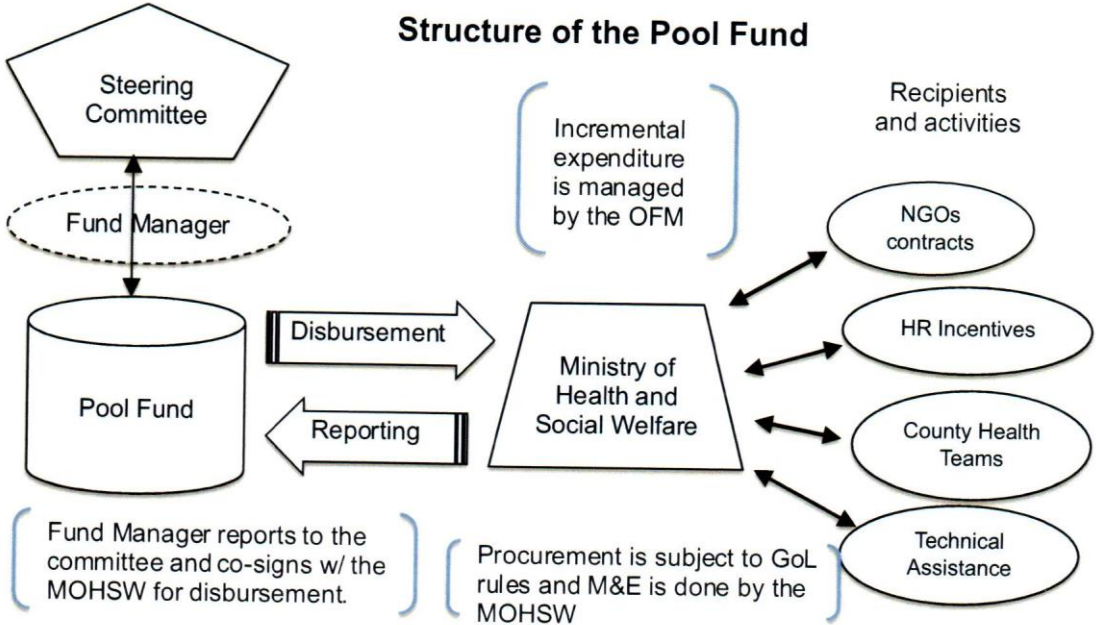
HSPF is considered a highly successful example of government donor collaboration. It has made a significant contribution to the realization of health plan objectives. Through technical assistance it has also contributed to professionalisation of a ministry that only a few years ago was considered very weak with respect to financial management and accounting. The fund is competently governed and professionally managed which is one reason why it has attracted considerable amount of donor funding. It has demonstrated that a nationally owned fund, managed under national financial management and procurement rules and regulations by an accountable manager can achieve very good results.

The EDF governing and management structure differs significantly from of HSPF but the two are similar in that they are Liberian owned in the sense that the line ministry has ultimate responsibility for whether the fund succeeds or not. EDF, which started out as collaboration between three parties – UNICEF, Opens Society Institute (OSI) and the Ministry of Education (MoE) was to be both governed and managed by MoE. The ministry's Executive Management Team (EMT) should drive the work of the fund by way of costed annual action plans detailing the components of the larger primary education programme (L-PERP) that the fund should support. A broad-based group of education sector institutions and donors (ESDC) would ensure that the action plan was coordinated with other sector activities and endorse it so that the EMT could prepare a procurement plan. Fund withdrawal requests based on the action and procurement plans would be submitted to the fund's Advisory Board for prior action non-objection and thereafter to a unit in the MoF for funding. MoE chaired the different bodies in this planning structure.

The structure of EPF's planning and decision process as it was designed is shown in the following graph taken from a 2009 UNICEF study of EPF[23].

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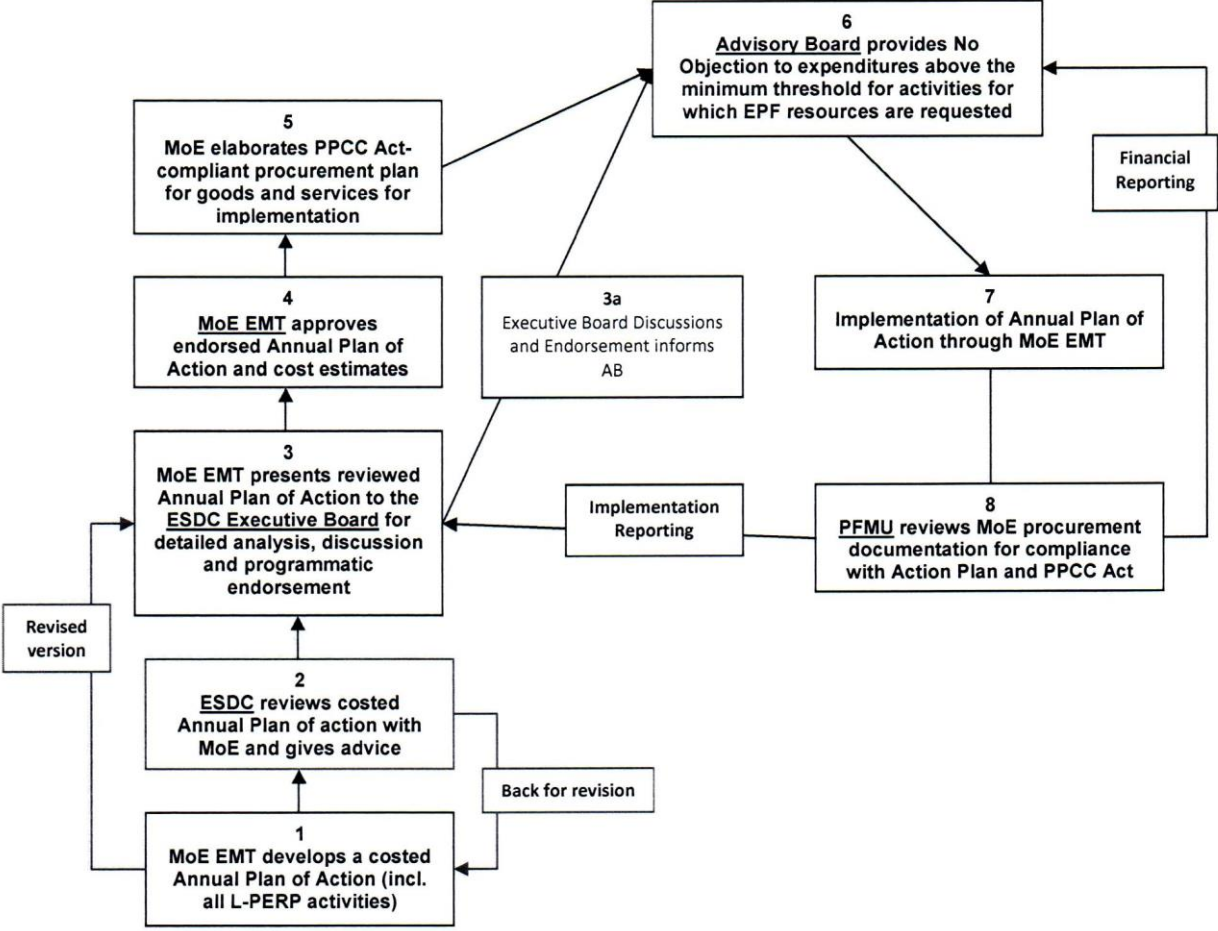
[23] The Education Pooled Fund in the Republic of Liberia One Program, One Mechanism, One Process, Caroline Schmidt, UNICEF 2009

UNICEF has acted as the fiduciary agent for EPF's funds off-shore while the MoF holds the funds in Liberia in its own account with Ecobank and acts as guarantor for the adherence to both EPF's own fund withdrawal rules (as per a financial manual) and to the national rules and regulations for financial management and procurement (the PPCC Act).

EDF has not performed nearly as well as HSPF but its governing structure has reacted to lack of governing and management capacity on the part of the line ministry by frequently blocking withdrawals. The major difficulties experienced by EPF are related to MoE's early failure to live up to the governance and management responsibilities it has shouldered. Although OSI extended technical assistance initially this may not have been sufficient. At the outset MoE was not able to produce the action plans that the process required nor was it able to muster the leadership capacity needed to govern the bodies it chaired by way of properly prepared agendas and background material. It is possible that staff turnover in the leadership structure of the ministry has contributed to giving the EPF a lower priority in the MoE. As of now EPF has not been able to attract any more funding and its remaining funds are very limited. Its future therefore appears uncertain although it now has a small coordinators office, which appears to have helped EPF regain some donor confidence. Plans are now prepared annually for presentation to the executive board of ESDC by the coordinator whose office also keeps the accounts for EPF, prepares withdrawal requests, does reconciliation with PFMU and prepares quarterly and annual reports. Annual audit of the accounts is carried out by an independent auditing firm, currently Ernst &Young.

The conclusion that this evaluation draws from the experience of the three pooled funds is that national leadership is vital and difficult to compensate for when it is lacking. National bodies should lead through governance and fund management must be accountable to both donors and the respective line ministry. The governing and decision-making structure may not be as important as is often believed provided responsibility for exercising leadership is clearly lodged with a national body and provided the integrity of fund management is safeguarded. This is not the case in JSTF. MoJ's ability to exercise leadership is circumscribed and UNDP as a manager is not accountable to either MoJ or donors. But in the case of EPF the rather complex governing structure included checks and balance that acted as a break on the fund's continued work when partners and other government agencies became dissatisfied with the leadership and governance of MoE. This has resulted in changes in management structure. Hopefully it will also result in improved governance on the part of the MoE.

Section 4 Programme Performance

The Context

What is JSJP?

The ToR requires us to assess progress made towards the expected results of the JSJP as of mid 2013, including national capacity building. To do so one must first answer two questions,

- firstly, what is JSJP, and
- secondly, what are 'expected results'.

JSJP can be defined in several different ways. It can be seen as the combined areas of responsibility of the institutions that it comprises. This would then be the three agencies under the Ministry of Justice – police, corrections and immigration - the Ministry itself and the Judiciary and their domains in terms of responsibility. Another definition is the one given in the Programme Document namely by way of its sources of funding. By inference one could then conclude that it comprises the activities funded by the JSTF, bilateral support, UN core budget support, UN benefit in kind, Government of Liberia support and the PBF monies.

Yet another definition would be that the Programme is the totality of the activities listed in the log frame and what it is supposed to fund and implement, i.e. some 150 projects under four output headings. Included in this would be the nine PBF funded projects listed in the Programme Document.

A third possibility would be to define the Programme as the sources of funds needed to finance its projects. This is according to the Programme Document as follows:

Total estimated budget*: USD 145,473,748 out of which: 1. **Funded Budget:** USD 56,348,553 2. **Unfunded budget:** USD 89,125,195 * Total estimated budget includes both programme costs (including staffing) and indirect support costs (7%).	
Sources of funded budget	**Amount (USD)**
Bilateral donors	34,241,310
PBF	15,234,127
Government of Liberia	2,092,000
UNDP Core funding	1,960,000
World Bank	1,900,000
UNMIL Core funding	820,000
NGOs	51,116
UNICEF	50,000
TOTAL	**56,348,553**

For the purpose of the evaluation we defined the Programme both in terms of it's funding and it's projects. Progress in respect of funding would be both as regards raising funds to cover the gap at the outset and spending of under-funded projects.

The second question refers to expected results, which in the case of projects can be both the number projects undertaken and completed and the extent to which the output and outcomes have been met. We will discuss both aspects.

The JSJP Programme Document uses the 'output → outcome' structure that has become almost a standard for UN and donor-funded programmes. However, neither outputs nor outcomes are quantifiable or time-set. The outcome; *Enhanced access to justice and community security at the regional and county levels in preparation for UNMIL transition* is a state of existence or possibly a position in relation to a hub. The outcome is also a change related in an undefined manner (*enhanced)* to today's equally undefined situation. There is no clarity as to how much better the outcome shall be as compared to current access. There is no baseline or starting point. The only link to something tangible is the connection established with the UNMIL transition for which there exists a time frame – albeit a conditional one. The outcome is entirely non-operational. It is not possible to objectively determine what the Programme shall have produced when it concludes after approximately three years.

Nor are the four outputs measurable. The Programme Document tried to resolve this lacuna by inventing indicators. It created a total of 23 indicators for the four outputs. The table below summarizes the goal, expectations and indicator structure of JSJP. Appendix 4 contains the details of objectives and indicators as per the Programme Document.

The extent to which progress has met expectations is contingent on how these 23 indicators for individual projects should be interpreted. PMU has put a lot of efforts into making the indicators understandable and quantifiable. The result is a 14-page document called "Detailed Indicator Performance Table" which was attached to the 2012 PBF Annual Report. For it's

Goals	Expectations
Enhanced access to justice and security in regions for UNMIL transition	3 results for access,
	5 improvements for BIN & LNP
4 core outputs	
150 activities for	23 indicators for
output 1 – 45	output 1 - 3
output 2 – 75	output 2 - 10
output 3 – 16	output 3 - 5
output 4 – 14	output 4 - 4

own assessment of PBF performance PBO was not able to use but the few indicators that apply for the hubs. We have likewise tried but failed to use the other for the purpose of this evaluation.

The evaluators believe that two reasons explain why these indicators invented in the absence of tangible outputs or outcomes are difficult if not impossible to apply. The first is that the logic of result-based management cannot work backwards. If the goals at a higher level of abstraction do not constitute reachable, quantifiable goals with a time frame then lower level deductions from those cannot make up for the deficiency. The other reason is more specific for the set of indicators at hand. Their problem is that they appear to have been inserted not primarily for the purpose of guiding the Programme towards a tangible and concrete conclusion but for the benefit of the funding agencies – to meet their need to show results on the ground.

Neglected monitoring and evaluation

The Programme Document stipulated that a monitoring and evaluation programme should be operational already at the start of the Programme cycle. The responsibility for this was placed on PBO. It should record progress towards the completion of key results on a quarterly basis. The

Programme Document contained detailed instructions for how monitoring and evaluation should be carried out. Progress towards prescribed indicators and project components should be monitored on both a quantitative and a qualitative basis and relevant lessons learnt documents should be drawn up. The responsible Monitoring and Evaluation specialist should submit regular Programme Progress Reports to TAG. The evaluators have not been able to identify any single Programme Progress Report in spite of the fact that the Programme has reached its half-way point. This is a very serious failure on the part of the Programme and its leadership for which it appears that nobody has been held accountable. Not only has monitoring and evaluation for the Programme failed. Reporting for JSTF by UNDP in Annual Reports as well as in donor specific reports has also been behind schedule, poor and inconsistent. UNDP's reporting and monitoring of expenditures for the trust fund is discussed further under the heading [UNDP's General Management Support](#) below.

PBF funded activities are assessed and reported on in annual and semi-annual PBF "Programme Narrative Progress Reports" prepared by PMU and submitted to UN's Peacebuilding Commission (PBC) in New York where they are uploaded on UN's Gateway website. Neither the PBF nor the JSTF reports use a format that relates to the activity definitions, numbering and prioritisation that are used in the JSJP workplan. Information on bilateral support for the JSJP is difficult to find from other sources than the bilateral agencies themselves. In addition to JSTF and PBF funded activities there is a large number of projects carried out by UNMIL and others funded by bilateral donors. For those there is no authoritative and consolidated reporting. The consequence of these shortcomings is that there is no consistent and reliable data on which to base an assessment of progress

Project selection and workplans

JSJP expectations, against which progress should be measured, are embodied in its workplans. The Programme Document contained two workplans. One was a log frame table in Annex III of the Programme Document while the other was a workplan for PBF funded activities (Annex 1 of Programme Document), which comprised 13 projects for PBF funding which were to be implemented by UNOPS and UNDP as is required under PBF rules. The latter formed part of the first mentioned list comprising 150 projects.

How and why the projects were selected is not evident from the documentation. Some projects may have been identified already in Liberia's Poverty Reduction Strategy from 2006, others have been selected by the law enforcement agencies LNP, BCR, BIN through their respective strategic planning processes while others, such as the hub projects, have emanated from a joint Government and UN planning exercise.

The task of the JSJP institutions would, therefore, not be to identify and evaluate projects within the Programme. This had already been done. The purpose of the Programme should instead be to allocate funding to pre-defined projects/activities and to implement them. The list – the 'Results and Resource Framework' making up Annex III of the Programme Document was approved by JSC on November 2011. The four output headings of the Programme were

- Output no 1: *Enhanced access to justice and security at the regional and county levels in preparation for UNMIL transition*.
- Output no 2 *Justice and Security services providers able to provide fair and accountable professional services*

- Output no 3: *Justice and security Service providers are responsive to community concerns*
- Output no 4: *Legal and policy frameworks in place that enable national authorities to better perform their duties in the justice and security sector*

Number of projects, estimated costs and funding commitments listed in the JSC approved Results and Resource Framework were as shown in the table below:

	No projects	**Total estimated cost USD million**	**Committed funds USD million**	**Funding gap USD million**
Output 1	45	66.26	32.38	33.88
Output 2	75	69.13	20.11	49.02
Output 3	16	8.56	7.28	1.28
Output 4	14	1.93	2.3	0
Total	150	145.88	62.07	84.18

Of those 150 projects 13 were included in the PBF list at a total estimated cost of USD 23 million. The PBF list was as follows:

Workplan in Programme Document	**Total budget**	**PBF contribution**
Gbarnga Hub	3 400 000	3 400 000
Harper Hub	3 400 000	3 400 000
Zwedru Hub	3 400 000	3 400 000
Monrovia Central Prison	1 500 000	500 000
Communications Gbarnga	1 000 000	1 000 000
Public Service Office Gbarnga	500 000	40 000
Deployment of Judicial Actors at Gbarnga	3 280 000	200 000
Record keeping System Gbarnga	3 380 000	380 000
ieReview of Managment & Accountability	50 000	50 000
Recruitment and Deployment of BCR Officers Gbarnga	125 000	125 000
BIN Border Patrol Unit	900 000	100 000
CSO Support Gbarnga region	1 500 000	300 000
HR Monitors Gbarnga	700 000	50 000
Total	23 135 000	12 945 000

This workplan was, with the only exception of the prison in Monrovia and a management and accountability review, entirely devoted to regional hubs. It is funded to approximately 60 percent, which includes some funding by the implementing agency UNDP.

Prioritisation

A part of the Programme Framework was submitted to UN's PBC in mid-2012 for the purpose of soliciting funds. The result was disappointing as no funding was committed. Instead JSJP's project list had to be subjected to a rigorous prioritisation process by way of a series of consultations and workshops involving all Government institutions concerned and a large number of UN and donor participants. There was prioritisation at several levels; within the implementing institutions (LNP, BCR; BIN, the Judiciary and MoJ) as well for the different

outputs. The original project list was pruned from 150 to a 73-project Annual Work Plan (AWP) with a total estimated cost of USD 48.6 million. It was approved by JSB in November 2012. The funds committed for the 73 projects on the priority list amount to USD 19.5 million leaving a funding gap of USD 29.1 million.

The following are the amounts allocated for different types of projects under the three outcomes

	Outcome 1	Outcome 2	Outcome 3	Total
Hub facilities and regionalisation	10.5	4.7		15.2
Recruitment and training	4.7	5.2		9.9
Court buildings and equipment	1.3	3.5		4.8
Prisons	4.8			4.8
Vehicles and mobility	2.3			2.3
Staff monitoring			1.0	1.0
Other	3.8	6.8		10.6
Total	**27.4**	**20.2**	**1.0**	**48.6**
Committed funds	12.3	6.9	0.3	19.5
Funding gap	15.1	13.3	0.7	29.1

The estimated cost of the staff contingent estimated to be required for implementing the projects corresponds to USD 994,000. This brings the total shortfall of funding to USD 30.1 million or 62 percent.

The funding gap has not changed significantly since late 2012 for which reason the JSJP is facing yet more prioritisation of priorities. Of the 73 projects only 19 with a total cost of USD 7.7 million are fully funded while 39 with a total estimated cost of USD 16.8 million are not funded at all.

Changing workplan priorities

The composition and cost of the justice and security sector's project portfolio has changed over the course of the Programme both as a consequence of Programme reformulation and because of necessary prioritisation caused by funding problems. The 2010 Priority Plan had a portfolio estimated to cost USD 37 million. The portfolio of the subsequent Liberia Peacebuilding Programme was estimated to cost USD 53 million. In late 2011 the justice and security component of this programme became the JSJP and its portfolio of projects was then costed at USD 145 million of which USD 56 million had been committed in the manner that has been shown above.

The list did also grow in terms of number of projects at each programme reformulation. However, in late 2012 when funding became a concern the number of projects was cut back. The graph below shows the evolution of the justice and security sector project list through 2011 and 2012 for each of the four output categories.
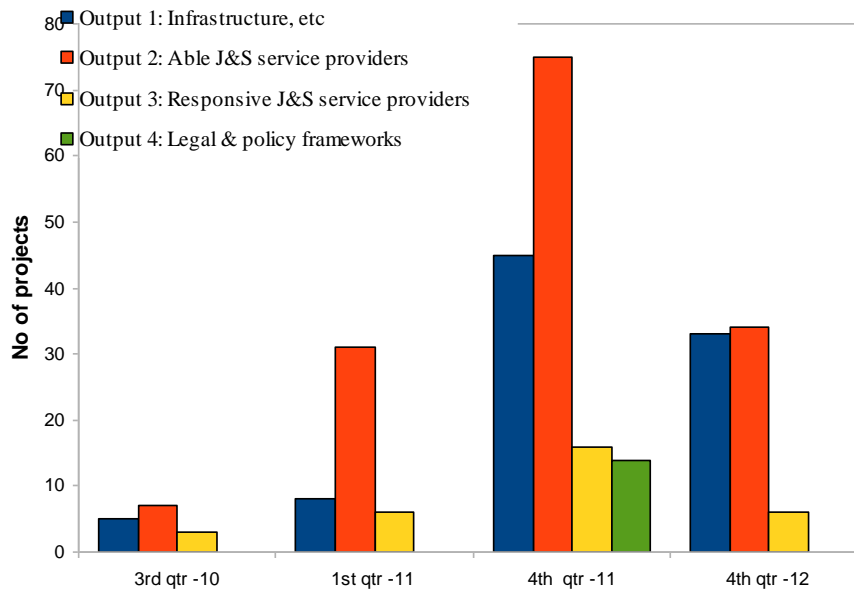
The graph also illustrates how both the priorities of the plan and its complexities changed over time. At the time when JSTF started in late 2010 the number of projects for the three outputs, infrastructure, functionality (service providers able to serve) and responsiveness were almost equal. When the JSJP came into being in late 2011 outputs 1 and 2, which were dominated by the hubs, had come to dominate the plan and by end of 2012 output 4 had been sacrificed entirely and the number of projects in output category 3 had been scaled back by 2/3 but infrastructure only by 25 percent. The workplan became progressively more hub-centred at the expense of mainly institution building.

Although the 2012 the prioritisation process was based on instructions from the board (JSB) those were both vague and subject to different interpretations that they were virtually meaningless. One example is that priority should be given to projects that were fully funded another that priority should be given to projects that yielded economy of scale. In the absence of quantifiable criteria the prioritisation process became one where the Gbarnga hub was given preference and where thereafter each of the sector agencies tried to protect as much as possible of their favourite projects irrespective of whether or not those were in the best interest of the sector as a whole.

Measuring Progress

Progress towards spending and project targets

While JSB, PMU, TAG and many others laboured with prioritisation and reprioritisation bilateral donors, UNMIL and others kept on implementing projects. By early 2013 it was apparent that the JSTF and JSC configuration had lost oversight of what was happening in the sector as a whole. A justice and security sector mapping survey was carried out with the help of

Sida funding in April 2013 for the purpose of identifying as many as possible of the activities undertaken by the sector's different actors. The results from this survey and reports from different donors, JSTF and PBF have served as the basis for our assessment of the progress for the entire justice and security sector Programme. To collect, interpret and correct this information proved to be a very challenging task. This in turn served to underline the importance of setting up monitoring and evaluation as early as possible and the very considerable disservice done to the Programme by not having these functions in place. The data that we have collated is not correct in all details and by now it is probably and unfortunately too late to get entirely correct and consistent information on what the Programme has achieved.

The results in summary are shown in the table below. It gives figures for the number of projects initiated during 2011, 2012 and the early part of 2013 which should be treated as indicative. The data on which the table is based is not entirely consistent and not always up-to-date. Nor has it been possible in the case of several donors' activities, to disaggregate the data on a yearly basis to ensure that it reflects only what has taken place since late 2011 when the JSJP became a programme in its own right. For that reason some of the projects are likely to have been started in 2011. The information for projects funded by some of the donors, notably by the US, is not first hand. We have used imprecise information from the mapping survey in combination with information from PMU the correctness of which we have not been able to verify. Interviews with some donors and UNDP and PBO annual reports are other sources. The table gives an impression of being precise which is deceptive. The data is approximate, however, on the whole, we believe that the table is likely to underestimate rather than exaggerate progress.

Funding or TA agencies	Completed	Ongoing	Total	Commited funds	Disbursed funds
UNMIL	27	4	31	n.a.	n.a.
JSTF	19	2	21	5 943 559	5 342 642
PBF	9	2	11	12 945 000	9 372 564
USA	13	1	14	23 771 012	n.a.
GoL	7	1	8	2 645 000	2 645 000
Norway	6	0	6	6 350 000	6 350 000
Sweden	3	1	4	5 745 000	5 745 000
Germany	3	4	7	2 988 000	n.a.
UK, Ireland, Holland	6	2	8	1 086 535	n.a.
UNDP and others	2		2	290 000	
Total	**98**	**17**	**112**	**61 764 106**	**29 455 206**
Total with high JSTF	**98**	**17**	**112**	**65.9 million**	**33.6 million**

UNDP has not been able to satisfactorily explain major discrepancies in the data on funds used. UNDP also presented annual accounts for JSTF in which year-end closing balances could not be reconciled with subsequent opening balances. The unexplained discrepancy amounts to USD 4.2 million[24]. If as the missing amount has been committed and spent on JSJP projects JSTF's contribution to the Programme as of June 30th, 2013 should correspond to USD 10.1 million for committed funds and USD 9.5 for disbursed. In the above table we show the amount of JSTF expenditure given by UNDP's country office in its JSTF annual and quarterly reports (USD 5.7

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[24] Both discrepancies may need to be reduced by UNDP's fees for which the evaluators have no data.

million). The table's bottom row, however, shows the amounts committed and disbursed in case we apply the higher figure for JSTF commitments and disbursements for the Programme. The conflicting financial reports by UNDP is further discussed below under the heading UNDP as Administrative Agent.

The compilation of data thus suggests that the total number of projects that have been, respectively, initiated and completed in the sector since 2011 is likely to have exceeded 100 and 85. This would appear to be good progress in relation to the Programme's goal of completing 163 projects in the course of its 34-month duration. However, not all of the initiated projects will be able to be matched against those listed in the Programme Document. Since none of the donor agencies, including PBF, have used the project numbering system PMU introduced in connection with a project prioritisation process during 2012 it is not possible to determine with certainty which of the JSJP-listed projects that have been undertaken and by which donor. This would have required a detailed analysis of donors' description of their projects. This mid-term evaluation was not provided with either time or resources for such a task.

Our review suggests, however, that the large majority of projects undertaken are well within the area of the Programme's objectives which is only to be expected given the knowledge of the justice and security sector that exists among the donor agencies involved and in particular within UNMIL. The latter's technical assistance accounts for over 25 percent of all undertaken activities. As it provides technical assistance with its own staff it does not normally provide cost data. With some 500 staff members active in training and support for the law enforcement agencies and the Judiciary UNMIL is likely to be by far the largest contributor in terms also of cost. UNMIL's support covers a wide range of issues, which it has provided through five of its different specialised agencies as follows:

UNMIL agency	Number of projects
Police UNPOL	10
Law LJSSD	1
Corrections CAU	8
Human Rights IHCR	8
Total	27

Support to LNP constitutes the largest part of the work done by UNMIL followed by corrections and Human Rights. Some 11 of UNMIL's projects had a training or capacity building component.

The second largest actor in the justice and security sector is the US, estimated to have provided some USD 13 million for 14 different activities. Some of those activities cover several years for which reason the amount may not reflect project cost between late 2011 and mid-2013. More than half of the US funded projects had training components and the second largest project was 'Support, training, instructors and equipment for PSU' at a cost of USD 6.3 million.

With correct data for JSTF from UNDP the combined support by the two funds PBF and JSTF should correspond to approximately USD 23 million in committed funds or approximately 35 percent of the estimated total committed so far. The disbursed amount for both institutions should equal approximately USD 20 million. This amount would, however, include some USD 3 million committed and disbursed during 2011. PBF's funding has, with few exceptions, been

devoted to the Gbarnga hub and related activities and it has followed the workplan in the Programme Document. JSTF's funding has been more broad-based and essentially sought to support the institutions through training and equipping law enforcement officers, constructing courts, etc. Some 9 of the 20 projects funded by JSTF have included large training components.

Norway, Sweden and Germany are the three largest bilateral donors following the US. Together with the Government and bilateral support by Ireland and the UK these donors have provided more funds to the sector than JSTF and PBF together. A substantial part has been devoted to training. Sweden, which has provided SEK 60 million (USD 9 million) through JSTF and USD 5.7 in bilateral support, is likely to have been the Programme's second largest donor after the US. Sweden is also the largest source of paid in funds for PBF and it one of the largest provider of funds for UNDP.

National capacity building

A large part of the projects carried out in the period 2011 to mid 2013 was devoted to capacity building. Out of an estimated total of 110 projects some 40 were capacity building projects or projects with a large capacity building component. Their cost corresponds to close to 50 percent of the total amount that is estimated to have been spent on justice and security projects in the period.

UNMIL is by far the largest provider of training as could be expected. American bilateral assistance in the form of capacity building has also been very substantial. It accounts for more than one third of the estimated cost of US assistance.

The approximate distribution with respect to type of training is as shown in the table below.

Funding or TA agencies	Initiated capacity building projects 2011-mid-2013	Commited funds
UNMIL	11	
USA	6	8 731 012
Sweden	3	5 745 000
Norway	3	2 550 000
JSTF	9	2 041 360
GIZ	3	363 000
Ireland	1	333 000
UK	1	640 000
UNICEF	1	63 535
PBF	1	400 000
The Netherlands	1	50 000
Total	40	**20 916 907**

Type of training	No	Cost
Management training for LNP	3	1 123 316
Officers training	16	11 761 044
Legal staff training	13	2 037 547
CSO staff and probation off training	6	763 000
Other training	2	5 187 000
Total	40	20 871 907

Training of officers in LNP, BIN and BCR has been very substantial. It has been a lot of training of new recruits to all three agencies. In the case of mainly LNP and BCR there has also been training of special units such the Emergency Response Unit and the Police Support Unit. Training of judiciary has also been substantial – mainly concentrated to low level court staff. It appears that there has been very little management training, however. We have only been able to identify three management-training activities funded by respectively the UK, Ireland and Sweden. In case of the Irish-funded project, which was for middle management LNP staff, agreements had been signed but execution had not started at the time of the fieldwork for the evaluation.

Progress in relation to planned projects

The total amount of funds that have been devoted to activities in the justice and security sector has been estimated at more than USD 60 million of which at least USD 30 million have been disbursed. However, better data for some very large multi-year US projects might cause the proportion of disbursed funds to increase.

	No of planned projects	Total estimated cost	Committed funds	No of projects By mid-2013	Total cost by mid-2013	% of projects initiated	% of committed funds
	Project Document Workplan			**Result by mid-2013**			
Output 1	45	66.26	32.38	37	16,7	82	25
Output 2	75	69.13	20.11	51	25,9	68	38
Output 3	16	8.56	7.28	24	11,4	150	133
Output 4	14	1.93	2.3	0	0,0	0	0
Total	150	145.88	62.07	112	61,8	75	42

The table above suggests that the projects believed to have been initiated by prior to mid-2013 corresponded to more than 70 percent of the Programme's total number of projects. Their cost corresponded to some 40 per cent of total estimated cost of all Programme projects. The largest proportion of completed projects in relation to planned, appears to have been with respect to the responsiveness output no 3. For this output well above 100 percent of projects had been initiated and some 130 percent of planned expenditure had been committed. It is mainly outreach, SGBV and CSO training projects that account for this high proportion and two very large US funded projects that account for the high proportion of funding. The latter, however cover several years so the outcome as of mid-2013 maybe somewhat lower than shown.

Most of the capacity building projects would belong under output 2 whereas construction, equipment and recruitment projects would have been categorised as output 1 projects.

Progress as per indicators

The only attempts at measuring progress in relation to indicators are those made by PBF in the Annual Report for 2012 and the six months report for 2013. Both describe PBF's project no 00076699 through which it has funded JSJP activities implemented by UNDP and UNOPS for a total amount of USD 7.6 million in 2012 and 1.7 million for the first half of 2013. The 2012 report contains a detailed analysis and refinement of the indicators given in the Programme Document's Annex III. It resulted in a number of weighted measures of completion that together yielded a composite rate of completion of 80 percent for the Gbarnga hub part of the Programme. The PBF 2012 report also contains a detailed analysis of the reasons behind the delays that affected mainly the construction projects. With the exception of delays due to late formation of Government after the election in late 2011 most reasons were those that have to be expected in situations such as those under which programmes like JSJP have to operate.

UNDP's reporting for JSTF's funding does not use the workplan's or PBO's revised indicators and contains no other attempt at assessing rate of completion in relation to expectations. It lists a relatively large number of projects funded by JSTF, during 2011 and 2012. Some of those are, however, not activities listed in or prioritised by the workplan. They are a consequence of the earmarking of contributions on the part of all JSTF contributors but Sida.

In its Functional Review document from June 2013 UNDP reports a delivery rate of 65 percent of received funding. Delivery, in this instance, is disbursement rather than project completion. However, UNDP's financial reporting in respect of JSTF is not consistent. A large proportion of the financial data provided in the 2011 reports cannot be reconciled with data provided by UNDP in New York, which in turn has internal inconsistencies. It is therefore difficult to judge with accuracy what the disbursement rate in relation to available resource has been for 2011, 2012 or for the first half of 2013. It appears probable, however, that it declined dramatically from the level of 2011. Data provided by UNDP New York and corrected for internal inconsistencies[25] suggest that resource utilization has been as follows:

USD	2011	2012	½ 2013
Available funds	9.936,047	7.625,156	4.982,869
Expenditures	5.542,079	2.642,287	335,368
Utilization rate (%)	55.8	34.7	6.7

Although the fragmented and irreconcilable reporting makes it difficult to determine progress with any degree of accuracy it never the less appears that there has been progress for most sector institutions with respect to facilities, equipment and staff training. The first hub is partly operational, border posts have been built, prisons have been constructed and renovated, courts have been improved and both law enforcement and judicial staff has been trained. This evaluation has no data that would suggest that physical hub completion at the end of 2012 differs

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[25] The closing balance for one year could not be reconciled with the opening balance for the subsequent for any of the donor accounts.

from the 80 percent reported by PDF. It is worth noting, though that this is likely the highest rate of completion and that very little had been completed with respect to Outputs 3 and 4. Training has been carried out for cadre staff in LNP, BIN, BCR as well as for Judiciary staff. The Liberia National Police Training Academy (LNPTA) has been used for a large part of the training and it has also received support under the Programme.

For the first part of 2013, there has been very little activity. Two factors appear to have contributed to this hiatus. The first is the fact that the Government's budget has not been approved by parliament. The second is a gradually more pressing shortage of external funding. A concern is therefore that many activities, which should be completed by the end of 2013, may not even be undertaken much less completed. A very serious sign of slippage is the fact that the rate of LNP's build-up of capacity has slipped significantly in 2012.

UNDP – Failed to Meet Expectations

UNDP as Administrative Agent

UNDP has served JSTF in two capacities, firstly as its Administrative Agent and, secondly, with implementation of the projects it has funded. In UNDP parlance the latter function is referred to as General Management Support or GMS. The latter is dealt with below under a separate heading.

UNDP's performance with respect to JSTF has been severely criticised by donors, representatives of the Government and by UN colleagues in UNMIL. The main complaints have been with respect to
- o quality of project proposals,
- o slow implementation,
- o lack of monitoring, and
- o poor and late reporting.

In addition some donors have reacted to the use of their funds for other project-related expenditures than those agreed.

UNDP as the Administrative Agent for the JS Trust Fund has a fiduciary responsibility, which according to its operational policies and procedures comprises the following:
- Receipt of contributions from partners and administration of funds received;
- Disbursement of funds to each of the Participating Organizations in accordance with instructions from the Steering Committee or governing board;
- Consolidate statements and reports, based on submissions provided to UNDP by each Participating Organization;
- Provide final narrative and certified financial reporting, including notification that the Programme and fund have been operationally completed.

UNDP's reporting has been severely criticized by, among others the funding organisations both in terms of timing and with respect to accuracy and relevance. It appears that the criticisms with respect to accuracy and correctness have been warranted. Our review of the reports prepared by UNDP's country office shows that these do not meet reasonable standards for accuracy and relevance. The financial information has frequently been incorrect and contradictory. The

narrative parts have lacked a consistent structure and format and have been anecdotal rather than analytical and problem-oriented.

Incomplete and confusing financial reports

UNDP's reports on the use of JSTF funds are contained in Annual JSTF reports for respectively 2011 and 2012 and in reports to each contributing party. These reports are partly overlapping and not always reconcilable. UNDP has also categorised the use of funds in different and partly overlapping ways. Nor are the definitions of the different headings used in the reports always consistent. The figure below shows, for the period January 2011 to June 2013, the amounts reported as respectively *contributed, disbursed, committed* and *allocated* as well as used as so called *expenditure*.
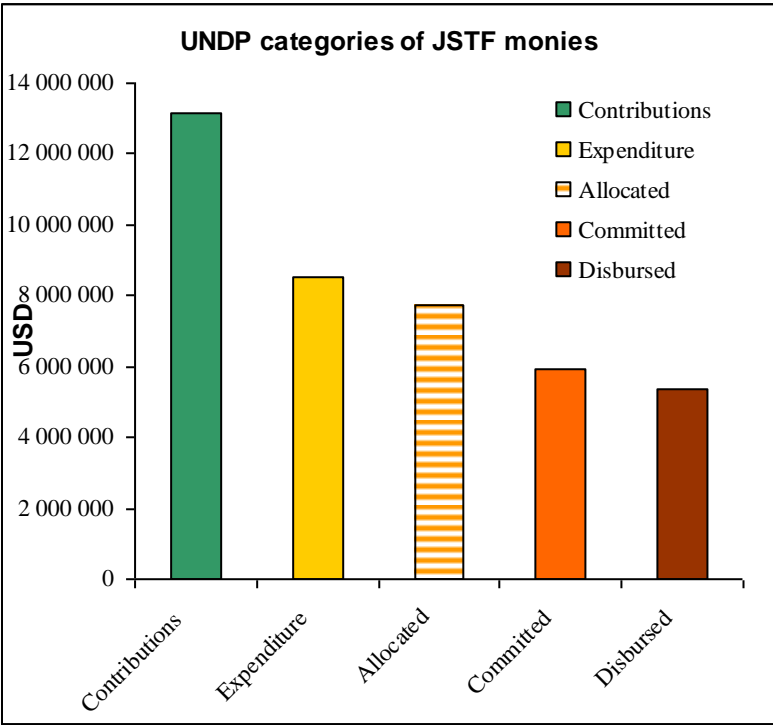
UNDP has used the word 'expenditure' in its Functional Review report but not provided any explanation as to what this includes. In its second quarterly report for 2013 UNDP introduced the expenditure category 'allocated funds'. It appears that it includes all committed funds plus an amount of USD 1.8 million, which has been provisionally earmarked for a number of projects not yet approved. Committed funds are most probably those approved for specific projects by the Board. Disbursed funds appear to be those paid for procured goods by UNDP itself or paid to a recipient organisation for an approved project. Under which heading UNDP's fee for respectively administration and management services, totalling 10 percent, is to be found is not clear.

In the course of this evaluation we have repeatedly asked UNDP's headquarter to help us correct erroneous statements, reconcile conflicting financial reports, identify unaccounted for funds and provide certified financial reports for the entire JSTF and for the full period covered by the evaluation. As of the date of this report this has not been done. This analysis based on the only

certified financial report the evaluators have received – one for the Swedish fund contribution and for 2011. UNDP's Monrovia office has, however, been substantially more forthcoming. It has checked and verified our own compilation of project financial data for correctness and completeness. It has, however, not helped with explaining the very considerable amount of unaccounted for expenditures its own reporting has given rise to. There are now two different and irreconcilable UNDP accounts for what has been spent by JSTF on JSJP projects. Their totals for receipts and expenditures and resulting balances are as shown in the table below.

	UNDP Monrovia office reported in Sept 2013	UNDP Head Office Functional Review report of June 2013
Funds received	13 167 235	13 167 235
Expenditures	5 342 642	8 519 734
Committed but not disbursed	600 917	
Allocated but not committed	1 800 000	
Reallocated funds (Japan & Ireland)	200 854	
Reported balance (for UNDP Monrovia on Swedish account only)	478 092	4 647 501
Unaccounted for funds	**4 744 730**	

The balance reported by UNDP Monrovia for June 2013 is with respect to the Swedish trust fund, which the evaluators have been told is the only remaining contribution in the fund. This balance should therefore be equal to the balance in the entire trust fund. If, contrary to what we have been told, also other contributions remain with the fund or if the balance on the Japanese contribution has been returned or spent in some other manner, the unaccounted for balance in case of the Monrovia accounts becomes approximately USD 3.1 million. It should be noted that the discrepancies do not take into account UNDP's administrative and management fees (3+7%) which could range somewhere between USD 543 264 and USD 1 316 723 depending on what serves as the base for its calculation.

The table below sets out the amounts pertaining to each of the five national contributions based on accounts provided by UNDP Monrovia.

	Received	Committed funds	of which disbursed	Uncommitted balance	Allocated but not committed	Reallocated funds	Reported balance	Unaccounted for funds
Sweden	7 638 499	2 062 159	1 603 151	5 576 340	1 800 000		478 092	3 298 248
Ireland	1 308 901	1 363 952	1 363 952	-55 051		97 469	0	-152 520[26]
Australia	1 069 519	999 562	999 562	69 957			0	69 957
Japan	3 000 000	1 367 570	1 357 184	1 632 430		103 385	0	1 529 045
UK	150 316	150 316	18 793	0			0	0
Total	**13 167 235**	**5 943 559**	**5 342 642**	**7 223 676**	**1 800 000**	**200 854**	**478 092**	**4 744 730**

Our compilation of the two reports has been shared with UNDP Monrovia but not elicited any response.

Appendix 6 contains the full details of the financial data provided by respectively UNDP Monrovia and UNDP New York. The first table in the appendix shows all project commitments and expenditures made by JSTF according to UNDP's two Annual Reports for respectively 2011 and 2012 and its second 2013 quarterly report. It was compiled by the evaluators but checked for correctness and completeness by UNDP's Monrovia office. The second table compares a summary of the first table with data provided by UNDP New York. Appendix 6 also includes a brief note describing the different attempts made by us for the purpose of bringing together financial information concerning JSTF.

During almost two months it has not been possible to clarify whether the trust fund has a balance of USD 478,092 or USD 5.2 million. This means that expenditures in the amount of some USD 4.7 million have not been accounted for in UNDP's annual and quarterly reports given to us. If, contrary to what UNDP's Monrovia office has stated, this amount has been accounted for elsewhere such information has not been shared with the evaluators. We have therefore had to conclude that UNDP has been unwilling or unable to account to us for close to more than of JSTF's funds. We have also concluded that other detailed accounts exist with UNDP New York since it has issued the statement summarised in the first table in this heading.

UNDP's reporting and likely withholding of information is not in keeping with an acceptable discharge of a fiduciary responsibility. The view of this evaluation team is that UNDP has failed to live up to even very modest standards of performance as an Administrative Agent for JSTF with respect to financial reporting.

Furthermore, the statements that UNDP prepares for contributors as official certified trust funds statements are meaningless in that they consist of only one or two figures presented without context and with no reference to what has been funded. They are very far from user-friendly and UNDP should consider how to better be of service when informing financiers, fellow board members and other stakeholders as to how their funds are fairing financially.

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[26] The table suggest that there are errors in the reporting with respect to the Irish contribution. It may also be that we have misinterpreted UNDP's comments with respect to this contribution.

UNDP's General Management Support

In addition to being an Administrative Agent UNDP has also supported JSTF with the project preparation and implementation. The largest donor's cost-sharing agreement with UNDP does not contain any specification as to what this service should comprise. The agreement only says that "programme/project management and expenditures shall be governed by the regulations, rules, policies and procedures of UNDP".

UNDP's huge compilation of rules and regulations (referred to as the POPP) contains descriptions of two types of services. One is called General Management Support (GMS) and it encompasses general oversight and management functions provided by UNDP headquarters and country office units. This includes the following specific services:
- Project identification, formulation, and appraisal
- Determination of execution modality and local capacity assessment
- Briefing and de-briefing of project staff and consultants
- General oversight and monitoring, including participation in project reviews
- Receipt, allocation and reporting to the donor of financial resources
- Thematic and technical backstopping through Bureaus
- Systems, IT infrastructure, branding, knowledge transfer

The other service called Implementation Support Services is provided mainly by Country Offices for the implementation of what is called Regular and Other Resource-funded programmes and projects (i.e. costs directly related to the delivery of programmes), and include:
- Payments, disbursements and other financial transactions
- Recruitment of staff, project personnel, and consultants
- Procurement of services and equipment,[27] including disposal
- Organization of training activities, conferences, and workshops, including fellowships
- Travel authorization, visa requests, ticketing, and travel arrangements
- Shipment, custom clearance, vehicle registration, and accreditation

Although this is not specified in the cost-sharing agreement it would appear that the services UNDP has so far provided to JSTF have been of the GMS category for which UNDP charges a fee of 7 percent.

Item no 1 on the list of tasks UNDP should carry out as GMS agent is that of project identification, formulation, and appraisal. The product that should be the result of this task would be the project proposal to be submitted to the board. Although the receiving organisation, the so-called implementing partner, should do the actual preparatory work UNDP is clearly responsible vis-à-vis the trust fund for ensuring that proposals serve the purpose for which they are intended, i.e. as a minimum are relevant and reliable. This has, however, not been the case according to donors, the Government and UNMIL. In this respect and since donors and the Government are the parties that shall be served by the proposals, it must be UNDP's responsibility to make sure that they can use the proposals for decision-making purposes.

The second management task is that of determination of execution modality and local capacity assessment. The fact that UNDP has been unable to improve the quality during more than two

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[27] This would include any fee to IAPSO.

years suggest that it has either not performed the capacity assessment or done so but ignored the problem of inadequate capacity.

Internal Control – what the auditors say

UNDP's performance with respect to the fourth item - that of monitoring - has also been a source of complaint since the trust fund's early days. Three audit reports that were reviewed suggest that monitoring has been inadequate. The Lochan & Co audit report for 2012 criticizes UNDP

- for not having adequate internal controls for monitoring Government procurement with JSTF funds,
- for not ensuring that receiving institutions keep proper books, and
- for failing to reconcile outstanding balances against their Atlas system (a management, accounting and internal control system).

A report by Ernst & Young for 2011notes that JSTF funds used by the implementing partners for their own purchases cannot be monitored through the Atlas system in case of the so-called DIM implementation modality. The amount that could not be tracked was in excess of USD 3 million. Finally, the audit by Moore Stephens also covering 2011, voices similar concerns as the Lochlan report and points out that there had been "lack of/or inadequate guidance/ supervision at the project level" in 12 cases of which five were considered posing a high risk.

The scope of the audits differed so that one covered UNDP's own operating costs while others covered project costs and expenditures. This made it impossible for the auditors to gain an overview of the totality for the fund, which was also noted and criticized in one of the audit reports.

Although, the amounts involved in the case of the comments, were not large the conclusion to be drawn is that UNDP has not exercised appropriate control over funds throughout the organizational chain (all the way through to the project level). More importantly from a donors' perspective would be that UNDP does not appear to take the comments to heart and implement the necessary improvements since the same "errors" have surfaced two years in a row. This was also noted and criticized by the auditors.

UNDP's internal control system for funding of projects carried out wholly or partly by local recipient organisations is based on its Atlas system, which should be periodically reconciled with so called Combined Delivery Reports (CDRs)[28] on the basis of information submitted by the national implementing partners. For 2011 UNDP reported JSTF expenditure of USD 5.5 million (UNDP New York) and USD 2.7 million (UNDP Monrovia). Both figures were supposedly based on CDRs as was the Audit Report's corresponding figure of USD 5.0 million. The discrepancy between these three figures, all presumably derived from the same source, suggests that UNDP's internal control system has been less than satisfactory.

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[28] Based on expense reports received from the project executing entities/implementing partners and recorded in Atlas (the UNDP corporate management system), UNDP prepares a **Combined Delivery Report (CDR)** at the end of each quarter and at the end of the year. The CDR is a mandatory official report, which reflects the expenses and funds utilized on a project. Its expense page reflects the total expenses (recorded in Atlas) of a project during a period. The utilization page reflects outstanding NEX advances with the Implementing Partner, non-depreciated assets, prepayments, inventory, and outstanding commitments made by UNDP as direct support to the project.

UNDP's reporting, apart from being input oriented and occasionally containing incorrect figures on expenditures has also failed to disclose how much of the donors' funds were used by UNDP to cover its own cost as Administrative Agent and Manager.

UNOPS

The complaints as regards UNOPS have mainly been with respect to slow, in cases exceedingly slow, implementation and poor supervision of sub-contractors' work. The Judiciary has voiced strong complaints as to UNOPS' performance with respect to construction of court buildings and housing for judges. A change in management of UNOPS team has, however, improved its performance according to the Chief Justice Korpkor. UNOPS current performance under the two projects it is implementing for PBF has not attracted any criticism. The delay with completion of Monrovia Central Prison is due to a need for redesign, which UNOPS has informed BCR about and assisted with

CSO role within JSJP

The Programme Document gave Civil Society Organizations (CSOs) a role under Output 3 where there were eight activities for more than USD 7 million for both local and international CSOs. The prioritisation process in 2012, which resulted in the 2013 Annual Workplan, left only two CSO related projects at an estimated cost of between USD 0.5 to 1 million. However, a number of bilaterally funded projects appear to have compensated for some of the loss of the CSOs. One large PBF funded project at a cost of USD 1.5 million was carried out in 2012. A large Alternative Dispute Resolution (ADR) related US funded project for USD 7.7 million is coming to a close in mid-2013. In addition to this UNMIL's human rights agency has listed a total of six projects that engage CSOs. The table below shows the projects we have identified that have a component that relates to one or several CSOs.

Activities engaging or supporting CSOs	Budget	Committed	
CSO Support Gbarnga region	1 500 000	1 500 000	PBF
HR Monitors Gbarnga	700 000	700 000	PBF
Training grants to CSOs	300 000	300 000	JSTF
Community Justice Advisors for ADR in 7 counties, training of traditional leaders	6 700 000	6 700 000	USAID
CSOs in counties to monitor, conduct sensitisation, capacity building re IHRC staff			UNMIL/IHRC
Integrate HR training in all capacity building activities			UNMIL/IHRC
Engage CSOs to play an active role in the advocacy for human rights			UNMIL/IHRC
Develop the capacity of CSOs staff engage with human rights activities			UNMIL/IHRC
Develop M&E tool to monitor and evaluate HR issues			UNMIL/IHRC
Develop the capacity of CSOs staff engage with HR activities			UNMIL/IHRC
Total JSJP activities with CSOs	9 200 000	9 200 000	

The scope for CSO involvement is also considerable in case of activities in the Rule of Law field where there is a stronger focus on ADR. The following ADR related projects were listed among those undertaken by donors to the justice and security sector.

Rule of Law activities involving CSOs	Budget	Committed	
Support to ADR (both court mandated and through customary mechanisms)	2 666 667	2 666 667	World Bank & INL
Enhancing ADR mechanisms for land disputes	6 700 000	6 700 000	USAID
Core support to Land Commission	2 300 000	2 300 000	Sweden/UN-Habitat
Capacity building & advocacy re Land Commission	470 000		Norway/NRC
Information, counselling and legal assistance project	1 930 000	1 930 000	Norway/NRC
Total Rule of Law activities with CSOs	14 066 667	13 596 667	

The total cost of these five projects, all of which are likely to require CSO involvement, is USD 14 million of which 96 percent was committed as of mid-2013. The US funded ADR project makes up almost half and it is a project covering several years, which should offer participating CSOs the kind of longer-range stability they often need to develop their structure and working modalities.

Lessons learned from JSJP implementation

Lessons learnt is a standing feature in the all of the reports that have been prepared. All of those lessons refer to the implementation of activities. The observations on learning cover a range of topics; from construction work to be concentrated to the dry season, to repeated calls for capacity strengthening and other support for the implementing partners and calls for more resources for UNDP's management work. The PBF 2012 report likewise contained only implementation related lessons, namely; a need, firstly, to increase the sharing of information amongst all the relevant stakeholders, secondly, to ensure that changes in construction work specifications are

timely addressed, and thirdly, to include the Ministry of Public Works in the technical component of construction project.

The evaluators have not seen any lessons learnt with respect to the functioning of JSJP's governance, supervisory and management functions. Nor have the repeated calls for training of the staff of the national implementing agencies had any effect. UNDP's reports since mid-2011 have consistently called for better project management capacity in the security agencies but only three of the 40 training projects that we have identified address the issue of management and they have been initiated only recently. The management course funded by the Irish has not even started yet. This evaluation has concluded that one of the most serious shortcomings of Programme execution during 2012 is the lack of focus on management and management performance. This is also the conclusion of the Management and Accountability Assessment made by DCAF/ISSAT and others in the spring of 2013. This is a probable casualty of the reconstitution of JSTF and the subsequent focus on regional hubs. The original JSTF programme document provided for training with respect to financial and HR management in LNP, BIN as well as BCR.

Another lesson to learn is that it is very easy to quickly loose the strategic perspective and become engrossed in project micromanagement. JSTF's board lost the strategic perspective quite early in the process, before the problem was exacerbated by PBF and the new and much more complex JSJP. We believe that this was due to a combination of primarily two factors;
- firstly and probably most importantly, a lack of consolidated Programme information that the missing monitoring and evaluation should have delivered, and
- secondly, the stunted organisational structure of the early JSTF, lacking both a superstructure to take care of strategy and a body of managers to handle micromanagement issues.

The only lesson learnt with respect to coordination appears to be the observation in the 2012 PBF report, which is aimed at coordination at implementation level. The evaluation team's observation is that there is extensive coordination within JSJP by virtue of the frequent meetings and large attendances while, at the same time no or little coordination by way of Programme reporting. The evaluation team has not been able to find any consolidated reports for the entire JSJP. This is undoubtedly a consequence of the dual structures for respectively JSTF and PBF which appears to have left a vacuum in the sense that no one feels an obligation to provide the holistic view and approach that what the purpose of the reconstitution.

Another lesson to be learnt is with respect to monitoring and evaluation, which has been discussed above. It is not clear to the evaluators why this critical aspect was delayed. The consequences have been a loss of direction and control on the part of JSB, which is likely to have contributed to the sense of frustration that so many stakeholders have felt. It would appear that little has been done to identify the reasons why monitoring and evaluation failed to be implemented in the manner prescribed in the Programme Document.

Section 5 Institutional Management

Funding and Faith in Management Capacity

Programme and trust fund to drive change

Section 3 dealt with the structural preconditions for reducing or eliminating the factors we believe have contributed to dysfunctionality. This section will address the factors that shall raise the functionality and contribute to continuous improvement

All donors interviewed in the course of this evaluation gave the functionality of the current structure under the JSJP as the key reason for not providing funding through JSTF. This evaluation has consequently postulated that further funding will be contingent on the extent to which the Programme can create trust both in itself - in the institutional setting – as well as in the institutional management capacity within the sector. We have said that the Programme must find the relevant criteria that can guide Government, donors as well as UN bodies in project selection, and project execution. The Programme's poor capacity for setting priorities needs to be improved. Priorities should be set based on agreed criteria. Without this a prioritisation process declines into power play. The failure to reduce the very high incidence of corruption represents an institutional management failure, which needs to be resolved. It is further discussed at the end of this section.

Some of these issues will be helped by a better structure such as the one we have suggested in Section 3 but structure can be developed further to become in itself a force driving the institutions dealing with the fund towards change. The same applies for the Programme. JSJP and its principal organisation - the trust fund – should by themselves be drivers of change towards better institutional management in the sector. This ambition is at the core of the New Deal and the underlying logic of the Agenda for Transformation.

The existing Programme has had little of this capacity. Nor did the capacity exist within JSTF. The JSJP Programme was fashioned, as its predecessors and as many other strategies and plans often are, with lengthy write-ups paying tribute to previous plans repeating standard development mantra only to become very general when it arrives at what shall be done, why, by whom and when. The previous programmes as well as JSJP tend to be even more unspecific as to how activities should be measured. In spite of a major effort by PMU JSJP's indicators have remained essentially useless as management, monitoring and evaluation tools.

The AfT represents a change as compared to the JSJP and its predecessors. Its ambition is very clearly to force a change in management thinking and acting upon the so-called MACs – the ministries, agencies and commissions. It seeks to do so through its structure and programmatic design, which includes not only the common structure of vision, outcomes and outputs for pillars and sub-pillars, but also a strong emphasis on measurable results, quantifiable indicators and a very ambitious, possibly too ambitious, monitoring and evaluation component.

JSJP and the Agenda for Transformation

The AfT has taken its cue from the New Deal for Engagement in Fragile States which is based on the premise that both structure and content of programmes must drive change - not only the money that the programme provides. In the case of the justice and security sector management inadequacy and corruption are what the AfT has put on top of its list of key challenges. Both issues should be addressed at both the programme level and subsequently also at the level of the individual institutions. In this respect the AfT is a disappointment. It proposes little with respect to corruption (see page 53) and virtually nothing with respect to management improvement.

Key challenges for justice and security according to the Agenda for Transformation
- Operational inefficiencies of Liberian security agencies, caused by a lack of human capacity.

- Endemic corruption, the culture of impunity and the lack of accountability

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The existing JSJP document does not conform to or align with the AfT. It has nothing of the latter's institutional change ambition and even less of the tools in terms of defined and quantifiable results. Its outcome is not the "measurable priority outcomes and goals" that AfT calls for. The AfT requires the MACs to produce and update every 12 months their deliverables. The latter is a rolling series of 180-day commitments for delivering steps in the priority interventions as outlined within each pillar, which should make up plans covering a two-year period. The JSJP would have to be up-dated and revised so that it conforms to AfT requirements.

The AfT's structure is comprised of plans for broadly defined sectors (referred to as pillars), which list the overall goal, each sub-pillar and its goal, and the current constraints to reaching these goals, as well as the objectives across each sub-pillar by which these constraints should be addressed. The justice and security sector makes up one sub-pillar of Pillar no 1. For this sub-pillar the AfT's aim is that continued current levels of security will continue after the UNMIL peacekeeping mission leaves, that there will be, firstly, reduced rates of crime and corruption and, secondly, increased access to security services in all regions of Liberia and increased public confidence in the Government's ability to maintain safe and secure environment

The plan furthermore calls for Liberia to continue to professionalise its security institutions and for access to justice to be expanded. At the same time the Programme should strengthen the credibility, transparency and operational efficiency of the Judiciary. The outcome indicators for monitoring progress should be: level of security, crime rates, statistics on illegal entry and smuggling, number of unlicensed small arms and light weapons; public confidence surveys.

The AfT in addition includes a list of 21 priority interventions, which are shown in summary in Appendix 2. This list is noteworthy not for what it contains but for what it ignores. While the AfT singles out operational inefficiency and endemic corruption as the key sector deficiencies the list contains virtually nothing to address these issues. It appears as if the AfT report does not accept that the two are intimately related and that corruption is first and foremost a management failure – and one of the most damaging of management failures.

The implementing agencies are tasked with formulating projects around these priority interventions. A critical part of the project formulation is to develop SMART indicators. This acronym stands for: specific; measurable; attributable; realistic; and time bound. Herein lies the

entire key to the success or failure of the AfT as well as the entire planning, implementing, monitoring and evaluation process.

This is also where the AfT has failed. It has fallen into the trap of its predecessor – namely that of not trusting the abilities of those who will prepare, implement and operate the interventions. The Agenda has taken upon itself to define the outcome indicators and other project design parameters as did the JSJP. For the justice and security pillar it has produced a massive 24-page logframe document of exceptional user-unfriendliness. Our cursory review of this document suggests that the Agenda has failed to produce the SMART indicators its complex monitoring and evaluation requires. Its indicators may be smart but they are, with few exceptions, not measurable. This should come as no surprise. Identifying good indicators is difficult. Defining projects, i.e. answering the question "Why do I propose to do this and how should I measure it?" is key to ownership, which is key to accountability, responsibility and performance. This **must** belong to the agencies that also own the problems that the interventions shall resolve or mitigate. The Agenda should help, educate, train and support leaders and project managers in the law enforcement agencies, the judiciary and the ministry to take responsibility for defining the solutions to their problems. The JSJP and the trust fund should be capable of doing the same.

JSJP's Critical Role

To manage is to measure

If you can't measure you can't manage because you don't know where you are heading. This simple truth is difficult to gain acceptance for in many organisations because it also implies accountability and responsibility. Without measuring there is little accountability and with little accountability there is even less responsibility. With no or little responsibility there is poor performance and possibly even worse: an increased risk of graft and corruption.

Performance
Responsibility
Accountability
Measure indicator
Define indicator

Measuring becomes central to the whole issue of managing organisations and institutions. So how to manage is a matter of what to measure and how to measure? As this report has demonstrated in previous sections JSJP has failed when it comes to measuring and as consequence when it comes to management.

The difficulty lies in understanding the outcomes in the so-called 'missing-middle' or 'black box' between the outputs and the outcomes. To find out if the latter give us the impact we are seeking can be equally difficult. The AfT illustrates the logic with the graph above. It starts with a definition of the purpose of the intervention, which, in case it should be funded under the Programme, should be described in a proposal or request for funding. This definition and description should embody the logic that identifies the indicators, ideally from start (through a baseline) to end. This is where the fate of the AfT's sub-pillar on justice and security will be decided. To support this process JSJP, through the trust fund, must possess considerable in-house competence in different techniques and methods for project design, monitoring and evaluation including indicator definition. There should also be a considerable capacity to assist the agencies with these issues.

But measuring is also a precondition for learning whether an intervention is having desired effect or if we need to modify or adapt what we are doing. We need to measure to what extent interventions yield results in terms intended outputs and if outputs result in outcomes. Those can be both immediate and long-term usually referred to as strategic goals or outcomes. Output indicators are usually easy to find, as can be seen in the case of many JSJP indicators. But they seldom answer the question of Why this project?

Indicators - the black hole of AfT

To find good performance indicators for a programme or a project can be difficult. It should be done at the time when a project is conceived and documented. If it is not done before the project is funded and when the question '*why are we undertaking this project*' is asked indicators very easily become add-ons that subsequently turn out to be of little or no relevance or impossible to measure.

The danger with a list of interventions such as the one in the AfT is that it easily removes the responsibility for defining the purpose of the intervention from the implementing agency. This eliminates also the incentive to answer the question why and define the indicators. "Since we have been told what to do by the Government let's just get it done". If the indicators are bad or ignored monitoring becomes impossible and management may never know whether or not the intervention served its purpose. The authors of the AfT have told the MACs what to do but not why. They have taken upon themselves to define the indicators. Who is then responsible for the projects' failure or success? When the monitoring and evaluation teams get their reports it is often too late to do something about indicators. As in the case of the JSJP and JSTF the problems, delays and cost overruns of implementation usually overwhelm weak implementing structures very quickly. The Programme and its management team in the trust fund is where the indicators have to be rigorously enforced.

We foresee a failure on the part of most of the Agenda prepared indicators or possibly that they never reach the degree of concreteness the monitoring process calls for. Therefore JSJP should include an indicator instruction component through which project managers in the implementing agencies can learn more about indicators and be given help and advise when preparing projects.

For this purpose we have included a brief description[29] of indicators for the different steps of the hierarchy of goals in Appendix 3. This Appendix also includes a short review of an alternative indicator identification process, which has a particular application for projects with a large social component. It is called Outcome Mapping and has gained a large following in several donor agencies notably in the UK and Canada.

Proposed Make-up of the Trust Fund

Safeguarding rational logic

The discourse in the remainder of this section is based on the premise that the JSJP trust fund will have the structure recommended in Section 3. The manner in which the different bodies in it's structure would interact and how the bodies making up the trust fund would be composed would largely determine the extent to which it's external rational logic could be preserved and protected.

To this end the trust fund's different bodies should have very clearly delineated and non-overlapping functions. The Project Outcome Board being the fund's management board, and it's team of managers need to able to discharge their responsibilities without undue external interference. Supporting the AfT in its quest for a "*paradigm shift to embrace change and a results-focused approach to transformation*" will mean overcoming the inevitable resistance to change. Law enforcement agencies and the judiciary are institutions, which, in most countries, are characterized by a strong internal culture and logic, often making them highly resistant to change. The trust fund, on the other hand would have an external logic of consequentiality and results focus driven by demands of performance on the part of the institutions on its governing committee. The trust fund will have to demand adherence to its own standards and provide support strictly on merit and only for thoroughly prepared projects that in turn drive change.

Below we will discuss, first, how the structure of the trust fund itself could contribute to this and, secondly, if and how the trust fund could improve performance in the agencies by the way it provides funding for their projects.

Proposed trust fund design

A future justice and security trust fund should have a similar structure as was intended for the JSTF, namely three decision-making bodies each with clearly delineated functions, responsibilities and authority. There should be, firstly, a governing **Strategic Committee** at the apex, secondly, a **management board** and, thirdly, a **management team** headed by a programme manager. The link between them should be by way of appointment of members in the case of the board and staff in the case of the management team but otherwise there should be no overlap of authority. This would correspond to the type of separation of powers and responsibility which forms the backbone of European organisational structures in both private and public sector. Its purpose is to allow for policy influence by a broad set of stakeholders while at the same time protecting the integrity of management and the institutional logic.

The Strategic Committee should be a governing oversight body where the institutions providing the funding and the Government, represented by the Ministry of Justice and the Ministry of

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[29] The description of indicators is adapted from OECD-DAC, 2001 and UNICEF documentation.

Finance, should determine sector priorities and arrange for funding. It should delegate its authority to decide on operational matters to a management board. Contrary to the situation for JSTF there should be no representatives of agencies that would or possibly could be recipients of trust fund support. This to avoid a conflict of interest situation on two counts; firstly, by being captured by the interests of those agencies from which it should demand performance in order to fund their projects and, secondly, by being constrained with respect to decisions regarding Programme priorities.

Co-chair arrangements should likewise be avoided. A chairperson's responsibility for enforcing discipline on a meeting cannot be divided without risking loss of discipline. Rotating the chairperson is much better than co-chairing. Co-chairing by UN representatives would appear to an anomaly in a government-related entity in a country with democratically elected representatives nor would be it called for in the case of a trust fund owned the government. The UN should stand up for the ownership it says it champions.

The Strategic Committee's most important function should be to set priorities for the sector and instruct the fund's management to allocate funding accordingly. This is difficult to do if the agencies, which compete for these funds also have a say as they have had in JSTF. The committee's second most important task should be to ensure that the fund's resource situation matches the funding requirements of the priorities, i.e. to raise funds if and when needed. Another task would be to make sure that funds are used in accordance with the set priorities i.e. that monitoring and evaluation activities for the entire sector are carried out in a timely manner. The committee should handle the fund's external relations with ministries, donors, UN, with JSC, Rule of Law and the AfT etc. In relation to the other bodies of the trust fund the committee's focus should be to make sure the fund has the resources it needs. The use of the resources for projects should be the responsibility of the central management body – the Project Outcome Board as it was called in case of the original JSTF and which we have chosen to also call it in this report.

The illustrated table below summarizes the proposed design of the trust fund and the roles of its different components.

Trust Fund Strategic Committee
Members: Bilateral donors, PBF, Ministry of Justice, Ministry of Finance, DSRSG, UNDP's CO director.
Supervisory remit: entire JS sector.
Responsibility:
- monitor and set priorities for JS sector
- raise funds for the trust fund
- liaise with JSC and the AfT

Authority: Appoint and discharge members of Project Outcome Board
Meeting 3-4 times/year

Project Outcome Board
Members: max 10 appointed by Committee on merit
Meetings: monthly
Responsibility:
- Approve project funding proposals
- Appoint and discharge Programme Manager
- Appoint and discharge Project Managers on Programme Manager's recommendation
- Set staff remuneration or management fee

Trust Fund Programme Manager
Report on the business of fund to the board
Manage the affairs of fund
Sign for the fund up to limit set by board
Approve funding proposals up to limit set by board

Trust Fund Project Managers
Responsibility:
- portfolios of different agencies
- Monitoring of supported activities
- Training and technical assistance of agency
- project managers
- Supervision of hub/s and of hub manager/s

The diagram on the right shows: MoJ, MoF, UN, Bilateral Donors, PBF, UNDP forming the **Trust Fund Strategic Committee**, connected to the **Secretariat**; the **Project Outcome Board**; the **Trust Fund Programme Manager** (with **UNDP Managing & Administrative Agent**); and **Trust Fund Project Managers** linking to BIN, LNP, BCR, MoJ Dep'ts, and Judiciary.

The chairperson of the Project Outcome Board should be the link with the Strategic Committee. He or she should be a member of both bodies and be the one to present the business of the fund at committee meetings. The committee should not review individual projects but monitor that resources are allocated in accordance with strategic priorities. The committee should ensure that the fund's board and management team are able to concentrate on project review and funding, on assisting recipient agencies with project preparation and with monitoring and reporting. This capacity has been inadequate in JSTF so far.

The Project Outcome Board should be professional with members appointed on the basis of merit - not in their capacity of representatives for institutions. The proposed limit to the size (maximum 10 persons) of the Project Outcome Board is to ensure that it is efficient and cohesive and can meet frequently. It is well known that groupings in excess of 8 to 10 easily fragment into several groups. The multiple memberships in different bodies that plagued the old JSTF should be avoided as far as possible.

The Project Outcome Board should have final say on project proposals up to an amount to be decided by the committee. It should meet as required but probably at least once a month to

review the report of the Programme Manager including periodic progress reports on projects under implementation and to decide on project proposals put forward by the Programme Manager. It might, at the request of the Programme Manager, engage in discussion with recipients in case of large or strategically important projects. The Programme Document would be a key responsibility for the Programme Outcome Board. The board should drive the process to develop a new result-based Programme Document along the lines discussed below. The board should also be the entity that ensures that the Programme Document is up-dated as required by Agenda and that its provisions are respected and followed.

The secretariat should serve both the committee and the board. It should collect and collate information on Programme activities for the whole sector from UNMIL and bilateral donors and from PBO in case it will continue to be responsible for monitoring and evaluation as to what is done within realms of the programme on their part.

The Programme and project managers should be officers of the trust fund. They could be employed either by the trust fund, by a private management company, an NGO entrusted with management or by one of the contributors. They could also be on secondment or technical assistance contract to the Ministry of Justice. The main thing is that they have no potentially conflicting interest by being beholden to an organisation with other linkages to the sector or the trust fund itself. Their professional credentials and practical experience is what will determine whether or not the fund will achieve its purpose. The programme manager would be the team leader with overall responsibility reporting to the board. He or she should be appointed by the chairperson of the board. Other managers should be appointed by the board on recommendation of the programme manager.

UNDP should be linked under contract so as to serve as implementing or managing agent for PBF funded activities. It could also provide implementation management services for other activities at the request of the respective donor and/or implementing agency.

Administrative and fiduciary functions have been provided by UNDP in the case of JSTF. This has left a lot to be desired as has been discussed in the previous section. UNDP is a very large administrator of multi donor trust funds and it cannot be that its performance for other funds is as poor as it has been in the case of JSTF. This must have been caused by particular circumstances. It would appear desirable for both donors as well as for UNDP to investigate thoroughly the circumstance in the case of JSTF so that this poor performance is not repeated elsewhere. If this can be done and assurances be given that there will be no repeat it would appear that UNDP could be given renewed responsibility as administrative agent. The other option could be arrangements such as those of either the health or the education funds. Whatever arrangement chosen should be to the full satisfaction of donors.

Monitoring under the AfT will be much more streamlined than what has been the case to date. The main aspects of AfT's monitoring plan is as follows:
- Explicit focus on outcomes at the goal and strategic objective levels.
- Core set of "SMART" indicators report annually.
- Baseline and target values for each indicator against by which progress can be tracked.
- Method or data source used for identifying current values for each indicator to be reported.

- Agency or department to be responsible for monitoring each indicator and the expected frequency for which indicator information will be reported.

Although reporting responsibility under the Agenda will be with the implementing agencies it is probable that part of the work will fall on the trust fund in its capacity as the only institution with a sector wide remit.

As mentioned above, the AfT secretariat has produced a very comprehensive list of outcome indicators in a logframe format. Although this has obviously required a lot of effort it is as yet far from being the list of SMART indicators that the Agenda document calls for. It is also very far from being a user-friendly document. It testifies to the very considerable difficulty of producing quantifiable indicators en masse. Further operationalisation of the monitoring plan is intended to result in a smaller number of CORE indicators (about 100) to be "identified, agreed upon and emphasized in implementing the monitoring plan and production of key reports". There is unfortunately every reason to expect that this huge effort will result in very little. Indicators produced in advance for projects that are only a line on paper and for which none of the Why, When, What or by Whom questions have even been posed are seldom relevant when projects are to realised.

Trust fund management – which are the options?

Trust fund management can be provided in several different ways. The table, taken from a recent study of pool funds[30] below shows the main options that exist.

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[30] Pooled Funding t Support Service Delivery – Lessons of Experience from Fragile and Conflict-Affected States, Stephen Commins, et cons. for DFID, May 2013

Fund Manager	Strengths	Weaknesses	Context
World Bank	• Robust systems • Scalability • Lower cost and sustainability	• Less accountability • Less flexible • Less responsive • Less country ownership	Best suited to development contexts with a legitimate government but without unmet humanitarian needs.
United Nations	• Robust systems • Increased independence	• Less accountability • Less country ownership • Cost and sustainability	Best suited to large-scale humanitarian and development contexts lacking government legitimacy.
Government	• Increased country ownership • Increased accountability • Increased alignment • Lower cost and sustainability	• Potential capacity constraints • Increased politicisation • Less donor control	Requires sustained, strong political leadership and commitment.
Private Company	• Flexible systems • Increased accountability • Increased responsiveness	• Cost and sustainability • Less country ownership	Best suited to non-humanitarian contexts requiring increased flexibility and accountability.
Non-Governmental Organisations	• Increased responsiveness • Increased independence	• Less knowledge of country systems • Less country ownership • High cost and sustainability	Best suited to conflict-affected, humanitarian contexts requiring responsiveness and independence.
Donor (Delegated Cooperation)	• Increased harmonisation • Reduced transaction cost • Greater donor control	• Less country ownership • Less accountability • Less sustainability	Often used when there is limited in-country donor presence, but requires a strong and willing lead donor.

The World Bank, which manages several trust funds has done so with partially good and partially not so good results. The main advantage with World Bank management is reported to be the fiduciary aspects. A disadvantage is said to be lack of flexibility.

Among UN agencies UNDP is by far the biggest of the trust fund managers. For reasons discussed in other parts of this report UNDP would not be suitable in other than the capacity mentioned above under Proposed trust fund design.

Management by the Government would be a possibility provided, if international staff is recruited for this purpose, that arrangements would be competitive enough for attracting the right calibre people.

There are several private companies that offer services of the kind that are required for the trust fund. The health pool fun d is an example of both good and not so good private management with the current manager being the good case and the previous not so good. Several of the large auditing companies offer trust fund management services as do specialised development consulting companies such as probably Adam Smith International. Private contracted management would require a tendering process including preparation of terms of reference as well as fiduciary arrangements and prior to conclusion a thorough vetting of credentials. This would be more time consuming and costly than a UNDP option and there is also a risk that no

bidder will come forward or be acceptable. The advantage is that such a management arrangement could be terminated in case of inadequate performance, which is likely to result in more responsiveness on the part of the manager.

There are several examples of NGO managed trust fund, usually American such Mercy Corp in Zimbabwe. They can be good and highly motivated but there have been instances when their other concerns have affected the manner in which they have operated.

The above table is taken from a recent DFID publication "Pooled Funding to Support Service Delivery, Lessons of Experience from Fragile and Conflict-Affected States" May 2013 prepared by among others, Jacob Hughes head of the company providing management for the Liberian Health Sector Pool Fund. This report contains a more extensive discussion of the pros and cons different management options.

Result Based Funding - an option?

Results based (or outcome/performance-based) funding is one way of linking funding more closely to results. Its defining feature is that it involves the establishment of an ex ante method of paying for results (you decide beforehand exactly what you will pay for and only release payment if these results are achieved). Failure to deliver results has an immediate effect on funding – often irrespective of the reasons for the failure to achieve results. This is not too dissimilar from old style donor conditionality in which a donor sets out what it wants to be delivered and what it is willing to pay for it.

Result based funding was first tried in the education field where it has become very popular, particularly in the US but also in Sweden's university sector. But health is probably the field where result based funding has had the greatest impact. The Global Fund is possibly the largest user of result based funding for its many health and inoculation projects. It has testified to the method's considerable benefits on many occasions. The World Bank is also doing more and more results based funding, especially in Africa and in both the health and infrastructure (electricity) sectors. It will provide result based funding for the health sector in Liberia in the near future. The Liberian HSPF uses performance-based contracts for a significant part of its service delivery through NGOs. Another example of performance related funding for the health sector in Liberia is USAID's USD 42 million FARA (Fixed Amount Reimbursement Agreement) signed in 2011 with the government. Under this the agreement, USAID reimburses MoHSW for the cost of implementing performance-based contracting of NGOs for health service delivery and certain health system strengthening activities such as monitoring and evaluation. Reimbursement to the MoHSW is based on pre-determined amounts, irrespective of actual cost, and is contingent upon USAID verification and approval of each agreed deliverable. USAID has the right to withhold reimbursement until it verifies that each deliverable has been produced as per the verification criteria,

All the results based funding mechanisms reviewed for a DFID paper[31] from 2011 used a mechanism whereby a donor agency is willing to make payments to a recipient who assumed

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[31] Results based aid and results based financing: What are they? Have they delivered results? Mark Pearson January 2011

responsibility for achieving pre-defined results. The problem is normally to ensure that the incentives of the principal and agent are aligned in ways, which ensure the desired results are delivered. The presence of incomplete information or information asymmetry on the part of the agent, on the one hand, and the funding agency, on the other, can make both the establishment of a sound principal - agent relationship, and the setting of appropriate incentives, difficult.

The following are some of the result based funding projects investigated in the course of the above-mentioned DFID study.

Scheme	Short description
Global Fund (GFATM)	Funding for years 3 to 5 dependent on overall performance achieved during first two years of grant implementation.
GAVI Alliance – Immunisation Services Support (GAVI ISS1)	Initial investment based on (self reported) number of children expected to be vaccinated in year 1. Subsequent reward payments of $20 per child vaccinated above this baseline.
UK Payment by Results (PbR)	Fixed payment (based on national average unit costs) paid to hospitals in the UK for delivering a specific health output (e.g. hernia operation).
US P4P (Pay for Performance)	Payment made to providers with level based on performance against a range of quality based output indicators.
Vouchers	Reimbursement made to accredited providers on the basis of services delivered to voucher recipients.
Health Results Innovation Trust Fund (HRITF) *	Vehicle for supporting results based financing approaches. HRITF also focuses on raising resources and knowledge generation.
Global Programme for Output Based Aid (GPOBA) *	Multi-donor partnership and trust fund established to: i) fund and facilitate the preparation of projects in which payment is made to an implementing agent (usually private sector but potentially NGOs, and usually in the utilities sector) for each unit of output supplied; and ii) document and disseminate lessons learned.
Poverty Reduction Budget Support (PRBS)	Payment made to government in return for commitment to good governance and satisfactory progress in poverty reduction. Variable or performance related tranche payments are a form of results based aid.
European Commission MDG Contracts	Payment made to government in return for commitment to good governance and satisfactory progress in poverty reduction. Variable tranche is a form of RBA. Schemes have been established but are new.
Cash On Delivery Aid (CODA)	A concept for making payments to government in return for achievement of specific results (e.g. increase in primary school enrolment). Yet to be established.
Millennium Challenge Account (MCA)	Payment made to government in return for demonstrable commitment to democracy, good governance

Result based funding is not a panacea but it might be possible to test it in some of the JSJP activities. In education there is a lot of experience of result based funding and several different models exist for how to design a funding mechanism and how to define indicators. The JSJP Programme has a large capacity building component part of which could lend itself to results based funding. In the case of LNP and BIN it is a matter of relatively standardised training, which might be better suited for testing result based funding than other types of education. Other aspects of the Programme such at its outreach and community related interventions using CSO staff could also be suitable, as could the efforts to reduce pre-trial detention. For the Judiciary the clearance of cases, the record keeping might also be areas where results are relatively easy to measure and results based funding could apply.

In the subsequent chapter we argue for more anti-corruption activities. The establishment of baseline data for regions and counties through surveys could serve as a basis for results based funding if and when such projects were initiated.

Monitoring the outcomes of result based funding must be done thoroughly as this serves as the basis for the remuneration. This can be costly where monitoring and verification is difficult and time consuming. Most cases, which do not rely on existing statistical data, require independent verification. This is an area where it might be possible to engage the national CSOs.

Corruption – An Issue of Leadership and Management

Corruption and credibility

Corruption is a multifaceted phenomenon that is difficult to concretise and measure. Transparency International's different corruption index has become widely accepted as the best measure of the prevalence of graft and corruption at a national level. In its two recent surveys Transparency International's Global Corruption Barometer ranks the Liberian police and the judiciary, along with those of Sierra Leone, as the world's most corrupt justice institutions. The data from the surveys are as follows:

Liberia corruption survey	2010-11	2013
%-age that felt police was corrupt	76	94
%-age that had paid a bribe to police	86	77
%-age that felt judiciary was corrupt	63	89
%-age that had paid a bribe to judiciary	78	77

Against this background the AfT is a considerable disappointment as has been noted above. The AfT proposes to "to advance PFM (Public Financial Management) and anti-corruption reforms among revenue-generating MACs"(Ministries, Agencies and Commissions) and to "to strengthen the effective implementation and coordination of corruption investigation and enforcement by LACC (Liberia Anti-corruption Commission)." These rather general measures are unlikely to be viewed as forceful enough for dealing with the world's most corrupt police and judiciary.

Corruption is a common problem in police forces in many countries – developing as well as developed. In the case of Liberia it is the level and scale of corruption as well as the fact that it has not declined but instead been seen to increase during the period of the JSJP that makes it a critical issue. Recent research has also shed light on the corrosive political effect of corruption on government legitimacy and social trust. This is especially critical for fragile states which, with corruption, run a very considerable risk of falling into a vicious downward spiral distrust and social disorder.

Therefore it should be of particular concern that the Programme's activities for the 2010 to 2013 period that were aimed at preventing and reducing corruption have either not been implemented or have not had desired effect. Of the Programme's more than 150 different activities only two were aimed specifically at addressing the issue of personnel misconduct and allegations of corruption. Both were reviews and none appears to have been implemented.

The existence of corruption is essentially a management failure. In the case of the Liberia National Police (LNP) it appears to be an inability on the part of management to put to use the tools that have so far been provided. UNPOL has assisted the LNP in producing a large number of internal guidelines and manuals. It has trained a large proportion of existing and newly recruited police officers and provided hands-on advice and guidance. It would appear that these measures have so far failed to improve the police force' tarnished image with respect to corruption and bribes. A recent Management and Accountability study notes that "failure to comply with even the most basic regulations/norms is rife, directly leading to widespread public mistrust and disillusionment with the police".

The original JSTF Programme Document included projects to strengthen financial and personnel management in the police, corrections and immigration but none has so far been implemented and their priority is low. Some management training has been provided by the UK on a bilateral basis and Ireland has recently agreed to train middle management staff also on a bilateral basis. Performance must start with management. This appears to have been recognized in the original JSTF Programme and it needs to be brought to the forefront again.

There is an urgent need to review priorities – to recognize that peace will not be maintained by infrastructure and equipment but by well-managed institutions able to uphold good ethics and morals. Efforts to raise funds for enhancing access to what is currently seen as the world's most corrupt police and judiciary, would not be credible without a forceful and comprehensive anti-corruption component. This should be the Programme's first and foremost priority. Several concrete and immediate steps could be taken in preparation of a project to reduce corruption. The first and most obvious measure would be to systematically and regularly collect regional and county data on the prevalence of corruption, i.e. to create a geographical corruption baseline so that the effect of different measure to reduce corruption could be monitored. Surveys using adapted Transparency International methodologies and the existing network of civil society organisations could create such a baseline in a relatively short time. Liberia and the JSJP must set tangible targets for reduction of corruption. Liberia must also find out which anti-corruption measures work and which do not work. It needs to do so urgently. For UNPOL police staff to be replaced by a highly corrupt Liberian police force would endanger rather than strengthen future peace and security in Liberia.

Why access to a corrupt judiciary?

The high level of graft and corruption in the judiciary is equally disturbing. In the period 2010 to 2013 public perception is that the judiciary has become progressively more corrupt. The incidence of actual bribery is reported to be unchanged. What type of corruption, where does it exist and in relation to what legal processes does it occur? Those are some of the questions that need to be answered so that targets can be set and proper anti-corruption measures can be designed and implemented. The same logic as for the police would apply also for the judiciary – that is regular corruption surveys in districts and regions across Liberia so that different jurisdictions can be compared and good performance be recognized and rewarded as well as the opposite. The key to success in the case of corruption is frequent information feedback and continuous learning. By now techniques and methods are well tried and tested not the least thanks to institutions such as Transparency International. There is also a wide range of literature and reports from different types of anti-corruption projects in a wide range of different countries

and environments. There are anti-corruption toolkits and handbooks, anti-corruption research networks, specialized anti-corruption advisory organizations, etc.

The graft and corruption measured through Transparency International's Global Corruption Barometer is mainly the type that befalls the public. Another measure is Transparency International's national Corruption Perception Index, which measures perceived corruption in the public sector. This includes inside corruption such as misuse of funds, theft of public funds and property, fraud but also favouritism and nepotism. Under this index Liberia has done better. It has improved its relative position and ranks relatively well in comparison to several other African countries. However, it can and must do a lot better. The issue is not so much today's level of corruption but rather the level of corruption that will exist after UNMIL has withdrawn. To become credible in the eyes of donors Liberia's Government must do much more to ensure that recent gains are not lost with UNMIL transition. As of today our interviews suggest that the donor community in Liberia is unconvinced of the Government's intent to prevent and pursue inside corruption, favouritism and nepotism. Also in this case, although tracking is more difficult, there are lots of different methods and tools for reducing the opportunity of wrongdoing.

The above-mentioned Management and Accountability Study of the police, prosecution and judiciary contain a number of specific recommendations that address the issue of performance and accountability. They are central to combating graft and corruption. Management must be held accountable for to setting the right standards of performance, for monitoring and measuring performance and for rewarding good and honest performance. This appears not to be the case today.

Appendix 1 Terms of Reference

Draft Terms of Reference

Mid-Term Evaluation of the Justice and Security Joint Programme – Liberia

1. BACKGROUND AND RATIONALE

The Liberia Justice and Security Joint Programme (JSJP) is a five-year programme (December 2011 – December 2015) between the Government of Liberia (GoL), the international community and key national stakeholders.[32] The JSJP builds on the Statement of Mutual Commitments (SMC) adopted between the Government of Liberia on 16 November 2010 and the United Nations Peacebuilding Fund (PBC) and subsequently the Liberia Peacebuilding Programme (LPP) approved on 5 May 2011 by the PBF Joint Steering Committee (JSC).

The Justice and Security Joint Programme aims to achieve four main outputs:
- Support and strengthen justice and security service providers in delivering fair and accountable professional services, thereby being responsive to community concerns
- Establish/reform legal and policy frameworks that enable national authorities to better perform their duties in the justice and security sector
- Decentralize the deployment of security officers by having them regularly present in the region in order to facilitate rapid response to crisis in the region
- Construct / renovate infrastructure, provide equipment and other logistics for the effective performance of the regional hubs

Prior to the development of the Justice and Security Joint Programme, the Government and international partners established a Justice and Security Trust Fund (JSTF), administered by the United Nations Development Programme (UNDP) in 2009, which allows for multi-donor contributions to support the implementation of justice and security sector priorities in Liberia with key focus on the Liberia National Police (LNP), the Bureau of Immigration and Naturalization (BIN) and Bureau of Corrections and Rehabilitation (BCR).[33]

The Liberia Peacebuilding Programme and the JSJP articulate needs beyond PBF funding allocations, providing coherence to critical peacebuilding actions in Liberia. To this end, the JSJP relies on several funding sources such as the PBF, Government of Liberia, JSTF, UN Agencies and other contributions.

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[32] The JSJP was originally intended for three years (January 2011 – December 2013, but with the approval of the JSC in its 2nd meeting in 2013 for funding under the 2nd PBF tranche for Liberia (2013 – 2015) the JSJP has been extended for five years.

[33] The establishment of the Trust Fund was intended to strengthen the operational and technical capacity of the LNP, BIN and BCR, within the context of overall security sector reform. Specifically, support has been provided in the areas of strategic development, capacity strengthening, operational support, logistics, and infrastructure. Through this support the LNP, BIN and BCR are expected to achieve a level of effective and sustained operations to ensure the maintenance of law and order throughout Liberia. In this regard the Trust Fund intends to help strengthen the capacities of these institutions to professionally deliver operational services reflective on modern, democratically principled police, corrections and immigration institutions that respect human rights with particular emphasis on women and children.

However, in order to ensure effective financial control and accountability, the JSJP Board clearly determines in every case which funding source or sources are being used to implement each and every specific project under this joint programme. In this way, it is possible to clearly determine what is being funded by the PBF and/or other budgetary instruments.

Considering the inclusion of other funding sources and given that the JSJP is a part of the broader LPP, the Justice and Security Trust Fund Board was restructured to the Justice and Security Board (JSB). While the Joint Steering Committee (JSC) provides general oversight of the implementation of the LPP, the Justice and Security Board ensures the effective implementation of the JSJP and JSTF, including other funding sources. The JS Technical Advisory Group (JS TAG) provides technical assistance to the JSB and the JSC. The structure is as described in the diagram below.[34]

Prior to the evaluation a mapping exercise has been conducted to provide a detailed matrix covering all current and planned projects within the justice and security sectors. Its findings will be a key input into this evaluation.

Key stakeholders involved in the evaluation include all the agencies and organizations represented in of the Justice and Security Board and the Justice and Security Technical Advisory Group (JS TAG)

Further background information on the JSJP and adjoining programmes can be found in the annexes.
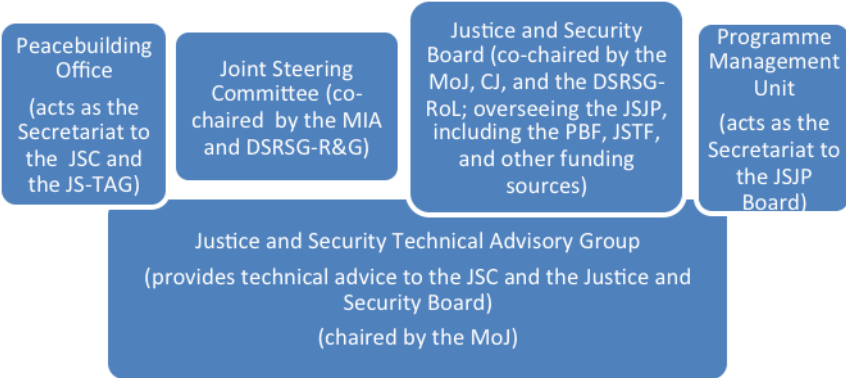
2. EVALUATION PURPOSE

The mid-term evaluation intends to inform the Justice and Security Board on how to strengthen the coordination and implementation mechanisms of the JSJP, including the Justice and Security Trust Fund (JSTF) and other funding sources, to support the achievement of key

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[34]	This current Terms of Reference of each of the structures are being revised to ensure coordination, avoid duplication and transaction cost.

results in the justice and security sector. Since the initiation of the programme, there have been certain concerns regarding the effective and efficient delivery of results and this evaluation is aimed at findings to inform the Board on suggestions on how to strengthen the structures. This formative evaluation of the JSJP has a dual function: accountability and learning. In light of the implementation of the GoL PRS II, Agenda for Transformation (AfT), it is key to also see how best the JSJP can be aligned with the implementation plan of the AfT, in particular through its Pillar 1; Peace, Security and Rule of Law.

The main target audience for the evaluation includes the key stakeholders represented in the JS Board and JS TAG:

- Government of Liberia (various justice and security service providers);
- Donor Agencies
- UN Agencies
- Civil Society Organizations (national and international)
- Peacebuilding Support Office (PBSO)

Findings and recommendations of the mid-term evaluation will be used by key stakeholders to ensure implementation of the JSJP in the most efficient and effective manner, and make any changes where necessary. The findings of this evaluation would also be a useful input for upcoming reviews of support strategies by donors and other stakeholders. Following the MTE, the JS Board will formulate an evaluation management response, including a clear timetable and responsibilities for tracking progress in the implementation of the agreed actions.

3. EVALUATION SCOPE AND OBJECTIVES
In view of the overall purpose of the mid-term evaluation, the main objectives are to:

a) Assess progress made so far towards the expected results of the JSJP, including national capacity building (as per the Programme Document);

b) Identify lessons learned from the implementation of the JSJP, including coordination, fund management, monitoring and reporting. Review and assess roles and responsibilities of the JS Board, JS TAG, PMU and JSC, including the PBO in terms of management, implementation, monitoring and accountability.

c) Review and assess the role of civil society organizations within the JSJP and make recommendations as to how they could be used as an oversight mechanism, in relation to monitoring and accountability of the programme.

d) Assess structures, and financial and administrative management of the JSTF and the support provided by UNDP towards donors, relating to their contribution to the JSTF as well as to GoL institutions in their design and implementation of projects. This includes assessing the existing framework, procurement and financial regulations, looking at compliance as well as relevance.

e) Assess the role of UNMIL as it relates to the JSJP and the JSTF, in terms of implementation, management, monitoring and accountability.

f) Assess the internal management and control of UNDP in relation to the management of the JSTF and its relation to the overall JSJP, including all of the above-mentioned structures and implementation mechanisms.

g) Provide recommendations for improvement of the JSJP's coordination and implementation modalities to ensure a comprehensive and well sequenced programme with optimal effectiveness, efficiency and transparency as well as synergies with other support programmes in the justice and security sector. Propose revised ToR for the structures concerned and templates for documentation of relevance.

h)

The evaluation will cover the period between December 2011 and April 2013 in relation to the JSJP, but also covering the period between January to and December 2011 in relation to the JSTF.

4. EVALUATION QUESTIONS

The evaluation will use the following core evaluation criteria:

- Relevance (*responsiveness* to the national needs and priorities);
- Effectiveness (*progress towards* the achievement of expected programme results);
- Efficiency (how *efficient* the programme has been implemented in terms of coordination, fund management, monitoring and reporting).

In order to achieve the main objectives of the country-led evaluation, the following ***specific evaluation questions*** would need to be answered:

Relevance
- To what extent does the JSJP respond to national priorities and needs?
- To what extent does the JSJP support interventions that are directly relevant to the peacebuilding process and contribute towards addressing critical gaps?
- To what extent are the current management structures of the JSJP able to respond to the expected results of the programme?

Effectiveness
- What has been the progress so far towards the achievement of the expected JSJP results*?* Focus on a general assessment of progress achieved rather than a detailed assessment of all the sub-projects for which it is too early to assess impact.
- Which factors have contributed to achieving or not achieving expected results (internal and external factors)?
- To what extent has the JSJP had a catalytic effect in terms of – for example - additional funding commitments, or unleashing other factors contributing to peace building?

- To what extent has national capacity been strengthened so far through the JSJP?
- To what extent have the management structures had/not had an effect on the delivery of results?
- To what extent have UNDP/UNMIL P outputs and commissioned assistance/support contributed to outcomes?

Efficiency

- To what extent has the JSJP been implemented efficiently in terms of delivering the expected results according to quality standards, in a timely manner and ensuring value for money?
- To what extent has the JS Board been provided with regular, timely and quality progress and financial reports since the start of the programme?
- To what extent has the JS Board management structure clearly defined roles and responsibilities?
- To what extent has the JSC management structure clearly defined roles and responsibilities?
- To what extent have the JSC and the JS Board been coordinated? To what extent is the risk of overlapping mandates? How can the structure be strengthened?
- To what extent has the JS Board carried out its oversight role in a transparent, effective and efficient manner as per its ToR?
- To what extent has the JSJP's human resource capacity been adequate in fulfilling the required management, administrative and support functions?
- To what extent have the recommendations of any audits been shared and adequately implemented?
- To what extent has the JSTF been administrated in a transparent and efficient manner, adhering to agreed procedures and regulations?
- How does the management and functioning of the JSTF compare to other similar trust funds in Liberia?
- To what extent is an anti-corruption policy operationalized to adequately address eventual corruption risks and followed at country level?
- To what extent are risk analyses performed and are there routines to address the identified risks?
- To what extent does UNDP assess the JSJP and JSTF recipient organizations' capacity in regard to competence, resources, management and internal control and audits? Are these assessments documented and are there signed agreements between UNDP and its JSTF partner organizations that stipulate the obligations of the recipient organizations?

5. METHODOLOGY

During the inception phase, the evaluation team will formulate in detail the methodology for the evaluation, informed by the following key methodological principles:

- The evaluation will be formative and forward looking;

- The evaluation will adopt a consultative, iterative and transparent approach with stakeholders;

- Triangulation of information and data across groups of stakeholders and individuals will be the key methodological principle to validate evidence throughout the whole evaluation;

- The evaluations will adhere to the UNEG (UN Evaluation Group) Norms and Standards.

The evaluation will use a wide range of methods and tools, fine-tuned to the national context and to the evaluation questions. The methodology would preferably include some or all of the following:

- Evaluation framework relating evaluation issues and questions to evaluation criteria, sources of information and methods of data collection (inception phase);

- Analysis of the mapping exercise of ongoing and planned activities in the justice and security sector;

- Desk review of relevant reference documents, including minutes from JSJP Board meetings and documented communication between donors and UNDP;

- Individual interviews - and possibly focus group discussions - with key stakeholders including (but not limited to) representatives from Government, Donors, UN Agencies and CSOs. Check-lists or semi-structured interview protocols will be used for each type of interviews;

- Possibly two site visits to projects supported by the JSTF and through the JSJP;

- Presentation/validation of preliminary findings and recommendations with key stakeholders (persons interviewed and other relevant stakeholders) to confirm facts and key findings.

6. EVALUATION PRODUCTS (DELIVERABLES)

Key evaluation products the evaluation team will be expected to produce should include:

- **Inception Report, including mapping report.** An inception report (max. 10 pages) will be prepared by the evaluators before conducting the full-fledged evaluation. It will detail the evaluators' understanding of what is being evaluated and why, showing how each evaluation question will be answered by way of: proposed methods; proposed sources of data; and data collection procedures. The inception report should include a proposed schedule of tasks, activities and deliverables, designating each team member with the lead responsibility for each task or product. The inception report provides the JS Board and the evaluators with an opportunity to verify that they share the same understanding about the evaluation and clarify any misunderstanding at the outset.
- **Draft Evaluation Report.** The JS Board will review the draft evaluation report to ensure that the evaluation meets the expected quality criteria and to confirm facts and key findings.
- **Final Evaluation Report.** The final report should not exceed 40 pages, excluding appendices or the Executive Summary. It should provide a clear evidence base for all conclusions; challenges and all recommendations should be actionable. Recommendations should be clearly linked to the conclusions that they are responding to.

- **PowerPoint Presentation:** this will be used by the JSB and JS TAG in briefings and therefore should summarise the main conclusions and recommendations.

7. EVALUATION TEAM COMPOSITION AND REQUIRED COMPETENCIES

The evaluation team will be comprised of one international evaluation expert (team leader) and one national evaluation expert. The Team Leader is responsible for the division of tasks among the team and the timely and quality delivery of all expected outputs. The evaluation team will adhere to the UNEG Norms and Standards.

The *international consultant* and team leader (estimated 30 working days) should have the following qualifications:

- Master's degree in international development, public administration, evaluation or related field.
- A minimum of 7 years of professional experience specifically in the area of monitoring and evaluation of development initiatives, including in the area of justice and security.
- Substantial international track record of conducting various types of evaluations for different organizations in various countries, preferably including West Africa.
- Documented experience in evaluating joint programmes with trust fund modalities
- An appreciable understanding of governance issues in fragile states is considered a clear advantage.
- Knowledge of multi- and bilateral donor structures
- Experience as team leader of complex evaluations.
- Excellent communication and interview skills.
- Excellent report writing skills.
- Demonstrated ability to deliver quality results within strict deadlines.

The *national consultant* (estimated 30 working days) should have the following qualifications:

- Master's degree in international development, public administration, evaluation or related field.
- A minimum of 5 years of professional experience specifically in the area of monitoring and evaluation of development initiatives, including in the area of justice and security.
- Track record of conducting various types of evaluations for different organizations.
- Experience in evaluating joint programmes with trust fund modalities is preferable.
- In-depth understanding of the development context in Liberia, preferably including the justice and security sector.
- Excellent communication and interview skills.
- Excellent report writing skills.
- Demonstrated ability to deliver quality results within strict deadlines.

8. IMPLEMENTATION ARRANGEMENTS

The Justice and Security Board will provide overall guidance and oversight of the evaluation. The JS Board will be ultimately responsible for the conduct of a quality, timely and cost-effective evaluation. The Board will commission and oversee the conduct of the evaluation, reviewing key deliverables (inception report, draft report and final report), assuring the independence of the evaluation and that the final product complies with the highest standards. The JS Board will prepare a written management response to the evaluation report.

The JSJP PMU will act as the Secretariat for the mid-term evaluation, responsible for providing all necessary reference documents to the evaluators, facilitate interviews with stakeholders, and perform any other necessary supporting tasks with support from UNDP.

The evaluators will be expected to be fully self-sufficient in terms of IT/office equipment, stationery, communication, office space, accommodation, transport and any other logistics.

9. TIME-FRAME FOR THE EVALUATION PROCESS

The time-frame for tasks and deliverables for which evaluators will be responsible and accountable, is estimated to a maximum of number of 30 working days.

The estimated timeframe including target dates for the evaluation process is as follows:

Key Activities	Timeframe	Responsible
Inception report (following desk review)	By date	Evaluation Team
Data collection (incl. stakeholder interviews) *estimated 3 weeks max.*	By date	Evaluation Team
Presentation/validation of preliminary findings to key stakeholders to confirm facts and key findings (consultation workshop)	By date	Evaluation Team
Draft evaluation report	By date	Evaluation Team
Final evaluation report	By date	Evaluation Team
Dissemination of final report to key stakeholders (workshop)	By date	JSJP PMU

10. COST

The evaluation will be financed through the Swedish Embassy in Liberia and payment will be upon acceptance of the final report as regulated in the contract signed with the consultants

11. ANNEXES

Documents to be consulted: a list of important documents and webpages that the evaluators should read at the outset of the evaluation and before finalizing the evaluation design and the

inception report. This should be limited to the critical information that the evaluation team needs. Data sources and documents, to be provided by the **JSJP PMU**, include among others:

- Justice and Security Joint Programme (JSJP) – Programme Document
- Quarterly and Annual Reports submitted by Recipient UN Organizations to the MPTF Office
- Minutes of JS TAG, JS Board and JSC meetings
- Justice and Security Trust Fund (2010 – 2013) documentation incl. TOR
- JSTF project proposals
- Annual audited reports, project completion reports and project financial reports.
- Liberia Peacebuilding Programme (LPP)
- Statement of Mutual Commitments (SMC)
- SMC 1st and 2nd Outcome Review Report of the GoL submitted to the PBC
- Report for the Lessons Learned Workshop on the Gbarnga Regional Hub
- Liberia JSTF Strategic Plans (2010 – 2013) for the LNP, BIN, and BCR (three separate documents)
- Liberia Poverty Reduction Strategy / Agenda for Transformation (AfT)
- Liberia Medium Team Economic Growth and Development Strategy
- UNEG Norms and Standards
- UNEG Code of Conduct

Appendix 2 Justice and Security Activities listed in Agenda for Transformation

Security Priority interventions:
- create an enabling national security framework;
- strengthen domestic, regional and international cooperation;
- engage constructively with member states of Mano River Union, ECOWAS, and the African Union to support lasting peace in the region and curtail transnational organized crime.
- increase oversight of national security agencies by COBs
- increase community participation in security matters.
- revision of laws and policies to address key issues such as gun control
- increase the regional presence of security forces by way of the security hubs.
- recruit qualified security personnel
- train personnel in line with international standards, promoting accountability, ethical behaviour and professional conduct under democratic civilian control.
- improve strategic planning and medium-term budgeting processes with sustainability plans to manage recurring costs,
- develop human and institutional capacity,
- invest in necessary logistics and infrastructure, and improve salaries and incentives.

LNP shall:
- expand the pilot program to attract better quality officers to the police force
- train and equip an additional 1,500 officers;
- increase the overall strength of LNP, including vacancies created when raising ERU (500) and PSU (1,000).
- expand and strengthen Women and Child Protection Units.
- significantly increase salaries for LNP officers and
- provide additional mobility equipment to improve police response time and visibility;
- link police facilities and patrols via improved communications,
- develop a maintenance and usage-monitoring strategy
- develop community policing; hold regular community-security forums in every county; support community watch teams and police regular foot patrols in communities.

Judiciary Priority interventions:
- strengthen the capacity of the Judiciary's administration and staff
- rationalizing staffing and location of courts based on the geographic, demographic and justice needs of the country.
- improve working conditions and resources for Judiciary staff so that talented individuals are drawn to Judiciary employment and provide a high level of service.
- increase the number of cases that can be efficiently and effectively handled by the courts
- reforming the Jury Law;
- establishing a legal framework for institutionalising specialized courts where needed;
- increasing the number of circuit court judges and public defenders
- establish a Judiciary accountability and oversight system to reduce corruption risk,
- drive efficiency improvements and build public confidence.
- revise the judicial organization to minimize opportunities for corruption.
- develop an effective financial management system including a Financial Management Plan.
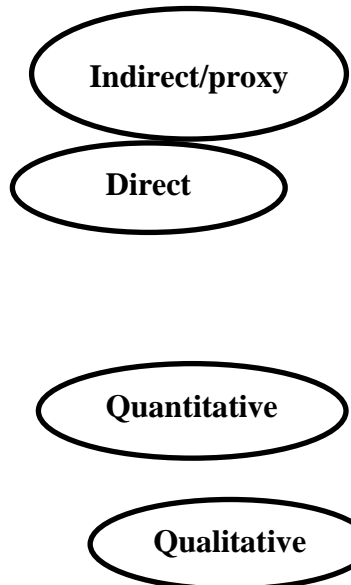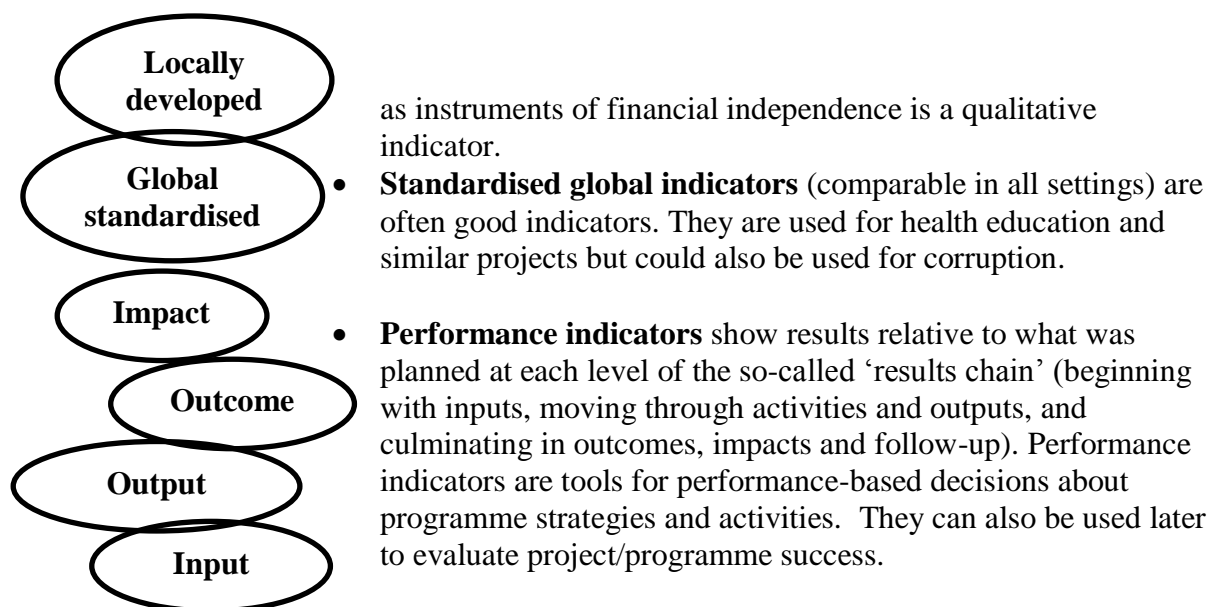
What are indicators?

An indicator can be defined as a measure to track change or progress for a project or programme. It is easier to define and measure direct output indicators while impact indicators can be difficult and expensive to measure. Before-and-after household and community surveys are good for impact data but the time and cost they require make them impractical for regular programme monitoring or evaluation during programme implementation. Therefore, one often seeks proxy measures that can inform early on about a programme's likely impact. Monitoring performance indicators during implementation can serve this purpose while leading process and intermediate indicators can serve as proxies for impact indicators..

In practice, it is sometimes difficult to distinguish between a programme's outputs and outcomes or between outcomes and impacts. An outcome indicator for a small project may represent an output for a larger programme. In addition, there are often multiple intermediate results, both for outputs and outcomes. When defining indicators, it is important to think of indicators in a process in logical relation to the programme's ultimate purpose. Where there are multiple intermediate results, one may end up with two sequential so-called "output indicators" or "outcome indicators". Furthermore, it matter little if an indicator is for an output or an outcome as long as it ties into the logical sequence of results of the programme and fits the characteristics of a good indicator.

Impact and outcome indicators must be defined and interpreted with care. Demonstrating that a project caused a particular impact is usually difficult since many factors outside the project influence the results. The following are generally accepted definitions of different indicator used by donor agencies and many UN organisations

- **Direct indicators** correspond precisely to results at any performance level.
- **Indirect or "proxy" indicators** are used to demonstrate the change or results where direct measures are not feasible or unreliable. For example, the income of poor households is usually better to measure through expenditure than directly since income is often derived from the informal sector with big variations over time. It tends therefore to be underreported. Some objectives, particularly impact objectives, are difficult to monitor. It is often necessary to select indirect or proxy indicators that may be easier for evaluators to measure.

- Indicators are usually **quantitative measures**, i.e. a percentage or share, rate (e.g. birth rate), or ratio (e.g. inhabitants/doctors).
- **Qualitative indicators** can be defined as people's judgements and perceptions about a subject. For example: the number of people owning sewing machines in a village is a quantitative indicator, the confidence those people have in sewing machines

as instruments of financial independence is a qualitative indicator.

- **Standardised global indicators** (comparable in all settings) are often good indicators. They are used for health education and similar projects but could also be used for corruption.

- **Performance indicators** show results relative to what was planned at each level of the so-called 'results chain' (beginning with inputs, moving through activities and outputs, and culminating in outcomes, impacts and follow-up). Performance indicators are tools for performance-based decisions about programme strategies and activities. They can also be used later to evaluate project/programme success.

The indicators in relation to what is called the 'results chain' are as follows:

Impact indicators: long-term
Measure the quality and quantity of long-term results generated by programme. In many cases, output indicators and indicators of risk factors can serve as suitable intermediate or leading indicators of impact.
Outcome indicators: medium-term
Measure the intermediate results generated by programme outputs. They often correspond to any change in people's behaviour as a result of programme.
Output indicators: short-term
Measure the quantity, quality, and timeliness of the products — goods or services — that are the result of an activity/ project/programme.
Process indicators**:**
Measure the progress of activities in a programme/project and the way these are carried out (for example, referring to the degree of participation).
Input indicators**:**
Measure the quantity, quality, and timeliness of resources — human, financial and material, technological and information — provided for an activity/project/programme.

Outcome Mapping Indicators

It is not always possible to find good measurable indicators even. Education is one field, health care another and also policing, where good indicators are few and far between. The activities in these fields have many different dimensions several of which are relational. In the case of policing and related security functions, a difficulty is that their ultimate purpose is to ensure that something does not happen. The absence of crime is not always easy to measure. Outcome Mapping is a technique that can be used when neither direct nor quantifiable proxy indicators are at hand. It is a systematic way of finding proxies in the form of changes in human or organisational behaviour. As with quantifiable indicators it is the outcomes in the

'missing-middle' or 'black box' of effects of a project or a change process between the outputs and the outcomes, which is the key to the process.

Outcome Mapping is relevant for justice and security because it is suited for programmes, which are largely concerned with how people relate to each other and their environments[35]. The focus of Outcome Mapping is on people or groups of people. Outcome Mapping defines the level of ambition for the human, social and environmental improvement that the programme seeks to accomplish and then focuses monitoring and evaluation on factors and actors within that programme's direct sphere of influence. The programme's contributions to a development process are planned and evaluated based on how they influence the partners it engages to cause the change. That development always is by, and for people and is the basis of the rationality of Outcome Mapping. Outcome Mapping postulates that change in a material factor or status is related or linked with change in behaviour.

Three concepts and three stages are at the heart of Outcome Mapping:
- *Behavioural change*: an outcome is a change in behaviour, relationships, activities, or actions of the people, groups, and organisations with which a programme interacts. Outcomes can be logically linked to a programme's activities, but need not be directly caused by them.
- *Boundary partners*: are directly affected individuals, groups, and/or organisations, which the programme is intended to influence. There will typically be multiple outcomes because there are multiple boundary partners.
- *Contributions*: means a programme's contributions to outcomes that, in turn, should lead to development impacts – but the relationship is not necessarily one of direct causality.

The process stages are:
- Firstly, the design stage during which agreement is reached on the macro-outcome level changes the programme should help bring about and on the strategies to use. It helps answer the vital 'W? questions: (Why are we seeking change? What is the goal that the programme should strive towards? When should the state be reached? Who are the programme's boundary partners?).
- Secondly the monitoring stage (Outcome and Performance Monitoring), which provides a framework for the on going monitoring of a project's actions and the boundary partners' progress towards the outcomes. It is uses mainly self-assessment with certain data collection tools for elements identified in the design stage such as: an Outcome Journal' (for tracking impact against so-called progress markers); a Strategy Journal' (for to checking and adapting the programmes strategy as the environment changes); and a 'Performance Journal' (recording organisational practices and checking for possibilities for improvements).
- thirdly, evaluation planning which helps the project find the best proxies for evaluation and to prepare an evaluation plan.

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[35] " Outcome Mapping; Building Learning and Reflection into Development Programs", (2001).Sarah Earl,, Fred Carden and Terry Smutylo

These three stages can form part of an iterative process in case the programme needs to adapt to a changing environment. The graph[36] below shows how the three stages can interact.
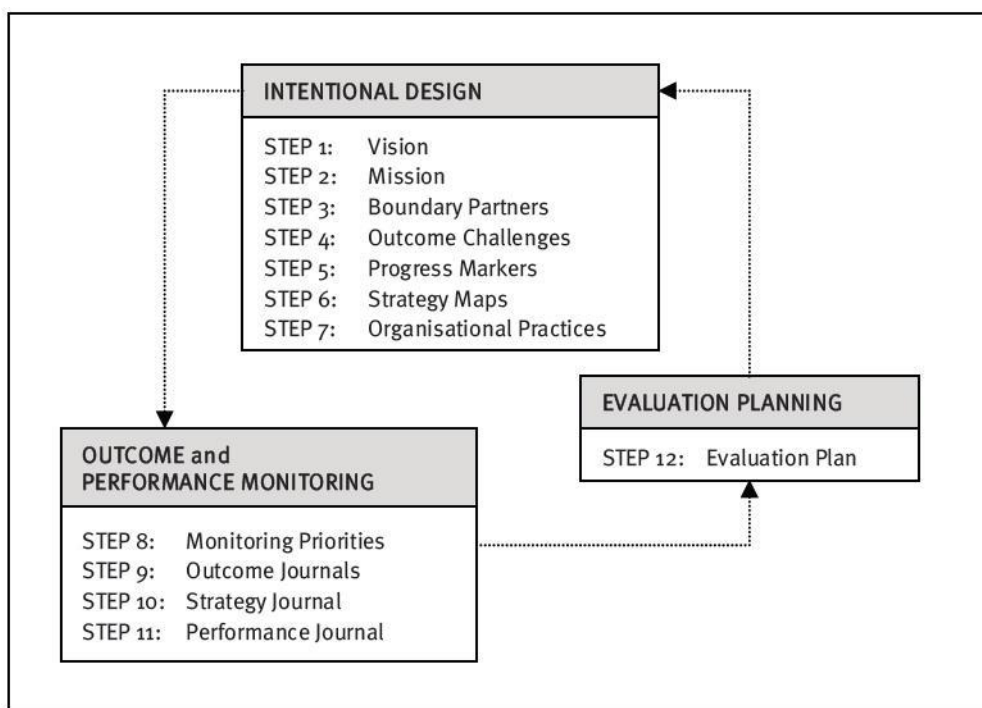
Outcome Mapping is a highly structured approach to programme monitoring. It has a substantial following in many development aid organisations such DFID in the UK, IRDC and CIDA in Canada where there is an active Outcome Mapping Learning Community (www.outcomemapping.ca). It is worth noting that Outcome Mapping is seen by some as incompatible with logframe analysis[37]. Courses in Outcome Mapping are offered in London and in Canada.

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[36] This tool first appeared in the ODI Toolkit, Tools for Knowledge and Learning: A Guide for Development and Humanitarian Organisations

[37] See, "Evaluation for the Way We Work", Michael Patton, The Nonprofit Quarterly, Spring 2006

Appendix 4 JSJP Main Evaluation Objectives and Indicators

General

JSJP is a 34 months programme aimed at producing the outcome "enhance[ment] of access to justice and security at regional and county levels in preparation for UNMIL transition". The regional dimension would be accomplished by constructing and making operational five regional and county levels justice and security hubs through which the following would be achieved:

- a balanced strengthening of justice and security institutions - law enforcement, the courts, state prosecution and defence, and corrections - both in terms of capacity and infrastructure;
- the enhancement of linkages between these institutions; and
- the development of relationships between the institutions and the communities they serve

For the two security agencies LNP and BIN the regional hubs will provide additional benefits for the LNP and BIN, namely:
- Strengthened command, control and communications linkages between the counties and Monrovia HQ;
- An operational and logistics base so as to enhance coverage and service delivery in the three counties serviced by each hub;
- Increased interoperability between the LNP and BIN, which will enhance coherence and effectiveness, and ultimately save on costs.
- Allow the LNP and BIN to expand existing activities being undertaken with communities.
- Improve the accessibility of justice service to the local communities.

The Programme's so called 'core outputs' were defined as:
1. Infrastructure, equipment, and other logistics for the effective performance of the regional hubs put in place;
2. Justice and security service providers able to provide fair and accountable professional services;
3. Justice and security service providers are responsive to community concerns; and
4. Legal and policy frameworks in place that enable national authorities to better perform their duties in the justice and security sector.

The indicators by which the achievements of the Outputs were to be measured were
for Output 1
1.1.1 # of logistic support facilities built (disaggregated in construction of # of circuit courts, # of magisterial courts, Gbarnga prison upgraded with separate facilities for women and juveniles)
1.1.2 # of regional hubs constructed and operational
1.1.3 # of effective LNP, BIN and BCR regional command and control structures in place

for Output 2

2.1.1 # SGBV cases taken to trial
2.1.2 % reduction in the number of procedural releases
2.1.3 # of prosecutors and public defenders deployed to the regional hubs out of total expected (%)
2.1.4 # of joint trainings undertaken and # of personnel trained to achieve full coverage of target counties (disaggregated by institution and sex)
2.1.5 % decrease in case backlog
2.1.6 % reduction in prisoner recidivism
2.1.7 # of PSU staff deployed and able to respond to security incidents at the regional level
2.1.8 # of trained BIN staff deployed at official border crossings
2.1.9 % increase in the number of cases being handled thru the court system
2.1.10 # of corrections officers recruited and trained

for Output 3
3.1.1 % of increase in public awareness of rights and responsibilities at county level related to PSO outreach campaigns
3.1.2 # of networks of CSOs established linked to regional hubs
3.1.3 # of County Justice and Security Councils operational
3.1.4 # of human rights monitors deployed
3.1.5 # of people assisted by civil society organizations to seek redress for violations of human rights (disaggregated by type of case, age and sex)
3.1.6 # of cases resolved by ADR at the community level

for Output 4
4.1.1 Legislation relating to jury law and the jurisdiction of magistrates developed and implemented
4.1.2 Bail and alternative sentencing provisions being implemented in line with legislation
4.1.3 Regional framework for access to justice developed
4.1.4 Legislation relating to jury law, prison law, the jurisdiction of magistrates gun control law and National Security reform developed and passed

Indicators

Indicators	Year 1		Year 2		Year 3	
	Expected	Result	Expected	Result	Expected	Result
Output 1 Infrastructure & equip't (mainly hubs)						
1.1.1 # of logistic support facilities built (disaggregated in construction of # HQs	1	0,5		2		
• # of circuit courts,	3	0,5				
• # of magisterial courts,	0	0	3		20	
• Gbarnga prison upgraded with separate facilities for women and juveniles)	1Bgarnga	1	1 Monrov		1Voinja	
1.1.2 # of regional hubs constructed and operational	1	0,8				
1.1.3 # of effective LNP, BIN and BCR regional command and control structures in place	1	0	2		2	
Output 2 JS service providers able & professional						
2.1.1 # SGBV cases taken to trial		6				
2.1.2 % reduction in the number of procedural releases						
2.1.3 # of prosecutors and public defenders deployed to the regional hubs out of total expected (%)	0	300	50			
2.1.4 # of joint trainings undertaken and # of personnel trained to achieve full coverage of target counties (disaggregated by institution and sex)						
2.1.5 % decrease in case backlog						
2.1.6 % reduction in prisoner recidivism						
2.1.7 # of PSU staff able to respond to security incidents at the regional level						
2.1.8 # of trained BIN staff deployed at official border crossings						
2.1.9 % increase in the number of cases being handled thru courts						
2.1.10 # of corrections officers recruited and trained						
Output 3 JS service providers responsive						
3.1.1 % of increase in public awareness of rights and responsibilities at county level related to PSO outreach campaigns						
3.1.2 # of networks of CSOs established linked to regional hubs						
3.1.3 # of County Justice and Security Councils operational						
3.1.4 # of human rights monitors deployed		3				
3.1.5 # of people assisted by civil society organizations to seek redress for violations of human rights (disaggregated by type of case, age and sex)						
3.1.6 # of cases resolved by ADR at the community level						

Output 4 Legal and policy framework in place						
4.1.1 Legislation relating to jury law and the jurisdiction of magistrates developed and implemented						
4.1.2 Bail and alternative sentencing provisions being implemented in line with legislation						
4.1.3 Regional framework for access to justice developed						
4.1.4 Legislation relating to jury law, prison law, the jurisdiction of magistrates gun control law and National Security reform developed and passed						

Indicators marked in bold could be considered to be quantifiable for which there would either be a baseline or a baseline could be established form existing data.

Appendix 5 Specific Questions

Relevance

To what extent does the JSJP respond to national priorities and needs?	Poorly - it has failed to address the two key challenges for the sector operational inefficiencies and endemic corruption
To what extent does the JSJP support interventions that are directly relevant to the peacebuilding process and contribute towards addressing critical gaps?	It has been overly focussed on facilities (the Hubs) while peace is first and foremost built by well-managed institutions.
To what extent are the current management structures of the JSJP able to respond to the expected results of the programme?	Inadequately

Effectiveness

What has been the progress so far towards the achievement of the expected JSJP results*?* Focus on a general assessment of progress achieved rather than a detailed assessment of all the sub-projects for which it is too early to assess impact	See Programme achievements
Which factors have contributed to achieving or not achieving expected results (internal and external factors)?	UNMIL technical assistance and bilateral donor funding have accounted for a very large part of achieved results. See Progress towards spending and project targets
To what extent has the JSJP had a catalytic effect in terms of – for example - additional funding commitments, or unleashing other factors contributing to peace building?	Probably to a relatively limited extent. A large number of interventions listed in JSJP or similar to those listed in JSJP have been accomplished by UNMIL and bilateral donors, however, it is probable that they would have been achieved also in the absence of a programme.
To what extent has national capacity been strengthened so far through the JSJP?	Capacity building has made up a large part of all interventions initiated to date. See National capacity building
To what extent have the management structures had/not had an effect on the delivery of results?	Probably to only a limited extent as UNMIL and bilateral donors activities have been unaffected by JSB-JSTF-JSJP management

	problems.
To what extent have UNDP/UNMIL outputs and commissioned assistance/support contributed to outcomes?	See Progress in relation to planned projects

Efficiency

To what extent has the JSJP been implemented efficiently in terms of delivering the expected results according to quality standards, in a timely manner and ensuring value for money?	No M&E has been undertaken so this question cannot be answered with accuracy. See reference for next question
To what extent has the JS Board been provided with regular, timely and quality progress and financial reports since the start of the programme?	To a very limited extent for the entire Programme on account of lack of M&E – see Neglected monitoring and evaluation
To what extent has the JS Board management structure clearly defined roles and responsibilities?	To a very limited degree
To what extent has the JSC management structure clearly defined roles and responsibility	To a substantial degree
To what extent have the JSC and the JS Board been coordinated? To what extent is the risk of overlapping mandates? How can the structure be strengthened?	Coordination appears to have been adequate and risk for overlap has not been an issue. For strengthening structure - see Proposed Make-up of the Trust Fund
To what extent has the JS Board carried out its oversight role in a transparent, effective and efficient manner as per its ToR?	The JSB has been forced to be hub focussed rather than Programme focussed
To what extent has the JSJP's human resource capacity been adequate in fulfilling the required management, administrative and support functions?	It has been very inadequate – see Micromanagement by default
To what extent have the recommendations of any audits been shared and adequately implemented?	The only audits the evaluators have come across are those of UNDP, which do not appear to have been shared.
To what extent has the JSTF been administered in a transparent and efficient manner, adhering to agreed procedures and regulations?	See UNDP as Administrative Agent
How does the management and functioning of the JSTF compare to other similar trust funds in Liberia?	Poorly

To what extent is an anti-corruption policy operationalized to adequately address eventual corruption risks and followed at country level?	Insufficiently
To what extent are risk analyses performed and are there routines to address the identified risks?	Not at all
To what extent does UNDP assess the JSJP and JSTF recipient organizations' capacity in regard to competence, resources, management and internal control and audits? Are these assessments documented and are there signed agreements between UNDP and its JSTF partner organizations that stipulate the obligations of the recipient organizations?	Such assessments are reported to have been carried out according to the previous UNDP Country Office Director. The evaluators asked for the documentation but this was never received. Signed agreements in the form of LOAs exist for most JSTF funded interventions.

Appendix 6 JSTF Financial Data Provided by UNDP Monrovia

JSTF commitments and disbursements 2011-13 acc to JSTF 2011 and 2012 Annual Reports and 2013 2nd Quarterly Report

Checked and verified by UNDP Monrovia 13-09-05

LOA no	Imp Partner	Commitments	Amount committed	Amount disbursed	Status	Amount disbursed	Total	Status	Status	Country source
		2011	**2011**		**end 2011**	**2012**		**end 2012**	**mid-2013**	
1	LNPTA	Training PSU classes 2&3	216 000	216 000	Comp	0	216 000	Comp	Comp	Ireland
2	LNPTA	Training PSU classes 4, 5 & 6	452 500	252 500	Comp	200 000	452 500	Comp	Comp	Ireland
3	MOJ/LNP	Cars for border patrol, etc	222 530	222 530	Comp	0	222 530	Comp	Comp	Sweden
4	MOJ/BIN	Mobility & communication at border	822 085	822 085	Comp	0	822 085	Comp	Comp	Sweden
5	BCR	Renovation Zwedru prison, etc	125 000	125 000	Ongoing	0	125 000	Stopped	Comp	Sweden
6	Judiciary	Mag ct Toe Town	100 000	100 000	Comp	0	100 000	Comp	Comp	Sweden
7	Judiciary	Circ ct Buchanan	239 562	160 000	Comp	79 562	239 562	Comp	Comp	Australia
8	CSO Lib Action	Campaign against armed violence	25 200	25 200	Comp	0	25 200	Comp	Comp	Japan
9	CSO Youth Crime	Campaign against armed violence	24 370	24 370	Comp	0	24 370	Comp	Comp	Japan
10	CSO Truth FM	Campaign against armed violence	18 000	3 000	Comp	18 000	21 000	Comp	Comp	Japan
11	UNOPS	Constr Camp Johnson Mon	1 000 000	727 374	Comp	259 240	986 614	Comp	Comp	Japan
		Total	**3 245 247**	**2 678 059**		**556 802**	**3 234 861**			
		2012	**2 012**		**end 2012**	**2013**		**mid-2013**		
	LNP/ERU	Uniforms, equip't, protective gear	695 452	695 452	Comp		695 452	Comp		Ireland
	BCR/MoJ	Const'n of Cheesemanburg Admin Bldg	300 000	75 000	Ongoing	225 000	300 000	Comp		Japan
12	MOJ/SGBV	Prosecution at Gbarnga Hub	330 000	200 000	Comp	130 000	330 000	Comp		Australia
13	MOJ/JJS	Diversion program	300 000	300 000	Comp		300 000	Comp		Australia
14	MOJ/Prosecution	Expansion of pros at Gbarnga Hub	130 000	130 000	Comp		130 000	Comp		Australia
	BCR	Security training incl TOT	70 636	70 636	Comp	0	70 636	Comp		Sweden
	LNP	Leadership training	150 316		ongoing	18 793	18 793			UK
		Total	**1 976 404**	**1 471 088**		**373 793**	**1 844 881**			

BCR	Recruitm't & training 70 officers	171 908	0		0		Sweden
LNP	Feeding for 540 trainees	540 000	260 000	Ongoing	260 000	Ongoing	Sweden
BIN	TOT for BIN	10 000	2 900	Ongoing	2 900	Ongoing	Sweden
	Total	**721 908**	**262 900**		**262 900**		
	Grand total 2011, 2012 & 6 mths of 2013	**5 943 559**	**4 412 047**		**930 595**	**5 342 642**	

Summary per contributing country	Amount committed	Amount disbursed		
2011				
Sweden	1 269 615	1 269 615		
Ireland	668 500	468 500		
Australia	239 562	160 000		
Japan	1 067 570	779 944		
UK	0	0		
Total 2011	3 245 247	2 678 059		
2012				
Sweden	70 636	70 636		
Ireland	695 452	895 452		
Australia	760 000	709 562		
Japan	300 000	352 240		
UK	150 316	0		
Total 2012	1 976 404	2 027 890		
			Total committed	**Total disbursed**
2013				
Sweden	721 908	262 900	2 062 159	1 603 151
Ireland			1 363 952	1 363 952
Australia		130 000	999 562	999 562
Japan		225 000	1 367 570	1 357 184
UK		18 793	150 316	18 793
Total 2013	721 908	636 693		
Grand total			**5 943 559**	**5 342 642**

UNDP Monrovia notes

LOA/project

2	Balance 97,469 unutilised for procurement of ERU uniforms, UNDP 7% & 3% administrative
5	this activity was completed
10	Balance of 15,000 used to support two local radio stations in Harper & Pleebo, Maryland county for campaign against armed violence
11	Last report submitted by UNOPS shows that a balance of 13,385 was in their account, to be posted as expenditure
BCR/MoJ 2012	Balance USD 75,000 to be paid directly to vendor for furniture
LNP 2012	Mission to GIMPA Sept 6 to finalise agreement and mae final disbursement

Summary Comparison of JSTF financial data provided by respectively UNDP Monrovia and UNDP New York

	JSTF accounts acc to UNDP Monrovia			
		Opening balance	Contributions received	Expenditure (Disbursements)	Closing balance
2010	IrishAid	0	1 308 901	0	1 308 901
	Sida	0	1 460 920	0	1 460 920
	Total	**0**	**2 769 821**	**0**	**2 769 821**
2011	IrishAid	1 308 901		468 500	840 401
	Sida	1 460 920	3 096 707	1 269 615	3 288 012
	AusAid		1 069 519	160 000	909 519
	Japan		3 000 000	779 944	2 220 056
	Total	**2 769 821**	**7 166 226**	**2 678 059**	**7 257 988**
2012	UK ADFCO		150 316	0	150 316
	IrishAid	840 401		895 452	-55 051
	Sida	3 288 012	3 080 872	70 636	6 298 248
	AusAid	909 519		709 562	199 957
	Japan	2 220 056		352 240	1 867 816
	Total	**7 257 988**	**3 231 188**	**2 027 890**	**8 461 286**
2013	UK ADFCO	150 316		18 793	131 523
	IrishAid	-55 051		0	-55 051
	Sida	6 298 248		262 900	6 035 348
	AusAid	199 957		130 000	69 957
	Japan	1 867 816		225 000	1 642 816
	Total	**8 461 286**	**0**	**636 693**	**7 824 593**
	Grand total		**13 167 235**	**5 342 642**	**7 824 593**

	JSTF accounts acc to UNDP New York's Functional Review[1]			
		Opening balance	Contributions received	Expenditure	Closing balance
2010	IrishAid	0	1 308 901	0	1 308 901
	Sida	0	1 460 920	0	1 460 920
	Total	**0**	**2 769 821**	**0**	**2 769 821**
2011	IrishAid	1 308 901		913 570	395 331
	Sida	1 460 920	3 096 707	3 242 737	1 314 890
	AusAid		1 069 519	70 409	999 110
	Japan		3 000 000	1 315 363	1 684 637
	Total	**2 769 821**	**7 166 226**	**5 542 079**	**4 393 968**
2012	UK ADFCO		150 316	7 696	142 620
	IrishAid	395 331		402 577	-7 246
	Sida	1 314 890	3 080 872	544 579	3 851 183
	AusAid	999 110		637 134	361 976
	Japan	1 684 637		1 050 301	634 336
	Total	**4 393 968**	**3 231 188**	**2 642 287**	**4 982 869**
2013	UK ADFCO	142 620		12 149	130 471
	IrishAid	-7 246			-7 246
	Sida	3 851 183		40 290	3 810 893
	AusAid	361 976		25 931	336 045
	Japan	634 336		256 998	377 338
	Total	**4 982 869**	**0**	**335 368**	**4 647 501**
	Grand total		**13 167 235**	**8 519 734**	**4 647 501**

Note: table has been corrected for irreconcilable closing and opening balances.

Contributions and expenditure data has not been altered.

Note on Mid-term Evaluation team's efforts to clarify financial status and use of funds of JSTF

The following is a brief account of some of the many attempts the Mid-term Evaluation team made to create clarity with respect to the use of JSTF funds.

We asked UNDP HQ for a correct version of the JSTF financial statement contained in the Functional Review. The fact that closing and opening balances could not be reconciled was claimed to be due to some changes in accounting methods. This is an explanation we cannot accept. The funds deposited by the donors do not belong to UNDP. Their value cannot be unilaterally changed by UNDP because of changed accounting procedures or methods.

We asked UNDP HQ for annual financial statements for JSTF. This was denied as it was said to require authorisation by a high authority in UNDP. Why this was necessary? who this would be? and how authorisation could be obtained? was never explained.

We searched for information on UNDP's Gateway website which is supposed to contain financial data for all UNDP administered multi-donor trust funds. After quite some travail we were advised that this is not the case. Only data for trust funds administered by UNDP's headquarters is available on this website.

We repeatedly asked PMU and UNDP for the 2012 Annual JSTF report which was supplied by UNDP first when the team leader visited Monrovia in late August.

We requested and received audit reports from UNDP Monrovia. Three audit reports were reviewed in detail but their coverage is only partial. It does not allow for a assessment of the fund's full activities, which is also noted and criticized in one of the reports.

We have pestered UNDP's Monrovia office with many and frequent requests for information. Mr Torori and his colleagues have been quite forthcoming until they were asked to explain the discrepancies discussed in Section 4. This request has been ignored.