Improving Access to Justice in Lebanon
Phase II - 2010 -2015
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EXTERNAL EVALUATION

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LIST OF ACRONYMS AND ABBREVIATIONS

A2J	Access to Justice
AWP	Annual Work Plan
BBA	Beirut Bar Association
CA	Court Automation
CDR	Combined Delivery Report
CSO	Civil Society Organization
DG	Director General
EC / EU	European Commission / European Union
GoL	Government of Lebanon
HJC	Higher Judicial Council
HR	Human Rights
IDLO	International Development Law Organization
IGO	International Governmental Organization
IJS	Institute of Judicial Studies
IT	Information Technology
JDRC	Judicial Documentation and Research Center
JPM	Joint Project Management
M&E	Monitoring and Evaluation
MfDR	Management for Development Results
MoJ	Ministry of Justice
OMSAR	Office of State for Administrative Reform
PB	Project Board
PERT	Project Evaluation and Review Technique
PM	Project Manager / Management
POPP	Programme and Operations Policies and Procedures
PP	Policy Paper
ProDoc	Project Document
RBM	Results-Based Management
ROM	Results Oriented Management
RoL	Rule of Law
SP	Strategic Plan
SWOT	Strengths, Weaknesses, Opportunities, Threats
TA	Technical Assistance
TBA	Tripoli Bar Association
ToR	Terms of Reference
UNDAF	United Nations Development Assistance Framework
UNDP	United Nations Development Programme
UNDP HQ	UNDP Head Quarters
UNDP LCO	UNDP Lebanon Country Office
UNEG	United Nations Evaluation Group

EXECUTIVE SUMMARY

The executive summary will:

- Briefly describe the intervention the A2J projects' that was evaluated.
- Explain the purpose and objectives of the evaluation, including the audience for the evaluation and the intended uses.
- Describe key aspect of the evaluation approach and methods.
- Summarize principle findings, good practices and recommendations.

Description of the Project

Following a Phase I UNDP project to strengthen the capacity of the Ministry of Justice (MoJ) of Lebanon to **administer justice in a more accountable, equitable, effective,** and **human rights-based way that** was launched on March 2007 and located within MoJ premises, the 2010-2013 Phase II project with a budget of USD 1,716,614 mostly funded (80.09%) by the European Commission (EC) was designed in turn for the **enhancement of transparency and efficiency in Administration of Justice**.

The A2J Phase II project's initial outputs were as follows:

    I-   Development of the Institutional Capacities of the MoJ;
    II-   Improvement of State Legal Aid;
    III-   Enhancing access to information;
    IV-   Support to the donors' coordination meetings.

The formal partners involved in the project are the UNDP, European Commission (EC), the MoJ, and the Office of the Minister of State for Administrative Reform (OMSAR).

The A2J-Phase II project was due to begin on the 1st of March 2010 and to end on 31st of December 2013. It underwent several major changes, incurring a number of budget reallocations, as well as several activities/sub-activities delays and/or cancellations (7/14), and was finally extended for a two years period, ending in June 2015, solely focusing on MoJ IT Unit support.

Description of the Evaluation Mission

As the closure of the extended Phase II of "Improving Access to Justice" (A2J) project was drawing near, UNDP requested an External Evaluation consultancy. The evaluation objectives are to assess the effectiveness, efficiency and added value of the project in terms of achieved outputs and results and contribution to outcome, including identification of lessons learned and good practices.

The goal of this evaluation is to allow UNDP management, the national MoJ beneficiary, and the European Union (EU) to evaluate progress in the achievement of the project objectives and to help them decide on any future course of action and support.

a. Desk Phase: The Desk Phase encompassed the analysis of the reference documents transferred timely to the evaluator by UNDP Governance Program staff as well as the organization and planning of the mission, leading to the design of the Intervention Logic and the formulation of the 29 Evaluation Questions. It led also to the design of the information gathering tools, including the questionnaires and guidelines for interviews.

b. Field Phase: This first review was followed by the field mission, mostly dedicated to holding participative and focus meetings with the current team members of the project in its extended Phase, with the MoJ administration counterparts, with HJC, with the BB (Beirut Bar) and the Legal Aid committee, with the EU representatives as a financing partner, with the previous project team members, and with UNDP team at OMSAR which closely collaborated with the IT unit support activities. During the Field Phase, 27 interviews were carried out, projects inputs & outputs were checked (4

month helpdesk entry logs Excel sheet of citizens inquiries, one publication of the judicial review, procurement and services ToR, procurement processes, project reports, project PowerPoint presentation, ATLAS project management tool, equipments and material, technical expertise and CVs…) were analyzed.

This process took twice the initial previewed time due to the large number of stakeholders, to the several replacements of counterparts' staff that took place during the project implementation, to some resistance to evaluation and last, to the weak awareness and knowledge of some others. The high staff turnover made it difficult to reach the former persons in charge and also to get to the right information as the handover quality was very weak at all levels. The evaluator overcame obstacles and constraints through an iterative progressive approach, facilitation and sometimes mediation, efforts to which the UNDP Program and Project staff showed great support and understanding. These obstacles and constraints were actually only mirroring those that the project management itself had to face.

c. Synthesis Phase: This phase involved analysis and triangulation of the gathered information which enabled us to respond to the Key Evaluation Questions and to assessing conclusive and critical issues and drafting methods and tools to avoid the replication of the same weaknesses, to underline good practices, to draft lessons learned and to recommend best practices. The results of this phase were presented within a draft Final Report, to be commented by the stakeholders and consequently, within the Final Report.

Evaluation Approach

This evaluation seeks to assess the A2J project in the context of Lebanon and its joint management and impact, both at the 'supply' and the 'demand' side of the rule of law equation. Its main challenges and prospects for sustainability have been addressed and done in line with the direction set by UN Secretary General, Ban Ki-moon:

"The true measure of success for the United Nations is not how much we promise but how much we deliver for those who need us most."

As the A2J project objectives were to deliver and support justice access for all in line with UN general principles, the question is not in terms of the project relevance to those principles but in terms of the will, the preparedness and the spectrum of action granted and allowed by the final beneficiar itself. Thus the issue becomes, was the MoJ level of engagement, ownership and responsiveness in line with its own engagement for reform stated in January 2002[1] and recalled by Prime Minister Hariri? Is MoJ ready for undertaking reforms? Should donors and implementing agencies continue providing support? Would any further support be productive and fruitful?

This being assessed, the evaluation then went to the reform project itself, wondering if it was the best project, the best design, the right timing and resources, to realize its outcomes and outputs?

To improve chances of success, attention was placed too on some of the typical areas of weakness in reform projects.

Four main areas for focus were identified:

1. Planning and project design—Projects have a greater chance of success when their outcomes, outputs and activities are properly defined and clarified.

2. Stakeholder involvement and engagement—High levels of engagement of beneficiaries and stakeholders in projects are critical to success.

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[1] This project builds on a global framework to reform the judiciary stated by the MoJ in early January 2002. The reform focuses on the following national priorities: 1) **Committing to 'justice", in line with UN Human Rights legislation; 2) Enhancing the independence of the judiciary; 3) Modernizing national legislation; 4) Initiating administrative reform and rehabilitation to enhance justice administration**

3. Communication—Good communication results in strong stakeholder **buy-in** and mobilization. Additionally, improving clarity on expectations, gaps, perceptions, roles and responsibilities, as well as information on progress and performance also pushes projects forward.

4. Monitoring and evaluation—Projects with strong monitoring and evaluation components tend to stay on track.

Evaluation Methodology

In line with the above, during the evaluation field phase, the approach was oriented toward diagnosing the deep causes of the complex problems encountered by this A2J project. Then, an attempt to find a common thread was sought, which would make it possible to grasp causes, classify them, and transmit them in a consistent and above all productive manner, so as to seek solutions instead of seeking gaps.

In this perspective, A2J project was scrutinized from all sides to grasp its type, structure, resources, objectives, strengths and weaknesses. (27 persons were met, 6 sites visited, 64 background docts, XX bibliography). The results of this first analysis are reported and detailed according to the criteria required by this evaluation (see table *§3.2. Findings, Lessons Learned and Good Practices)*.

A contextual approach related to the project lifecycle has been used in order to better understand the difficulties and the dysfunctions of the project, along with a tri-dimensional top-down approach: the systemic level, the strategic level, then the operational level.

To cover these 3 dimensions which are also interrelated and in order to identify flaws, it was necessary to draw the A2J project internal environment, its external environment. As a multiplicity of systems and actors were involved, it was then necessary to undertake a Consistency Analysis which followed a top down approach from the systemic, to the strategic, to the operational level in line with the top down approach.

During this consistency analysis, the prominent points related to the A2J outputs were deeply examined: the heavy changes they underwent and the nature and causes of these changes; the complexity and volatility of the country context / reform; and the project management reactivity.

At each analysis level, methods, measurement techniques and interpretation tools were brought, described and put into context.

These methods were meant to be both diagnosis tools and recommended keys designed to help avoid committing the same errors over again.

The pivot of this entire approach to reform was change and risk management.

Findings and Conclusions

There is no denying that the A2J reform project is complex in itself, that the maturity of systems and actors, beneficiaries of the reform, were not at a level of consistency, stability and engagement making it possible for them to take full advantage of it, and that many major changes have destabilized the project implementation course. However, one should recognize that the project management itself was not on a par with such complexity.

The answers to the questionnaire matrix based on the requested and added evaluation criteria and on the identified four main areas of focus, led to the findings. Some findings were found conclusive and were used to identify many good practices, and some critical, leading to lessons learnt and recommendation drafting. These are summarized below:

Good Practices
1. **The joint partnership between EU and UNDP towards the judicial sector reform,** and the demonstrated adaptability.

2. **Work and collaboration climate** was positive amongst counterparts despite the unstable context and deep changes that occurred. Good synergy lines were created between various stakeholders
3. **Highly qualified**, technically skilled and competent UNDP field teams.
4. The **A2J UNDP project team dedication** for the MoJ is recognized, valued and their image is very positive.
5. **Procurement and contracts** were 100% in compliance with UNDP policies and procedures
6. **Equipment and material** bought were well preserved and premises were kept clean. Conference rooms' equipment was kept in good condition, and office equipment provided was being kept neat.
7. **The ownership of the IT unit management** towards the court automation was a definite plus in the advancement of the project
8. The comprehensiveness and functionalities of **the UNDP ATLAS project management** tool is a definite added value
9. **The deep coherence of UNDP intervention with its public image concerning the principles of human rights** was a unambiguous testimony
10. **The general principles of Fairness, Integrity, Transparency and Accountability** have been given due consideration during the whole project implementation and evaluation
11. **The UNDP-EU intervention added value**, A2J was 100% complementary to the Lebanese government and other donors' interventions.

Recommendations

As a result, the stated recommendations are summarized as follows:
1. 5 sets of Recommendations related to the A2J project itself
2. Recommendations related to development projects in the Lebanese context, drafted to help overcome obstacles & constraints
   • Refine targeting for success
   • Secure right ownership for sustainability
   • Seek partnering to foster impact
   • Convert change resistances into opportunities to grow
   • Level up and adjust systems and actors maturities at start
   • Plan, do, check, learn and improve to make the most of it all
3. Recommendations for potential future course of actions towards rule of law and democracy, summarized as follows:
   • **Recommendations for MoJ institutional strengthening:**
     The Ministry of Justice would need an extensive support at many levels.
     Taking into account the Court Automation ongoing process, it would be of highly importance to accompany this process by a comprehensive organizational assessment and reengineering… The weight of the reform needed makes it worthwhile using the twinning instrument, as twinning would be an efficient leverage for the sake of reorganizing, modernizing and building the overall capacities of the MoJ.
   • **Recommendations for HJC**
     Beyond to the Court Automation ongoing project, (and while a positive outcome is worked out towards its sustainability), and taking into account the EU T.A. being implemented, it would be recommended to strengthen judicial technical (IT), and financial capacities and independence with respect to the Separation of Powers doctrine and to the Judiciary autonomy / independence.
   • **Recommendations for BB Legal Aid:**
     Legal Aid committee is dedicated, competent and efficient, but several donor projects are ongoing and foreseen in this sector. Their interventions should be thoroughly assessed in comparison with legal aid gaps and needs before going further and launching any new development intervention.

1. INTRODUCTION AND DESCRIPTION OF THE INTERVENTION

DESCRIPTION OF THE CONTEXT

The Phase II of *"Improving Access to Justice" (A2J)* **project** was built on a global framework to reform the judiciary, stated by the MoJ in January 2002.[2]

The A2J project is also in line with:

- International donors' support initiatives in the sectors of Public Administration Reform and Capacity building to promote the Rule of Law (RoL) and reinforce related partnerships
- UNDP leading efforts to support the strengthening of decision-making capacities and institutions based on United Nations Development Assistance Framework (UNDAF) 2002 – 2006[3]
- UNDAF 2010 – 2014, a planning framework for UN development operations at country level, and particularly with UNDAF Outcome 1.2 and Outcomes 2.1, 2.2 and 2.3[4]

Most importantly, the A2J project is consistent with UNDP focused efforts on *Access to Justice* aiming to reduce poverty and strengthen democratic governance, particularly by supporting justice institutions in serving the poor and the underprivileged, and aligning with the UNDP policy based on *Human Rights Conventions*, international instruments-setting principles and minimum rules for justice administration and guidelines for UN State members related to the respect of Human Rights, as well as to ensure Access to Justice to all citizens, particularly to the most vulnerable. These reference documents are embodied in the *Universal Declaration of Human Rights[5]* and in other particular covenants, conventions, rules, guidelines and standards[6].

In the same vein, the MoJ and UNDP have collaborated since 2002 in consultations with UNDP *Project On Governance in the Arab Region (POGAR),* and a Judicial Documentation and Research Center (JDRC) was set up in the MoJ in 2004 through a joint project, further supported in 2005 and 2007. A UNDP project to strengthen the capacity of MoJ to administer justice in a more accountable, equitable, effective, and human rights-based way was launched on March 2007 and located within MoJ premises. This project addressed building capacity for judicial reform, starting with an assessment of the situation in Lebanon and the administration of justice, as well as the observance of international human rights laws and conventions in order to mainstream human rights into Lebanese judicial processes and administration.

More particularly, Phase I of the project included:

- The elaboration of a policy paper
- Developing communication and information system and processes
- Training of judges and student judges on a Human Rights-Based approach to Justice.

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[2] *Project Document*, p.6/32 and Conference on Justice and Keeping Pace with the Times, organized by the Ministry of Justice in Lebanon, unpublished, January 2002. Available In Arabic on: *http://www.lebarmy.gov.lb/ar/news/?167#.VXrorUbCvi8*

[3] United Nations Development Assistance Framework (UNDAF) Lebanon, *A platform for collaborative action 2002 - 2006,* by UN Resident Coordinator System in Lebanon; Beirut, December 2001.

[4] UNDAF Lebanon 2010 – 2014, May 2009, pp.15, 21-23; Available at:
http://www.lb.undp.org/content/dam/lebanon/docs/Operations/LegalFramework/UNDAF%20Report%202010-2014.pdf

[5] See on UN website: *http://www.un.org/en/documents/udhr/*

[6] *Project Document*, p.6/32

Further to the implementation of Phase I[7], Phase II of the project was designed in order to improve the capacities of MoJ, mainly by supporting its IT staff in the execution of Beirut Court's Automation Master Plan; to boost State Legal Aid; to enhance Access to Information by setting up Help Desks, republishing Judiciary Review and conducting a Media visibility and Publication Campaign.

The A2J Phase II project's main objectives and outputs[8] were as follows:

I- **Development of the Institutional Capacities of the MoJ**

   I1- Implementing the recommendations of the Policy Paper of Phase I relevant to reducing the cost of justice

   I2- Support to the reform of the Lebanese Criminal Law

   I3- Technical Support to the Ministry by creating an IT Unit composed of highly qualified IT experts to automate services at the MoJ

   I4- Equipment of the IT Unit

   5- Enhancing Internet for the MoJ and the Beirut Palace Court

II- **Improvement of State Legal Aid**:

   1- Support the structure and improve effective legal aid

III- **Enhancing access to information**:

   III1- Publication of a guide for unifying the collection of the judiciary fees

   III2- Establishment of a Help Desk Unit at the General Prosecution in charge of handling all citizens' requests as well as an Information Help Desk aiming at helping public navigate through the complexity of the courts

   III3- Installation of name plates and floor maps at the Beirut Court Palace

   III4- Expansion of the E-Library at the Ministry of Justice; this includes:

     III41- Rendering the E-Library accessible to all judges by putting it online

     III42- Creating E-Libraries within the courts accessible to all judges

     III43- Promoting the use of the E-Library through an awareness campaign addressed to all judges

   III5- Republication of the Judiciary Review (hard and soft copy)

   III6- Public Awareness Campaign through media as well as through publications such as pamphlets, brochures guides etc...

   IV- **Support to the donors' coordination meetings**

   IV1- Ensuring Secretarial work for regular Donors' Coordination Meetings[9]

The formal partners involved in the project are the MoJ, UNDP, EC and the Office of the Minister of State for Administrative Reform (OMSAR).

The A2J - Phase II project was due to begin on the 1st March 2010 and to end on 31st of December 2013[10].

It underwent several major changes, incurring a number of budget reallocations, as well as changes in several activities/sub-activities delays and/or cancellations.

1- A 1st major change relating to *Output 2: Improvement of State Legal Aid*. This Output was to be executed jointly between UNDP and the EU under EU's recommendations and guidelines. However, as the EU was designing a project especially addressing Legal Aid, it asked for a cancellation of this activity with UNDP and for the transfer of allocated resources to fund a project extension beyond 2013[11].

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[7] See Project Document, p.2/32

[8] See Project Document, pp.7-8/32

[9] *Project Document*, p.11/32, The reform focuses on the following national priorities: 1) Committing to 'justice", in line with UN Human Rights legislation; 2) Enhancing the independence of the judiciary; 3) Modernizing national legislation; 4) Initiating administrative reform and rehabilitation to enhance justice administration.

[10] *Project Document,* p.1/32

[11] *Final Review Report – January 2010 - December 2013*, draft, p. 12/16.

2- A 2nd major change relating to the nature and duration of **Output 1: Development of the Institutional Capacities of the MoJ.** Indeed, the 2 activities concerning the "Implementation of the recommendations of the Policy Paper" of Phase I relevant to reducing the cost of justice, and the "Support to the reform of the Lebanese Criminal Law" were disregarded by the MoJ, whereas activity 3 "Technical Support to the Ministry by creating an IT Unit composed of highly qualified IT experts to automate services at the MoJ" solely underwent an extension period.

During the 3rd project board meeting held in February 2013, the EU and the UNDP agreed to extend the project agreement beyond November 2013 in its 1st component, so as to cover the expenses of UNDP recruited IT Team in providing support of MoJ's automation towards the implementation of the Beirut Court ICT/automation Master Plan[12]. The extension period is due end of June 2015[13].

The UNDP project management noted that delays and changes were induced due to many interruptions they confronted during project implementation and which slowed output delivery mainly due to the unavailability of adequate public administration counterparts and to the construction and rehabilitation works taking place at the MoJ[14].

DESCRIPTION OF THE EVALUATION INTERVENTION:

As the closure of the extended Phase II of *"Improving Access to Justice" (A2J)* **project** was drawing near, UNDP requested an External Evaluation consultancy to carry out an independent review of the project. The evaluation is to assess the project effectiveness, efficiency and added value. The goal is to allow the United Nations Development Programme (UNDP) as Executing Agency, the national counterparts at the Ministry of Justice (MoJ), Implementing Partner and direct beneficiary, and the European Union (EU) represented by the European Commission (EC) as funding partner, to evaluate progress in the achievement of A2J project objectives, and to help them decide on any future support in the field of Access to Justice.

The project pillars to evaluate were stated as follow:

- The main targets of the project are the public, justice administration and judges themselves.
- The ultimate goal is to make justice more accessible to the general public who no longer regards the justice system, considered as non-transparent and inefficient, as a credible option to settle conflicts.
- The first main objective is to modernize the administration of justice and the courts through automation and new administrative systems.
- The other main objective is to build the capacity of Judges through training sessions and study tours, and through equipping them with expanded research tools.[15]

In line with its context, the A2J Project Evaluation will be mainly driven by the guiding framework of UNDP provided in the 'Programme and Operations Policies and Procedures' (POPP)[16], the evaluation policy[17], and the UNEG 'Standards for Evaluation in the UN System'[18],

The evaluation will follow the subsequent **intervention logic**:

Supporting Lebanese national capacity development to advance justice and reinforce democratic governance being at the very heart of UNDP's mandate, UNDP involvements are to be *relevant* to

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[12] *Final Review Report – January 2010 - December 2013*, draft, p. 6/16

[13] *http://www.lb.undp.org/content/dam/lebanon/docs/Governance/FactSHeets/MOJ%2073975_Factsheet%20Sept%202014.pdf*

[14] *http://www.lb.undp.org/content/dam/lebanon/docs/Governance/FactSHeets/MOJ%2073975_Factsheet%20Sept%202014.pdf*

[15] Project Document, p.5/32

[16] UNDP, 'Programme and Operations Policies and Procedures'; 2008; Available at: *http://content.undp.org/go/userguide*

[17] UNDP, 'The Evaluation Policy of UNDP', Executive Board Document DP/2005/28, May 2006. Available at: *http://www.undp.org/eo/documents/Evaluation-Policy.pdf.*

[18] UNEG, 'Standards for Evaluation in the UN System', April 2005. Available at: http://www.uneval.org/document/download/561

the formulated needs of beneficiary countries to be able to respond quickly and appropriately to the various opportunities and challenges of development interventions.

Also, in order to be _sustainable_, effective Lebanese national ownership of aid projects is crucial. Planning, monitoring and evaluation should need to focus on nationally owned development priorities and results[19].

In the same vein, the A2J project should be constantly reflecting on the _added value_ and the difference that the aid intervention did make in the lives of the beneficiary populations, and UNDP should concentrate its efforts on improvising the best ways to get high level results[20] and on achieving effective improvements, sustainable long after the end of the intervention[21].

Likewise, probing into the _effectiveness_ and _efficiency_ of A2J project results to assess the quality of the intervention design and implementation will make it possible to draw good practices and lessons learned, and to devise corrective measures for digressions or gaps inherent to any project field implementation. In this regard, the _lessons learned_ from A2J aid project evaluation should inform future sector interventions, and should aim at significantly increase project performance and interventions results and social impact.

To cover all that preceded, this draft **evaluation report** begins with a brief description of the project to be assessed, followed in Section 2 by a presentation of the evaluation scope and objectives, and of the approach and methodology used for this external evaluation and for data collection and analysis.

Section 3 focuses on collected data analysis, from which good and critical findings are inferred, lessons learned deduced, good practices put forward, and recommendations formulated.

In Section 4, the evaluation recommendations are summarized and consolidated.

A List of Annexes is attached at the end of the draft report and includes the following: Complementary figures related to project analysis, Panel of Interviewees, List of Visited Sites, Bibliography (for reference and project background documentation consulted), Interview Questionnaires, a Matrix of Other Donors' projects, a short biography of the evaluation consultant, and the Terms of Reference (ToR) of the evaluation.

2. EVALUATION SCOPE, OBJECTIVES AND APPROACH

This section will provide a clear _explanation of the evaluation's scope, primary objectives according to the ToR and main questions identified._

2.1. Evaluation Scope & Objectives according to the ToR

As Phase II of the "Improving Access to Justice" (A2J) project is coming to its term, UNDP decided to undertake an External Evaluation in the view of carrying out an independent review of the project.

The evaluation will assess the effectiveness, efficiency and added value of the project in terms of achieved outputs and results and contribution to outcome, including identification of lessons learned and good practices.

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[19] United Nations Development Programme, _Handbook on Planning Monitoring and Evaluating for Development Results,_ New York, 2009, p.5/232; Available at: http://web.undp.org/evaluation/handbook/documents/english/pme-handbook.pdf

[20] In this regard, UNDP Results-Based Management (RBM) and Management for Development Results (MfDR) principles and tools would ensure the project delivery of the best possible results achievement

[21] Moreover, they should be in line with the guiding principles of _national ownership_, _capacity development_ and _human development._United Nations Development Programme, _Handbook on Planning Monitoring and Evaluating for Development Results,_ Chapter One, New York, 2009, p.5-17/232

The external project evaluation will make it possible to **UNDP management**, to **national stakeholders** at the Ministry of Justice (MoJ), and to the **European Union Delegation** (EUD) to decide whether to support potential future course of action.

The time period of the evaluation is to be 20 WD over 6 weeks, beginning on the 11th of May 2015.

The mission has begun with a desk review of all the project related documents, including project documents, reports and evaluations and other researches.

The field mission has been mostly dedicated to holding participative meetings with the EU representatives as a financing partner, with the MoJ administration counterparts, with the HJC President and focal point, with UNDP team at the Office of the Minister of State for Administrative Reform (OMSAR), with the current team members of the project in its 2nd Phase, with the previous project team members, all in close liaison with UNDP Program team who was fully supporting the evaluation.

The data collected from all these meetings was analyzed in order to draft the final report and submit it to all major project stakeholders. The report will include recommendations proposing improvements and corrective adjustments to:

- the A2J project implementation approach and strategies,
- towards future course of actions and
- future evaluations.

2.1.1. Major Limitations of the ToR and Proposed Amendments

In general, the Terms of Reference (ToR) related to this evaluation is clear and well written in terms of project description, objectives of the evaluation, of its expected outputs and deliverables. In a more specific manner, the ToR could be improved in some of the remaining aspects, more particularly in terms of:

Adapting the Evaluation Criteria to Project Type:
The mentioned evaluation criteria of this project are mainly 3: 2 (out of 5) of the OECD/DAC evaluation criteria (effectiveness and efficiency) and 1 (out of 2) specific to the EU (added value). As the project comes in support to the sector reform which should fit into a given state and institutional context, operate change and allow for continuity, and as the Terms of Reference (ToR) require that the evaluation is done according to 3 criteria, we would propose to widen the analysis to 2 other OECD/DAC criteria (respectively relevance and sustainability).

Adapting the Evaluation Criteria to Project Implementation Challenges:
Governance is one of the most difficult sectors to tackle in terms of Public Administration Reform, and requires, on the part of the consultants involved, tactfulness, cultural empathy, and excellent human relations. All the latter are major qualities that were demonstrated during the A2J project implementation, and were essential to carry on the project over its implementation period, and enhance donors' image. Still, huge challenges await any governance reform endeavor and actors, and thus, fine-tuning evaluation criteria to encountered obstacles and constraints could be a good way to determine and measure success at its right level. This is why we highlighted within the project management analysis: Change Analysis, Resistance and Risk Analysis, Context Complexity, Relevance and Design, Partnership Building, Maturity and System Readiness and finally, the overall Project Management quality. Management was assessed according to its capacity to plan, monitor, assess and solve problems, report, consolidate and communicate.

Adapting the Evaluation Timeline to the Complexity of the Project undergoing evaluation and to the availability of involved actors and needed information:
In this specific case, allowing for a Time Break between the analysis of the background documents and the field intervention should have been foreseen, so as to make it possible for the Evaluator to extend his/her research, to draft tools, to refine even more the documentary analysis, and to be able to put things into perspective. It is worth noting that UNDP evaluation focal points showed very positive

support and flexibility during mission implementation toward the prolongation of the report drafting period allocated to the Evaluator, keeping it within the evaluation overall timeline.

Informing ahead of time Stakeholders and potential interviewees of the upcoming Evaluation and about its Scope and Objectives:

Indeed, informing project stakeholders two weeks in advance that an end-of-project evaluation is due to take place could be a good way to give them more time and distance to prepare for the coming consultation meetings with the Evaluator and discuss more seriously and in depth the relevant matters.

Planning and Validating the Panel of Interviewees beforehand during the break week (see above) in order to avoid delays in appointment taking prior to the Field Interviews.

Indeed, reaching potential interviewees and getting consultation meeting appointments in a very short time lapse is barely feasible when there are many different counterparts. In our case and it was a major asset to the evaluation taking place, major stakeholders showed great flexibility and adaptability despite the fact that a few showed resistance.

Dimensioning the Input in Consultant man-days according to a Project inherent Constraints and Challenges:

Midterm evaluations of projects could open the door for reducing the weight of final evaluations. Whereas midterm evaluations for the review of projects during implementation have not taken place, final evaluations would require more time as risks of complications, of plan deviations and of various stakeholders disagreements inherent to any joint project implementation would be much higher.

Making Use of Mid-Term Evaluations for Review and Re-Orientation during Project Implementation when such substantial Changes and Setbacks take place, as End-of-Project Evaluation is a late step for Review:

Most particularly when project main stakeholders are numerous, it would be profitable, if financially feasible, to recourse to external midterm evaluations as these help put any project on the right track during implementation in case of deviation due to external or internal circumstances. Midterm evaluations usually increase project efficiency and cost effectiveness as to the achieved results on the ground.

In a similar vein, particularly when substantial modifications in project outputs and results have occurred early in time during implementation, midterm evaluations and reviews would help take corrective measures and mitigate any inconsistencies related to activities and to dependency relations between activities, and consequently, maintain the project on course. In our specific case, final evaluation cannot bring direct benefit to the course of the project itself, as it came to its end, and thus, cannot review implementation, but can surely lead the way for further course of action. This is the reason why recommendations for future evaluations have been drafted.

2.2. Evaluation Criteria & Questions

The report will define and detail the evaluation criteria used: relevance, effectiveness, efficiency, sustainability and added value and will explain the rationale for selecting some specific conceptual methods and particular measurement standards used in the evaluation.

While assessing A2J project effectiveness and efficiency, evaluation efforts will be directed to analyze the following:

1. Relevance of UNDP assistance and initiatives (strategies, policies, projects designed to support desirable changes) to Lebanese national development goals
2. Effectiveness of development assistance initiatives, including partnership strategies
3. Efficiency of development assistance, partnerships and coordination to limit transaction costs
4. Risk factors and risk management strategies to ensure success and effective productivity
5. Contribution and worth of this assistance to national development outcomes and priorities
6. Key drivers or factors enabling successful, sustained and scaled-up development initiatives, alternative options and comparative advantages of UNDP

7. Level of national ownership and measures to enhance national capacity for the sustainability of results

Evaluation questions will be specifically drafted for each group of stakeholders and will define the information that the evaluation will generate. The report will detail the main evaluation questions addressed and explain how the answers to these questions address the information needs of users.

However, good intentions, large projects, and lots of financial resources are not enough to ensure that development results will be achieved. The quality of those plans and projects, and how well resources are used, are also critical factors for success.

To improve the chances of success, attention needs to be placed on some of the common areas of weakness in projects.

Four main areas for focus were identified:

1. **Planning and project design**—Projects have a greater chance of success when the outcomes, outputs and activities of the projects are properly defined and clarified. This reduces the likelihood of experiencing major challenges in implementation.

2. **Stakeholder involvement and engagement**—High levels of engagement of beneficiaries and stakeholders in projects are critical to success.

3. **Communication**—Good communication results in strong stakeholder **buy-in** and mobilization. Additionally, communication improves clarity on expectations, gaps, perceptions, roles and responsibilities, as well as information on progress and performance. This clarity helps to ensure optimum use of resources and in depth problem apprehension.

4. **Monitoring and evaluation**—Projects with strong monitoring and evaluation components tend to stay on track. Additionally, problems are often detected earlier and dealt with, which reduces the likelihood of having major cost overruns or time delays later on.

As this evaluation seeks to assess the relevance of the A2J project in the context of Lebanon and its management and impact, both at the 'supply' and the 'demand' side of the rule of law equation; as well as its main challenges and prospects for sustainability, the following criteria, sub-criteria and main questions will be addressed.

Criteria/Sub-criteria[22]	Main Questions to be Addressed[23]	Data Collection Methods and Data Sources[24]
A. RELEVANCE How relevant is the project to the priority of the country and to the direct beneficiaries? To what extent does the project answers social/economic/development needs?		
A.1 Relevance of Outcomes	1a. How is the A2J project consistent with UNDP Country Programme Document (CPD)? 1b. How is the A2J project consistent with EU Action Plan for EU-Lebanon Partnership And Cooperation?	Review and analysis of : • **UNDP** Related Country Programme Document (CPD) for Lebanon and UNDP Global Strategy • EU Country strategy , EU LEB Cooperation, Action Plan for EU-Lebanon Partnership and Cooperation 2013-2015 • Lebanese global framework to reform the judiciary stated by the MoJ in January 2002.[25] • Interviews with key representatives from UNDP, EU, MoJ, HJC, Beirut Bar, OMSAR, • Roundtables and focus groups

	2. Are the outputs aligned with the strategies of the country? And with the strategies of the MoJ and HJC? And with Lebanese Laws, rules and regulations?	• Review and analysis of :
		   o Project Documents, **64** documents
		   o Annual and Quarterly Reports
		   o ATLAS software outputs and different tools: Combined Delivery Report (CDR), Issues Log, Results Log, Risk Log…

	3. To what extent are the outputs of the project still valid?	
	4. Are the outputs and activities of the project consistent with the overall outcome and the attainment of its objectives?	• Field visits observations**, 6** sites visited • Interviews with direct beneficiaries, **27** persons • Roundtables and focus groups, **7**
A.2 Relevance of Processes / Approaches	5. How are the processes/ approaches set by the project consistent with international and national general rule of law and	• Review and analysis of project documents • Field observation

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[22] Refer below to §3.2 Table of Findings within the Evaluation Report

[23] Refer to Evaluation Questionnaires by Stakeholder in Evaluation Report Annex 5

[24] Refer to the Evaluation Report Bibliography in Annex 4: Project Background Documents and Reference Documents

[25] *Project Document*, p.6/32 and Conference on Justice and Keeping Pace with the Times, organized by the Ministry of Justice in Lebanon, unpublished, January 2002. Available in Arabic: *http://www.lebarmy.gov.lb/ar/news/?167#.VXrorUbCvi8*

Criteria/Sub-criteria[22]	Main Questions to be Addressed[23]	Data Collection Methods and Data Sources[24]
	principles, and in relation with stakeholders' structure and type?	• Interviews with key Representatives
B. EFFECTIVENESS Did the project accomplish its intended objectives and planned results? What are the strengths and weaknesses?		
B.1 Progress toward Outputs	6. To what extent have the access to justice of Lebanese citizens and specifically, the poor, women and marginalized groups, improved, through project activities?	• Field visits observations • Review and analysis of project background documents • Interviews with the technical team

	7. How have corresponding outputs delivered by the project affected the outcome?
	
	Output 1:
	Development of the Institutional Capacities of the MoJ
	Output 2:
	Improvement of State Legal Aid
	Output 3:
	Access to Information
	Output 4:
	Support to Donors' Coordination Meetings
		• Review and analysis of :
		  o Project Document
		  o Annual and Quarterly Reports to specifically review the targets set
		  o Infrastructure projects implementation progress report
		• Field visits observations
		• Interviews with direct beneficiaries and main partners
		• Roundtables and brainstorming

B.2 Involvement of Stakeholders	8. What has been the contribution of partners and other organizations to the outcome?	• Review and analysis of :
		  o Project Board (PB) meetings minutes
		  o Annual Work Plans (AWP)
		• Interviews with Project Manager
		• Interviews with key Representatives and other implementing partners

Criteria/Sub-criteria[22]	Main Questions to be Addressed[23]	Data Collection Methods and Data Sources[24]

B.3 Impact on Beneficiaries	9. To what extent has the project succeeded in mobilizing MoJ as a main stakeholder?	• Review and analysis of project documents
		• Field visits observations
		• Helpdesk entry logs on 4 month
		• Interviews with :
		   o Direct beneficiaries
		   o Implementing Partners
		   o Roundtables and brainstorming

C. EFFICIENCY How well did the project team use its human and financial resources in achieving intended results? What could be done to ensure a more efficient use of resources and information?		

C.1 Managerial Efficiency	10. Were the activities implemented within the expected timeframe and allocated resources, and were there other ways to more efficiently implement the activities?	• Review and analysis of :
		   o Project Document
		   o Annual Work Plan
		   o Interim Financial Reports
		   o ATLAS software outputs and different tools
		• Meetings with Stakeholders

C.2 Partnerships and Synergies	11a. To what extent were partnerships and coordination with other donors and donors projects / other projects / other institutions or NGOs useful to successfully deliver activities?
	
	11b. How was the approach on the local level? Involvement of partners? Coordination / follow-up / decision-making / supervision… on the ground?
		• Documents review and analysis:
		   o EU Grant Application Form
		   o Annual Work Plan
		   o Annual and Quarterly Reports
		   o Interviews with implementing partners
		   o Partners' knowledge at country level, donors profiles…

C.3 Change Management	12. How did the team adapt to the Lebanese context and adjust implementation accordingly?
	Were Risks and Assumptions well assessed?
		• Documents review and analysis:
		   o Project document
		   o Annual and Quarterly Reports

Criteria/Sub-criteria[22]	Main Questions to be Addressed[23]	Data Collection Methods and Data Sources[24]
	13a. Was the analysis of the context dynamics and challenges done before and during the implementation, and taken into consideration? 13b. Were problem management techniques used to assess causes and find solutions?	o Monitoring and reporting processes and tools • Interview with Project Manager • Interviews with Stakeholders
	14. Were change management techniques used to cope with the environment?	
D. SUSTAINABILITY Are the benefits of the project sustainable? Are there measures put in place to ensure sustainability?		

D.1 Institutional Framework	15. To what extent were direct stakeholders involved in future decision-making and/or implementation?	• Documents review and analysis:
		  o Official documents from partners: Letters of intent, letters of interest/ Focal Points nominations
		  o Administrative and legal provisions

D.2 Sustainability Strategy	16. To what extent have partners committed to providing continuing support and how are they expected to take forward the results of the project?	• Interviews with key Representatives
		• Review and analysis of :
		  o Project Document
		  o Annual Work Plan
		  o Interim Financial Reports
		• Interviews with key Representatives
		• Meetings with Stakeholders

E. ADDED VALUE What is the value resulting from UNDP intervention that is additional to the value that would have resulted from intervention at national or regional level by public authorities and/or the private sector, and other donors in the specific case of external aid?		
E.1 Coherence of UNDP intervention with its public image	17a. Has UNDP showed consistency in their behaviors and attitudes with the general UN principles of human rights?	• Project Document (design) • Roundtables

Criteria/Sub-criteria[22]	Main Questions to be Addressed[23]	Data Collection Methods and Data Sources[24]
	17b. Were the UNDP development efforts consistent with the principles of gender equality, of human rights-based approach and of human development?	• Interviews with beneficiaries • Interview with stakeholders • Gender equity within management and team • Sharing of information • Field observations • Comparison between different agencies procedures and practices • Coordination meetings and minutes
	18. Did UNDP show fairness, integrity, transparency and accountability in their approach?	
	19. Has UNDP used conflict prevention approaches and played a mediation role between stakeholders to facilitate communication and productivity?	
	20. Has UNDP created synergies between the various stakeholders?	
E.2 Strong Coordination and Knowledge Transfer	21. Has the UNDP team succeeded in transferring best practices in terms of policies, project management, procedures and practices implementation to beneficiary?	
E.3 Complementarity of UNDP intervention	22a. Was the UNDP intervention complementary to the Lebanese government and other donors' interventions? 22b. Have necessary measures been taken in order to avoid duplication?	
E.4 Competitive Advantage of UNDP intervention	23. Was the EU/UNDP intervention additional to the value that would have resulted from interventions by public authorities and/or private sector?	

The answers to the questions will be drafted after cross-referencing and consolidating the collected information with the various analysis sources during the Desk Phase and the Field Phase.

It is important to note that the formulation of the answers on the basis of the evaluation criteria will be the means for a better reading of the results, and then, for better assessing conclusive results and best practices and/or critical results, lessons learned and recommendations.

2.3. **Evaluation Approach and Methods**

The evaluation report will describe in detail the selected methodological approaches, tools and analysis; the rationale for their selection; and how, within the constraints of time, the approaches and methods employed data to help answer the evaluation questions and achieve the evaluation purposes. The description will help the report users judge the adequacy of the methods used in the evaluation and the credibility of the data, findings, conclusions and recommendations.

2.3.1.Data Sources and Data Collection Procedures and Instruments

Sources for data collection were as follows:
a) **Review of Project Background Documentation relayed by UNDP**, either in digital version (through emails) or in hard copies during field visits interviews:
A high quantity of data related to project progress, efficiency and effectiveness were collected and drawn through the review of project and general documents and records, particularly: the Project Document, EU Grant Agreement, MoJ Project Board (PB) Meetings Minutes, EU Annual Narrative Reports, UNDP Annual and Quarterly Progress Reports, Final Review Report, Subcontractors Progress Reports, Financial Evaluation Report, Terms of Reference (ToR), Outputs, Issue Log, Risk Log, List of Deliverables, Financial reports, Human Resources Documents (CVs, Service Evaluation Forms), Presidential Circular relating to the setup of the Judiciary IT Center, MoJ IT Unit Organizational Structure, letters to the EUD and Procurement of Library Software for Judges.

b) **Internet research to get general and targeted information**, including on main stakeholders' websites:
UNDP in Lebanon, EUD in Lebanon, Ministry of Justice (MoJ), Higher Judicial Council (HJC), and OMSAR.

c) **Conducting interviews** referring to the evaluation questions with main stakeholders' representatives. Questionnaire templates were drafted and adapted to each interviewee in order to collect mostly qualitative data and interviewees' impressions regarding the A2J project implementation *(see Annex 5).* Most interviews took place Face-to-face on the field, and some others were held through Skype conference calls, according to the interviewee availability or for practical reasons.
Key informants included: UNDP Head Quarters staff in Beirut, Riad El Solh Street; UNDP/MoJ team; UNDP/OMSAR team; EU Delegation responsible for the project; MoJ Stakeholders; MoJ and IJS Director General; HJC President and team members; MoJ IT Unit team; and BBA lawyers representative *(see Panel of Interviewees in Annex 2).*
Informants were identified and selected in consultation and coordination with UNDP Program staff and were taken by UNDP project officer at MoJ. Selection criteria were established according to interviewees' level of involvement in the design and implementation of A2J Phase II project.

d) **Field Observation Visits**
The evaluator had the opportunity to visit project units and premises during the 2 field mission weeks at the MoJ, IT UNIT, conference room and OMSAR and the Justice Palace to get information relating to the working procedures and effectiveness of project units, and discussions took place with related staff personnel.

e) **Focus groups discussion sessions** and **participative brainstorming** were held, mainly over the evaluation questions related to effectiveness, efficiency and added value of A2J project, but also concerning relevance, sustainability and impact of the project. The main stakeholders' teams participating

were: UNDP Programme Governance Unit, UNDP/MoJ IT Unit, UNDP/OMSAR and EU Delegation representatives.

Project Background Documents

Best Practices in the field of Judiciary Reform & other sources

Interviews Roundtables Focus Groups

Figure 1: Data Sources and Iterative Analysis

During the evaluation process, and in order to ensure a minimum data reliability to build upon the evaluation content, collected primary and secondary data are triangulated by comparing various data sets and discussions and validated with stakeholders or through internal or external documentary records and evidence. Also, the evaluator made her best to collect data in an iterative manner and to make certain that participating stakeholders are all involved in the evaluation exercise and that their impressions are properly integrated.

An Evaluation Findings Matrix *(see §3.2)* was designed to keep track of questions & answers and facilitate data analysis and interpretation. Also, whenever possible, statistics and percentage figures were used to track trends and progress and to make comparisons. On the basis of the preliminary findings, lessons learned were drawn and recommendations formulated to inform stakeholders regarding any potential A2J future intervention.

The draft evaluation report will be provided to UNDP and stakeholders' representatives will be providing their comments on it. Stakeholders' comments and remarks on findings and recommendations *will be* taken into consideration during the drafting of the final evaluation report at the closure of the evaluation exercise.

2.3.2. Evaluation Methodology

The evaluation process has been structured on the basis of the Terms of Reference (cf. Annex 7: Terms of Reference) and on the objectives and evaluation expectations mentioned in the TOR, and in compliance with the evaluation methodological guidelines of the 2009 UNDP *Handbook on Planning, Monitoring and*

Evaluating for Development Results - Annex 7. Evaluation Report Template and Quality Standards[26] and the 2010 *UNEG Quality Checklist for Evaluation Reports.*[27]

Together, these led to an evaluation process that is organized as described below:

Desk Phase

The first week of the evaluation mission from11[th] to 16th of May 2015 covered:

(a) The *upstream analysis of the main reference documents*, including 64 classified background documents: Project Document, EU-UNDP Grant Agreement, Project Board Minutes, Project Managers meeting minutes, Narrative Reports, Progress Reports, Review Report, Financial Statements, Financial Evaluation Reports, Terms of Reference (ToRs) and Outputs, Issue and Risk Logs and Lists of Deliverables, Human Resource Sheets, Procurement of Library Software, Beirut Palace Helpdesk Entry Logs, etc… The latter documentation were made available to the Evaluator by UNDP Headquarters (HQ) team and project officer (see *Annex 4, Sub-Annex 4.1: Background Documents)*, besides other documents collected via Internet research or on the field *(see Sub-Annex 4.1: Reference Documents)*,

(b) Meanwhile, the *analysis of the evaluation strategic context* through exchanges via Skype or via email that took place with the UNDP HQ, as well as with UNDP Field teams at the MoJ and OMSAR;

(c) the setup of the nomenclature related to the mission operations was set. These initial analyses made it possible to build the intervention strategy and formulate 29 evaluation questions (see *§2.2.Evaluation Criteria & Questions* and *§3.2.Findings, Lessons Learned and Good Practices*).

The information gathering methods included interviews' protocols and questionnaires for face-to-face or Skype interviews, or for email exchanges. The questionnaires were based on the 5 evaluation criteria of relevance, effectiveness, efficiency, sustainability and added value and on the 4 main areas for focus that were identified:

1. **Planning and project design**
2. **Stakeholder involvement and engagement**
3. **Communication**
4. **Monitoring and evaluation**

The documentary analysis made it possible to develop preliminary responses to the evaluation questions and to identify information gaps and necessary verifications in order to guide the interviews undertaken during field interventions.

Field Phase

The Field Phase was carried out during the 2nd and the 3rd week of the evaluation mission, i.e. from 17th to 30th of May 2015, by holding consultation meetings with the main stakeholders (27 interviewees), mostly through face-to-face meetings, and others over Skype conference calls depending on their availability.

The 6 visited sites relevant to A2J project were: the Ministry of Justice (MoJ), the MoJ IT Unit and Conference Room, the Beirut Palace of Justice, the Higher Judicial Council (HJC), the Office of the Minister of State for Administrative Reform (OMSAR) and the Beirut Bar Association (BBA).

During these consultation meetings, main observations were communicated, and projections and assumptions were exchanged and discussed.

Synthesis Phase

The final phase took place on the 3rd and 4th weeks of the mission and focused on analyzing and comparing (a) qualitative and quantitative information and data provided by UNDP team members (upstream

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[26] *http://web.undp.org/evaluation/handbook/documents/english/pme-handbook.pdf*
[27] *https://www.iom.int/jahia/webdav/site/myjahiasite/shared/shared/mainsite/about_iom/eva_techref/UNEG_Eval_Report.pdf*

background documents and sheets) or collected on the field, and (b) information gathered during interviews conducted face-to-face or by Skype, during focus group discussions, during sites observation, or through web surfing on the Internet.

Data triangulation made it possible for the evaluator to verify preliminary assumptions that could have initially developed, to design responses to key questions related to the evaluation criteria, and to drive towards conclusions and recommendations.

The above evaluation architecture is described in the following figure:
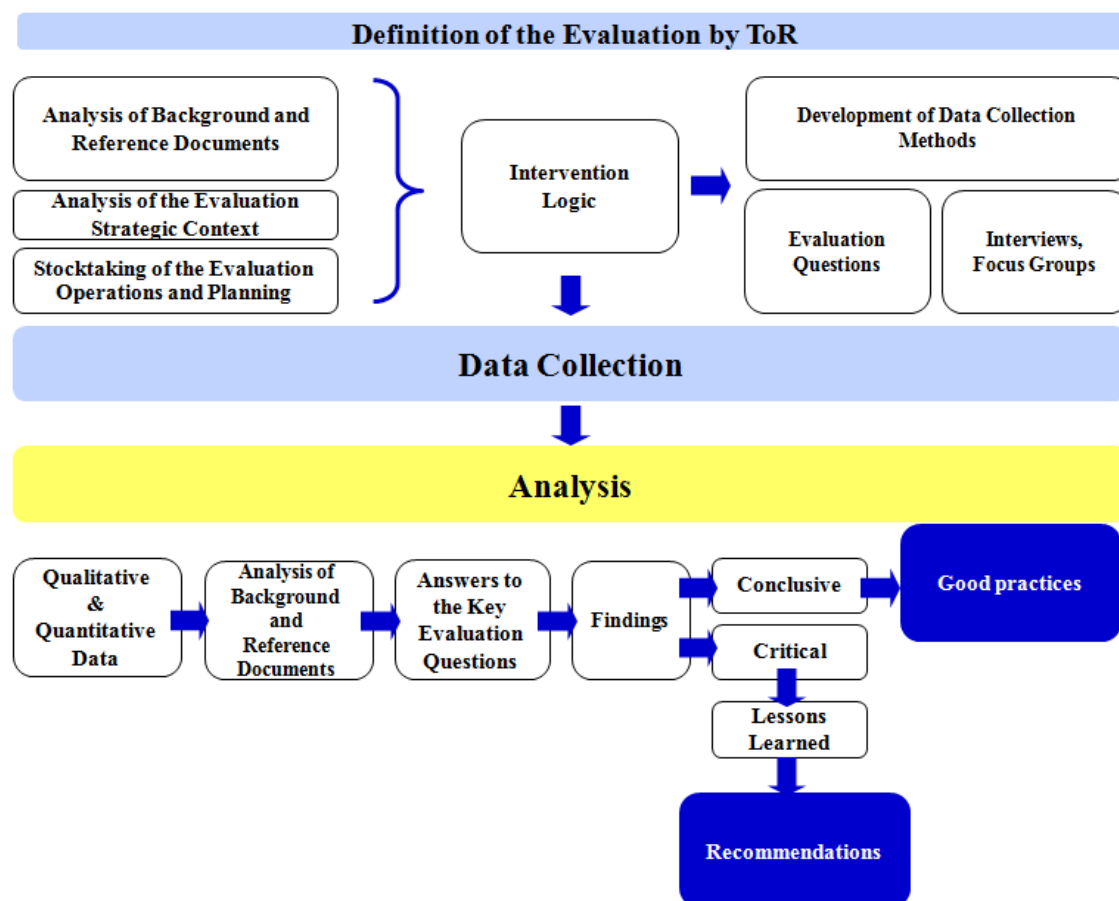
Figure 2: Evaluation Methodology

2.3.3. Stakeholder Engagement & Ethical Considerations

Interviewees were contacted either by UNDP program officer or by A2J project officer to get meeting appointment and gave their acceptance of and their voluntary involvement in the interviews held.

A moderate to high resistance was shown, and sometimes a comprehensible aggressiveness. Facilitative and iterative approach was successfully used by the consultant to re-establish a peaceful working climate and no tensions or conflicting situation arose.

The overall stakeholders' engagement in the evaluation and their high level of involvement substantially contributed to the credibility of the evaluation and its results.

The evaluator assured the interviewees on the onset of the meeting as to the confidentiality of their questionnaire answers, and asked for consent before beginning the interview. Also, no names or titles or quotes were mentioned within the report regarding any information provided, and data received from informants was not disclosed to any third parties.

In all those interview meetings/conference calls, the evaluator followed the *UNEG Code of Conduct for Evaluation in the UN System (March 2008)* and the *UNEG Ethical Guidelines for Evaluation (March 2008)* during the implementation of her mission.

3. DATA ANALYSIS, FINDINGS AND GOOD PRACTICES

The report will now present the evaluation *findings* based on the approach and techniques drawn from the methodology developed above. When findings are conclusive, they are considered good practices; when critical, they will lead to lessons learned and then recommendations.

During the evaluation field phase, the approach was oriented toward diagnosing the deep causes of the complex problems encountered by this A2J project. To grasp causes, the evaluator looked for a common thread to classify them and transmit them in a consistent and productive manner, so as to seek solutions instead of seeking gaps.

At each analysis level, methods, tools and techniques of measurement and interpretation were presented, detailed and put into context. They are both diagnosis methods and recommended keys to avoid committing the same errors again:

- Consistency top-down analysis
- Analysis of the propensity to apply reforms, of the readiness and maturity of System and Actors
- Capacity of staff, of structures and of management procedures to operate change and reform
- The adequacy and quality of the reform project management approach
- Quality of planning, monitoring, problem solving, reporting, communication…

They will be presented as concisely and synthetically as possible in *§3.1 Conceptual Map and Core Analysis,* despite the complexity of the analyzed facts stemming from the delicate character of this sector reform and the volatility of the country context.

The results of these analysis are reported and detailed according to the criteria and focus areas required by this evaluation (see above *§2.2 Evaluation Criteria & Questions*) in the table *§3.2. Findings, Lessons Learned and Good Practices*.

3.1. **Conceptual Map and Core Analysis**

a) An evolving approach related to the project lifecycle and to planned / realized activities has first been used to better visualize and contextualize difficulties and dysfunctions.

Project Life Cycle
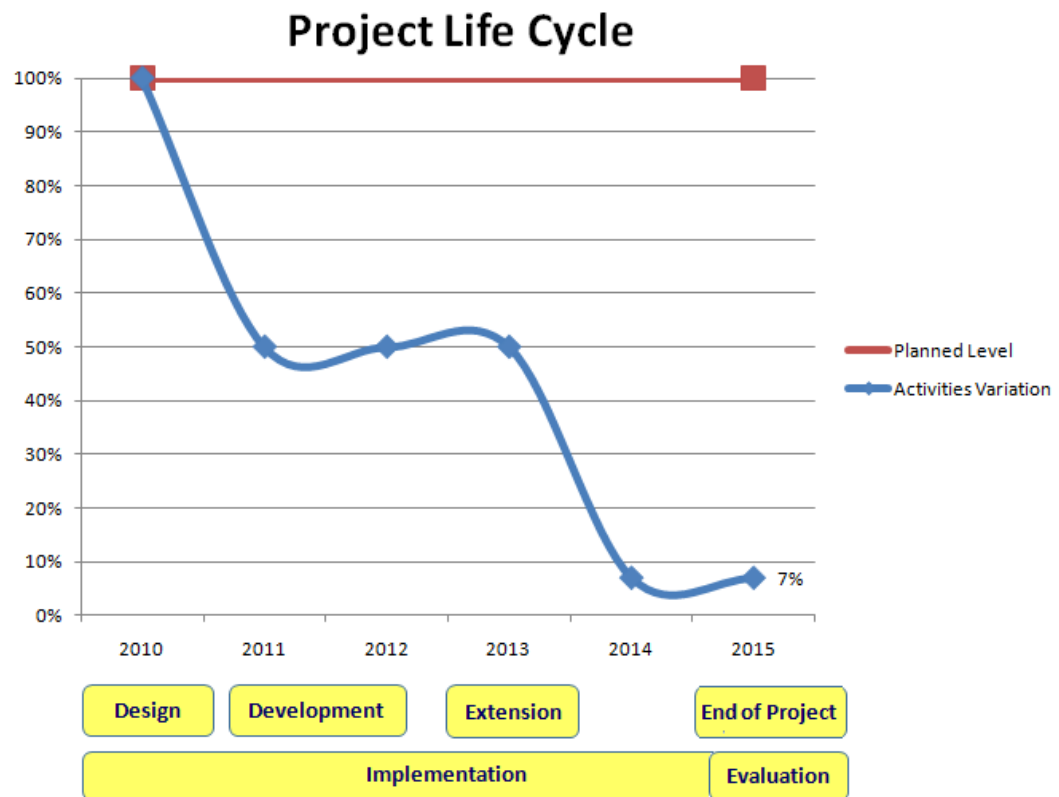
Figure 3: Drastic Drop In Number Of Activities

b) Afterwards, the A2J project has been examined in its three top down dimensions: the systemic level, the strategic level, and then the operational level. Then, because of the multiple and diverse stakeholders and the deep changes that destabilized the project, it proved necessary to undertake a Consistency Analysis that followed this top down approach.
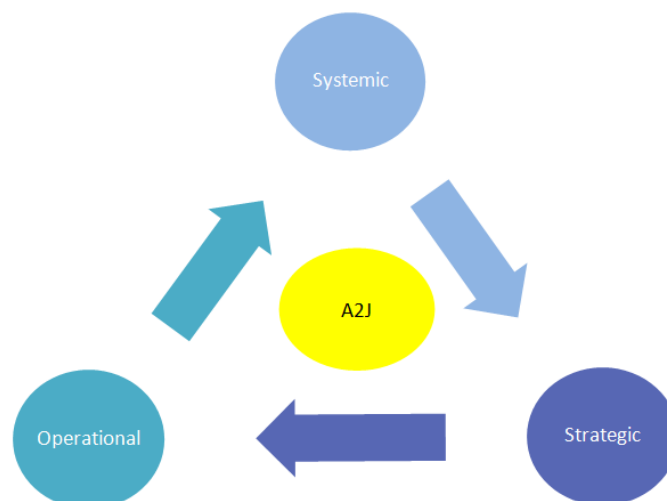

Figure 4: Consistency Circle

c) To cover these three dimensions which are interrelated, and in order to identify flaws, it was also necessary to analyze the A2J project's external environment and stakeholders and its internal environment.

All along this consistency analysis, the prominent points (obstacles and constraints) related to the A2J outputs were deeply examined:

- The heavy changes underwent and their nature
- The complexity and volatility of the country / reform context
- The numerous environmental dimensions related to the project

Change is both the main difficulty of every reform and the difficulty of this particular project as it has been chopped, broken up and amputated of several of its components. The pivot of this entire approach will be change, resistance to change and change management, which would lead us ultimately to study more thoroughly the "risk" management itself, in relation to project momentum, complexity and instability.

3.1.1. General Project Environment Analysis

As said before, and in order to adapt to the project stakeholder's diversity, resistance and awareness level, the evaluation method and data sources gathering was a dynamic iterative approach. The documentation, questionnaires, criteria and sub criteria had to be updated all along during the evaluation process advancement as the changes appeared to be substantial and destabilizing at an early stage.

This hard quest for information was due to the unavailability of the major project former counterparts:
- either because their contractual roles and responsibilities in the project implementation were long ended before the evaluation started
- or because of the changes/replacement that occurred in human resources at counterpart's institutions
- or last and not least because of a fundamental change in the project structure itself
- At the project implementation level:
  Several changes in the project team composition occurred and rotation happened.
  The communication officer and assistant were consecutively removed and the project manager replaced ad hoc.
- At the donors/EUD level:
  Personnel rotation: replacement of the EUD governance program manager and finance officers
- At the beneficiary level:
  - Several changes of ministers with different political affiliations, thus priorities, occurred during the project implementation
  - The MoJ director general, *who was the initial coordinator of the project*, retired and was replaced, and the new nominated director entrusted a focal person at the ministry with the task of coordinating with international donors
  - As concerning the Higher Judicial Council, a new President was appointed who in turn appointed a new committee to follow the court automation process and a new focal person to coordinate with international donors

Moreover, with all the changes occurring at the internal and external levels, another major shift happened, almost unnoticed by partners. Indeed with the shift of the project activities, objectives and structure, the project itself solely became a support to the Court Automation one, financed by the EU, led by OMSAR and implemented by a private Consortium.

These major changes in the work environment affecting the structure and the overall results of the project are synthesized in the table below:

CHANGES Institutions & Status	Title / Role	Departure	Replacement	New Nominees, Counterparts
EUD *Main Donor*	Programme / Project Officer Finance and Contract Officer	Yes Yes	Yes Yes	No No
UNDP Program *Management Level*	No changes	No changes	No changes	No changes
UNDP Project *Implementation Level*	Project Manager Project Assistant Communication Officer	Yes Yes Yes	Yes No No	Yes No No
MOJ Implementing *Partner - Beneficiary*	Minister of Justice Director General Focal point for International Relations & for EU projects	Yes Yes	Yes Yes	Yes Yes
HJC	HJC President Focal Point for International Donors Committee for Court Automation	Yes - -	Yes - -	Yes Yes Yes
OMSAR *New Beneficiary*[28]	Minister UNDP-OMSAR team	Yes No	Yes No	Yes No

Table 1: Changes in staff (Institutions & Status)

As we can notice, almost all stakeholders encountered or went through either replacements or new nominations within their team. This very high turnover level within the same project is by itself a threat to project success and continuity. The only exception to this trend lies at the **UNDP Program Management Level, which did not experience any change in its workforce**, and which remained the backbone of the project and allowed it to continue despite all the surrounding instability and environmental uncertainty (see figure below).

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[28] according to the project extension signed in 2013
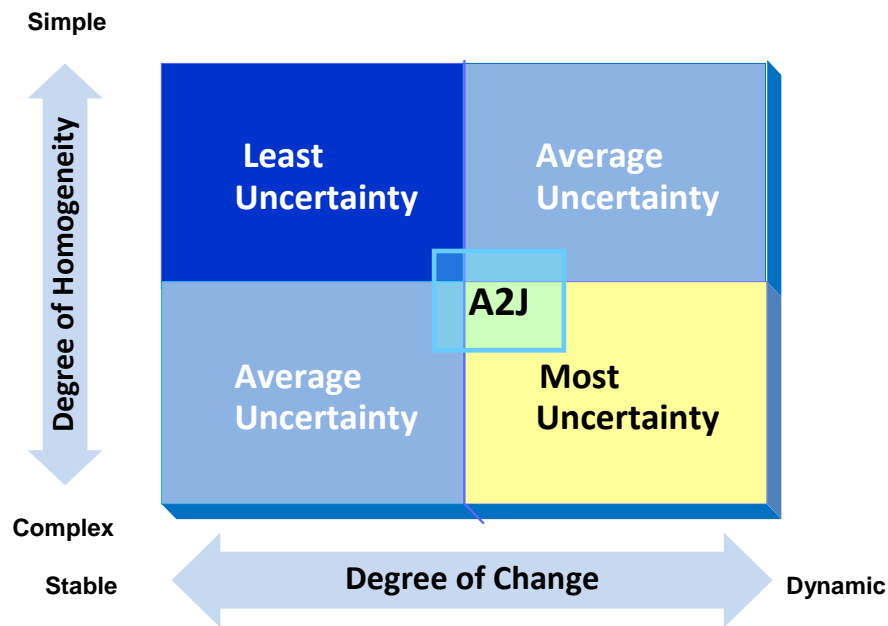
Figure 5: Environmental Change, Complexity, and Uncertainty

3.1.2. Project Layers and Dimensions: strategic top down consistency analysis

Added to this highly dynamic and unstable A2J project environment, we also have to acknowledge the number and different types of stakeholders involved in a very delicate context: the justice sector.
The following figure shows the numerous layers that the project encompasses:
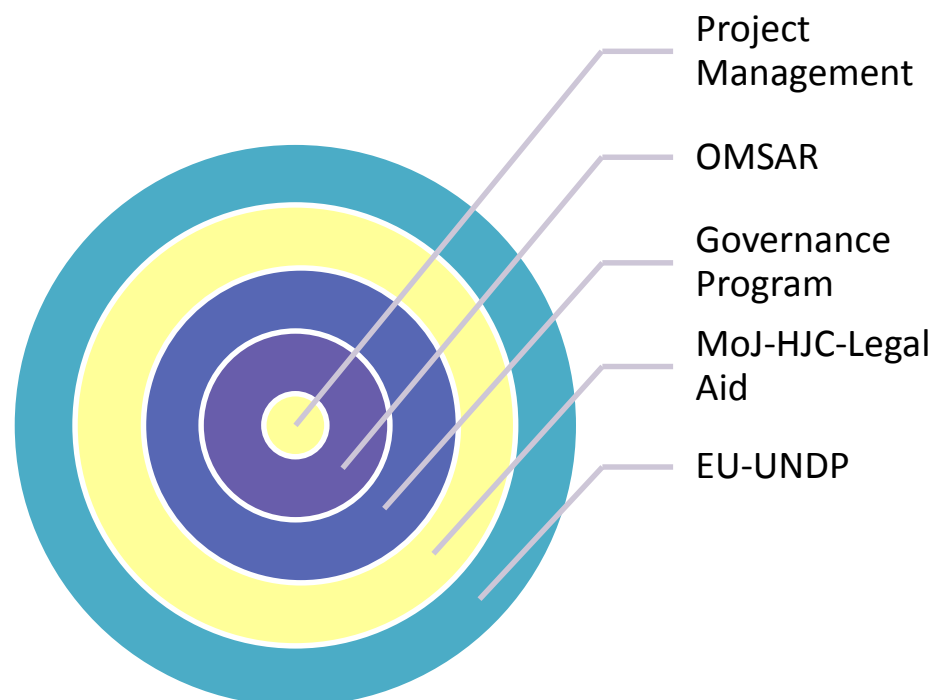
Figure 6: Project Environment

The multiple layers and dimensions inherent to the project itself, shown in the figure above, drive to many further queries and analysis.

First, one would think of the degree of underlying consistency of the A2J project itself with the 3 main stakeholder's principles, policies, strategies and implementation procedures.
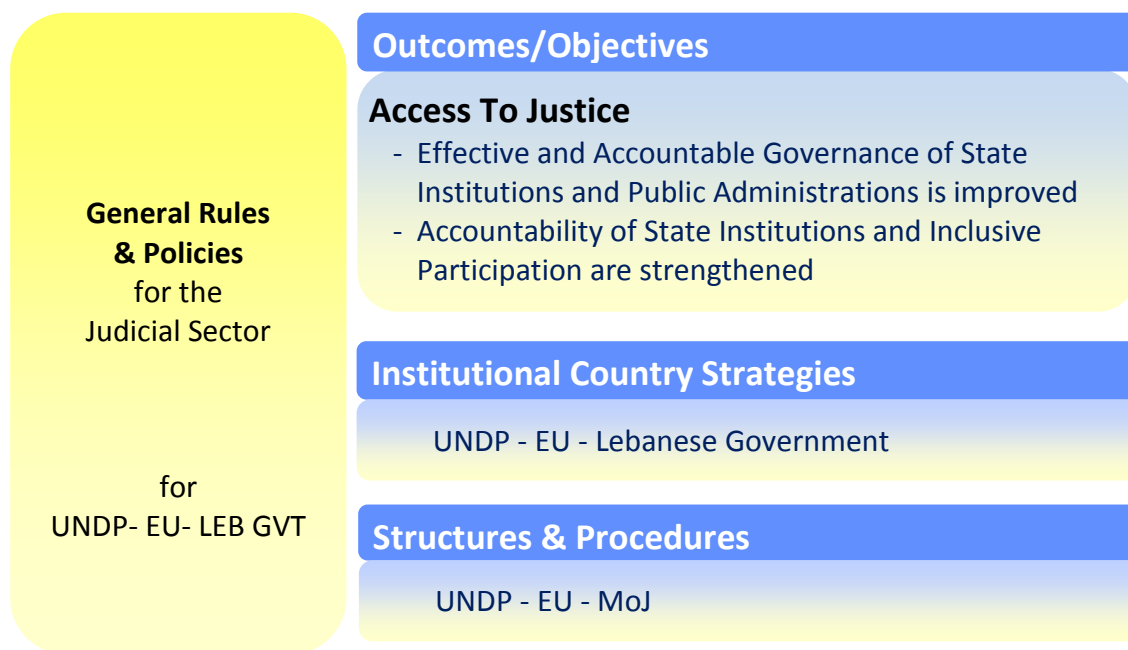
General Rules & Policies for the Judicial Sector for UNDP- EU- LEB GVT	**Outcomes/Objectives**
	Access To Justice - Effective and Accountable Governance of State Institutions and Public Administrations is improved - Accountability of State Institutions and Inclusive Participation are strengthened
	Institutional Country Strategies UNDP - EU - Lebanese Government
	Structures & Procedures UNDP - EU - MoJ

Figure 7: A2J Top Down Project Consistency Analysis

FINDINGS

While measuring the vertical & horizontal project consistency, the top down strategic approach adequacy analysis showed the following:

Top Down	UNDP	EU	MoJ	
1.GENERAL RULES & POLICIES	INSTITUTIONALISED Published & Well recognized	INSTITUTIONALISED Published & Well Recognized	Constitution, rules and decrees	
2.COUNTRY STRATEGIES	Published & Streamlined	Published & Streamlined	No institutional Strategic Planning Process	Through Prime Minister statements & Ministers Individual Acceptance/ efforts

3.OPERATIONS STRUCTURES & PROCEDURES	Existing and coordinating Standardized & Harmonized	Existing and coordinating Standardized & Harmonized	Newly created No Reform procedures or operation.	Not yet fully efficient Learning by doing

Table 2: Top down consistency findings

1. GENERAL RULES & POLICIES:

Arising from the table, and according to an in depth study of EU, UNDP and MoJ[29] institutional documentation, statements and interviews, we know that on the upper level, general rules and policies (1), there is an horizontal consistency between the 3 stakeholders, although the Lebanese Government and specifically the MoJ often depends on individual will and Ministers pre-disposition to apply these general principles rather than on an institutional ongoing process. This is due of course to external political constraints, but nonetheless these basic principles do exist and are referred to, even though not applied in practice; especially the principle of justice for all and the separation of judicial and political power.[30]

What startles us at this stage of our analysis is that despite this horizontal consistency between the 3 stakeholders, none of them took into consideration the application of these major fundaments: neither in the design of the A2J project, nor in the design of the Court Automation Technical Assistance[31], nor the initial Master Plan drafted towards this essential reform of the judicial sector.

No stakeholder or appointed specialist consultant raised the "separation of powers" matter upstream, and as such it is obvious that today at the eve of the testing phase this missing prevision is a stumbling block towards training staff and testing the court automation processes, and could be a threat to both the implementation of the projects and the sustainability of its outputs and outcome. Was this risk resulting from a lack of holistic vision of the successive teams in charge of the design, a lack of awareness of the stakeholders themselves, a lack of involvement or concern of the implementing partner - beneficiary, a lack of deep monitoring and corrective actions?

Or all that together? The fact is that over the years this actually demonstrates a reactive management process instead of a pro-active one and an issue in sustainability of the outcomes, as ownership is at stake.

2. COUNTRY STRATEGIES:

Although the two international organizations have their own separate country strategy, there is a deep consistency between UNDP[32] and EU[33] foreseen actions and interventions specifically when it comes to the Governance sector and rule of law, while there is no defined strategy and no strategic plan at both the Lebanese government and the Ministerial levels due to many factors we will not be reviewing now. It was a concern raised with almost all MoJ counterparts and the DG, in absence of institutional general strategic planning, decided to undertake an ad hoc reorganization in order to compensate the gaps and structural needs of the ministry.

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[29] Refer to §3.2 A

[30] See Lebanese Constitutional Law Article 20, and Laws 150-83 and 151-83

[31] Refer to LB-Beirut: ENPI — Court Automation — design and provision of software applications and supervision of automation infrastructure requirements — for the Lebanese Ministry of Justice 2011/S 203-329210

[32] Country paper UNDP

[33] EU Lebanon Strategy

This is not the case at the Higher Judicial Council level where a 5 year plan has been drafted, its implementation and follow up has started.

Could the ministry be ready for this A2J–CA reform when it was not even really aware of its needs and expectations? Was the maturity of the implementing partner-beneficiary, as it should have been measured (see in figure 8 below), taken into consideration at the launching of the process and was enough top-down awareness disseminated to prepare the ground for reform?
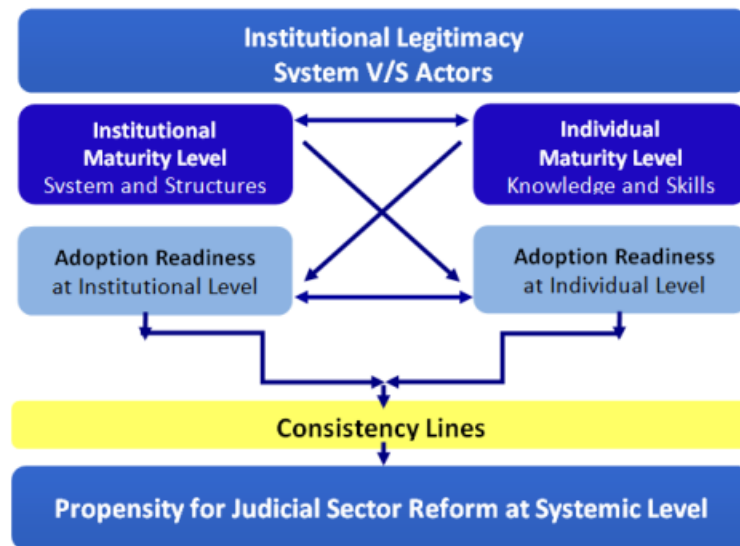

Figure 8: Reform Propensity Readiness

Was the reform impact well assessed? The risks and assumptions well defined? Did the successive ministers in charge have the same understanding when coming to judicial reform; did they have the same priorities? Where they really intending to back it up? To upgrade rules and regulations to cope with changes? To recruit adequate teams and to ensure budgets for equipment and material? Were they aware of the unequal readiness levels along their hierarchy lines? Is maturity an individual issue or a shared common institutional organized effort?

In absence of a precise institutional road map and clear strategy, individuals at the top of the pyramid have a larger "marge of manoeuvre" and capacity to stop or encourage reform according to their beliefs and interests, thus destabilizing all implementation and jeopardizing all sustainability. Indeed, the more the processes are institutionalized and recognized the studier the road to reform. In the Lebanese MoJ, we found no such securities/ safeties: the system had less influence and legitimacy than some actors. What to do then? And how to secure the continuity and effectiveness of any reform, is it from within the institutions or through an external leverage?

The previous readiness study figure will help us look further in this propensity and maturity crucial points and will also help us better understand the A2J project hindrances and draw backs, and also finding ways out.

Findings:

Low institutional maturity, engagement and ownership and the nonexistence of a strategic plan at the ministerial level have allowed actors to initiate as many changes as they wanted. No boundaries whatsoever being laid, it was a big weakness and a huge risk for the project as it eventually allowed obstacles in implementing some activities.

In absence of a recognized MoJ unified vision, mission and objectives statement, no wonder why one finds needs assessment inconsistencies, contradictory approaches, heavy power games and disruptions within the same institution, and why no genuine and rigorous monitoring of the project as a whole was held by this same implementing partner-beneficiary. Indeed, the only monitoring and follow up was only shown at the IT Unit management level.

3.1.3. Overall Management: Structures, Resources & Procedures

In this part and based on the integrated information (primary and secondary data), the specific project approach is reviewed based on a four level process: planning, doing, controlling and reacting.
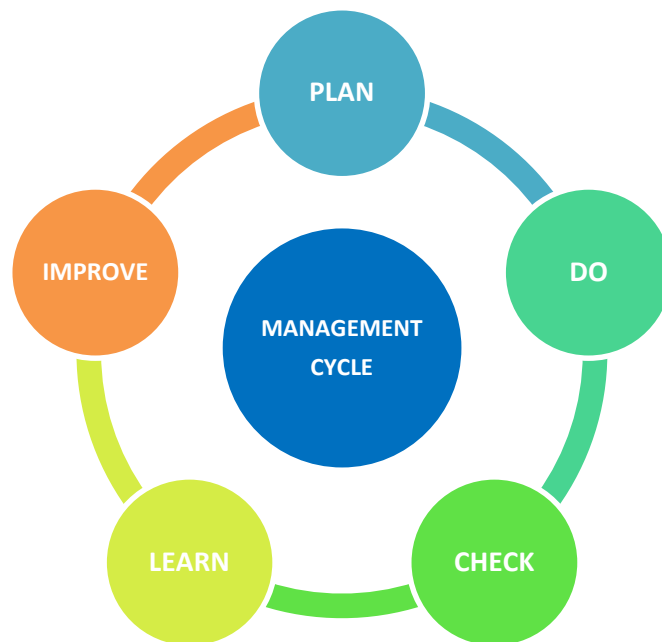

Figure 9: Management Cycle and Implementation Procedures

On implementation level, we looked at whether the operations are backed up and managed by the right structures and procedures. When policies, objectives, outcomes and targets are the core of the "planning" reform stage we previously considered, the "doing" stage is rather based on structures and procedures. These structures and the quality and harmonization of the working procedures, whenever they exist, will enable stability, continuity and lead to evolution. Evolution in turn will only happen if the implementation is based on standardized measurements and monitoring and followed by the right "re-act" process, encompassing corrective actions and contingency planning, as shown below.
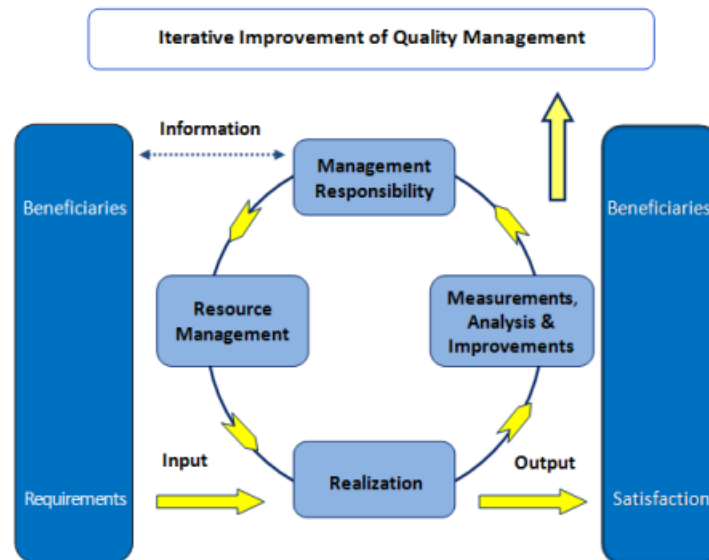
Figure 10: Iterative Improvement of Quality Management

When these quality management system processes are applied:
- Smooth implementation is made possible
- Development projects quality criteria is reached
- Activities are realized and sustained

We thus had to analyze i) at the macro-management level whether the International Organization's structures and procedures in relation to the Governance of the Judicial Sector were functional and whether their procedures were harmonized. It turned out that it was actually the case.

On the other hand, we also checked if the implementing partner/ beneficiary had the right implementing structures and procedures to secure smooth implementation and sustainability of the activities of the Project. We discovered that the IT Unit only was applying the UNDP evaluation and follow up methods, while other structures were not equipped by such tools and had no means to sustain the activities and outputs of the A2J project.

ii) At the micro-management level, we have to analyze the project management itself.

Thanks to all parties' teams, MoJ, HJC, BBLAC, EUD and UNDP, inputs and support, we went in depth in their collaboration analysis to assess its efficiency and effectiveness in relation to project outputs. This efficiency was looked at through 3 angles as shown below:

Quality

Accountability

Quantity

Timelessness

Figure 11: Efficiency Triangle

Indeed, collaboration modalities between international partners were institutionalized[34], and were taken into consideration for this A2J project. The governance program structures were found productive and well collaborating at international agencies levels.

As to whether or not the reform program structures have been set and functioning at the national level, the IT Unit was the only active structure at the MoJ, as previously said, showing clearly that other outputs like the fees guide, the Judiciary review and the help desk do not benefit of any supporting structure and nothing has been done on the beneficiary side to insure their sustainability.

Moreover, was the project board well balanced and covering both the ministry and the HJC? Were communication, information, reporting and monitoring lines well established and regular? Were disbursements timely done? And most importantly, as it could imperil the implementation, were procedures and approaches harmonized? Was there a common understanding and /or common working ground? Was the staff on all sides aware and well trained on tools and project management and follow up methods that were clearly stated and followed? What tangible efforts have been done on all sides to ease collaboration and what corrective actions were taken when needed?

All the above issues found negative answers, further explaining delays and setbacks causes.

Moreover, concerning the A2J project management itself, the project micro-management wasn't sound and stable as its implementation structure experienced many changes. Were micro project management tools used? Was this micro-management well monitored, supported and adjusted whenever needed? Were tools used to follow up on the daily activities and performance? Here again the answers are negative. Besides, both the high turnovers in resources at all project levels and shifting in activities were not properly managed and no handover done, negatively impacting the effectiveness and efficiency of the overall project implementation.

Looking at the implementing software and tools, they were found consistent between the various UNDP teams, and MoJ and OMSAR UNDP teams were working in good harmony with each other and with their respective beneficiary structures. The work climate and the overall relationships with different stakeholders was found good while the management lines seemed unclear.

To put it briefly, almost all the following virtuous circle components are to be strengthened.

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[34] In reference see EUD-UNDP MoU and the MoJ decree on the IT Unit creation, and other cooperation signed with MoJ

Figure 12: Development Projects Management Virtuous Circle

To describe a few of the above-mentioned missing management components, we will illustrate the following:

a) Issues/Problem management

Was **Issues /** problem tackling and solving, efficient and effective? **Were problems analysis tools used on the project macro and micro level? Were** the root **causes** and major **effects** of problems studied in order to better design solutions? Findings did unfortunately show that the layers of causes of the problems have not been well identified and problems were not defined in the broadest terms, looking beyond the issues that individuals or stakeholders are troubled with, which explains why they were not well tackled.
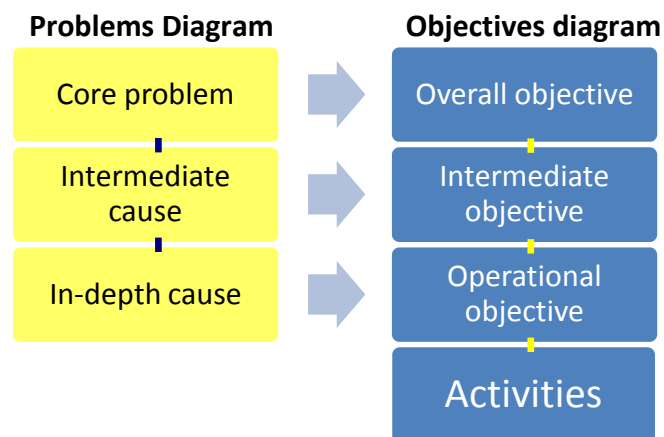

Figure 13: Problem Analysis

Recommendations:

The use of a well-constructed cause-effect problem analysis diagram will make the process of developing a consistent project easier and possible.

Example of actions to be taken:
Identifying true causes and through causes converts problems into objectives. For example, the causes that should have been addressed in the A2J project:

1. We have identified problems and causes that relate to the regulatory and legislative environments
2. We have identified problems and causes that relate to gaps in institutional capacities and maturity
3. We have identified problems and causes that relate to ownership and sustainability
4. We have identified problems and causes that relate to cultural and social norms
5. We have identified problems that affect men, women and marginalized populations, and the rights of different groups of refugees…

Two other linked major cross Functional Management issues will also be described[35]:

b) Changes, Ressources Management and Planning:

Crisis /instable country situations are dynamic and planning should quickly respond to radical changes that often take place in such circumstances. Therefore, the situation should continually be analyzed and monitored to ensure that programming is and remains relevant. Many critical structural and operational changes occurred during the implementation of the project; they should have been better documented so that monitoring and evaluation of the relevance and appropriateness of development initiatives take into consideration the situation in which they were conceived as well as the changing situation in which they were being implemented. This will involve continuous situational and conflict analysis and planning updates.

The main objectives of good planning and monitoring are to:

- Support substantive accountability to governments, beneficiaries, donors, other partners and the UNDP Executive Board
- Prompt corrective action
- Ensure informed decision making
- Promote risk management
- Enhance organizational and individual learning

This ongoing process of **doing, learning and improving** is referred to as the RBM life-cycle approach and was not followed in the course of the project. In this regard, project management was not pro-active at all: project teams and stakeholders were ruled by emergencies (deadlines, budgets, replacements, changes…) instead of leading them. They were followers and had no means to be proactive.

As a result, both changes and risks management techniques should have been used as they are closely related.

c) Changes and Risk Management

Change and risk management processes aim to ensure that standardized methods and procedures are used for efficient handling of all changes. A well managed change is a recognized, assessed occurrence, usually a threat or a risk, that would result in an unexpected deviation and a new status to one or more strategic project's pillar. When well assessed, ahead of time and accompanied by higher management consultation and a thorough analysis, change becomes cost-effective, and may even enhance a project's process by minimizing risk to the overall project implementation.

The main aims of risk management would have allowed a:

- Minimal disruption of services

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[35] The other issues will be developed in the findings table below in section 3.2

- Reduction in back-out activities
- Economic use of resources involved in the change

Recommendation:
- Project teams trainings in risk management[36] and in change management.

Finally, the cross cutting communication issue was also weak and is to be strengthened.

d) Communications: vertical and horizontal lines

Communicating on OUTCOMES is also horizontal partnership strengthening, outcomes being actual or intended changes in conditions that the A2J project is seeking to support.

Communication is mandatory w**hen:**
- There are many stakeholders
- the results are diversified, sometimes heterogeneous and shared among many stakeholders
- the implementation of the activities is entrusted to many agencies and donors
- the reform undertaken needs time
- there are delays in the achievement of results

Recommendations:

1-It is highly recommended to take communication and information initiatives and to share information horizontally among beneficiaries upon the state of advancement and perspectives to avoid a loss of confidence and/or enthusiasm on their part **and to leverage the advancement of activities.**

As an example, brainstormings could be held with a presentation showing the targets criss-crossed with their progress, reasons and ways to go forward. Spending time to brainstorm creative ways of engaging both internal and external partners can therefore be quite useful.

2-Team work (vertically)

On another level, the higher authority of projects should be training project teams at strategic management skills to enable them to carry the work forward, as these acquired skills could be a key factor that could unlock/open many doors. It is important to avoid the tendency for project staff to see only programmatic work as the purview of the team and not to feel ownership of the plan. They might be only involved in processing administrative and operational transactions, which results in a rupture between top and down managements. This could rob the team of the broader energies, ideas and support it needs to move forward efficiently.

All the above led to critical issues:
- Rupture in project rhythm
- Inconsistency and discontinuity
- Risks, changes and instability

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[36] A risk management tool would be recommended for reform projects in the complex Lebanese context. See a proposition in Annex 1

3.2. Findings, Lessons Learned and Good Practices

Findings, lessons learned and good practices are presented as statements of fact that are based on analysis of the data. They are structured around the evaluation criteria and sub/criteria and questions so that report users can readily make the connection between what was asked and what was found.

Evaluation Findings Matrix

Criteria/Sub-Criteria[37]	Main Questions Addressed[38]	Findings and Conclusions[39]
A. RELEVANCE		
How relevant is the project to the priority of the country and to the direct beneficiaries? To what extent does the project answers social/economic/development needs?		

	1a. How is the A2J project consistent with UNDP Country Programme Document (CPD)?	**UNDP**
		From: **CPD Lebanon -2010 – 2014 (p.6) / Annex. Results and resources framework for Lebanon, 2010-2014[40]**
		National priority. National reconciliation achieved and adequate institutional capacity to implement reforms developed, including increased inclusive participation and accountability
		Intended UNDAF outcome (4). By 2014, good governance reforms and practices, with national dialogue, inclusive participation, and government effectiveness and accountability, institutionalized at all levels
		Country Programme (CP) Outcome 1: Performance of public institutions enhanced; public administration modernized
		    Output 1.1 Capacities of key public institutions strengthened to formulate, coordinate and implement economic reforms and aid management.
		Country Programme (CP) Outcome 2: Accountability of state institutions, and inclusive participation, strengthened
		    Output 2.1 Transparency and accountability in public institutions and efficiency in

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[37] Refer to Table of Evaluation Matrix in the Evaluation Report page 17
[38] Refer to Evaluation Questionnaires by Stakeholder in Evaluation Report Annex 5
[39] Refer to the Evaluation Report Bibliography in Annex 4 and Project Background Documents in Annex 4.1
[40] According to last available web sources

Criteria/Sub-Criteria[37]	Main Questions Addressed[38]	Findings and Conclusions[39]
		administration of justice and parliamentary affairs improved **Output 2.2** Citizenship, participation, and leadership rights for women promoted
	1b. How is the A2J project consistent with EU Action Plan for EU-Lebanon Partnership and Cooperation?	**EU** From*: ACTION PLAN FOR EU-LEBANON PARTNERSHIP AND COOPERATION 2013-2015 p.3:* **Priorities for Action:** **A - Reforming the justice system (including the prisons segment) toward greater efficiency, effectiveness, and independence of the judiciary** *Benchmarks* • Increase in capacity within the Ministry of Justice and the related authorities; completion of the automation process of the sector • Tangible progress on independence of judiciary • Improved access to justice for Lebanese residents, including vulnerable populations **C - Human rights and protection of vulnerable populations, including Palestinian refugees, by legislation or other adequate measures and targeted actions** **E - Improving efficiency, good governance and transparency of public administration** *Benchmarks* • Progress on improving governance especially through combating corruption
	2. Are the outputs aligned with the strategies of the country? And with the strategies of the MoJ and HJC? And with Lebanese Laws, rules and regulations?	There is no country strategy for justice in Lebanon, neither at the Governmental level, nor at the MoJ. Only HJC has a 5 years strategic plan. Nevertheless we can rely on: 1)- The global framework to reform the judiciary stated by the MoJ in early January 2002. The reform focuses on the following national priorities: 1) **Committing to 'justice", in line with UN Human Rights legislation; 2) Enhancing the independence of the judiciary; 3) Modernizing national legislation; 4) Initiating administrative reform and rehabilitation to enhance justice administration** 2)- Former prime minister Hariri speech, quoted in the UNDP *PRODOC p. 3* In its Ministerial statement to the Parliament, the previous government in Lebanon headed by Prime Minister Hariri stated that "**the separation of powers in Lebanon** is one of the cornerstones of the Lebanese Constitution and the democratic parliamentary system in Lebanon. Therefore, the government is adamant in its belief

Criteria/Sub-Criteria[37]	Main Questions Addressed[38]	Findings and Conclusions[39]
		in the independence of the Judiciary and stresses its intent to carry out the necessary reforms to enhance and safeguard its independence. For a Just and independent judiciary is not only a major stabilizing agent for society, it is also the main factor in bolstering international confidence in Lebanon which, will encourage foreign investments that will push the economy ahead and will further boost growth, development, living standards, and social security of the Lebanese." 3)- Also a referral should be done to the Lebanese Constitutional Law article 20, and to Laws 150- 83 and 151-83[41]
		Project structure, design and implementation approach was in complete contradiction with UNDP/EU/Lebanese Government General rules and principles First, clear reference to "concerns about the judiciary's independence from political processes and influence" are made in the relevance analysis of the project action Grant[42]. Second, a clear statement in the UNDP Project Document showing examples of political interference with justice added that it "has occasionally led to proposals to increase the autonomy granted to the judiciary." Third, the Lebanese Government, represented by former Prime Minister Hariri, states that "the separation of powers in Lebanon is one of the cornerstones of the Lebanese Constitution and the democratic parliamentary system in Lebanon". Despite this clear consistency of the three stakeholders' will with Human Rights, the Rule of Law, the General Principles of democracy on separation of power, nothing in the project **structure** and **approach** has been done to foster it. Indeed, since the MoJ court automation master plan drafting and in all successive technical assistance to the judiciary sector in Lebanon, there has been critical confusion and overlapping between MoJ and HJC roles and attributions. Moreover, HJC has not been consulted nor included in the design, structure and implementation of the project as it was not represented in the Project Board. They were only approached at the final stage to validate some contents. At this stage, it was not easy to restore communication and trust with HJC on the A2J project.

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[41] See Country Laws, Rules and Regulations

[42] See European Commission, Access to Justice Grant application form, page5 on relevance and page 6 and UNDP Project document p.4 on the same subject.

Criteria/Sub-Criteria[37]	Main Questions Addressed[38]	Findings and Conclusions[39]
	Findings Conclusive/ Critical	
		Conclusive = Good practice: The outcome and outputs were perfectly aligned and consistent with UNDP/EU/Lebanese Government General rules and principles
		Critical= Lessons Learned[43] There has been critical confusion and overlapping between MoJ and HJC roles and attributions.
	3. To what extent are the outputs of the project still valid?	Some project outputs are invalid, especially those related to MoJ institutional capacity development : • The Policy Paper implementation • The Criminal Law • The internet enhancement component is put on hold *2 out of 5 activities were not implemented, and 1 put on hold = 3 out of 5 were found invalidated* • The Legal Aid output was stopped In output III The help desk and signs activities were put on hold for external reasons • And activities 3.2a Establishment of specialized Help Desk related to General Prosecution and 3.2b Establishment of Information Help Desk were merged, and general prosecution information put on hold. Total of 4 over 14 stopped Total of 3 over 14 put on hold. It is thus understandable that ad hoc institutional decisions and changes demonstrated immaturity and unpreparedness on all sides. In fact, HJC not being included as the direct beneficiary, he could not as such support the project and more specifically keep initially foreseen activities on track. Deviation and changes happened silently with no corrective action undertaken by the project

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[43] (Lessons Learned will be developed at a later stage to avoid duplications)

Criteria/Sub-Criteria[37]	Main Questions Addressed[38]	Findings and Conclusions[39]
		team.
	Findings Conclusive/ Critical	
		Conclusive = Good practice The strong dedication and facilitation efforts of the project management team allowed the process to continue despite all cuts critical modifications in A2J project outcomes, outputs and activities. This has protected UNDP-EU images and external perception of high reliability and capacity.
		Critical= Lessons Learned 7 activities were invalid at the time of evaluation over 14, representing 50% of the total foreseen activities, which indicates that half of the intended outputs were cut. *Ref Recommendations 1&2*
	4. Are the outputs and activities of the project consistent with the overall outcome and the attainment of its objectives?	Taking also Court Automation into consideration as it is the underlying fundaments of the A2J project, outputs are indeed consistent with the outcome and the attainment of the "improvement access to justice" objective. Nonetheless, to insure that these activities directly contributed to "Effective and accountable governance of state institutions and public administrations is improved" we will have to wait for ownership to be recognized and sustainability to be established. Moreover, and on a different scale, the other issue to be tackled is the consistency and relation of the outputs and activities with each other. Indeed, analysis shows that during the life cycle of the project, the outputs went through massive changes and consequently at the end lacked consistency altogether: each belonged to a different dimension of the judiciary reform, and the link between most was lost except for those that were in relation with the technically based automation process. Actually the changes occurring during the project implementation did somehow bring a positive added value to it as they allowed the focusing of the activities' large span towards a sole result: court automation and its derivatives. Last but not least, activities throughout were not balanced in importance or budget: some were very simple, signs and marks, and some others were tackling legal fundaments were grouped together, to the point that project outputs and activities seemed more like a reform entry-list than a deeply thought-about project design.

Criteria/Sub-Criteria[37]	Main Questions Addressed[38]	Findings and Conclusions[39]
	Findings Conclusive/ Critical	
		Conclusive = Good practice Flexibility and efforts of the implementing team in tackling a diversified and horizontal set of activities, skills and competencies of the technical team allowed project advancement.
		Critical= Lessons Learned Project activities breadth and depth were unbalanced: • Large span of activities • Activities types inconsistency • Activity depth unbalanced *Ref Recommendation 3*
A.2 Relevance of Processes / Approaches	5. How are the processes/ approaches set by the project consistent with international and national general rule of law and principles, and in relation with stakeholders' structure and type?	As developed before, processes and approaches of the project and its overall structure are not consistent with the separation of powers doctrine reflected in international rules of democracy, neither with national rules (see above point 1) which stipulates the independence of the judiciary from political power. Indeed, the central gap is the non-inclusion, non-consideration, and non-involvement of the Higher Judicial Council (HJC), neither in the structure, nor in the implementation process, except for asking for their validation on content late in 2013 and beginning of 2014 after the end of the A2J phase II initial duration and during the extension period. Actually, this confusion is not inherent to the A2J project as it was initially made in the design of the Court Automation Master Plan from which derive both the A2J project and the Court Automation technical assistance implementation that A2J has helped drafting in 2010 – 2011, and was granted the coordination with OMSAR.
	Findings Conclusive/ Critical	
		Conclusive = Good practice
		Critical= Lessons Learned *Ref Recommendations 4&5*

B. EFFECTIVENESS
Did the project accomplish its intended objectives and planned results? What are the strengths and weaknesses?

Criteria/Sub-Criteria[37]	Main Questions Addressed[38]	Findings and Conclusions[39]		
B.1 Progress toward Outputs	6. To what extent have the access to justice of Lebanese citizens and specifically, the poor, women and marginalized groups, improved, through project activities?	There has been a slight benefice to citizen access through the helpdesk whenever it was operational (based on the Helpdesk Excel Entry Logs, around 40 enquiries per day were addressed by citizens to the Helpdesk). Also, 3,500 Judiciary Fees Guides were disseminated, encompassing General Public, Judicial Clerks and Legal Experts (no exact figures available on the ratio).		
	Findings Conclusive/ Critical			
		Conclusive = Good practice		
		Critical Findings: No special focus during implementation on marginalized groups No further tracking or impact measurements on direct beneficiaries were done by the project or allowed by the MoJ		
	7. How have corresponding outputs delivered by the project affected the outcome?	ACTIVITIES	% Performance to Date	Influence on the Project's Outcome
	Output 1: Development of the Institutional Capacities of the MoJ			
		• 1.1 Implementation of the Policy Paper recommendations aiming to reduce the cost of Justice	*Dropped*	Negative
		• 1.2 Support to the Reform of the Criminal Code	*Dropped*	Negative
		• 1.3 Technical Support for the IT Unit	100%	Positive
		• 1.4 Equipment of IT Unit	100%	Positive
		• 1.5 Enhancement of Internet for the MoJ and the Beirut Courts	MoJ only 50%	Neutral
	Output 2: Improvement of State Legal Aid			
		• 2.1 Support to Structure and improve effective State Legal Aid	*Dropped*	Negative
	Output 3: Access to Information			

Criteria/Sub-Criteria[37]	Main Questions Addressed[38]	Findings and Conclusions[39]		
		• 3.1 Publication of the Guide for Judiciary Fees	100%	Positive
		• 3.2a Establishment of specialized Help Desk related to General Prosecution[44]	0%	Negative
		• 3.2b Establishment of Information Help Desk	100% Put on Hold	Positive
		• 3.3 Installation of signs, name plates, and floor maps	50%	Neutral
		• 3.4 Building up of the Legal Database at the E-Library	100%	Positive
		• 3.5 Republishing of the Judiciary Review	100%	Positive
		• 3.6 Launching of Media, Publication and Awareness Campaign	Put on hold	Negative
	Output 4: Support to Donors' Coordination Meetings			
		• 4.1 Ensuring Secretarial work for Donors' Coordination Meetings	100%	Positive
		• 4.2 Contractual Services for Administrative Staff	100%	Positive
		• 4.3 Supplies	100%	Positive
		• 4.4 Visibility Actions for EU	50%	Positive
		The project encountered many radical changes in terms of Outputs and Activities, in terms of involved Stakeholders and Resources type and allocation, and in terms of Structure. Modifications came in reaction to environmental changes and deeply destabilized		

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[44] During the Evaluation process, no information or data whatsoever was available regarding the content of the General Prosecution Helpdesk. It was not even showing in the Helpdesk inquiry entry logs.

Criteria/Sub-Criteria[37]	Main Questions Addressed[38]	Findings and Conclusions[39]
		both management and operations.
		No risk or change management procedures have been foreseen or implemented, neither at the design nor at the implementation stage of the project.
		Although few Project Board and MoJ meetings were held, the vertical communication lines were neither efficient nor effective in foreseeing stakeholders' changes in needs and expectations. The same can be said for horizontal communication lines which were not capable of tackling the origins of problems.
		Moreover, in the initial design of the project and its piloting structure, as one major beneficiary was missing, while most activities should have been coordinated with HJC. This created delays in implementation, tensions and setbacks, and most of all didn't allow direct beneficiaries ownership and appropriateness, thus threatening projects outputs and outcomes sustainability.
		Last but not least, neither the A2J project - Phase II, nor A2J Phase I, nor any other EU technical assistance nor other donors foresaw, before launching the Justice Sector Reform process, any strengthening of the capacities of the MoJ toward drafting and following a stable and **comprehensive Strategic Plan** or toward **reorganizing the Ministry** in order to be in line with the rule of law principle inherent to the democratic process and automation.
	Findings Conclusive/ Critical	
		Conclusive = Good practice
		Despite delays in adaptation to environmental constraints and changes, the project stakeholders succeeded to invest the remaining budget in one focal activity during the extension process which allowed efficiency and effectiveness.
		Critical= Lessons Learned
		Lessons learned drawn from the above:
		• Deep need to develop contingency planning and change / risk management tools and procedures in a changing and uncertain project environment.
		• Vertical and horizontal communication lines, brainstorming, knowledge transfer and training of the personnel in charge are decisive in running a reform project. Communication is the best iterative readjustment process.
		• Reviewing and adapting project initial design should be done at early stages of project implementation in order not to create a vicious circle of hindrances and

Criteria/Sub-Criteria[37]	Main Questions Addressed[38]	Findings and Conclusions[39]				
		obstacles. • A pro-active management approach would help in determining dimensions and types of risks and their management. • Institutional maturity and change reform readiness are key success factors toward reform project implementation. • States of power play between system and actors is of main importance in approaching institutional reforms: it can impediment and break any attempt more than any external war, car blast or political volatility. • Strengthening capacities of the players is a must before any reform is thought of. • Ad-hoc adaptations or learning by doing process should be avoided in a sensitive sector reform as the judiciary sector, or in others. • Ownership is a major factor of sustainability and success, and should be well secured since the very beginning of any project. • To improve efficiency, measurements tools should be well aligned and linked *Ref Recommendations 6-8*				
B.2 Involvement of Stakeholders	8. What has been the contribution of partners and other organizations to the outcome?	**EU** Senior Supplier Funding partner Monitoring	**UNDP** Senior Supplier Project Assurance / Project Support Project team: Implementing Recruiting Procuring	**MoJ** Executive partner	**HJC** --	**OMSAR-UNDP**[45] Supervising Coordinating

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[45] The evaluator does not have in hand the A2J extension document

Criteria/Sub-Criteria[37]	Main Questions Addressed[38]	Findings and Conclusions[39]				
			Facilitating			
		Project Board Project Management, Since 2010	Project Board Project Management, Since 2010	Project Board, Project Management, Since 2010	Marginalized from 2010 to 2013 Support Validation	Project Board Project Management, Since 2010
	Findings Conclusive/ Critical					
		Conclusive = Good practice				
		Critical= Lessons Learned • Unbalanced and disruptive mobilization of stakeholders • Inadequate beneficiary involvement explaining delays and lack of interest and ownership, being one of the most common reasons why development projects fail. *Ref Recommendations 9-11*				
B.3 Impact on Beneficiaries	9. To what extent has the project succeeded in mobilizing MoJ as a main stakeholder?	MoJ was regularly present at project meetings and Board meetings. Information channels were open from both sides and mutual trust developed between the DG and the Project Management team, as such no conflicts aroused. The project succeeded in mobilizing the MoJ and project manager efforts have paid. But, MoJ did not stand by its engagement and till now did not recruit the appropriate team to allow the automation process sustainability, neither did he invest in equipments				
	Findings Conclusive/ Critical					
		Conclusive = Good practice No notable conflict or tension occurred between UNDP Project team and the MoJ during implementation.				
		Critical= Lessons Learned *Ref Recommendations 12&13*				

Criteria/Sub-Criteria[37]	Main Questions Addressed[38]	Findings and Conclusions[39]	
C. EFFICIENCY How well did the project team use its human and financial resources in achieving intended results? What could be done to ensure a more efficient use of resources and information?			
C.1 Managerial Efficiency	10. Were the activities implemented within the expected timeframe and allocated resources, and were there other ways to more efficiently implement the activities?	Many delays occurred due to several hindering factors both internal and external (see below).	
		Internal Factors: • Slow responsiveness of partners • Delay in disbursements • Changes of programme / project managers • Weak handover • Delays in validation process • Delays in recruitment due to unavailable profiles • Absence of project direct beneficiaries • Unbalanced maturity of stakeholders • Violation of the Separation of Powers doctrine • …	**External Factors**: • High turnover of ministers • Long official positions vacancies • Paralyzed government • Retirement and replacement of Director General (DG) of MoJ • Weak handover • Lack of available human resources • Lack of financial resources • Palace of Justice building infrastructure and rehabilitation works • Complexities of Civil Servants recruitment process • Lack of vision and consistency of the counterparts • …
		Other aspects: The activities were implemented within the budgeted allocated resources. Expenditures were aligned to the foreseen budget and were not exceeded. Procurement processes were carefully scrutinized, and were all fully compliant to UNDP standards, while the evaluator did not have access to physical stocks, if any (excess of papers, of equipment, unused purchases...) and would draw attention to	

Criteria/Sub-Criteria[37]	Main Questions Addressed[38]	Findings and Conclusions[39]
		this aspect.
	Findings Conclusive/ Critical	
		Conclusive = Good practice During site visit to IT Unit premises, equipment appeared well preserved and premises were kept clean. Conference rooms' equipment was kept in good condition, and office equipment was being kept neat. Implementing activities by mobilizing goods and services was very well done.
		Critical= Lessons Learned As an important percentage of the budget has been allocated to the purchase of software and hardware, it could be advised to run a technical monitoring to trace / evaluate the technical quality and standards applied, whenever value for money would be questioned. *Ref Recommendations 14&15*
C.2 Partnerships and Synergies	11a. To what extent were partnerships and coordination with other donors and donors' projects / other projects / other institutions or NGOs useful to successfully deliver activities? 11b. How was the approach on the local level? Involvement of partners? Coordination/ follow up/decision making/ supervision… on the ground?	**Partnerships** • Aid coordination and effectiveness will be assessed through a first analysis directly in relation with the project, followed by an overall external aid analysis: At the project internal level: EUD - UNDP partnership proved to be strong with regards to the critical obstacles and hindrances that faced the project on many levels, to state a few: Substantial delays in disbursement, Changes in program staffing, Changes in programming priorities, Whole output withdrawal… Altogether, partners' quality of coordination and efficient mechanisms, personal efforts and strong will, sense of dedication and responsibility showed through adaptability and flexibility and also through the ability to create alternatives for continuity. This allowed the A2J project to survive with the least possible consequences. At the operational internal level: UNDP efforts to adapt and cope to the funding partner reporting and monitoring procedures were clearly an asset to support the coordination. Indeed, it is worth

Criteria/Sub-Criteria[37]	Main Questions Addressed[38]	Findings and Conclusions[39]
		mentioning that the UNDP country staff was trained[46] and very much aware of the EU aid development projects requirements and approach. This previous training and consolidated approach fueled the procedures and thus the operations. At the project external level: Web-based data being not sufficient, despite every effort it won't be either comprehensive or accurate, so it would be crucial to launch regular donors' consultations and sharing meetings. (see as example the drafted donors intervention Matrix in Annex)[47]. Were stakeholders aware of other donors' interventions in the sector before and during the A2J project design and implementation? Were any coordination held back then with ongoing USAid project, the ISO attempt at the MoJ? Were efforts and steps towards harmonizing interventions and avoiding duplications and overlapping activities and output taken?[48] Was any coordination structure or synergy line at country and program levels created for maximizing interventions in the governance sector? • **Coordination** At the project internal level: Within the A2J project, coordination has been considered as an important pillar and an outcome was fully dedicated to it. The UNDP team in charge has managed to set up a very efficient coordination process between the MoJ IT team and OMSAR-UNDP and was also well responding to the EUD monitoring and follow up expectations, and all assessments of this activity show that they succeeded in keeping communication and work flow at an efficient level, as they did deliver timely and properly to the satisfaction of all parties. Also, it is noteworthy to recall that no opposition, divergence or conflict whatsoever was reported during the 5 years project implementation period in relation to UNDP project team field work. This is a valuable asset knowing the sensitivity of the work environment, its

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[46] training held in Beirut on reporting to the EU donor and also asking support from the "UN/UNDP Representation Office in Brussels" whenever needed.

[47] See a model of donors Matrix in the field drafted by the consultant upon personal web based research. The model is fine, but the info are not yet comprehensive.

[48] Reference should be done to UNDP governance efforts in this matter

Criteria/Sub-Criteria[37]	Main Questions Addressed[38]	Findings and Conclusions[39]
		uncertainty and the pressures and constraints the team had to undergo and absorb. Nevertheless, due to the deviation from the initial project designed activities and outputs and to the changes in project management and in type of activities focus, the management lines and reporting became unclear and although not brought up, surely destabilizing to the team who has to interact with the MoJ, the MoJ IT Unit, the UNDP Program, the EU, and the OMSAR-UNDP team and is finding itself now undertaking tasks and achieving projects outside its initial scope of work[49]. On the field, the comprehensive supervision was run only by the responsible of the MoJ IT unit who is closely watching work advancement, work outputs quality, team member's performance and team evaluation. Strategic Opportunity: On another hand, it is of high importance for the ongoing A2J and for all other aid development projects to highlight the fact that both the ministry and the HJC have appointed focal point persons in charge of coordinating with International Donors and Agencies. Indeed, the following reputable judges have been officially nominated: • Judge Jean TANNOUS by the HJC • Judge Rana AKOUM by the MoJ These nominations are a major strategic advantage, a substantial opportunity and a strong leverage towards streamlined needs assessments, project design, project implementation, follow up and sustainability. In fact, having an appointed counterpart allows better optimization of efforts and resources in any reform process. Many of the current A2J project problems and hindrances would have been eluded if Lebanese counterparts would have been nominated and aware of the challenges since the first design phases and if they were deeply involved in all project phases.

[49] **Extracurricular Software projects (2015- In Progress): reference MOJ_PMmeeting_22_01_2015, ppt**
1- Administrative Workflow management system for "MOJ"
2- Courts' Evaluation for the "Judicial Inspection "
3- Management Software for the "Institute of Judicial Studies"

Criteria/Sub-Criteria[37]	Main Questions Addressed[38]	Findings and Conclusions[39]
		Their knowledge of their own work environment, their competencies and experience, their attributions and responsibility will then hold them accountable for any mutual collaboration results and outcomes. This focal point person involvement will allow smoother knowledge transfer from development agencies to national counterparts, leading to better adjustments at all levels and to efficient corrective actions, thus not only creating better synergies and adjustments lines, but also driving to more responsiveness on behalf of the beneficiary and a boosted project evolution path securing outcomes achievement. <u>At the project external level:</u> The A2J project did not refer or rely on reputable national institutions in the judiciary sector, neither universities nor research centers while Lebanon is a recognized knowledge platform in the field. It would have been enriching for the sake of quality to create links with other specialized structures, like for example the Lebanese University, faculty of law, or Université Saint Joseph, Faculté de droit, which have among other work, a lot of legal e-resources and libraries.[50] One could also notice that no citizen direct reach mechanism was set; and that no NGOs or watchdogs were involved during the course of action. Last but not least, the Lebanese MoJ environment being a very tricky and complicated one as being closely involved and influenced by a volatile political context, and as it tackles a very cultural diversified population, the project surprisingly did not refer to any other MoJ reform model or international best practices neither during design nor implementation, although it would have created a strong synergy and fueled the reform mechanisms.
	Findings Conclusive/ Critical	

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[50] The UL e-library encompasses a lot of resources, To name a few:

مجموعة اجتهادات المحاكم اللبنانية . للقاضي الدكتور عفيف شمس الدين 2-المستشار في القانون اللبناني : موسوعة العقود المدنية والتجارية.للقاضي الدكتور الياس ناصيف 1-موسوعات الكترونية بتصرف الطلاب في قاعات الانترنت

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Criteria/Sub-Criteria[37]	Main Questions Addressed[38]	Findings and Conclusions[39]
		Conclusive = Good practice and strength According to several experiences in the development aid field, the EU/UNDP coordination, knowledge and procedures exchange undertaken within the large framework of this A2J project could be considered a best practice in the field and a key success factor towards judicial sector reform. Image and perception of the two international institutions despite the cancelation of the communication activity itself was found very positive and highly considered by the beneficiaries. The A2J UNDP project team work and interventions for the MoJ went well, are recognized, their support valued and their image is very positive.
		Critical = Lessons Learned *Ref Recommendations 16-18*
C.3 Change Management	12. How did the team adapt to the Lebanese context and adjust implementation accordingly? Were Risks and Assumptions well assessed?	*Were Risks and Assumptions well assessed beforehand?* Was the analysis of the context dynamics and challenges done during the implementation, and taken into consideration for adaptation purposes? The project was designed assuming that: • The government will take action and/or allocate resources to support achievement and sustainability of results • The Ministerial Priorities will remain unchanged over the planning period • Planned budget allocations to support the reform process are actually made None of this was verified and the only adaptation steps taken by the project management towards those risks were to stop, postpone or delay some activities increasing by that the risk factor of the project, risks being events and occurrences beyond the control of the project and that could adversely affect the achievement of results.
	Findings Conclusive/ Critical	
		Conclusive = Good practice
		Critical = Lessons Learned In this A2J project, assumptions and risks were not developed and accurate enough. *Ref Recommendations 19-21*

Criteria/Sub-Criteria[37]	Main Questions Addressed[38]	Findings and Conclusions[39]
	13a. Was the analysis of the context dynamics and challenges done before and during the implementation, and taken into consideration? 13b. Were problem management techniques used to assess causes and find solutions?	The underlying rationales and assumptions or theories that define the relationships or chain of results that lead project initiative strategies to achieve intended outcomes were not well defined. Critical paths were not pre-apprehended and clearly defined and pre solutions shaped and prepared. Deep causes Were not grabbed and tackled The factors or risks intrinsic to the project design that may influence whether the initiative succeeds or fails were not identified
	Findings Conclusive/ Critical	
		Conclusive = Good practice
		Critical= Lessons Learned − Problem tree techniques were not run − Root causes were not well assessed and apprehended − Problems were not solved only postponed or avoided. *Ref Recommendations 22&23*
	14. Were change management techniques used to cope with the environment?	To start with the risks and assumptions, the risks and assumptions table drafted in the Grant document was not comprehensive. Project obstacles and constraints deriving from those pre-assessed risks or other obstacles were not foreseen. The analysis of the context dynamics and challenges was not done during the implementation, and not taken into consideration by the project management. Further to the "Issue log, risk log, lessons learned log, monitoring schedule plan" techniques used in ATLAS, no "Plan B" was prepared. The project management was not proactive and facilitative toward change. He was a follower.
	Findings Conclusive/ Critical	
		Conclusive = Good practice The existence of a comprehensive ATLAS project management follow up tools.
		Critical = Lessons Learned When change is not well mastered it turns into rupture, disintegration and unexpected consequences. What was manageable at first turns into unmanageable and uncontrolled effects, often putting image, legitimacy and trust at stake, while well

Criteria/Sub-Criteria[37]	Main Questions Addressed[38]	Findings and Conclusions[39]
		mastered changes are growth opportunities. Again, communicating, sharing and reporting in a participative inclusive approach is the key to turn threats into opportunities but it was not done during project implementation. *Ref Recommendations 24-26*
D. SUSTAINABILITY		
Are the benefits of the project sustainable? Are there measures put in place to ensure sustainability?		
D.1 Institutional Framework	15. To what extent were direct stakeholders involved in future decision-making and/or implementation?	To what extent did the project stakeholders participate and were involved into the formulation, the design and later into the practical implementation aspects and follow-up? and how were they supported to do so? Weak involvement of counterparts at the formulation & pre-launching process comes out, at least with direct beneficiaries. Also, counterparts in the Ministries and EUD were replaced during implementation, as such all awareness efforts, meetings and time spent in communication were lost and the handover to newcomers very weak. All these gaps and the lack of qualitative knowledge transfer led to a very slow learning curve and to weak efficiency. Project manager was dedicated but not well enough trained and experienced to handle effectively project critical issues. Meanwhile, no ongoing training or professional knowledge transfer efforts were ever undertaken to upgrade and adapt team member's skills to the environment. On the IT aspects, the creation of the IT UNIT was itself a best practice. This unit manager was totally involved in the automation process and showed the capacity to drive the team and allowed automation project evolution although not in a pro-active mode, his daily involvement and awareness were fuelled by ownership and dedication. The OMSAR-UNDP skilled, conscientious and hardworking team members succeeded to manage and insure the continuity of the project.
	Findings Conclusive/ Critical	
		Conclusive = Good practice IT UNIT central role in automation implementation and Project ownership.
		Critical= Lessons Learned − Weak and slow handover at all stakeholders institutions − Weak project management capacities

Criteria/Sub-Criteria[37]	Main Questions Addressed[38]	Findings and Conclusions[39]
		− Lack of continuing training and slow learning curve *Ref Recommendations 27&28*
D.2 Sustainability Strategy	16. To what extent have partners committed to providing continuing support and how are they expected to take forward the results of the project?	Commitment to any project is in a straight line linked to the extent where: • direct stakeholders were involved in conception • decision-making and/or implementation were participative and productive • the extent to which counterparts and project managers were trained and skilled to do so Sustainability comes directly from ownership. Ownership in turn comes from a deep sense of responsibility and dedication to causes or achievable high objectives. Motivation and efforts should be rewarded and sustained through communication and visibility efforts. The project management and its structure did not follow this sustainability process to take forward the results of the A2J project and to assure its sustainability. Were awareness-raising enough efforts towards sustainability undertaken?
	Findings Conclusive/ Critical	
		Conclusive = Good practice Ownership of the IT unit management towards the court automation project.
		Critical= Lessons Learned • poor level of engagement of counterparts, and of commitment • poor partnerships and network set up • poor level of awareness related to sustainability • lack of perspective and pro-activity by the project management *Ref Recommendations 29-32*
E. ADDED VALUE What is the value resulting from UNDP joint intervention that is additional to the value that would have resulted from intervention at national or regional level by public authorities and/or the private sector, and other donors in the specific case of external aid?		
E.1 Coherence of UNDP intervention with its public image	17a. Has UNDP showed consistency in their behaviors and attitudes with the general UN principles of human rights?	Yes UNDP showed consistency in their behaviors and attitudes with the general UN principles of human rights. <u>Gender, exclusion sensitivity and rights-based approach</u> Consistent with UNDP development efforts, A2J project was guided by the principles of gender equality, the rights-based approach and human development.

Criteria/Sub-Criteria[37]	Main Questions Addressed[38]	Findings and Conclusions[39]
	17b. Were the UNDP development efforts consistent with the principles of gender equality, of human rights-based approach and of human development?	Thus this UNDP initiative have addressed the issues of social and gender inclusion, contributed to strengthening the application of these principles in Lebanon; and incorporated the UNDP commitment to rights-based approaches and gender mainstreaming in the initiative design.
	Findings Conclusive/ Critical	
		Conclusive = Good practice Coherence of UNDP intervention with its public image concerning the principals of human rights
		Critical= Lessons Learned Activities were not well targeted
	18. Did UNDP show fairness, integrity, transparency and accountability in their approach?	Yes, all along the A2J project development and till the evaluation phase.
	Findings Conclusive/ Critical	
		Conclusive = Good practice The general principles[51] of Fairness, integrity, transparency and accountability have been given due consideration during the whole project implementation and evaluation.
		Critical= Lessons Learned
	19. Has UNDP used conflict prevention approaches and played a mediation role between stakeholders to facilitate communication and productivity?	• At the project management internal level: yes • Between stakeholders: no
	Findings Conclusive/ Critical	
		Conclusive = Good practice UNDP team applied conflict prevention approaches and played a mediation role within

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[51] As per UNDP's Financial Regulations and Rules (Reg. 21.02)

Criteria/Sub-Criteria[37]	Main Questions Addressed[38]	Findings and Conclusions[39]
		the project.
		Critical= Lessons Learned *Ref Recommendation 33*
	20. Has UNDP created synergies between the various stakeholders?	<u>On internal project level:</u> • Beirut Bar was put aside as Legal aid action was stopped • HJC was not involved till their validation were needed, but very late • Trustworthy universities and research centers were not consulted • NGOs were not taken into consideration to reach citizens and foster awareness <u>On external project level:</u> Good synergies were put in place with ministers and donors allowing a smooth implementation despite obstacles and constraints, and overcoming personal conflicts.
	Findings Conclusive/ Critical	
		Conclusive = Good practice Good synergies created between the various stakeholders.
		Critical = Lessons Learned
E.2 Strong Coordination and Knowledge Transfer	21. Has the UNDP team succeeded in transferring best practices in terms of policies, project management, procedures and practices implementation to beneficiary?	This aspect was difficult to evaluate as the initial phase of A2J project was ended in 2013 and major counterparts replaced. Concerning the extension period and the support to the court automation process, it seems that a good level of knowledge has been transferred to the MoJ IT Unit.
	Findings Conclusive/ Critical	
		Conclusive = Good practice
		Critical = Lessons Learned
E.3 Complementarity of UNDP intervention	22a. Was the UNDP intervention complementary to the Lebanese government and other donors' interventions? 22b. Have necessary measures been taken in order to avoid duplication?	100% Moreover the intervention came in support to other donors interventions Indeed at country level, UNDP runs a monitoring and follow up process to be aware of other interventions, to adapt and avoid duplications.

Criteria/Sub-Criteria[37]	Main Questions Addressed[38]	Findings and Conclusions[39]
	Findings Conclusive/ Critical	
		Conclusive = Good practice The UNDP intervention was 100% complementary to the Lebanese government and other donors' interventions.
		Critical = Lessons Learned
E.4 Competitive Advantage of UNDP intervention	23. Was the EU/UNDP intervention additional to the value that would have resulted from interventions by public authorities and/or private sector?	100% EU/UNDP intervention was additional to the value that would have resulted from interventions by public authorities and private sector. According to all Lebanese officials and counterparts questioned and without any exception, UNDP intervention was crucial and nothing would have been done without its support and credibility. On the other hand, UNDP image and skilled OMSAR-MoJ team efforts are well recognized and their presence clearly positive and constructive, their coordination role appreciated and their support essential, especially towards private consultancy firm's projects implementation and handling.
	Findings Conclusive/ Critical	
		Conclusive = Good practice EU/UNDP intervention was 100% additional to the value that would have resulted from interventions by public authorities and private sector. Moreover, their joint intervention through this project was seen as being in direct support of national development efforts. While analyzing and checking the Added Value within the framework of this evaluation, the following good practices were confirmed: • the coherence of the EU/UNDP intervention (absence of paralyzing conflicts/seeking synergies between the various elements of the project); • the strong coordination (harmonization of policies, programs, procedures and practices) • the complementarities (no duplication) between the EU/UNDP intervention and the interventions of the partner country and other donors
		Critical= Lessons Learned

4. SUMMARY OF RECOMMENDATIONS

In general, 50% of the various components of the A2J Project can be considered fulfilled, and have resulted in increased in ministerial skills and competencies, judges' efficiency and access to justice by citizens. The judicial review has been brought back to life, updated, automated and re-launched, the E-Library launched, transparency and efficiency of the administration of justice has been increased through the drafting, publication and distribution of the judicial fees guide (3.500), the helpdesk while working was helping 40 citizens per day and actions taken to promote the ministry automation procedure were fruitful.

These successes have not been achieved without struggle however, due to design flaws, lack of ownership by the Lebanese government and the MoJ, and various delays in implementation with a great toll taken out of the personal lives of many of the staff of the Project.

Whenever the MoJ will fulfill its commitments to secure resources and funds, there could be many options for continuation after this A2J Pilot Project. These options will be reviewed in the recommendation section and will be addressed through the adequacy analysis of potential projects prospects. And as interviewees have highlighted many difficulties surmounted in the implementation of the A2J Project, these can hopefully be avoided in any future phases, a set of recommendations has firstly been drafted to that end.

The recommendations have been drafted with the aim to provide practical, feasible actions directed to the intended users of the report about what actions to take or decisions to make. The recommendations are specifically supported by the evidence and linked to the findings around key critical questions addressed and highlighted by the evaluation.

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4.1. **Recommendations Deriving from A2J Project's Lessons Learned**

Criteria/Sub-criteria[52]	Recommendations[53]
F. RELEVANCE How relevant is the project to the priority of the country and to the direct beneficiaries? To what extent does the project answers social/economic/development needs?	
A.1 Relevance of Outcomes Project Document **Outcome** : Effective and accountable governance of state institutions and public administrations is improved	1-In a case of such destabilizing and fundamental changes trend, we would highly recommend to use the external mid-term reorientation tool to allow a distance reading and corrective measures whenever the project manager seems weighed down and unable to control changes and problems. 2-The principle of Tolerance[54] should be applied and major deviations should be reported to the next higher authority every time it is necessary. Example of action that should be taken: The project board may agree with the project manager a tolerance for each detailed plan under the overall annual work plan. If there is a forecast that the tolerance is to be exceeded, the project manager must refer the matter to the project board, and this may result in a thorough revision.
	3- Reform projects should have a balanced design of balanced activities that should demonstrate a strong strategic relationship in content as well as impact towards the outcome.
Accountability of state institutions, and inclusive participation, strengthened	4- Adaptability to environmental changes and project context at any cost may jeopardize project objectives, results and outcomes, and should be cautiously managed. 5- As changes and problems have not been adequately tackled: • Watchfulness and close monitoring of the donors and implementing partners should be strengthened. • When such substantial Changes and Setbacks take place, the Use of Mid-Term Evaluations for Review and Re-Orientation during Project Implementation is strongly recommended as End-of-Project Evaluation is a late step for Review. A culture of constant *monitoring and evaluation* is recommended in order to really achieve the expected results and to induce

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[52] Refer to the Evaluation Findings Matrix at §3.2

[53] Refer to the Evaluation Report Bibliography in Annex 4 and Project Background Documents in Sub-Annex 4.1

[54] Tolerance is the permissible deviation from a plan (in terms of time and cost) without bringing the deviation to the attention of the next higher authority.

Criteria/Sub-criteria[52]	Recommendations[53]
	a positive impact on the long run.
A.2 Relevance of Processes / Approaches	
B.1 Progress toward Outputs	**6- Institutional maturity, change & reform readiness, System and actors states of power, Ownership as a major factor of sustainability: should be used as verification entry keys towards reform** 7- Reform project should be looked at through the perspective of the maturity lifecycle of the institutions instead of through entry point opportunities of collaboration. 8- Where the progress towards planned outputs is not advancing as expected, the **project board should review the strategy of the project**, including the work plan, budget and inputs, inputs being the personnel, goods and services that are necessary and sufficient to produce the planned outputs.
	9- Ownership of Stakeholders Ownership is fundamental in formulating and implementing projects to achieve development results. There are two mandatory aspects of ownership to be considered: 1. The depth, or level, of ownership of plans and processes 2. The breadth of ownership 10- Therefore, every effort should be made to encourage broad and active stakeholder engagement in the planning, monitoring and evaluation processes. A strong participative results-management process should be implemented to engage stakeholders in thinking as **openly and creatively** as possible about what they want to achieve and empower them to achieve what they have agreed upon. • 11- Also a consolidated process should be put in place to monitor and evaluate progress and use the information to improve performance, as despite UNDP very sophisticated and comprehensive result oriented tools, there is no consolidation done at the project level. To improve efficiency, measurements tools should be well aligned and linked.
B.2 Involvement of Stakeholders	12- When a given project has a high number of stakeholders, effective planning is the only possible way to secure the balanced and effective participation of these stakeholders and this should be done through: • A comprehensive assessment of Potential risks, conflicts and constraints that could affect the projects being planned • An overview of opportunities and partnerships that could be explored and developed

Criteria/Sub-criteria[52]	Recommendations[53]
	• A thorough analysis of the vulnerable or marginalized groups that are left out of planning processes • An identification of other stakeholders and counterparts to determine the type of involvement that they could have at different stages of the process (NGO's, universities) 13- Where the progress towards planned outputs is not advancing as expected, the project board should review the strategy of the project, including the work plan, budget and inputs. (Inputs are the personnel, goods and services, and capital that are necessary and sufficient to produce the planned outputs.)
B.3 Impact on Beneficiaries	14- Project management level: • Control, monitoring and reporting procedures should be strengthened and consolidated, and reports revised • Check on progress and monitor for plan deviations and take action should be continuously done while ensuring that changes are controlled and problems addressed, and vertical and transversal communications working • Monitor resources utilization and appropriateness • Ensure national ownership, ongoing stakeholder engagement and sustainability • Ensure that the project's outputs contribute to intended country program outcomes Example of actions to be taken: Physical inventory should be carried out to trace back any leftovers and waste • Exert constant vigilance toward intellectual property as there have been software purchases and as we know that intellectual property is barely protected in Lebanon. UNDP should be very cautious toward this type of procurement and be aware of intellectual property infringements. 15- Last but not least, the many technical layers (UNDP IT Unit, MoJ IT Unit, OMSAR-UNDP, EU Technical Assistance) related to Court Automation should be internally monitored to detect duplications, assess workloads, performance and relevance at all managerial levels.
C.1 Managerial Efficiency	Internal coordination level: 16- Creating clear coordination structure chart describing roles and responsibilities among the many layers of the project would help coordination, monitoring and reporting between bodies and would allow efficiency by avoiding duplication and gaps and fostering synergies and impact. • We recommend to run an internal in depth evaluation in order to track discrepancies between management process and tools, and the length and type of projects run in Lebanon in order to streamline , to harmonize the HR management with the real needs and situation on the field.

Criteria/Sub-criteria[52]	Recommendations[53]
	External coordination level: 17- Taking into consideration the complexity of the judicial Lebanese environment, a major leverage factor would be to look at other international ministries of justice functioning, choosing the closest case with the largest similarities and taking it as a model for reform knowledge transfer, for example why not engaging a twining process with the Belgian Ministry of Justice as the Belgium model is in many aspects related to cultural diversity and population size very close to the Lebanese context case… 18- In order to reach a larger spectrum of citizens and to introduce leveraging actors, one could think of **advocacy and other efforts aimed at encouraging action by others.** It is important to have a wider implication of local and international NGOs and CSOs specialized in Access to Justice thematic and of oversight bodies which could increase accountability and momentum for reform. They could contribute to reform efforts and ensure leverage in difficult moments to reduce resistance [to change] and secure a wider ownership of the project objectives by the governance. Being nationally more engaged with citizens, these organizations would be able to ensure a rational bottom-up perspective and support.
C.2 Partnerships and Synergies	19- Remember while setting project assumptions that "the assumption relates to a condition that should be in place for the project to go ahead, and the probability of this condition occurring should be high", and carefully develop them in order to pinpoint risks. 20- When risks occur, they should trigger the reconsideration of the overall project and its direction. These risks should be reviewed and noted beside the assumptions for each level of result. 21- Increasing probability of risks should always lead to increasing management control & monitoring. When assumptions are not met and level of risks and events occurrence is beyond the control of the project and could adversely affect the achievement of results, then emergency management tools and plan B should be developed.
C.3 Change Management	22- Problem analysis and problem tree should be better used to assess right causes in relation to effects. The aim in project management is to tackle causes, and not to avoid them nor to get around problems. **Problem analysis of the phases of design and implementation should be** guided by this kind of key questions: • Are the initial problems identified, the most critical problems to be addressed? • What are their true causes? • Are we adequately capturing the problems facing us? • Are we capturing the problems affecting **the rights of various groups**? Are we addressing problems that relate to key issues of **national capacity**?

Criteria/Sub-criteria[52]	Recommendations[53]
	23- The relationships or chain of results tool that lead project initiative strategies to achievement should be well defined.
	24- Project managers should be better trained on UNDP project management techniques and tools. 25-A comprehensive monitoring and reporting process should be set 26-A change management approach should be defined and introduced in project management toolset especially contingency planning Never too late to operate changes and adjustments, there is always a way to recover trust at least! Try it.
	27-Encouraging continuing education, training and knowledge updating by creating incentives and maybe internal rules and requirements 28-Working on accountability management
D.1 Institutional Framework	29-Sustainability should be a major challenge in aid development projects 30-Project manager and beneficiaries made accountable to draw and achieve it 31-Processes should be strengthened in order to raise a strong awareness towards sustainability
D.2 Sustainability Strategy	32-In order to sustain the reform intervention impact, the MoJ should fulfill its commitments and secure resources, needed recruitments and funds before going further in the reform.
E.1 Coherence of UNDP intervention with its public image	-
	33-UNDP should create a larger awareness raising and train its staff towards conflict prevention approaches and highlight mediation role between stakeholders to facilitate communication and productivity

Criteria/Sub-criteria[52]	Recommendations[53]
E.2 Strong Coordination and Knowledge Transfer	
E.3 Complementarity of UNDP intervention	
E.4 Competitive Advantage of UNDP intervention	

4.2. **Recommendations for Future Course of Action**

Within our very short time limit, and further to the assessment of major gaps and needs of MoJ, HJC and Legal Aid at BBA, extensive consultations with stakeholders' representatives, and comparative assessments of international donors' interventions, previous beneficiary requests and expectations, we studied the adequacy and feasibility of a few perspectives and the main areas and priorities to which further support should be addressed whenever MoJ does fulfill its commitments to secure resources, and needed budgets and funds.

Consequently, you will first find below a general table commenting some *stated* future actions tracks and a second one formulating specific actions recommendations.

Comments on Potential Future Action Tracks[55]
1. "The transfer of the prisons' file from the MoIM to the MoJ as it will need extensive support in areas such as prisons management, rehabilitation of inmates, security/de-radicalization, etc… " 2. "Immediate (humanitarian) support is needed due to the Syrian crisis, which has deteriorated the already grim situation"
There is a prison administration at MoJ headed by a Judge and working with UNODC. The UNODC is in charge of handling the transfer file. Whereas, the delay in transferring the file is actually a political issue between MoJ and MoI. Moreover, there is a strong belief within the MoJ that all is done toward privatization of the prisons in Lebanon. It is true that the Syrian crisis has deteriorated an already gloomy prison situation, but there are currently many organizations supporting Syrians in detention.
3. "MoJ is in need of support to organize and manage archives"
This activity is already in the Court Automation technical assistance objectives and clearly stated: "The software applications are expected to comprise at least a case management system, a document management and *archiving system*, as well as business productivity applications."[56]
4. "There is a definite priority to have follow-up action on the ICT/automation component or else the work since 2010 will be obsolete".
The issue is for the MoJ to secure funds and find ways to foster the sustainability of the CA, to recruit resources and to buy equipments. And then to swiftly think about replicating Beirut Court Automation to other regional courts through knowledge transfer and equipment and to secure means for that.
5. "The MOJ needs support in establishing a "hard" library, as it currently uses the resources of the Lawyers' syndicate".
• "The Judiciary has always rejected a hard library and always argued they do not need books but they need more IT tools."

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[55] Comments and assessments gathered from the 6 project stakeholders, from donors' technical assistance and grants description and objectives, and from other research (see bibliography).
[56] See Service Procurement Notice: LB-Beirut: ENPI — court automation — design and provision of software applications and supervision of automation infrastructure requirements — for the Lebanese Ministry of Justice 2011/S 203-329210

- Actually, the crucial path with the library is not providing books, but to secure financial resources to sustain the E-Library. In this regard, the A2J has already provided a 10-year subscription with resources downloadable on judges' personal computers.
- Two issues need to be tackled regarding this issue:
    o Access to International Legal Database, which is very expensive
    o The E-Library provides access to Beirut Courts. What about other Mohafazat courts?
- Last but not least, we can recommend to the MoJ and donors, before going forward in this e-Library direction to check the available resources at recognized institutions, the Lebanese University (UL), the Université Saint- Joseph (USJ) for example, have resources that cover a wide spectrum of laws and judgments both at national and international levels.

6. "The development of the supervisory competencies, and that of control bodies of the judiciary system, ensuring their independence"

This request will be tackled in the EU technical assistance to the HJC *EuropeAid/134434/C/SER/LB* under the following result: "The Judicial Inspection's capacity to be an efficient and independent body able to audit and evaluate the functioning of the Lebanese justice system and its skills to perform verifications efficiently, are improved".

7. Legal Aid support

Legal Aid committee is dedicated, competent and efficient, but several donor projects are ongoing and foreseen in this sector. Their interventions should be assessed in comparison with legal aid gaps and needs before going further and launching any new intervention.

8. "Capacity of judges should be built on thematic areas such as gender, corruption, through provision of trainings, study tours, workshops, etc…"

This is being tackled by the ongoing technical assistance of the EU Technical Assistance at HJC *EuropeAid/134434/C/SER/LB*.

9. "There is a need to have an enhanced Human Rights based approach to the judiciary sector. Increasing legal awareness, awareness of laws and rights, and mechanisms to enforce, particularly among vulnerable groups (women and youth) – "

Legal Awareness is high. A lot of trainings have and are being done on the subject, In this sense UNDP has worked on training prosecutors to address GBV, but **law enforcement is the real issue.**

10. "More trust building initiatives should be thought of, such as the media campaign launched by the project in 2010-2011"

Building trust is not about media campaigning, but a continuous process, and mostly depends on justice effectiveness, efficiency, transparency, and independence, especially that the situation today in 2015 is different from 2010 and should be approached differently.

11. "The MOJ needs support in terms of forensic medical capacity: reforming regulations and procedures"

EU has been tackling this issue through technical assistance (with ACOJURIS Consortium) through delivery of training sessions to medical experts sworn at the courts and the real issue is the capacities and accountability **of legal experts**, not only in forensics, but in their overall competences, skills and ethics *(see recommendation on legal experts).*

Taking into consideration all that preceded, and the current judiciary situation, the rule of law and democracy general principles and doctrines, UNDP current projects under the governance portfolio **and other donors' interventions in the sector,**

Also, and knowing that working with national public administrations to help them formulate strategies, policies, structures, and processes would produce a system-wide impact[57].

All the above leads us to strongly '**Encourage Lebanese authorities to create the environment and the conditions for a global and integrated reform of the judiciary'[58]** and to propose the following:

Recommendations for the Potential for Future Course of Action

RECOMMENDATIONS FOR MOJ AND FOR HJC

A- The Ministry of Justice would need an extensive support at many levels. And taking into account the Court Automation ongoing process, it would be of highly importance to accompany this e-process by a comprehensive institutional assessment and reengineering… The weight of the reform needed makes it worthwhile using the twinning instrument for the sake of reorganizing, modernizing and building the overall capacities of the MoJ as twinning would be an efficient leverage toward critical needed actions:

- **Drafting and putting in place the Strategic Planning process**
- **Reengineering the organization and its chart, reorganizing and distributing rightfully powers and attributions**
- **Streamlining administrative processes and procedures to foster productivity**
- **Building all administrative and judicial bodies capacities**
- **Studying the Belgium model and especially the technical management contract "contrats de gestion technique" used to manage the relation between the Ministry of Justice and the Belgian HJC. A model that we would recommend taking into consideration cultural and social similarities between Belgian and Lebanese environments and taking also its adaptability and replicability to the Lebanese context in order to secure and promote the separation of powers**

Also, different bodies should be scrutinized, strengthened and reorganized in the MoJ, among them, the most urgent being:

- **The certified experts body, which numbers are too high (10.000 experts) and skills and reliability too low.**
- **The Department of Legislation and Consultation, as shortcomings in legal drafting must be addressed to ensure a well-functioning legal system.**

B- Further to the Court Automation project implementation, and while a positive solution59 for ownership which respects the Separation of Powers doctrine and grants

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[57] We recommend as an example the figure 2 in Annex 1 assessment process in order to better evaluate future course of actions

[58] 'The Independence and Impartiality of the Judiciary', Euro-Mediterranean Human Rights Network (EMHRN), 2010

[59] Would it be necessary to draw to attention the fact that the French investigative judges still refuse till now to use the French MoJ software, causing huge tensions and dissents among the counterparts?

autonomy / independence[60] to the Judiciary is worked out, it would be recommended to enhance the independence of the Higher Judicial Council through the following[61]:

- **Providing the Higher Judicial Council (HJC) with IT equipment and IT trainings to allow them to take advantage of the ongoing automation process, and to strengthen its structure and operations[62]**

- **Also, in line with the above, and in order to foster Citizens' Access to Justice and Transparency and institutional Accountability, and with the helpdesks already realized under A2J project, update the HJC website and reconfigure it with the aim to develop for Lebanese citizens, refugees and foreigners, easy access applications describing and explaining all the judiciary procedures and administrative formalities within Lebanese courts in lay terms**

- **Develop alternatives for dispute resolution (ADR), amend and draft laws related to such alternatives, create structures, recruit and train professionals in order to alleviate court overburdens and reduce backlog, thus enhancing access to justice.**

- **While actions are being taken towards accountability for corrupt behavior by the HJC Accompanying the work by communication and massive campaigns to improve the image of the judiciary and its importance for the rule of law and promotes and supports judicial independence would be very adequate at this period of time**

Golden Key Factors for Next Reform Projects

- **Refine Targeting for Success**

- **Secure Right Ownership for Sustainability**

- **Seek Partnering to foster Impact**

- **Convert Change Resistances into Opportunities to Grow**

- **Level Up and Adjust Systems and Actors Maturities at start**

- **Plan, Do, Check, Learn and Improve to Make the Most of it All**

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[60] The 5 universal signs of judiciary independence and which are recognized by law in Lebanon are: recruitment, judge nominations, training, transfer, and financial independence (refer to General Assembly resolutions 40/32 of 29 November 1985 and 40/146 of 13 December 1985 which are related to the *Basic Principles on the Independence of the Judiciary*).

[61] Communication and information campaigns to improve the image of the judiciary and its importance for the rule of law and to support judicial independence would be very adequate at this period of time where judges' accountability for corrupt behavior is emphasized by the HJC President

[62] The budget for the judicial sector should be prepared and overseen by the Higher Judicial Council based on a detailed assessment of court needs. Mechanisms to give responsibility for expenditures to the courts should be established.

5. REPORT ANNEXES

For swift handling and consultation, the annexes have been presented separately.