EVALUATION

UNDP Somalia Projects 2012-2015
Access to Justice- UNDP A2JP
Civilian Policing- UNDP CPP

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ACRONYMS AND ABBREVIATIONS

AMISOM : African Union Mission in Somalia

APR: : Annual Project Report

AWP : Annual Work Plan

A2J : Access to Justice (project)

B&I : Bridging and Inception (project)

CI(D) : Criminal Investigation (Department)

CPD : (UNDP) Country Programme Document

CPP : Civilian Policing/Police Project

CSP : Community Security Project

CSO : Civil Society Organisation

DDR : Disarmament Demobilization and Reintegration

FGS : Federal Government of Somalia

GROL : Governance and Rule of Law (programme)

IDLO : International Development Law Organization.

IDP : Internally Displaced Persons

LoA : Letter of Agreement

LTA : Long Term Agreement

MOJ : Ministry of Justice

MO(N)S : Ministry of (National) Security

MPS : Model Police Station

OCVP	: Observatory of Conflict and Violence Prevention
PRDC	: Puntland Research and Development Center
PSG	: Peacebuilding and Statebuilding Goals
ROL	: Rule of Law (programme)
ROLS	: Rule of Law and Security (programme)
SGBV	: Sexual and Gender Based Violence
SIDP	: Somalia Institutional Development Project
SOP	: Standard Operating Procedure
SPF	: Somali Police Force
SPU	: Special Protection Unit
SSR	: Security Sector Reform
TFG	: Transitional Federal Government
UNCC	: UN Common Compound
UNSAS	: UN Somalia Assistance Strategy
UNSOM	: United Nations Assistance Mission in Somalia

EXECUTIVE SUMMARY

The current external independent evaluation addresses the Access to Justice (A2J) and Civilian Police (CPP) projects that are part of the wider Governance and Rule of Law (GROL) programme 2012-15. The implementation of these two projects is marked both by a legacy that offered a sound base to build upon and by a few key facts that dramatically altered the initial design. However the two projects were able to deliver and to produce valuable achievements. A close review of the activities shows that these achievements are substantial but unbalanced, that resources were properly used with respect to results but that these later were not fully consolidated. The key findings set out the challenges, success factors, advantages and benefits as well as the weaknesses of the projects, and provide recommendations that should help UNDP operate more strategically and efficiently in the Rule of Law field in the future.

Determining Background and Context

The GROL programme encompasses A2J and CPP and brought together Governance and Rule of Law. Therefore it is a continuation of the three previous Rule of Law and Security (ROLS) programmes that stretched over 9 years from 2002 until 2011. However the programme has moved away from a security-focused approach to a more institutional building one.

At mid term in 2013 the programme and especially the two projects were dramatically altered due to specific events. At the political level the Federal Government committed itself to a new policy for Peacebuilding and Statebuilding. This policy, the Somali Compact, was endorsed by the International Community in September 2013 and rearticulated goals for Security, including Police, and Justice along new partnership principles. Consequently the programme was reorganised to match these goals through the "Bridging and Inception project" (funded by EU/DFID) that brought CPP and A2J more closely together.

Over the duration of the programme security remained a major concern for operations. The June 2013 UN Common Compound (UNCC) bombing in Mogadishu disrupted the UNDP organisation and management. More recently, numerous incidents proved that Al Shabab has resorted to asymmetrical warfare making it hard for security forces to significantly secure any area, which in turn limits foreign aid and assistance.

For beneficiaries, the situation remains challenging. Despite two decades of international assistance and some unquestionable progress compared to the 90s and the recent years, the institutions remain weak. Further, the civil society faces unanswered needs in almost all sectors including Security, Justice and Peace but too often has been reduced to a silent partner bound by traditional order. This assessment has however to be differentiated with Somaliland having benefited from more peace and stability and therefore been able of

more substantial development while Puntland and especially the South Central areas having faced more difficulties.

Finally, despite an approved constitution[1] and an established government, political instability remains. Consequently there is no continuity of ministerial and executive level leadership. This does not facilitate reforms nor any form of strategic development.

To conclude the situation provides many extenuating circumstances but these should not be seen as a law excuse.

Key features

A few key features have to be taken into account:

- The two projects were structured around a central head and three regional teams in Mogadishu, Garowe and Hargeisa that were respectively in charge of South Central and later federal matters, Puntland and Somaliland. Each team was made up of an international manager and a few local staff. This ensured some level of regional differentiation.
- The total expenditures for the two projects were $10,940,346 for A2J and $41,684,814 for CPP. For the CPP project, it is worth noting that almost one quarter of the expenditures were dedicated to stipends for the police and for the special protection units (SPUs). Overall, around 20 % of the total budget was spent via LoAs to fund government counterparts and local service providers[2].
- Aside from these two projects two other GROL projects were working in tandem on converging goals and were coordinated with a mitigated success. The Community Security Project (CSP) intended to educate young people to address conflicts and to interact with Justice and Police. It also produced security diagnostics that are shared by Police and civil society. The Somali Institutional Development Project (SIDP) aims to develop the internal support capacity the public services need and this includes to some extend (human resources and budget/finance) the Police and the Judiciary.

Main observations A2J

- Most of the project outputs have been achieved. However the project is more focused on the supply side of Justice (achievements have been stronger with institutions than with the civil society organizations/population).
- The project has been effective in strengthening the Ministries of Justice in all 3 areas (especially in Somaliland) *inter alia* to develop Justice Sector Strategies.
- The establishment of High Judicial Councils is achieved in all 3 areas and in Somaliland best practices have been developed to enhance the accountability of the Judiciary (case management and inspection scheme).

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[1] Somalia provisional constitution August 1st, 2012
[2] The wording local service providers covers a wide range of local actors, public bodies, universities, NGOs, associations, local division of international organisations… that have benefited of LoAs to implement projects activities

- Justice sector actors have participated in training activities, but they could not be quantified because specific and coherent data is only available after 2014, and they mainly occurred on an *ad hoc* basis, as a yearly training plan is not available.
- Somali women have been facilitated in accessing formal justice as a result the provision of free legal aid and the establishment of SGBV Units at Prosecution Offices staffed with female prosecutors in Somaliland and in Mogadishu.
- The number of legal professionals and law graduates (included females) has increased as a result of the Scholarship and Internship programme.
- In Somaliland the Prison Receptionist Desks and the "*legal aid policy for pretrial justice*" have improved access to legal aid for inmates. However, the experience with the construction of the Gardo prison in Puntland could have had a stronger impact on the prison system.
- 10 Civil Society Organizations (CSOs) have been supported to deliver legal aid in the 3 areas, with increasingly improving results. Legal aid providers would however need to further develop their managerial capacities to become effective CSOs, including through the improvement of monitoring and reporting skills. The absence of Bar Associations in all 3 areas has created a vacuum in the oversight and coordination of lawyers and legal aid providers, which has been filled by the Ministry of Justice in Somaliland and Puntland. This role should be transferred to the Bar Associations as soon their capacities are built.
- The engagement with the informal legal system (*Xeer*) under the A2J project has been limited to a theoretical level and some synergies between the Elders and mobile courts, but a pilot project implemented under the CSP project developed interesting best practices in Puntland.
- Mobile courts have ensured access to Justice in remote areas with good results. A strategy could be developed to better frame their implementation in terms of prioritization of geographic areas and typology of cases and eventually shift the current on demand model to a pre-scheduled circuit model, at least in some areas.
- There seems to be a lack of common understanding in the Somali legal community about the role of paralegals; community-based paralegal schemes as intended in the GROL have not been established in any of the 3 areas, although other forms of paralegalism were developed (i.e. Puntland Police volunteers).

Main observations CPP

- The activities of CPP proved to be relevant to the project goals especially when developing a new policing policy and strengthening Police operational capacities. Activities matched the Somali needs and expectations and duplication with other actors were avoided. Complementarities were even developed.
- The project was effective in improving operational capacities with a focus on public safety through a community policing type approach. This was concretely developed in all regions around a Model Police Station (MPS) that combined a new architectural design with new workflows, procedures, management, and equipment. This model of Police station should ultimately be replicated widely across Somalia.

- The project was less effective in building achievements in governance, oversight and strategic development. Similarly it was not able to attain major achievements in the field of support capacities. This was especially the case in the area of human resource management despite the sound foundation given by biometric registers in SPF and in Puntland Police. While this can be an area for future development, the failure to capitalize it is not fully the project fault. The local situation, poor security, institutional disorganization and political instability do not offer a favourable ground.
- Despite obstacles, activities were implemented. However the project has shifted from institutional building to "train and equip" and from policing to police, and therefore suffers from the lack of a real strategic approach. The achievements were however unbalanced, with real successes like the public safety/community policing that emerged as a key CPP strategic action line.
- A specific attention has to be given to the management of stipends UNDP is giving to each individual police officer on behalf of the international community. This is a demanding and sensitive task that consumes UNDP managerial capacity. However without being accompanied by an administrative capacity development in budget and human resource management it will have no impact on the development of the Police as a sustainable organization. So far it will remain an endless "keep afloat survival duty".

Key Findings (both projects)

- Achievements in the two projects are more complete in Somaliland. They could have been more significant in Puntland where initial successes were not built on, also due to the volatile security context. In Mogadishu remarkable and late success was produced in a short time even if much remains to be done, especially on the police side.
- The two projects went across the same political and programming alterations. When compared, A2J did not suffer as much as CPP.
- When combined, the impact of the two projects through Access to Justice practices (A2J) and through Community Policing practices that were developed in the framework of the Civilian Police/Policing Project (CPP) offer a safety net that gives Somali men, women and children a new perspective that protects them against violence either in a preventive or law enforcement manner. This combined impact has been especially successful with respect to Sexual and Gender Based Violence (SGBV).
- The two projects have relied on the theory of change. This is relevant to the challenge they face. However the local situation asks for a careful and far more incremental use of this theory.
- Over time and through a huge volume of achievements in the two projects UNDP has built both a strong footprint that helps to mobilize nationals either as employees or partners. These nationals have gained tremendous experience that, when capitalized upon, could provide lessons learnt and best practices. However the projects have not so far made the best use of these advantages. UNDP management and procedures could be improved in that respect both to avoid

- duplication of efforts and to more widely disseminate and promote successful initiatives.
- Both projects heavily rely on national and international local service providers (Universities, Police academies, NGOs…) to implement activities. This gives a direct access to the beneficiary and ensures full compliance with Somali culture. In the past these national service providers have received support to build their capacities but apparently they have no longer received such a support to update and enhance their capacities despite a greater commitment in the projects activities.
- In both projects the development of scholarships and internships in the Police and Judiciary as well as in Civil Society Organisations (CSOs) for young University graduates proved to be a success and brought in a new breed of professionals. An alternative way is being developed. It brings Police professionals in the University. These well-educated professionals are potential actors of change and their positioning should ensure greater sustainability of the projects achievements.
- The sustainability of achievements in both projects will be reliant on the national budget once the project support ends and on the beneficiary administrative capacity to manage human resources and ensure finance and logistics. A temporary alternative for this institutional deficiency could be to commit some local service providers to play the role of support services in the Police and Justice institutions until these services become effective and efficient.
- Generally speaking the impact of the two projects has been high on the individuals who for different reasons have participated in the implementation of activities (training courses) or have been working with the project achievements (manuals, SOPs, curricula,..) or have gone through legal aid, provision of lawyers to the public and case management systems. They have stretched their minds. It is different for those who stayed aside. Furthermore the impact on the system has been so far limited, with the exception of gender balance and SGBV cases processed in Police and Justice, to a few operational procedures like court-case and prisoners registers.

Recommendations

Based on the outcome of their observations and of their analysis the two evaluators have issued the following recommendations that aim to improve the project relevance, effectiveness, efficiency, sustainability and impact.

COMMON

1. **Improve the capacity of local service providers**

2. **Capitalize regional experience by sharing lessons learnt and best practices**

3. **See Theory of Change as incremental**

CPP

4. Build and keep an efficient and trustful team

5. Avoid the mission trap and focus on institutional building

6. Focus on leveraging key institutional capacity builders

A2J

7. Adopt a more strategic approach to programming

8. Strengthen the monitoring system to improve project statistics and analysis

9. Engage more in the implementation of activities for the demand side of justice

10. Take the project to the next stage

RATING

According to UNDP usual practice the two evaluators have issued a rating of the main evaluation items of each project. This rating is based on the following scale:

- Highly Satisfactory (HS),
- Satisfactory (S),
- Moderately Satisfactory (MS),
- Moderately Unsatisfactory (MU),
- Unsatisfactory (U)
- Highly Unsatisfactory (HU)

Access to Justice project (A2J)

Overall rating	Relevance	Effectiveness	Efficiency	Impact	Sustainability	Gender sensitive
S	S	S	MS	S	S	S

Civilian Policing Project (CPP)

Overall rating	Relevance	Effectiveness	Efficiency	Impact	Sustainability	Gender sensitive
MS	S	MS	MS	S	MS	S

1 INTRODUCTION

The two projects that are the object of the evaluation have been implemented by UNDP in a specific context. First they are part of a long-standing commitment of the Programme in the country among other actors. Second they have been built within a continuous process that over two decades has moved from an operational security approach to a more institutional building one in a Rule of Law perspective. These cannot be ignored because these are the Foundation of the two projects.

1.1 UNDP, International Organizations and Somalia

UNDP is not the only international actor in Somalia. It is nevertheless worth noting that aside from the UN missions that took place in the country following the Siad Barre regime collapse and among the UN agencies it is the most active and the longest standing actor in ROL projects implementation. However more recently a few bilaterals (USA, UK and Italy) as well as the recent EU EUCAP-Nestor mission have played a growing role in the direct delivery of assistance to the Police and to a lesser extent to the Justice sector.

This gives UNDP a strong legacy and footprint all over Somalia and especially in Puntland and Somaliland. Furthermore, over the last twenty years UNDP has held a leading role and built strong experience within the country. This has attracted the attention of donors and especially of EU, UK, Japan, Norway and Denmark that have provided UNDP with substantial funding.

Consequently, the Programme has got not only a leading position but also some decisive advantages but also some decisive advantages with respect to efficiency and effectiveness. However these are not perennial and could be challenged by newcomers if UNDP's experience-based advantage is not consolidated as it could be.

1.2 Past, Present and Future

The longstanding commitment and presence of UNDP in Somalia in the field of Rule of Law is reflected in various programmes that have stretched over multiple years before the current Governance and Rule of Law (GROL) programme 2012-15. This latter Programme encompasses the two projects Access to Justice (A2J) and Civilian Policing Project (CPP). Over time and before GROL the UNDP activities were structured through the following programmes: Rule of Law and Security (ROLS), I, II, III. In the future, UNDP activities will be embedded in the UN Joint Programme on Rule of Law that consolidates different agencies, such as UNOPS and UNODC, around UNSOM.

This apparent continuity should however not occult the substantial shifts that took place especially between ROLS III and GROL. The former was still mostly security sector oriented. It had included Disarmament, Demobilisation and reintegration (DDR), Armed Violence Reduction (AVR), Mine Action (MA) and Small Arms Control (SAC). These projects were terminated during the ROLS III implementation course. From a more civilian

and Rule of Law point of view this programme was made up only of a joint Civilian Police Project and of an Access to Justice Project. The GROL programme is rather different; it is really Governance and Rule of Law oriented; it has been also predominantly civilian. Aside from the CPP and A2P projects it includes four other projects that reflect this philosophy. They are: (i) Local Governance, (ii) Somali Institutional Development, (iii) Constitution and (iv) Community Security.

This shift and the existence of the four other projects in the framework of the GROL programme dramatically changed the nature of CPP and A2J projects. These are part of a comprehensive approach that underlines institutional building. Therefore both the Police and the Judiciary have to be seen as institutions that not only interact between themselves to ensure the Rule of Law but also are part of a wider state institutional system that ultimately serves the society and the citizens. This system is organised to define policies, issue laws and ensure their application. It is the goal of the GROL programme to improve the functioning of this system and to strengthen both its mechanisms and bodies. Such a statement underlies strong synergies and complementarities between the different projects of the GROL programme and implies a holistic approach.

1.3 Specific situation of Justice and policing sectors

Somali institutions have suffered a lot from the decades of conflicts and crisis that followed the collapse of the Siad Barre regime. Despite a succession of international missions and projects they remain weak. Until the establishment of a transitional government international commitment has most of the time just been able to keep these institutions alive but not really working. There are however some differences between Justice and Policing.

Justice is split between the formal Justice, which relies on state institutions, and traditional Justice, based on the local social structures of elders and clans. The International Community has focused on the formal Justice, and with the exception of SGBV, has left aside traditional Justice, which deals with the vast majority of disputes and is therefore still the main source of Justice for Somalis. As a result, the formal Justice system is not really under full pressure. This means that the A2J project has margins and is not stressed by a need for immediate results.

The situation is different with policing. While community policing as well as the build up of a sustainable, efficient and human-rights-respecting police force is a long-term endeavour, policing has must also provide immediate security. Here, unlike the Justice sector, the international community cannot accept the traditional form of security offered by militias and communities especially when they are associated with serious and violent crimes like piracy. It expects the Police to ensure such security without almost any delay. Therefore the CPP project is under pressure to create immediate capacities. This is reinforced by the proximity of the AMISOM police that is pushing the project to commit to activities that ensure the establishment of such immediate capacities. Therefore there is some tension in the objectives of the CPP and AMISOM when the two are working together. There is a risk of project hijacking, especially for CPP.

2   EVALUATION FRAMEWORK

Before delivering the outputs of the evaluation it is necessary to present the framework of the evaluation both in concrete and conceptual terms. This should help the reader of the present report to understand how the analysis has been conducted and to understand how conclusions are drawn.

2.1   Background

The two projects take place over a period that saw dramatic changes inside Somalia. This has to be taken into account, especially with respect to the project implementation. It is clear that during their implementation both projects faced serious challenges, and had to adjust either to new political orientations and programming that ask for new course or to security constraints that limit the project operations. A major point of change is the year 2013, and one can say that the projects in fact could be divided into two parts: pre and post 2013.

2.1.1   Overall Situation

The GROL programme was initiated at a time when there were good reasons for hope. The Transitional Federal Government of Somalia (TFG) backed by the African Union Mission in Somalia (AMISOM) had extended its presence and control across Mogadishu as well as moving beyond the city's outskirts. At the same time, Somaliland had moved toward greater stability and democracy while Puntland has stabilized and saw a decrease in piracy activities.

This positive perspective was to some extent confirmed in 2012 and early 2013. The newly appointed Federal Government (FGS) continues to push forward with AMISOM's support, although it has become increasingly challenging to hold key positions and supplies routes due to an expansion in controlled territory, limited resources and the persisting fighting capacity of Al-Shabab.

The security situation worsened from mid 2013 onwards. Al-Shabab was able to retake the town of Hudur, hours after Ethiopian National Defense Forces withdrew on March 17 2013. In June 2013, it launched a major attack on the UNCC compound in Mogadishu. More recently in December 2014 it was able to shell the Mogadishu International Airport compound. In April 2015 it achieved a large-scale attack on a governmental event in Mogadishu and a suicide bombing on a UNICEF team in Garowe, Puntland. These clearly indicate that Al-Shabab has access inside the capital or in places that were previously considered safe like Puntland, where they are resorting to asymmetrical warfare. This makes it hard for the security forces to secure any area, which in turn limits foreign aid and assistance.

These events had a direct and significant impact on UNDP activities and on the projects' implementation. The 2013 UNCC bombing saw a deep disruption in operations especially in the South Central regions. Workflows were interrupted for several months and some were never fully resumed even if quantitative figures prove a continuity of delivery. Relations with the beneficiary and partners were suspended for some activities. Some of

the staff was repatriated to Nairobi and some key roles left. This is especially the case of CPP that was deeply impacted by the departure of the project manager who on the same time abandoned a fruitful strategic capacity development endeavor that never resumed. This took place six months only after UNDP has fully deployed in Mogadishu. It took almost one year to recover from that crisis and to regain full projects capacity. This and the difficult security operational context and relevant constraints should not be underestimated. Consequently any tough assessment should be mitigated due to circumstances that are extenuating but cannot however be raised as full excuses.

The April 2015 events have led to tight security provisions especially with relation to movement (convoy, escort, armored cars). This both increases costs and limits operations that are conducted by UNDP international, and to some extent national, staff Contacts with the beneficiaries are de facto dramatically reduced.

The disruption that was brought in by the June 2013 UNCC bombing and the changes that were introduced by the Somali Compact/Bridging and Inception clearly differentiate the Pre and the Post June 2013.

2.1.2   Political Frameworks

The GROL programme was defined on the basis of international and national policies and strategies that were issued in 2010 and 2011. However both the international and national parties altered their views in 2013.Therefore mid-way though, the programme had to adjust to new policies and strategies.

The GROL programme was mostly defined initially according to the UN Somalia Assistance Strategy (UNSAS) and to the UNDP Country Programme Document (CPD). Both documents intended to cover the 2011-15 period. Even if they claimed to align with national priorities these two documents were merely an international brand and initiative.

At the same time that the projects were launched, Somalia adopted a provisional Constitution under which the country committed to a federal structure. The semi-autonomous state of Puntland consequently administratively aligned with the Federal system. Somaliland, a self-proclaimed republic, has remained outside of the Federal system, yet has agreed to special arrangements complementary with administrative and planning strategy approaches of the Federal system. Within that new constitutional framework and with the support of the international community the newly established government took the lead and developed a set of national policies in the areas that were covered by UNSAS, CPD and GROL. These were articulated into the Somalia Compact that was presented at the Brussels, September 19th, 2013 Conference. The Compact provides an overarching strategy that sets out Somalia's Peacebuilding and Statebuilding priorities between 2014 and 2016. It also enshrines principles for a renewed partnership between the Somalia and the International Community based on the Busan "New Deal for Engagement in Fragile States".

The Somali Compact articulates five Peacebuilding and Statebuilding Goals (PSGs). These PSGs are elaborated and their implementation coordinated through Working

Groups led by the FGS, which include representatives of the Somali Regions, interim regional administrations, federal states, international partners including the UN, Parliament and civil society. The PSGs are: Inclusive Politics (PSG1), Security including Police (PSG2), Justice (PSG3), Economic foundations (PSG4) and Revenues and Services (PSG5). The Compact includes crosscutting issues: gender, capacity development; bringing tangible results to the people (stabilisation); respect for human rights and external relations. It also includes a Special Arrangement for Somaliland that takes into consideration its specific priorities and needs.

The Copenhagen conference in November 2014 assessed the progress that had been made within the framework of the Somali Compact and introduced some adjustments. With respect to CPP it emphasized the stabilisation process and consequently the need for an intensive community policing approach. It also developed the two tracks Police assistance concept that, on one hand addresses capability development and on the other Police reform (seen mainly through behaviour conduct and values).

The UN has endorsed the Compact and the UN Somalia Integrated Strategic Framework (ISF) sets out the role of the UN in implementing the Compact. It is guided by the Compact partnership principles and aligns UN activities with the Compact priorities. It formally replaces the UNSAS. From a long-term perspective it advocates a joint approach of planning and programming by the UN family.

The consequence is that GROL activities and specifically the A2J and CPP projects are now taking place under different political and institutional bodies. CPP is under PSG2, and more specifically under the working group Police that is chaired by the Director General of the Federal Ministry of Security, while A2J is under PSG3.

2.1.3   Programme adjustments

The 2013 political shift that has been described previously is reflected at programme level by the adoption of the "Bridging and Inception Project". This project intends to complement the GROL programme and especially the two A2J and CPP projects with a view to facilitate the later definition and implementation of a joint UN ROL programme. This perspective of merging what initially falls respectively in A2J or CPP brought in some confusion during the bridging and inception phase. Bridging still asked for differentiation while Inception already demanded integration.

The project includes both on-going activities (bridging phase) as well as new initiatives (inception phase) for the new ROL programme. This anticipates putting the necessary infrastructure in place and building the capacity of the Somali Government so that ROL institutions are prepared and capable to implement a robust ROL programme supported by the UN and the international community at large. Activities have been prioritised based on two important criteria: (1) those that are critical for the running of Police and Justice services and have been already planned and ready for implementation (bridging phase); as well as (2) activities agreed on by major Government counterparts and aimed at building the foundation of the Justice and Police sectors for a new ROL programme (new activities that are not foreseen in existing work plans and were designed after UNSOM's

arrival – inception phase). While existing management structures will be utilized for the bridging phase, inception phase activities will be also overseen by UNSOM according to its mandate as Global Focal Point. The Bridging and Inception Project has the following outputs:

1. Strengthened civilian policing capacity in Somalia
2. Improved credibility, efficacy and independence of the judicial system.
3. Establish and strengthen access to Justice and legal empowerment for vulnerable groups including women and IDPs.

At the time of the evaluation the Bridging and Inception Project was still running but was about to be closed and replaced by the joint programme that associates all relevant UN agencies.

All these programming adjustments could appear to be highly formal. However the question of their alignment with the political changes and of their continuity with the initial set of activities is pending. This will be addressed in the present report under the relevance criteria. Additionally the new Bridging and Inception Project is bound by the inertia of the initial GROL. This will be addressed within the analysis under the efficiency and effectiveness criteria.

At the same time the Bridging and Inception approach hampered the coherence and the systemic approach of the GROL programme. It dissociated Police and Justice from the higher levels of governance and institutional development and from the lower level of local communities. This emphasized the tendency of the two projects to ignore the SIDP and CSP projects therefore aggravating a compartmental organisation and management that prevent synergies and overall coherence at programme level.

The views of the evaluators are that A2J did not suffer much from the programming adjustment. Activities were not very different and the beneficiary has already set up a structured basis with the federal government strategic plan for Justice and the Puntland strategic reform strategy. The evaluators have a different perception of CPP that cannot rely on a structured vision at the beneficiary level. Beyond the wording, Civilian Police moving to Civilian Policing, the project was dramatically altered. It lost its momentum and impact and limited itself to a logistical role in a "train and equip" approach. This point is detailed through the report and succinctly articulated in the conclusion.

2.2 Evaluation: goals and objectives

The purpose of the evaluation is to support programme improvements as well as generate knowledge and accountability. Therefore the goal of the evaluation is to present a clear view of achievements, including both successes and gaps. As per the TOR, it aims to achieve the objectives described below.

The evaluation objectives are listed as follows (cf. evaluation TOR):

- Assess **progress towards the achievement of the project results** (at outcome and output level), and the extent to which the rule of law programme and its project outputs have been achieved. In particular, the evaluation will focus on the quality of the results and whether there has been progress made towards the achievement of both qualitative and quantitative targets of the project;

- Determine **contributing factors and impediments** and extent of the project outputs' contribution to the achievement of the results;
- The **relevance of the project interventions provided to the beneficiaries** in addressing their articulated and prioritized needs, and the degree of satisfaction with the services and outputs provided thus far. The type, quality and adequacy of technical support, capacity development provided to the beneficiaries throughout project implementation;
- Assess the **value for money** component with a focus on the 3Es, including: Economy, Efficiency and Effectiveness.
- The **planning process(es)** followed for the implementation of the project interventions, the relevance and adequacy of the work plans produced and the suitability of the implementation modalities undertaken by service providers, including the UN Partners and their local implementation partners, and the efficiency of the project implementation and delivery;
- Extract the **lessons learned and best practices** that can be considered in the planning and design of future support activities for government and recommendations for next phase of project.
- Mechanisms put in place for the **sustainability** of the outputs initiated.
- Identification of **benefits**, including service delivery (both at community and institutional levels) that have arisen as a result of project implementation, and their significance in terms of addressing concerns of marginalized and vulnerable groups on the one hand, and institutions of the rule of law on the other hand;
- Methods and procedures followed in **identification and prioritization of beneficiary needs** (including institutions and the Somali people)
- Assess the viability and effectiveness of **partnership strategies** in relation to the achievement of the project outputs.
- Assess the **monitoring system** used during the implementation period, consider adequacy and relevance of the project carried out by Implementing Partners and make recommendations for improvement;
- Review implementation arrangements with regard to the **timeliness of outputs, use of resources and modifications** of components, budgets and activities including re-allocations within the different project areas (policing, corrections and legal aid);
- **Underlying factors**: analyze the underlying factors beyond UNDP's control that influenced the project results;
- Consider if the crosscutting issues **gender and human rights** been given sufficient attention and if they been integrated in the project in an adequate manner?
- Make recommendations on developing closer **linkages and synergies between the judiciary and policing component** of the project.

The programme will be assessed against these criteria on the basis of the evaluation questions outlined in the detailed Evaluation Matrix available in Annex n.1.

2.3 Methodology

Both consultants used the same methodology to complete the evaluation. As said in the introduction the main rationale of the two projects is to strengthen Somalia's institutional system so that it delivers to Somali men and women more inclusive, equitable and accountable governance, improved services, human security, access to justice and human rights. This evaluation must be organized around mechanisms and bodies that ensure this

delivery and assessed according to the paradigms that articulate them. This assessment was completed according to UNDP criteria that have been presented previously (cf. § 2.2.2)

2.3.1 Paradigms

The consultants have used two paradigms. The first one deals with the **mechanisms** the functioning of which is strengthened by the projects support. The second one relates to the different **bodies**, police, judiciary, lawyers organization, law schools and university that are at work and whose capacities are enhanced by the projects.

Both paradigms have to be used at the same time for the evaluation. Strong mechanisms alone are worthless if strong bodies do not operate them. In return, it makes no sense to strengthen bodies if they are not providing an appropriate set of strong mechanisms to play their roles.

Paradigm 1: Mechanisms/Holistic

The first paradigm is a holistic one. It sees each project as supporting the improvement of one mechanism. With respect to the A2J project it is the comprehensive mechanisms that either directly or indirectly facilitate the access to Justice for Somali men, women, boys and girls. When it goes to CPP it is the establishment of a system that will ensure security to these same Somali men, women, boys and girls in the respect of human rights.

By its own final name (Policing) CPP should rely on the policing mechanism. In a systemic approach the policing system would be seen as three-player set of internal interactions with two external connections. Policing is built around a joint production of security that needs resources and in return addresses security threats and offers internal peace and order:

- Within the system (i) the citizens express needs, offer information and in some cases implement protective measures, or jointly with civilian authorities, oversee the Police activities (ii) the civilian authority governs, provides guidance, allocates resources and assesses results (iii) the Police deliver services to prevent crime and disorder and to investigate crime with a view to reduce harm. The Police are accountable to the citizens and the civilian authorities.
- From an external point of view the system receives resources from the environment/society, especially funding and human resources (new recruits) and in return ensures the safety of the environment, therefore contributing to peace and cohesion. Additionally and in more technical terms the policing system interacts outside with the Justice system in the broader Rule of Law system by giving information (complaints and evidences) triggering judicial proceedings and enforcing judicial decisions.

At this point it is necessary to highlight that aside from the A2J and CPP, other projects within the GROL programme are addressing both the Access to Justice and the Policing mechanisms. These projects have to be taken into account when the evaluation is addressing mechanisms. These are:

- The Community Security Projects (CSP) is (i) about educating young people on Justice and policing/police with a view to have community playing a role in the fields of security/Justice and (ii) about producing situational knowledge.
- The Somali Institutions Development Project (SIDP) is about the parliamentary activities in drafting laws that relate to policing/police and Justice/judiciary or about the improvement of organizational and managerial capacities like the functional reviews of ministries and public services that are relevant to Policing and Justice.

Paradigm 2 Bodies as Institutions, organizations, and a profession

The bodies (Ministries, police, prosecution, courts) that activate the mechanisms have three dimensions. They are simultaneously institutions, organizations and a profession.
- Their role is of an institutional nature. They receive a mandate from the state within the constitutional framework and have to cooperate with other institutions. As institutions, they operate within their constitutional mandate to implement policies. This underlies that first, they have the relevant capacities and second they operate under the oversight of the relevant governance bodies.
- There have to be concrete organizations in order to be able to deliver the services they are expected to. Therefore the bodies must have a structure built around operational processes that are implemented by properly recruited, trained and managed staff who use techniques and tactics and can rely on the necessary equipment and infrastructures. All these are designed to ensure respect for human rights and ensure a fair gender balance.
- Last and because they are made of humans with their history and behaviour, they develop and integrate a professional culture that impacts the organization and could also hamper the institutional role.

Therefore when it is time to address any of the bodies that are relevant to the A2J and CPP projects this has to be done along these three dimensions.

NOTA: At this stage it is necessary to stress that the use of these two paradigms can highlight potential confusions between Justice and Judiciary when it goes to A2J and Policing and Police when it is about CPP. Such confusion however did not occur to A2J. This can be explained by the balanced diversity of actors and the balanced existing mechanisms. The situation is different with the CPP. The Police have a tendency to capture and monopolize security and policing. Here it is worth noting that when using the name of Police or Policing Project indifferently the programme brought in ambiguity.

2.3.2 Analysis and criteria

The evaluation process was conducted using the guiding principles and quality standards defined for UNDP evaluations[3]. Criteria include:

1) Relevance:
2) Effectiveness:

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[3] UNDP Handbook on planning, monitoring, and evaluating for development results

3) Efficiency:
4) Sustainability:
5) Impact:

Special attention was given ensuring the involvement of all stakeholders and partners in order to ensure local ownership and enhance the credibility and transparency of the evaluation exercise. Mixed methods of collecting data were used, triangulating evidence from once source (e.g. interviews) with other sources (e.g. monitoring reports). If necessary, when the triangulation highlighted discrepancies, additional collection of information was undertaken for clarification. The evaluation reflects UNDP's commitment to human rights based approaches and gender equality.

The proposed methodology consists of a mixture of qualitative and quantitative research methods.

Quantitative methods were used to elicit information related to the relevance, effectiveness, efficiency, as well as the sustainability and impact of UNDP's support.

Quantitative data mainly focused on performance indicators derived from UNDP planning and monitoring documentation (i.e. number of SGBV cases) and may also include, i.e. if available:
- Court records
- Legal aid centres records
- Police registered and solved cases
- Trained and properly employed staff
- …

Qualitative methods offered greater insight into the process, perceptions and the impact of the interventions.
Qualitative data will be collected as follows:
- Individual semi-structured interviews
- Focus groups with beneficiaries
- On-site observation of key interventions
- Case study methods, to develop informative stories that are notable either for their frequency or their uniqueness;
- Documentary evidence (UNDP monitoring reports, past evaluations, research papers, donor reports…)

Quantitative data were analysed by creating tables and graphs that illustrate the findings. Qualitative data were analysed by collating synthesizing and summarizing the collected information.

Data was collected on the basis of the Evaluation Matrix that includes the evaluation questions listed in the TOR for each evaluation criteria and further specifies each question by articulating data sources and data collection methods.

The Evaluation Matrix is presented in Annex 1.

2.3.3 Process of work

The evaluation has been conducted in a three phases approach and consisted of the key steps described below.

2.3.3.1 *Desk and literature review*

The review phase consisted in collecting and analysing existing documentation related to the UNDP Rule of Law programme in Somalia, as made available by UNDP Somalia CO.

<u>Specific UNDP documents</u> included project documents, letters of agreement, monitoring and evaluation reports… Special attention was given to ensure that a well defined results framework for the initiatives that are subject to evaluation is available.
<u>Official documents</u> included national policies and strategies and their relevant legislation, official statistics, UNSOM strategies
<u>General documents</u> for the ROL sector in Somalia includes: research studies, academic articles.

A list of all documents used for the evaluation is available in Annex 2. They are divided into (i) reference documents that define the scope of the evaluation (cf. § 3) and the related planning framework and (ii) information documents that help to assess the programme according to the evaluation criteria and to orient the collection of information at field level.

2.3.3.2 *Data collection (Field visits)*

The programme for each field mission was defined jointly with the Country Office and included visits to Mogadishu, Hargeisa and Garowe. During the field visit an immediate preliminary analysis of the collected data was completed. When this proved to have discrepancies or deficiencies, a complementary collection was organized.

The field visits consisted of conducting interviews, focus groups with relevant stakeholders and key informants and on-site observation. The meetings were arranged by the UNDP CO in advance on the basis of the proposals that were identified during the inception phase.

2.3.3.3 *Data analysis (report drafting)*

The last phase of the evaluation saw the final analysis of all collected data (document review and field visits) and the elaboration of conclusions. It included a presentation and the submission of a draft report to UNDP Somalia in order to collect comments and feedback. An evaluation brief with key partners was organized.

A final report was submitted after consolidating the feedback received from the CO.

2.4 Evaluation Implementation

The evaluation took place in Nairobi and in Somalia between May 4th and June 5th. Prior to their arrival the two evaluators collected and reviewed open source information to increase their knowledge of the context.

2.4.1 Planned

Upon their arrival the two evaluators had to attend the Safe and Secure Approach in the Field Environment training (SSAFE) between May 5th and May 8th.. Then they had to complete the inception and to prepare their deployment to Somalia.

According to the process of work that was adopted during the inception (cf. 2.3.3) the core activities of the evaluation were completed according to the following schedule (cf. detailed in annex 2):

1. Desk and literature review: This started immediately after the SSAFE training on May 9th in Nairobi. It should have been finished before the field data collection but in fact overlapped with it. The reason is that the initial batch of documents that was issued by UNDP was missing some information. Consequently and either upon request of the evaluators or by UNDP initiative, additional documents were introduced and reviewed as late as in the last stage of analysis.

2. Field visits: This was completed in Mogadishu (South Central) Garowe (Puntland) and Hargeisa (Somaliland) from May 14th to May 29th.

   • Activities consisted mainly of meetings with national authorities, representatives of the civil society, internationals and UNDP staff. A few visits were organised for courts, prosecution offices, universities and police stations. The list of the visited parties is provided in annex 3.

   • The evaluators were able to meet senior authorities in all places. Nevertheless they faced a vacuum in meeting with people in UNDP management positions. The position of CPP project manager has been vacant for several months and similarly all the positions of area manager were vacant for A2J while two out of three were also vacant in CPP. Consequently when it goes to direct face to face exchange with UNDP programme staff, the evaluators could only meet with the A2J manager, the CPP Mogadishu area manager and a few national staff.

3. Data analysis: This was initiated in parallel to the field visits but stretched mainly from May 30th to June 3rd in Nairobi. The evaluators issued a draft report at the end of that period.

4. Debriefing: Debriefing with UNDP took place on June 4thand was immediately followed by a presentation to main donors;

5. Finalization: Finalization took place on June 5th and after a meeting with UNDP the evaluators handed their final draft report.

2.4.2 Unexpected circumstances and limitations

Security and unavailability of national authorities as well as logistics led to a few unexpected re-arrangements of the initial planning.

   • Security concerns prevented all site visits in Mogadishu. Consequently the evaluators were neither given the opportunity to see the beneficiaries in their normal environment nor to observe infrastructure and equipment that had been provided by the projects in South Central. In the two other places namely Puntland and Hargeisa movement was limited to the capitals.

- A few targeted authorities were not available at the latest minute. These were the Police commissioner and Police Criminal Investigation Director in Garowe/Puntland. This limited the evaluation of the CPP in Puntland.
- Logistics saw the postponement of the transportation from Garowe to Hargeisa. Consequently the Hargeisa activities had to be concentrated over a short period.

2.4.3 Observations and lessons learnt in the course of the evaluation

The evaluation period and the activities the evaluators have completed helped them to identify a few key features that impact the implementation of the projects. These features are mitigating factors with respect to the project's efficiency, effectiveness, sustainability and impact.

The first feature concerns the poor state of institutions and public services. Lack of resources and disruptions due to the decades-long period of wars and crisis have erased their capacities and impoverished the public life. This has two consequences on culture and behaviour. First, the concept of Rule of Law is far away for people who have been used to force, violence, and clan relations rather than Rule of Law. It is therefore difficult to revert to this later as far as the closest reference to Rule of Law is the authoritarian regime that governed until 1991. Second, there has been a disruption of human resources over the last 25 years especially in the Police. Irregular and limited recruitment and promotion and lack of training have left a vast majority of aging leaders and illiterate rank and files in place. In such conditions, any change is seen as a revolution. The Justice sphere has however appeared to suffer less from these features. The recently established universities have regenerated the judicial system.

A second key feature is the security situation. Dramatic past and recent events have driven UN organisations to a tight policy of risk avoidance. This is fully legitimate and any other approach would be harmful for the staff. Unfortunately this puts limitations on movement and meetings that reduce the capacity of the projects to operate with internationals. Furthermore, the reliance on external actors like national or international local providers such as Somali universities NGOs and AMISOM is used as an alternative but cannot replace the impact of a direct high and medium level international and skilled expertise.

A last feature is the Somali social organisation and its clan structure. This has an impact on professionalism and on gender balance. Leadership is unstable and is often selected on clan affiliation than on skills and competencies. Similarly women could formally occupy the same position as men but systematically are kept aside or even, especially for some those in a low ranking position, adopt a submissive attitude that limits their role.

3   SPECIFIC ANALYSIS A2J

3.1   Relevance

3.1.1   Relevance to the local context and national justice strategies

The A2J project is grounded in Justice Sector Strategies developed at both Federal and Regional level.

The project has adapted to the change of context that occurred in 2013 following the adoption of the "*Somali Compact*" and has refocused its activities on the "*Somali Rule of Law priorities 2014-2016*". This occurred through the approval of the "*Bridging and Inception Project* " funded by EU/DFID, which introduces (Inception component) new activities that were not foreseen in pre-existing work plans and takes into account the participation of the newly established UNSOM.

The new activities aim at strengthening the role of justice institutions in Mogadishu and in the new States to ensure adequate participation and ownership of the Justice reform process and the development of the joint Rule of Law Program in the light of the federal structure of the emerging State of Somalia.

The inception component of the Bridging and Inception project has provided a timely intervention at a critical moment when the support from the international community was most needed to establish key Justice institutions and strengthen their role at a central level in view of the upcoming discussions on the structure of the new federal Somalia.

Some concerns may arise on whether the Justice institutions, and particularly the ones that are newly established in Mogadishu currently have the capacity to absorb the quite complex and articulated structures and procedures developed under the joint UN ROL programme and the Somali Compact.

The A2J project also reflects the regional Strategic documents, such as the "*Puntland Justice Sector Reform (2014- 2016)*" and the "*Somaliland Justice Sector Reform*", which were developed in compliance with the Somali Compact and on the basis of extensive consultations with key stakeholders.

The interviewed judicial authorities are highly supportive of UNDP's activities. The Somaliland Minister of Justice recognized that in 2014 the partnership with UNDP had strengthened as the Somali views are taken more into consideration and "*more discussions are occurring compared to the past when work-plans were drafted in Nairobi*". On the contrary, the Puntland Minister of Justice confirmed his commitment to the A2J project, but encouraged the partnership with UNDP to become stronger and promote a stronger involvement of his Ministry in the decision making process.

3.1.2   Relevance to the needs of the beneficiaries

Some baseline documents have been developed and have identified the needs of project beneficiaries, in particular: the assessment of the Judiciary in Puntland in 2010, the baseline study for children and women in Somaliland, the Baseline Study on the formal

Justice system conducted by the University of Hargeisa in July 2012. In addition, reports by the Observatory on Conflict and Violence Prevention (OCVP) provide updated information about the context in specific areas, in particular through the "*District conflict and security assessments*" series.

An analysis of the above mentioned documents and interviews with key informants show that the needs of **beneficiaries from the supply side of Justice** (judges, prosecutors and other judicial staff) seem to have been addressed by the A2J project.

Implemented activities have targeted most of the identified needs: i.e. lack of security and infrastructures, the need for stronger accountability and capacity building of Justice actors. Needs that remained unaddressed, but are partly managed in the joint UN ROL program, include: the harmonization of the 3 legal systems applied in Somalia/SL with a focus on the traditional dispute resolution mechanisms (*Xeer*), the independence of the Judiciary and the cooperation among Police and Prosecution.

On the contrary the **needs of the beneficiaries from the demand side of Justice** (population and legal aid providers) have been addressed to a more limited extent. The A2J project has successfully responded to the need for free legal aid services, especially in relation to SGBV cases and included in rural areas via mobile courts, however there should be a stronger focus on the following needs in the future:

- All baseline documents mention the limited awareness that the population has about their rights and the mechanisms available to seek redress, however this is a an issue that does not seem to have received adequate attention by the project: specific activities and indicators were not identified in the work-plans. Occasional legal awareness sessions were organized but reliable statistics about the results achieved are not available.
  It is recommended that this component of the project be reinforced, especially in Somaliland where 1) the Justice institutions would be ready to start taking up the additional cases that generally arise as a result of massive awareness raising campaigns and 2) the more stable context facilitates access to the population in remote areas.
- Legal aid providers could have been supported to become more responsive to 1) the needs of some categories of particularly vulnerable beneficiaries as persons in detention, minors and IDPs from minority clans 2) specific typologies of cases, as land disputes that are prevalent across Somalia/SL
- Some of the needs of legal aid providers are not adequately addressed, in particular their lack of managerial capacities to develop as effective CSOs (project management, reporting, monitoring, financial oversight…)

3.2 Effectiveness

The achieved results are assessed against the 3 A2J Outputs of the GROL. Activities are deducted from the *Bridging and Inception* work-plan and UNDP AWPs and are included to complete the evaluation framework.

The model adopted to assess the project is the UNDP framework for action on Access to Justice [4] reflecting a human rights based approach to programming.

The table below indicates the evaluated activities and consolidates the status of achievement of the expected results for each activity.

Table N°1 - *Status of achievement of expected results – A2J*

Successfully achieved – achieved – partially achieved – not achieved – not applicable

	Description of the activity	FL	PL	SL
GROL Output 2.4.2: Enhanced credibility, efficacy and independence of judicial system				
Activity 1	Strengthen Ministries of Justice	Successfully achieved	achieved	Successfully achieved
Activity2a	Strengthen the Judiciary – a) enhanced security of the Judiciary	Successfully achieved	?	?
Activity2b	Strengthen the Judiciary – b) establish court case-management systems	-	achieved	Successfully achieved
Activity2c	Strengthen the Judiciary – c) establish Inspection schemes	-	partially achieved	Successfully achieved
Activity 3	Support the Attorney General Offices	Successfully achieved	partially achieved	Successfully achieved
Activity 4	Support the prison system	Successfully achieved	partially achieved	Successfully achieved
Activity 5	Support construction and rehabilitation works of justice institutions	Successfully achieved	achieved	Successfully achieved
GROL Output 2.4.3: Enhanced capacities of key justice actors				
Activity 1	Promote the development of justice sector strategies and legislation	Successfully achieved	Successfully achieved	Successfully achieved
Activity 2	Support Universities to deliver Scholarship and Internship programs	achieved	Successfully achieved	Successfully achieved
Activity 3	Deliver trainings for key justice sector actors	achieved	Successfully achieved	Successfully achieved
Activity 4	Promote the compliance of customary practices (*xeer*) with human rights laws	partially achieved	Successfully achieved	not achieved
GROL Output 2.4.4: Strengthened access to justice and legal empowerment				
Activity 1	Support legal aid providers	partially achieved	achieved	achieved
Activity 2	Support Ministries of Justice to provide legal representation for criminal cases	not achieved	not achieved	partially achieved
Activity 3	Ensure legal support for SGBV survivors	Successfully achieved	achieved	Successfully achieved
Activity 4	Promote legal empowerment of the communities through paralegal networks	not achieved	partially achieved	not achieved
Activity 5	Support Mobile Courts systems	partially achieved	Successfully achieved	Successfully achieved

In general UNDP's support is achieving results that are progressively improving and are acceptable considered the challenging context. The project appears more focused on the supply side of justice and achievements have been stronger with institutions than with civil society and the population.

The project is in different stages of development in the 3 areas of intervention. In Somaliland (SL), where UNDP has been present since almost 10 years, the impact of the project is more evident and achievements are stronger.

At Federal Level (FL), and more specifically Mogadishu, the project is in an early stage of development and has achieved remarkable results in 2014 after the adoption of the Somali Compact.

Puntland could have achieved more considering the operational and financial efforts that have been invested, however it is appreciated that the volatile security situation has slowed down the process.

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[4] "*Programming for justice: access for all - A practitioner's guide to a Human Rights-Based Approach to access to justice*", UNDP, 2005

3.2.1 Output 2.4.2: Enhanced credibility, efficacy and independence of the judicial system

3.2.1.1 ► Activity 1: Strengthen Ministries of Justice

The overall objective of the Inception component of the *Bridging and Inception* project has been achieved as the national justice institutions at Federal Level and in Somaliland have actively participated in the initial phase of the implementation of the Somali Compact and in designing the joint UN ROL programme.

Somaliland

The Ministry of Justice has achieved remarkable results since 2012, when a Justice Sector Reform Strategy, defining a 5-year plan to develop the justice sector, was adopted with the support of UNDP.

The following mechanisms are in place and actively operating to ensure the implementation of the strategy:
- A **National Steering Committee**
- **Justice Sector Coordination** meetings held every quarter and integrated by thematic working-groups. Key informants described the coordination as active and useful.
- A **Technical Unit**, composed of 5 young and dynamic staff members funded by UNDP, is in charge of the day-to-day implementation of the strategy.
  Several tools and well-structured and presented reference documents to advance the reform have been developed in cooperation with other technical units at the MOJ (also supported by UNDP).
  To be noted are 1) the Justice Reform work-plan, 2) the Monitoring and Evaluation framework for judicial reform, 3) baseline for children and women, 4) the midterm evaluation report of the justice sector reform strategy 5) the manual for Justice Sector statistics. The manual is currently only a policy document approved by steering committee after extensive consultations, but in the future it is expected to become a tool for analysis and decision-making.
  The Technical Unit has delivered several internal trainings on justice sector reform and organized review workshops to evaluate progress made in advancing the reform. More recently the Unit has contributed to the development of the joint UN ROL project.

It is to be noted that the Ministry of Justice has improved gender balance in the composition of its staff, and female employees increased from 8 in 2011 to 27 in 2014[5]. The expansion of MOJ offices in the regions is also a key achievement that is ongoing with the support of UNDP to build decentralized offices in at least 2 locations.

The Minister of Justice expressed high consideration for the support of UNDP and specifically mentioned as milestone achievements the provision of legal aid, the Internship programme and the mobile courts. The main challenge is made by the delays in funding

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[5] Midterm evaluation report of the Somaliland justice reform strategy, MOJ, 2014

from UNDP: every year they receive funding in May/June and then they have to rush to finalize the activities in only 6 months.

<u>Puntland</u>

The process to support the Ministry of Justice to develop a Justice Sector Reform Strategy was particularly long but finally succeeded in 2014 with the adoption of the *Puntland Justice Sector Reform (2014- 2016)*. The implementation is currently on hold awaiting the outcome of the ongoing discussions on the federal structure of the new Somalia.

Based on the model adopted in Somaliland, UNDP has been since 2012 supporting a team of 3 technical advisors to assist the MOJ and build the capacities of internal staff.

The implementation of the initiative was slowed down due to several reasons including misunderstandings between UNDP and the former Minister of Justice, the dismissal of the Chief Technical Adviser and funding gaps of up to 10 months in 2013.

The UNDP project officer reported that the MOJ advisors have greatly facilitated the job of UNDP and that the perception is that they "*do the work of those who are not there*", which is an approach that should be corrected in order to ensure that the advisors play a mentoring role and benefit the MOJ.

The presence of the Technical Advisors produced positive results that are however limited because they were implemented in a one-off manner and not conducted in a systematic approach leading to change. To be noted: 1) the drafting of the Justice Sector strategy 2) the legal aid policy for pretrial justice and its dissemination (240 justice sectors actors trained in 2014); 3) the assessment of the Judiciary in Puntland; 4) representation of the Ministry at PSG3 and contribution to the negotiations for the joint UN ROL program.

The Advisors promoted the extension of MOJ offices in rural areas: 7 sub-offices were established in 7 districts with the objective of improving coordination of Justice actors and raise awareness about Justice issues among the population. The need for such decentralized structures remains unclear.

The Technical advisors stated that they have improved the ability of MOJ staff to deliver presentations and facilitate working sessions as well as to draft reports and write project proposals.

They also believe that the networking and coordination skills of the MOJ has improved, however UNSOM staff reported that the "Justice working group" established by the MOJ was not too successful and there were only 2 meetings.

The UNDP project officer mentioned that UNDP facilitated the improvement of the controversial relations between the MOJ and the Judiciary, by organizing common working sessions aimed at sharing information and strengthening mutual understanding.

<u>Mogadishu</u>

In Mogadishu the support to justice institutions has been affected by two successive political crises that left Somalia without a cabinet for several months (the last one from October 2014 till February 2015). In addition the Judicial Services Commission (JSC) was dissolved in March 2015. Consequently the planned activities related to the independence

of the Judiciary and the case management system could not be implemented and have been rescheduled to after the establishment of the new JSC (which occurred only in May 2015)

In the framework of the Bridging & Inception Project and with the technical support of IDLO, the MOJ has established the following 3 new Units:
- Joint Implementation Support Unit (JISU)
- Policy and Legislative Drafting Unit
- Traditional Dispute Resolution Unit (TDR)

The structures were only established in the first half of 2014 so it is too early to assess their impact on the Justice system, however the objective of establishing the new Units with staff and equipment and adequate premises has been achieved and was greatly appreciated by the representative of the institutions. The new Units have started to produce some results, but most of interviewed persons (as well as the IDLO report[6]) stressed the need for further capacity development of the staff to become fully autonomous from international advisors.

- The **Policy and legal drafting Unit** has, in one year and with only 5 permanent staff, drafted an impressive number of laws, some of which will be key pillars of the Justice Sector, i.e. the Judicial Services Commission. Other laws that were drafted but are still under discussion at parliament include: the Constitutional Court Act, the Human Rights Commission Act and the Anti-Corruption law. The MOJ legal advisor reported, "the quality of the legal drafting has improved dramatically" as a result of the trainings they received. To be noted, for the value as a replicable document in other areas, that a legal drafting manual was developed for the Unit.

- The Joint Implementation Support Unit (JISU) was established in May 2014 with the mandate to oversee the implementation of the Justice Sector reform and to coordinate the different actors involved. A Milestone achievement was the development of the "*Justice sector implementation plan – ROL priorities*" after extensive consultations, including a national conference with 120 participants from all over Somalia/SL. The Unit is also leading the PSG3 group, which has been widely recognized as the most active PSG group. An aspect that would need particular attention is the oversight role that the Unit would like to exert on Legal Aid Providers, as further discussed.

- The Traditional Dispute Resolution Unit (TDR) was established in 2013 with 5 UNDP supported staff members to work on the enhancement of traditional justice mechanisms with a special focus on the creation of linkages with the formal justice system. The Unit plans to organize a workshop in June 2015 with participants from all over Somalia/SL, which will be a good opportunity to share best practices developed by UNDP in Puntland under the CSP Alternative Dispute Resolution (ADR) project[7]. The Unit issued a TRD policy paper and its staff travelled to 20

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[6] For a detailed description of achieved results see the IDLO report. "*Establishment of a Policy and Legal Drafting Unit and Joint Implement Support Unit at the Ministry of Justice and Establishment of the Judicial Services Commission*", IDLO, December 2104

[7] For more details on the ADR project see Par 3.2.2.

> districts to interview key stakeholders in order to collect information on how the elders rule on their cases.

The main weakness in the support to the MOJ is the sustainability of the initiative, as UNDP is currently paying for the salaries of the staff and has provided all the office equipment. The representatives of the MOJ did not seem to understand the importance of lobbying for additional funds on the national budget, but instead were relying on future international support and therefore recommended trainings in project proposal writing. Several representatives from the MOJ confirmed that it is currently not possible to run the Units without financial support from UNDP. However, it must be noted that in Somaliland the MOJ managed to take over the payment of salaries for the advisors in the Legal Aid Unit from UNDP.

An additional obstacle to the sustainability of the initiative is the particularly high salary paid to some of the senior staff (i.e. the Head of the JISU receives 7.000 USD per month). These salaries are perceived as disproportionate in relation to the rest of the staff as well as the local market and may create unnecessary tensions.

The establishment of the 3 new Units was implemented by IDLO. The partnership between UNDP and IDLO had some difficulties at the planning level in relation to the definition of the LoA, but UNDP staff and MOJ representatives expressed satisfaction for quality the technical support provided.

Some concerns might be raised with regards to the efficiency of outsourcing activities to other international organizations instead of having them delivered directly by UNDP. The Ministry of Justice shared this view in the Project Board Meeting of September 2014 where he advised that *"the current UNDP agreement with intermediaries, such as IDLO, should not be continued in the future, as the relationship should be direct between the UN and the MoJ"*[8]

3.2.1.2 ► *Activity 2:Strengthen judicial institutions*

3.2.1.2.1 Enhance the security of the Judiciary

Given the volatile security situation and the repeated attacks committed against Justice actors and institutions,[9] security has been recognized as a priority in order to establish a functioning Justice system.

UNDP has responded to this need by conducting a "*Judicial Security Assessment*" in December 2013 in the 3 regions of Somalia. The assessments identified practical measures and risk mitigation plans to improve the security of courts and judicial personnel.

A series of measures have then been implemented in the 3 areas, in close coordination with the custodial corps (responsible for the security in the premises of all courts in Somalia) and the Police (in charge of judges when they move out of courts)

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[8] Minutes Project Board Meeting, Mogadishu.17 September 2014
[9] Eight Puntland prosecutors were murdered in the last 3 years and the Mogadishu court complex was attacked in 2013

In Mogadishu a 10-day training was organized on judicial protection and security for 75 custodial corps staff, police officers and protection teams of the Attorney-General's office.

3.2.1.2.2 Establish court case-management systems

<u>Federal Level :</u>

In Mogadishu the justice reform process is still at an early stage so the implementation of a court case management system will only start under the joint UN ROL project (Output 1.2.2) on the basis of the Somaliland experience.

<u>Somaliland :</u>

The experience of the High Judicial Council (HJC) in Somaliland in setting up court case management systems to improve file flows and reduce backlogs and delays has developed some replicable best practices and interesting lessons learned.

The consultant visited the archives of 3 courts in Hargeisa (Appeal Court, Regional Court and District Court). Each office was staffed with 2 female law graduates, who had benefitted from the UNDP internship programme.

Each court case was identified with a unique serial number and all the related documents were collected in an individual file-folder. Cases were chronologically tracked in a case-register that indicated the movement of cases through the system. Both the case folder and the register (one for civil and one for criminal cases) were provided by UNDP. The case folders were tidily stored on shelves behind the clerks.

Juvenile cases and SGBV cases were not specifically identified nor followed a separate filing system. The colored-coded folders/numbers recommended to facilitate the identification of these files did not seems to be used as none of the staff was able to explain the difference between the colors.

The issue with the colors was confirmed by a former UNDP Team Leader who also mentioned the following additional challenges: 1) some initial obstruction from the side of senior judges, 2) the sustainability of the initiative as there are doubts that courts will have the budget to pay for the registers and the folders. His view is that "*the system is working well but not as we intended*".

The tracking system is completed by a calendar of the court hearings, which is posted in the courtyard and indicates the time of hearings, the judicial assignments and the allocation of courtrooms.

The Head of Hargeisa Appeal Court confirmed that the case management system has improved the work of the courts. Before the implementation of the case management system judges, registrars, bailiffs used to take the case files with them, even at home. If one was sick the hearing had to be postponed. Personal data was not protected, it was difficult to locate the files and some were lost.

In addition the schedule of the hearing was not accessible to the public as it is currently, so a lot of people were wandering around the court complex trying to understand where they should go.

The Head of Hargeisa Appeal Court added that the case management system has greatly supported the work of the members of the Judicial Inspection team and the enforcement of the judicial code of conduct, as the inspectors were facilitated in accessing the case files to verify eventual delays caused by the judges.

The case management is a successful initiative with a positive impact on the work of the courts in Hargeisa. It is currently more a filing and case tracking system, which is the building block of the initiative. Further efforts will be required to develop a fully operational case management system, which includes the collection and the analysis of data produced by the case tracking system and the exploitation of the results to advance the justice sector reform.

Puntland :

A pilot case management system was launched in Garowe First Instance and Appeal Court in 2012 based on the model of the above described Somaliland experience (trainings and provision of case folders and registers).

The case management Coordinator recommended drafting a case management manual and having separate trainings for judges and registrars, as well as including lawyers in the trainings. The registrar of the Supreme Court confirmed that the work is currently better organized as "*every stage of the case is described with a lot of details, so even if you are new you can understand*".

The consultant's visit to the archives of the Garowe Appeal Court showed that in 2015 the UNDP printed folders were out of stock so ordinary folders were being used, although they did not provide for space to capture the key information on the case. The color specific numbers were not used either and due to time constraints it was not possible to see the register.

The general impression was that the system is not adequately in place, despite the fact that the case management coordinator visited to Hargeisa to learn how the system was implemented in Somaliland.

Most interviewed persons mentioned the reduction in the delays of the cases as the key result for the case management system, but data to support this finding was not available.

The UNDP Project Officer explained that one of the challenges in Puntland is the lack of staff dedicated to the case management: the current case management Coordinator is also covering the function of Head of Appeal Court. The Chief Justice refused to allow external staff manages case flows, so it has not been possible to assign Interns to the archives, as is the practice in Hargeisa.

Some concerns arise with regard to the fact that UNDP is paying a salary of 1.000 USD to a staff member who is not dedicated full time to the project because he holds senior role in the judiciary.

Additional challenges include gaps in funding from UNDP and the lack of budget in the government to continue printing the case register and folder. The demand for a case management system is high from courts in the regions, but so far it has only been extended to the Gardo First Instance and Appeal Court.

Key lessons learned from the Somaliland and Puntland experience include:

- It is not recommended to engage in introducing a case management system if a dynamic and adequately prepared team is not available to implement the system;

- The government should engage in taking over the costs of printing the case registers and folders after the successful completion of a pilot phase.

3.2.1.2.3 Establish Judicial inspection schemes

<u>Somaliland</u>

One of the key achievements under the framework of the Justice Sector Reform is the establishment of an Inspection scheme managed by the High Judicial Council (HJC).

A team of 4 UNDP supported Inspectors was established in 2012 with the mandate to evaluate the performance of the judges, the justice services as well as the quality of the verdicts in all 6 regions of Somaliland. In parallel, UNDP supported the HJC to develop the "*Judicial Code of Conduct*", which is the reference document that the Inspection team is tasked to enforce.

The HJC has dedicated special efforts to raise public awareness about the possibility of filing a complaint against a judge: billboards and panels are disseminated in town and at the Hargeisa court complex, and a hotline is available. This initiative had a huge impact on the population: as pointed out by the Deputy Chief Justice "*before people did not even know that they could complain against a judge*".

The table below illustrates the remarkable results achieved by the Inspection team, in terms of sanctions adopted by the HJC following their investigations and the increasing number of complaints that are submitted by the public. The results are particularly impressive for the Somaliland context where dismissing a judge is an extremely delicate and risky issue that can involve clan tensions and retaliations.

The inspection team also conducts trial observation missions and collects and analyses court verdicts: in 2013 and 2014 they respectively reviewed 130 and 110 verdicts. The identified weaknesses include poor legal writing and knowledge of procedures, which are therefore areas that would require further trainings for the judges.

Table N°2*: sanctions adopted by the HJC after investigations of the Inspection team*

Year	no. of complaints received	Sanctions applied by HJC
2013	73	6 judges were dismissed, 3 got a warning, 1 was transferred.
2014	122	7 judges were dismissed
04/2015	39	3 judges were dismissed

Puntland

The inspection scheme developed in Puntland follows the Somaliland model: a team of 5 inspectors paid by UNDP and reporting to the HJC ensure an oversight role over judges, prosecutors and judicial clerks with reference to the "*Judicial Code of Conduct*" which was adopted in 2011.

The performance of the team has however been less successful than in Somaliland. Statistics on the outcome of the inspection missions are not available. The inspection reports of 2014 do not provide information on the quality of the judicial services, but seem more assessment reports that indicate the number of staff or their educational background. There is no analysis on legal issues and too much focus on operational issues such as lack of uniforms for the judges and transportation.

In 2012 UNDP suspended its support to this activity due to "*poor performance of inspection team, including few field visits to courts out of Nugal area and poor skills of inspectors.*"[10].

The Inspection Coordinator confirmed that the outreach issue was solved as they have currently increased the number of field missions and cover all the regions for a total of 4 courts inspected per month.

3.2.1.3 ► *Activity 3: support to Attorney General Offices*

Mogadishu

UNDP supported the re-establishment of the Office of the Attorney General with remarkable results in only a short period of 8 months. The dynamic Attorney General managed to renovate and equip his offices; he introduced a new organizational chart and recruited additional staff entirely paid by the government (the number of prosecutors was raised from 8 to 28). In addition the Attorney General recruited the first 6 female prosecutors, 4 of which were supported with UNDP scholarships and internships. 10 of the newly recruited prosecutors will be deployed to the regions, as soon as the offices are built.

To be noted, for the impact on the sustainability of the initiative that the Attorney General managed to secure additional funds from the national budget so the resources available for the Prosecution Office have increased from USD 290,000 to USD 1,100,000.

Puntland

In Puntland the Attorney General complained that his office has not received specific support from UNDP or other organizations, but only benefitted indirectly from other initiatives implemented by UNDP for the Justice Sector, such as the Internship programme and a few trainings.

According to UNDP staff, discussions took place with the Attorney General but a LoA was never finalized mainly because the Attorney General wanted a dedicated LoA instead of being included under the LoA with the High Judicial Council

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[10] Annual report 2012

UNDP staff also clarified that, despite the lack of a dedicated LoA and a clear strategy, UNDP supported several activities targeting the Office of the Attorney General, in particular:

- The construction of 2 offices and the provision of furniture and ICT equipment for the office of Attorney General in July 2013
- Prosecutors from 6 regions completed the "*6 months judicial training*" in collaboration with East Africa University and Puntland State University.
- 2 Registrars from the office of the Attorney General received scholarships from UNDP and graduated from Puntland state University in 2013
- The Deputy Attorney General participated in a 4 weeks training programme on "Combating Organized Crime and Maritime Piracy" in UAE in November 2012 and February 2013 as well as in Paris, France, in May 2013.

Female prosecutors are not available in Puntland, but SGBV cases are assigned to a specific prosecutor. This is a serious gap that hampers the remarkable efforts done at the police level to increase services for women and SGBV survivors and shows a poorly integrated geographic approach among different UNDP projects. SGBV survivors are adequately received by the "female volunteers" in police stations but then they are not ensured special protection if they decide to bring their case before a court.

3 or 4 UNDP supported Interns have been assigned to the Prosecution Office, one of them was recruited and is working in the Sool region. The other interns were offered a contract but refused because of security concerns.

Somaliland

The Somaliland Prosecution Office has experienced notable development with the support of UNDP.

The number of prosecutors has increased and the office is currently composed of 24 Deputy Attorney Generals and 20 prosecutors, of which 10 are female and some are former UNDP interns.

The premises have been rehabilitated and equipped with furniture and computers and 2 regional offices have been constructed with the support of UNDP.

A case management system is in place at the Hargeisa level, but not yet connected with the regional prosecution offices. The consultant visited the archives and found that only the case register was used; the folders were not properly archived and were stored randomly in the room.

A key achievement has been the establishment of an SGBV Unit (directed by one of the UNDP supported female interns) and the extension of these services in the regions (each of the 6 regions has 2 specialized female prosecutors). It is recognized that the referral system established in cooperation with the Baahikoob[11] has facilitated the prosecution of SGBV crimes. The HJC has also contributed to the prosecution of SGBV cases by issuing a circular prohibiting judges and prosecutors from referring these cases to Elders. The absence of judges specialized in SGBV is on the contrary a gap.

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[11] For more detail on the Bahikoob center see Par 3.2.3

In 2011 the SGBV Unit received 200 cases and obtained 110 convictions; in 2014 the Unit received 93 cases and convicted 59.

When questioned about the reasons for the decrease in the number of SGVB cases, the Attorney General explained that fewer crimes are committed because perpetrators are seeing that they can be arrested and prosecuted. It might be worth exploring this issue further (in particular with the victims) in order to verify that there are not other reasons for the decrease in the number of complaints, eventually linked to the performance of the service.

The Attorney General has also dedicated special efforts to visit prisons to verify pretrial detention cases. Statistics are however not available to measure progress in reducing pretrial detentions rates.

Visits to police stations are also undertaken and have achieved the result of releasing children in compliance with the Juvenile Justice Act.

Considering that UNDP has manly supported trainings on SGBV for the prosecutors, the Training Coordinator at the Attorney General Office recommended to provide additional trainings on legal analysis and the collection of evidence.

3.2.1.4   Activity 4:Support the prison system

Support to the prison system has been particularly affected by the overlapping of mandates and limited coordination between UNODC and UNDP.

Somaliland

The MOJ Prison Unit launched in 2013 a pilot project in the prisons that may develop into a best practice to replicate in other areas: "prison receptionist desks" were established in 6 of the 15 prisons of Somaliland (included Gabiley where female inmates are detained) with the main objective to facilitate the provision of legal aid to inmates.

The Prison Receptionist is the Custodial Corps officer who receives and releases the inmates, so the initiative is cost effective. UNDP provided equipment and trainings and the MOJ Prison Unit is conducting regular monitoring visits.

The Prison Unit Coordinator explained that the pilot project had a huge impact in terms of ensuring legal aid in prisons. He mentioned that at the beginning of the project lawyers were not allowed to enter the prisons. Some initial resistance to the project came from the custodial corps officers, most of who were recruited under the Siad Barre regime and had difficulties in accepting the new approach. Currently lawyers can access the prison any time during working hours.

The "prison receptionist desk" project is a good example of implementation of policies developed with the support of UNDP, in this case the "*Legal Aid policy for pretrial justice*".

Puntland

In the field of Corrections, the construction of Gardo prison, officially handed over to the government in November 2012, is the only activity achieved with the support of UNDP in Puntland.

As pointed out by the UNSOM Correction Officer and UNDP Engineer, the building has some structural defects that have not yet been addressed. The prison has a capacity of 265 persons, but out of the 3 blocks, one cannot be used due to sanitation problems. Consequently male inmates are all detained in one block, which is allegedly overcrowded.

Operational costs of Ghardo prison are no longer supported by UNDP, but the government is apparently not fulfilling its engagement to provide for these costs, so the basic needs of the inmates are not provided to the required standard.

Considering the financial and operational efforts that UNDP has invested in the Gardo Prison it would have been expected that the construction of the prison was only the building block for additional activities targeting Correction Officers and inmates eventually with the objective to establish a model prison where innovative solutions were tested to be replicated elsewhere. This does however not seem to have occurred. For example, according to the Annual Reports the only trainings delivered in Gardo prison occurred in 2013 and are: 1) trainings for health workers at the prison clinic 2) training on health services and literacy classes for 80 prisoners and staff. To be noted that activities in the field of health were not planned in the GROL and the related LoA covers an important amount (USD 150,000) that could have been allocated to activities more relevant to the ROL.

The UNDP CSP project has developed a pilot project aimed at introducing the Parole system in Puntland. Draft legislation was designed to establish the legal framework for the initiative, but the Bill was never approved by Parliament.

Lesson learned from this experience include:
1. The parole system is very new to Somaliland so more maybe advocacy to explain the system and ensure that it is locally owned ought to have been undertaken.
2. In addition the parole system requires a lot of resources, for example to evaluate the inmates, which are beyond the capacities of the prison system.

Mogadishu

The Corrections Advisor of the Ministry of Justice expressed sincere appreciation for UNDP's support in 2014 and particularly praised the short time that it took UNDP to organize the training for the security of the courts delivered by UNPOL. He also noted that the Correction Working group (led by UNSOM) was very active. Other achievements include: building of security walls and the provision of metal detectors in Mogadishu prison.

Key challenges faced at the Mogadishu central prison include overcrowding (1200 inmates in a prison designed for 400) and the lack of separate high security facilitates for Shabab related inmates, who are currently detained with common inmates and use this opportunity to indoctrinate new members.

3.2.1.5 Activity 5:Support construction and rehabilitation works of justice institutions

UNDP's support has been very relevant in re-establishing and equipping justice infrastructure as courts, prisons and offices of Ministries and Attorney Generals, and these results represent the building block for future interventions aimed at developing the capacities of Justice actors.

Below is a list of key construction works that have been delivered with the support of UNDP from 2012 to 2014.

Table N° 3:

Rehabilitation of Justice institutions buildings with the support of UNDP (2012-2015)	
Mogadishu	1. Rehabilitation and security enhancement works at Benadir Regional Court Complex and Ministry of Justice.
Puntland	2. Attorney General and Higher Judicial Council Secretariat 3. Gardo prison
Somaliland	4. Amoud legal Clinic – Borama 5. Additional working space for the National AG office Hargeisa 6. Attorney General Regional Prosecution Office Hargeisa 7. Attorney General Regional Prosecution Office Borama 8. Attorney General Regional Prosecution Office Burao 9. Ministry Of Justice Regional Office in Burao – Togdheer Region 10. District Court Borama – Awdal Region 11. Regional Court Rooms added in Hargeisa regional Court 12. District Court Ceel-Afwayn – Sanaag Region

Common recommendations received during the evaluation mission include: 1) ensuring that the buildings are maintained after they are handed over to national partners 2) ensuring closer follow up of construction works to avoid structural defects.

Starting from 2015, UNDP will not be involved in major construction works any longer, as these activities have been transferred to UNOPS under the joint UN ROL program.

3.2.2   Output 2.4.3: Enhanced capacities of key justice actors

3.2.2.1   *Activity 1:Promote the development of justice sector strategies and legislation*

Notable results have been achieved in developing a Justice Sector Strategy in Somaliland where UNDP's support has been ongoing for the last nearly 10 years and the government is in a more mature stage of the institutional development process.

At Federal Level the Justice Sector Reform process started only in 2012 with the Somali Compact, but the results achieved by the MOJ in such a short time are remarkable, as illustrated. In Puntland a Justice Sector strategy was adopted in 2014.

In areas where the support of UNDP has been going on for a longer time, it would have been expected to see a more strategic approach in the implementation of some activities. Examples of strategic documents that could have further detailed the objectives of Justice Sector Strategies may include: 1) a yearly training plan for Justice Sector actors instead of the one-off approach that is currently adopted; 2) a strategy to deliver legal awareness to the population with the prioritization of geographic areas, beneficiaries and coordination of CSOs in providing the service; 3) a mobile court strategy; 4) SOPs for handling SGBV cases across the criminal justice chain; 5) a comprehensive legal aid policy covering all components of legal aid and not just access to legal aid in pretrial detention.

The table below N°4 summarizes the key strategic documents and laws developed with the support of UNDP from 2012 to 2015.

Strategies and laws drafted with the support of UNDP (2012-2015)	
Mogadishu	1. Judicial Organization Law, 2. Constitutional Court Establishment Law, 3. Anti-Corruption Commission Establishment Law, 4. Attorney General Office Establishment Law, 5. Public Notary, 6. Judicial Training Institute Establishment Law, 7. Prison Law and Regulations, 8. Citizenship Law, 9. Anti-Money Laundering 10. Terrorism Financing Law
Puntland	11. Policy on Legal Aid - Guidelines on Access to Lawyers and Legal Services in Prisons, Police Stations and Courts, 12. Legal Training Policy, 13. Human Resources Policy, 14. The Strategic Reform Strategy 2015-2019, 15. Legal Education Policy, 16. National Policy on Disability, 17. Female Genital Mutilation Act
Somaliland	18. The Five-year Justice reform strategy 2012-17 19. The Judicial Organization Law 20. National legal aid Policy and access to lawyer 21. Manual for the High Judicial commission of Somaliland 22. Judicial code of conduct for Judges and Prosecutors 23. Chief Justice of Somaliland issued a directive exempting legal aid cases from payment of court fees.

3.2.2.2 Activity 2: Support Universities to deliver Scholarship and Internship programs

All areas – Scholarship programme

The scholarship and Internship programme are running in all 3 areas and are widely recognized as a key achievement of the A2J programme, in particular for having increased the number of legal professionals, including judges, prosecutors, lawyers and court clerks. Many of the key informants met during the evaluation mission were former law students and graduate interns, and included the Puntland Minister of Justice.

In **Somaliland** since 2002, the University has ensured the presence of 526 law graduates in the market (female 112), of which 45% are currently working in the Justice Sector, the rest are in the private sector or working for NGOs or the UN.

In **Puntland** 88 students (21 female) graduated from the law faculty since 2008 and 63% of them are currently working in the Justice Sector.

Mogadishu University has opened a law faculty in 2013 and has produced 60 law graduates per year.

The table N° 5 below indicates the number of UNDP supported Scholarships from 2012 to 2015

Number of UNDP supported Scholarships			
	Mogadishu	Puntland	Somaliland
2012	0	88	44
2013	50	107	57
2014	47	63	39
2015			74

The scholarship programs are managed in the same way in the 3 areas: the Law Faculties of local Universities (University of Mogadishu, University of Hargeisa and Puntland University) select the students eligible for the scholarship who will then sit an examination (Somaliland and Puntland).

Selection criteria that consider vulnerable students, such as minorities and women, Justice Sector staff members and low-income students are applied in Somaliland and Puntland. In Mogadishu there seem to be no specific criteria, as according to the representative of the University they "*pick the smartest students*".

The scholarship only covers tuition fees. An interesting practice has developed in Puntland and Somaliland where some of the students are already working in the Justice Sector, but since they did not have a law degree they were encouraged to upgrade their legal education.

Scholarships are particularly effective in Universities that have established Legal aid Clinics (Somaliland and Puntland) as these structures give the opportunity to students to experience the legal practice with mock trials, visits to courts, interviewing techniques and even mediation and representation of clients in court under the supervision of the Clinical Instructor. Some concerns may arise in terms of the quality of legal aid provided by a law student. In reply to this concern the Clinical Instructor in Puntland said that all 16 of his students only interact with clients under his supervision and that a clinic manual and the charter of the Legal Aid Clinic clarifies the limits and the roles of the students in providing legal aid.

Some of the challenges mentioned to the evaluators include:
- The difficulties that students from outside the capital cities have in finding and paying for accommodation. Given the focus that the ROL programme will have on reaching out to the regions it is recommended to explore the possibility of awarding scholarships that cover accommodation costs for students who come from the regions;
- Gaps in funding from UNDP have delayed the process and reduced the number of scholarships (only 8 in 2015 in Hargeisa);
- Governments are not contributing to the scholarships, which are covered 100% by UNDP;
- Lack of student exchange programs with other Universities;

- Limited expertise in running legal clinics. Expert from other countries as Uganda or Kenya would be welcome to strengthen the programme.
- Female students from Puntland University mentioned that the only specific challenge they face is transportation, as they fear the gangs that harass girls when they go back to their homes.

All areas – Internship programme

UNDP supports 10 month-internships in various justice institutions for students who have benefited from UNDP scholarships at the Law Faculties with the objective to ensure that more law graduates are employed in the Justice Sector. In Somaliland and Puntland interns can also be deployed within the Police.

Internship programs are running in all 3 areas, but are managed in a slightly different way. In Mogadishu and Puntland Universities manage them, whereas in Somaliland they fall under the Ministry of Justice. In the latter case the Ministry of Justice organizes the selection of the interns, and a training program for the interns, at the end of which they are assigned to work in an institution.

The table N°6 below indicated the number of interns supported by UNDP from 2012 to 2015

Number of UNDP supported Internships			
	Mogadishu	Puntland	Somaliland
2012	30	34	25
2013	10	42	32
2014	13	18	24
2015		18	25

In Mogadishu and Puntland interns are assigned to an institution and perform specific tasks under the supervision of the office manager. This was the case of one of the Interns at the MOJ in Mogadishu who reported that she was well mentored by the Office Manager and trained by the UNDP advisors in the MOJ. She has not yet been offered a permanent contract but the MOJ keeps renewing her internship. Another intern reported that the internships are gradually contributing to reduce the stigma and the fear of working for the government.

The Head of the Appeal Court of Hargeisa recommends that the selection criteria for interns should not only be based on the grades but also on the work ethic of the candidate. In his experience with the interns he witnessed some lack of discipline. He mentioned the case of one of the UNDP interns who was under investigation by the Inspection team: after the internship he was assigned as a judge but it was found that in 8 months he had received 60 cases but issued only 1 judgment, so he was dismissed.

The Head of the Appeal Court believes that the MOJ training offers the interns some academic background to become prepared for the job, but not the much needed on the job training under the supervision of a judge. This example raises concerns that could however not be further explored with the MOJ, due to time constraints.

The presence of interns has brought new ideas and a more dynamic approach to work in the Justice institutions. Occasionally there has been some initial resistance to the programme: for example in Somaliland the Chief Justice was opposing the idea of appointing interns as new judges.

As a side effect of the presence of young law graduates, some discrepancies in the approach to Justice have started to appear: court decisions given by the new judges mostly apply statutory law while old judges mostly apply Sharia law. It would be important to ensure the harmonization of the 2 approaches.

It is finally recommended to coordinate with other international actors as the Norwegian Refugee Council (NRC) that also run programs employing interns from the Law Faculty. In Puntland, NRC has 12 interns from Puntland University (2 interns and one supervisor in each region) who deliver mediation with a focus on land and housing rights.

3.2.2.3   Activity 3: Deliver trainings for key Justice Sector actors

Legal education for Justice actors is a key priority in all 3 areas.

Judicial Training Institutes do not exist, so Justice institutions are left with no other option than to accept law graduates with no specialization as judges or prosecutors. In the recent past many judges and prosecutors did not even have a law degree, although this practice is changing with UNDP's support to the Law Faculties and the increase in the number of law graduates. Lawyers are not required to pass a Bar examination but they are appointed by the Chief Justice (PL) or registered by the Ministry of Justice (SL).

UNDP has contributed to enhancing the capacities of Justice actors, however due to the lack of monitoring tools and unclear reporting until 2014 the impact of this contribution cannot be measured.

Annual Reports document the implementation of training activities, but key information (i.e. duration) is missing; in addition the numbers seem to be duplicated across the different indicators. Topics covered by the training activities listed in the Annual Reports include: judicial code of conduct, SGBV and gender, human rights, Legal Aid Policy, Case Management, Puntland Family Law Act, Judicial Protection and prosecution of serious crimes.

Three trainings were widely recognized by key informants as having had a notable impact and were highly recommended for replication:

- The 6 months "*advanced judicial training*" for judges that was organized in 2012 in Somaliland by the University of Hargeisa.
- Six months "*induction training for judicial staff*" in Puntland.
- Nine months "*basic and advanced training for judicial staff*" organized by Mogadishu University in 2012.

All three training modules have developed detailed *curricula*, which would be recommended to consolidate and eventually update in order to deliver trainings on the basis of a yearly plan under a common framework for the 3 areas.

3.2.2.4 *Activity 4: Promote the compliance of customary practices (Xeer) with human rights laws*

As illustrated in numerous publications[12] and widely acknowledged by legal practitioners, in Somalia/SL the huge majority of disputes are solved through the informal legal system (Xeer or traditional Justice). Engaging with the Elders who apply the traditional system (Xeer) is therefore a key component of Justice interventions in Somalia.

Several studies carried out with the support of UNDP in Somaliland[13] have demonstrated the importance of traditional Justice in the Somali context and highlighted how Elders are currently contributing to the formal Justice system[14]. UNDP is therefore committed and fully aware of the importance of engaging with the Elders[15].

Activities specifically and strategically targeting the traditional Justice system have however not yet been implemented under the A2J project in Somaliland and Puntland and are only at an initial stage in Mogadishu (activities were however successfully carried out under the UNDP CSP project, as illustrated below).

In Somaliland, other UNDP A2J activities have had positive, though indirect, effects on traditional Justice in the area of SGBV. Statistics indicate a significant increase in the SGBV caseload reported by the Baahikoob center (from 195 in 2012 to 326 in 2013) and referred to formal courts. In addition some beneficiaries have stated that for rape cases they prefer to address formal courts. This could suggest that Elders are ruling over fewer rape cases, which is an important result in terms of ensuring that traditional Justice complies with international human rights law. The circular issued by the Somaliland HJI prohibiting judges and prosecutors to refer cased to the Elders and the SGBV awareness-raising sessions for traditional and religious leaders organized by NAGAD network, have contributed to achieving this result.

The UNDP Community Policing Project in Puntland has developed a successful pilot project in 2013 targeting alternative dispute resolution (ADR) mechanisms used by the Elders. As per TOR the evaluation covers this pilot project as it provides useful lessons learned and best practices that could be taken into consideration in the joint UN ROL program, which has a specific output on traditional Justice.

The ADR project aims at i) training Elders to make their rulings more compliant to human rights, ii) providing community Dispute Resolution Houses in 5 districts out of the 39

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[12] See for example the reports by the Observatory on Conflict and Violence Prevention (OCVP)

[13] Baseline study conducted by Hargeisa University with the assistance of a UNDP International Consultant, 2012

[14] Elders play a key role in the mobile court system, as highlighted in § 3.2 of the report "Evaluation of UNDP supported mobile courts in Somaliland", 2014

[15] The UNDP GROL programme planned to "*give stronger consideration to the customary and sharia justice systems. This will include conducting more community case-by-case (court observation) analyses of the use of each system, how they interrelate and what are, if any, the de facto jurisdictions between the three […] The programme will educate elders, sheikhs and communities on human rights and incentive structures created for them to incorporate human rights principles into their decisions, particularly with regards to women*". GROL page 25. Activity 9 of GROL output 2.4.2 aims at providing "*Support traditional and religious elders in regularly convening to discuss improved engagement and coordination with the formal justice sector and necessary division of labour*"

existing in Puntland iii) assisting Elders in recording their rulings and creating linkages with the formal system and clarify the respective jurisdictions.

As illustrated by the CSP Project Manager and Project Officer, the initiative has achieved the outstanding result of 650 cases recorded in 1.5 years and is well accepted by the Elders, and well perceived by the population.

The Ministry of Justice advisors praised the initiative and reported that the judges also welcome it because it helps them to remove backlogs.

Other key informants, such as the Head of the Appeals Court or the Attorney General in Mogadishu, confirmed the importance of engaging with the Elders and recognized that they have a role to play in the Justice system provided that it is regulated and that the respective roles of the formal and informal Justice are clarified. For this reason the approach adopted by UNDP to work simultaneously at the institutional level with the TDR Unit at MOJ and at community level with the ADR project appears adequate.

UNDP project staff mentioned the following challenges to the ADR project:
- Buy-in from the formal system. The Chief Justice was initially concerned that the project was going to create a parallel Justice system;
- Clan issues have occasionally created some problems;
- Limited access to locations where Elders operate;
- Linkages between formal courts and Community Dispute Resolution Houses is currently missing, but will be addressed in the joint UN ROL programme.

Lessons learned include:
- Dissemination of the Community Dispute Resolution Houses is key to ensuring that the population is aware of the opportunity it provides.
- The terminology ADR does not reflect the local culture, so for future LoA they will adopt the term Traditional Dispute Resolution (TDR) which is also in line with the one adopted in the Somali Compact. It must be noted that the term ADR includes dispute resolution mechanisms that are not used by the Elders such as arbitration, so it is not correct.
- The existence of a legal framework has contributed to the success of the initiative: in Puntland the Constitution recognizes the Elders and a traditional dispute policy exists.
- Strengthen the coordination with other actors working on TDR to harmonize practices and adopt a common approach. The Norwegian Refugee Council (NRC) runs a similar project focused collaborative dispute resolution (CDR) for Land and Housing rights in Puntland.

As illustrated, a TDR Unit has been recently created in MOJ with the support of UNDP and a workshop is planned for mid June in order to launch the discussions about the traditional Justice system at a national level. The ADR project in Puntland will be presented as a case study and contribute to lessons learned.

3.2.3 Output 2.4.4: A2J and LE strengthened

3.2.3.1 *Activity 1:support legal aid providers (and Bar Associations)*

UNDP's support has been highly effective in increasing the number of lawyers and strengthening the capacities of individual lawyers with training, especially about SGBV cases.

However lawyers have not been supported in developing as a corporate body: Bar Associations do not exist (SL) or are not active (PL and FL[16]. As explained by UNDP staff, the delay in supporting Bar Associations is related to the requirement of first setting up a Bar Association at Federal Level in order to avoid eventual friction with regional Bar Associations. As a matter of fact the joint UN ROL program has introduced a specific output to assess the Bar Associations and develop the legal framework that will discipline their work.

This approach is understandable for Mogadishu and Puntland, but to a lesser extent for Somaliland where Legal Aid is a component of the A2J project that has been active since 2002 and there will be no linkages with a Bar Association at Federal Level.

UNDP's support to Legal Aid Providers (LAP) to develop as effective CSOs could also be improved and would have expected to be more effective because in all 3 areas the legal aid component has been running for longer time.

In general (with some exceptions at the University level) the LAPs have weak organizational and managerial skills and do not seem to have adopted a common strategic approach to legal aid. Strategic discussions that could have been undertaken include: 1) geographic or thematic coordination of activities, 2) criteria for the prioritization of cases, 3) common salary scales, 4) common definitions of key concepts such as the definition of paralegal or the categorization of cases, 5) common reporting formats and databases, 6) SOPs for handling SGBV cases or pretrial detentions cases, 7) common *curricula* for legal awareness sessions.

The joint UN ROL programme includes some activities to strengthen the strategic approach of LAP, but they have a limited focus as they only cover women and juveniles.

Table N°7 gives an overview of the LAP supported by UNDP in the 3 areas.

Organization	Year of establishment	n. of lawyers	n. of paralegals	Presence in the regions
SOMALILAND (total number of lawyers: 115)				
1.Somaliland Women Lawyers Association	2007	6	5	Yes, 3
2.The Somaliland Lawyers Association (SOLLA)	2004	200*	?	Yes, ?
3.University of Hargeisa Legal Clinic	2002	8	15	No
4.Amoud University Legal Clinic	?	?	?	?

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[16] GROL planned "*UNDP will support the creation of single bar associations as they play a fundamental role in advancing, regulating and increasing the professionalism of lawyers*", however no specific outcome was included in the annual work plans.

PUNTLAND (total number of lawyers: 70)				
5.Puntland legal aid center (PLAC)	2005	8	45	
6.Universty Legal Aid Clinic	2013	1	4	
7.Puntland Women lawyers association (PWLA)				
MOGADISHU (total number of lawyers: 60)				
8.SLWA	?	3	16	No
9.COBRA	?	4	15	No
10. Somali Women Development Centre (SWDC)	?	6	15	Yes

Data provided by SOLLA Director. According to the Ministry of Justice there are 115 lawyers registered as of May 2015.

Results in terms of provision of legal aid show acceptable numbers considering the context (lack of security, limited access to remote areas and prevalence of traditional Justice); in addition Legal Aid providers are highly respected in Puntland and Somaliland (to a lesser extent in Mogadishu). Discussions with the beneficiaries showed that their confidence in the formal system is increasing and the lawyers have successfully litigated their cases.

The quality of the work is however difficult to assess and some activities are not effectively presented because of inadequate reporting. The biggest challenge is that data related to legal aid are not collected separately for each component, namely legal representation by lawyers, mediation by paralegals and legal awareness for the population, so it is not possible to evaluate the impact of each component. For example the 2013 Annual Report for Mogadishu mentions, "*2308 clients were provided with free legal aid*". This does not clarify if these clients participated in awareness-raising sessions or benefited from legal representation by a lawyer.

Previous evaluation reports have highlighted this weakness in the monitoring system[17], however only in 2014 are there signs of improvements in the Annual Reports.

Common challenges mentioned by key informants include: 1) gaps in funding from UNDP 2) excessive trainings in SGBV and not enough trainings to improve the litigation skills of the lawyers 3) expansion of legal aid to regions where there are no courts nor security.

Although statistics for the legal aid component are available in the 3 areas, it was not possible to consolidate them in a coherent framework, so they were not included in the report.
Area-specific issues are described below.
Somaliland

UNDP has supported the establishment of the Legal Aid Unit at the Ministry of Justice in 2011, composed of 4 staff members. Salaries were initially supported by UNDP but are currently paid by the government, which is an important achievement in terms of sustainability.

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[17] Stapleton, "Somalia -Legal Aid deep dive": "*Quantitative data of the services rendered and to whom are unclear: UNDP data (through the quarterly reports) are internally inconsistent and appear to under-report the good work of the nine implementing partners (in part due to a lack of definition of what is counted as 'legal aid')*".

In the absence of a Bar Association the Ministry of Justice has taken up the role of coordinating the legal aid providers, by organizing coordination meetings and receiving activity reports.

This is an acceptable solution as a temporary measure and it has certainly filled the coordination gap that apparently the LAPs could not fill by themselves. However this linkage to the MOJ could create some issues in terms of the perception of the independence of the lawyers. It is to be noted that the MOJ is also responsible for the registration of the lawyers' licenses, which is typically a function that should pertain to the Bar Association.

It is recommended to re-establish the Bar Association so that it can take over the oversight functions of the lawyers from the MOJ. Meanwhile it should be clarified that the MOJ is coordinating the LAPs, and not the individual lawyers.

UNDP staffs in Somaliland were not particularly disturbed by the role of the MOJ as they believe the MOJ is only managing an information sharing platform. However the SOLLA association and the Women Lawyers Association felt their independence was affected. The SOLLA Director commented "*it's the international community who is funding this interference from the MOJ*".

It was however widely recognized that the MOJ has greatly assisted the lawyers in accessing the prisons.

Puntland

Puntland has adopted the Somaliland model with a UNDP supported Legal Aid Unit at the Ministry of Justice to coordinate the Legal Aid Providers, so the above-mentioned comments provided for Somaliland apply.

Federal Level

In Mogadishu a Legal Aid Unit is not established at the MOJ level and the UN ROL joint programme has correctly taken the approach to revitalize the National Bar Association as a priority.

Many key informants expressed concern about the quality of the services offered by the Legal Aid Providers and questioned the data they are providing. The minutes of the project board meeting of September 2014 reported "*the Attorney General stressed the need to evaluate the effectiveness and skills of the legal aid services being provided*". The Attorney General mentioned that lawyers come to court without preparing their cases and rarely appeal a case and concluded that "*the service is badly needed, but the way it's run it is not beneficial to the people*". The JSC representative also confirmed that the quality of legal aid services in Mogadishu is low.

The Head of Appeal Court in Mogadishu suggests establishing a Legal Aid Unit within the MOJ to oversee the legal aid providers and insists that "*The department should not deliver legal aid, but just have an oversight role on the NGOs*". These views were expressed also by the Minister of Justice who "*asked the UN to explore whether the new Joint RoL*

Programme could channel some fund for legal aid directly to the MoJ, and at least in the first instance, ensuring MoJ has greater involvement in oversight and monitoring"[18]

UNDP staff explains that Legal Aid Providers were selected in 2008, during a critical moment when access to Mogadishu was very limited, other UN agencies were not present, Justice institutions were absent and there was a lack of multiple options for partners: "*here was only the willingness to do something and anyone was accepted as a partner*".

3.2.3.2   Activity 2: Support Ministries of Justice to provide legal representation schemes

The GROL programme planned to provide "*technical expertise to support Ministries of Justice in the provision legal counsel in accordance with the Constitution and in ensuring standards of due process and for legal counsel and government increasingly assuming this responsibility from NGO providers*"[19]

In all 3 areas UNDP has supported the Ministries of Justice to develop the preliminary activities that constitute the building blocks for any state-sponsored legal aid scheme, in particular the establishment of Legal Aid Units as well as the development and the dissemination of legal aid strategies. However in none of the 3 areas is UNDP currently supporting the regions to provide free legal representation for serious criminal cases, as is required under all international human rights conventions.

Somaliland is the area where UNDP's support has been most evident and is also the only area where the State is currently running a court-appointed lawyers scheme. This is however "*dismally small and inadequate to meet the needs of the community*"[20].

As previously illustrated, the Legal Aid Unit established under the MOJ has been very active in contributing to further the debate around the legal aid models by drafting several strategic documents, in particular: 1) the study on legal aid in Somaliland, 2) the Guidelines on access to legal aid in the pretrial phase 3) a comprehensive paper to explore opportunities for a Somaliland State-Sponsored Legal Aid Scheme. All these efforts have contributed to defining the 2013 National Policy for Legal Aid Services, which was however developed with the exclusive support of UNODC and without coordination with UNDP.

It is recommended to better specify the Activity Result defined in the GROL (see above) in order to avoid eventual misunderstanding. In particular it should be clarified that States should be supported primarily to provide free legal representation by lawyers for serious criminal cases, but not the whole range of legal aid activities (as legal awareness or mediation), which will remain under the responsibility of the private legal aid providers. In addition it recommended that States are not encouraged to take over legal aid activities from private legal aid providers, but the two systems should be supported to work in parallel and in close coordination.

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[18] Minutes Project Board Meeting, September 2014.
[19] Activity 1 of GROL output 2.5.2
[20] Somaliland State-Sponsored Legal Aid Scheme – Issues and Options Paper –Draft, 2012

3.2.3.3   Activity 3: Ensure legal support for SGBV survivors

All three areas have successfully developed activities to ensure legal support to SGBV survivors with the results illustrated below.

3.2.3.3.1   Legal Aid for SGBV survivors

Lawyers provided free legal aid in the 3 areas for SGBV survivors. However, the number of cases or the typology of cases that received legal representation is not available in the Annual Reports. The only information that can provide an idea of the volume of cases is the number of cases reported to the legal aid providers.

Poor reporting does therefore not allow for measuring of the real impact of the widely recognized activities in support of GBV that legal aid providers have delivered.

Table N° 8:

N. of SGBV cases reported to the UNDP supported Legal Aid Providers			
	PL	SL	FL
2012	n/a	n/a	n/a
2013	n/a	326	297
2014	461	399	435

In Somaliland the work of lawyers and prosecutors in the SGVB field has been facilitated by the presence of Baahikoob, which is a one-stop center for SGBV survivors based at Hargeisa Hospital and supported by UNDP. Since its establishment in 2009 the center has provided medical, psychosocial and legal support to 580 SGBV survivors.

3.2.3.3.2 Establishment of SGVB Units at the Prosecution Offices

As illustrated SGBV units have been established at the Prosecution Office in Somaliland, not only in Hargeisa but also in the regions. In Mogadishu the Attorney General recruited in 2015 the first female prosecutors and the SGBV units are being set up.

As mentioned by one of the women lawyers in Puntland "*in Somalia having a female prosecutor is the first stage of psychological healing for the victim*".

It would be recommended to ensure that female staff specialized in SGBV are available throughout the criminal justice chain, which is not yet the case as there are no female judges in any of the 3 areas.

Female police investigators are generally available. Puntland has developed a best practice consisting of introducing "female volunteers" in police stations to assist women. This practice was however developed in Garowe where SGBV units are not in place at the Prosecution Office so the impact of the initiative was limited to the first stage of the criminal chain. A stronger geographical integrated approach among the police and A2J project is recommended.

3.2.3.3.3   SGBV trainings for justice sector actors

Trainings on SGBV have been delivered for justice sector actors, however detailed data from the Annual Reports are not available for all the years and are inconsistent.

The table N° 9 below captures the number of participants in SGBV trainings.

N. of justice sector actors who participated in SGBV trainings			
	PL	SL	FL
2012	18	25	90
2013	10	107	50
2014	51	n/a	n/a

3.2.3.4   *Activity 4: Promote legal empowerment of the communities through paralegal networks*

One of the expected results of the GROL programme is to "*Develop a community paralegal methodology*" and "*promote legal empowerment of communities through increasing the number of paralegals*".

As illustrated in table N° 7 paralegals are part of the UNDP supported Legal Aid Providers: in total, 125 paralegals are currently working with the 10 Legal Aid Providers in the 3 areas.

The notion of paralegals as applied in the A2J project seem however to have been misunderstood and is consequently not in line with the indications of the GROL and more generally with the community-based paralegal model that UNDP is promoting in other country offices, such as Sudan or Sierra Leone.

The notion of a paralegal that seems prevalent among Legal Aid Providers is the one developed in the common law tradition where a paralegal is a person who holds a law degree and assists the lawyer. However, the GROL was recommending developing community-based paralegals, who are members of the communities with just a basic knowledge of the law and who provide simple legal aid services at community level, often on a voluntary basis[21]. The analysis is confirmed by the DFID report on the evaluation of legal aid practices in Somalia that concludes that "*Paralegals appear overqualified*"[22].

There is not a standard model for paralegalism, however there is a strong need in Somalia to clarify which one is applied on the ground and ensure that all legal aid providers adopt a common understanding of the role of paralegals.

Most key informants could not clearly explain the difference between a lawyer and a paralegal: for example one of the lawyers of Hargeisa University legal aid clinic reported that she and her classmate at the Law Faculty were both employed after graduation at the Legal Clinic but her friend was assigned as a paralegal (with a monthly salary of 250 USD)

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[21] The Open Society Justice Initiative "Community-based Paralegals, A Practitioner's Guide", 2010

[22] Supra note ...

and she became a lawyer (with a monthly salary of 850 USD), although the reasons for this recruitment policy were unclear to her.

In some organizations a paralegal is a member of an IDP community with no law degree (SLWA in Mogadishu and PLAC in Puntland), but for others a law degree is required to become a paralegal (Somaliland Women Lawyers Association). In Puntland UNDP is supporting women desks at police stations which are run by "*female volunteers*", who are *de facto* playing the role of a paralegal but are not qualified as such.

UNSOM staff in Puntland reported that the presence of these female volunteers initially created some tensions within the Police, as they did not know under which legal framework they should work.

Eventually and in the long term UNDP could promote the development of paralegals as an independent body based on the model adopted in Sierra Leone where paralegals are recognized in the Legal Aid Bill and become accredited after a 6 months training. Meanwhile community-based paralegals, if increased in numbers, could play a key role in a context such as Mogadishu and the New States where access to the population is still limited for security reasons as they could represent the antennas of lawyers in remote areas where access is difficult.

The lack of clarity around the notion of paralegals as well as the lack of specific statistics about paralegal activities (i.e. mediations carried out by paralegals are counted for in the broader category of legal aid), have hindered the evaluation of this component of the A2J project. Some paralegal activities at community level are indeed undertaken by UNDP supported legal aid providers[23], however they cannot be quantified and do not seem to reflect the strategic approach mentioned in the GROL.

3.2.3.5 Activity 5: support Mobile Courts systems

All the key informants recognized that Mobile Courts have been a successful initiative to provide Justice services where the formal system is not present and have strongly encouraged that UNDP's support be continued.

UNDP is supporting mobile courts in Somaliland and Puntland since 2009, so these contexts have developed replicable best practices and are achieving results that are progressively improving. At Federal Level there was one pilot experience of 4 months in 2012, which was very successful in terms on number cases received, but had to be suspended due to the security situation.

Table N°10 and 11 gives an overview of the result achieved by Mobile Courts in SL and PL.

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[23] Paralegals are active in Mogadishu as indicated in the LoA with Legal Aid Providers which aims *inter alia* to "*run a paralegal scheme in Benadir region IDPs camps to refer where appropriate legal cases from the traditional to the formal justice system, raise legal awareness and contribute to settle disputes through mediation and arbitration at IDPs camps and community level*"

Table N° 10

Number. of cases Mobile Court system – Puntland						
	Cases Received	Criminal	Civil	Female	Cases Resolved	Enforced Judgements
2012	373	171	202	91	217	73
2013	522	140	382	194	321	165
2014	577	226	351	270	417	189
TOTAL	1472	537	935	555	955	427

Table N°11

n. of cases Mobile Courts – Somaliland							
Year	Total Cases	Criminal	Civil	SGBV	Beneficiaries Total	Female	Juvenile
2012	457	276	170	49	728	251	45
2013	1302				2607	566	338
2014	1168	775	393		1168	605	320
2015	392	206	186		579		
	3,319	1,257	749	49	5,082	1,422	703

The

UNDP supported mobile court system was evaluated in 2013 with a special focus on Somaliland, so reference is made to this report for further details on the implementation of the initiative[24].

Some comments are provided below on developments that occurred after 2013 in Puntland and Somaliland.

- Mobile courts continue to be organized "on demand", when a case arises and a request is received. The model presents some shortcomings in both financial and logistical terms, so it would be recommended to explore the possibility of setting up mobile courts "on circuit", at least in areas where justice and police institutions are present.
- As shown by the Mobile Courts pilot project in Mogadishu, the involvement of community leaders in the mobile court system (preparing the arrival of the mobile court, raising awareness of potential beneficiaries and even enforcing court decisions) had a positive impact and contributed to increasing the number of cases. The Mobile Court Coordinators of both Puntland and Somaliland explained that currently they rely more on District Courts to prepare for the arrival of mobile

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[24] "*Evaluation of UNDP's support to mobile courts systems in post-conflict settings*", UNDP, New York, November 2014,

courts, so it would be recommended to ensure stronger engagement with the Elders, eventually in coordination with the ADR pilot project.

- Awareness raising sessions on mobile court services for the population seem to be organized but related statistics are not captured in the Annual Report, so it is not possible to measure the impact of this activity.

- A strategy for Mobile Courts is not available but would be useful to better define the framework for the initiative, as suggested by the Attorney General in Mogadishu and the Compact progress report[25]. A Mobile Court Strategy would allow prioritizing areas of intervention and typology of cases and also defining key issues such as court fees exemption policies for civil cases or the role of mobile courts in verifying pretrial detention cases. The Somaliland's "procedural guidelines" for mobile courts are a first step in this direction.

- Improvements in the last 2 years include: 1) an increased presence of police stations in remote areas has allowed for better coordination of Mobile Court activities in criminal cases 2) in Somaliland Mobile courts to prisons have increased and are more effective due to the presence of the UNDP supported prison reception desks. However specific statistics are not available, which is unfortunate as this information would be particularly important to measure the impact of the A2J project on pretrial detention. It would be recommended to collect data on how many inmates irregularly detained have been released by Mobile Courts from Mandera prison.

3.3 Efficiency

The findings of the present criteria are to be read in conjunction with the findings for the Police project, as some common issues were addressed jointly under the evaluation of the Police project.

Comments specific to the A2J project are provided below.

3.3.1 Partnership

As suggested by several key informants, partnerships and coordination with other international actors in the ROL field have not been particularly strong in the past and were often tarnished by competition for financial resources.

These weaknesses have been successfully addressed, at least in the planning phase, with the development of the joint UN ROL program and the strengthened partnership between UNDP and UNSOM after the establishment of the Global Focal Point for Police, Justice and Corrections. All UN staff interviewed stated that, despite the lengthy drafting process, the joint UN ROL program is a global best practice in terms of coordination of UN agencies and the mission.

Special attention should be dedicated to ensure also coordination with international actors that are not included in the joint UN ROL program. For example the Norwegian Refugee

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[25] The Ministry of Justice and Constitutional Affairs will ensure an overarching framework and operational guide is developed to ensure effectiveness of the mobile court services.

Council (NRC) is running internship and legal aid programs, EU Nestor supports the Attorney General in the prosecution of serious crimes, the Horizon Institute is developing activities in support of the Bar Association in Somaliland and legal aid activities for IDPs are implemented under the Protection Cluster.

3.3.2 Monitoring

Project monitoring needs to be strengthened because essential information to monitor how the project is progressing toward set targets is not easily accessible and sometimes not available, as experienced by the consultant during the mission.

The following aspects of the monitoring process should be improved:

- **Restructure the UNDP Quarterly and Annual Reports**, so that they reflect the Annual Work-plans and allow for following up on activity progress for each output. Currently some of the implemented activities go unreported (i.e. trainings or activities in the prisons). Indicators should be more specific and, especially in Somaliland where justice sector reform is at a more advanced stage, quality indicators could be introduced. The 2014 Annual Report shows notable improvements and stronger coherence within the document, although shortcomings inherent to the structure of the reports remain. UNDP is fully aware of these weaknesses and is addressing them by developing a new reporting format, also in consultation with the donors.
- **Set up databases** for each of the key project activities (i.e. trainings, legal aid, mobile courts) and ensure that they are harmonized across the 3 areas. Ensure that the 3 pillars of legal aid are reported separately, namely legal representation, mediation and legal awareness. A law graduate from the Internship program could be assigned to manage the databases and ensure other monitoring activities related to the national partners are conducted.
- **Develop common forms across the 3 areas to collect data from the partners** (especially the legal aid providers) and impose them as requirement in the LoAs. **Ensure that all reference documents for the project are stored on a centralized server** and accessible to all staff from the 3 areas. This is currently not the case, and **considering the high turnover of staff in UNDP Somalia, a lot of use**ful information risks becoming lost or not adequately used.

3.3.3 Internal coordination and consolidation of best practices

Project activities are replicated and follow similar approaches across the 3 areas, i.e the case management system was first implemented in Hargeisa and then extended to Garowe and so was the Legal Aid policy. However specific mechanisms to facilitate structured internal coordination among the 3 areas and consolidate best practices and lessons learned are not in place.

3.4 Sustainability

The evaluation findings suggest that the A2J project (especially in Somaliland) has achieved improving results in promoting the sustainability of the implemented activities, in particular:

- Justice Ministries and High Judicial Councils in all 3 areas are supported with **embedded local consultants** to develop the internal capacities of the institutions. The process has produced remarkable results in Somaliland and is still in an early but promising stage in Mogadishu.
- The Scholarship and Internship program have i) **increased the number of legal professionals** working in the justice sector, ii) encouraged young graduates to work for the government (which was previously an ill-reputed and dangerous option, at least in Mogadishu) iii) introduced young and dynamic legal practitioners in the market. Many activities have been implemented under the **lead of the Judiciary or the Ministry of Justice** (i.e. the case management system or the inspection scheme in Somaliland. In Somaliland despite the funding gaps from UNDP, mobile courts are continuing to be deployed in 2015 as the judges managed to obtain fuel on loan from the gas stations.)
- There is **increased national ownership of the A2J project in line with the principles** of the Somali Compact. The Somaliland Minister of Justice recognized that in the last year the partnership with UNDP has strengthened, as the Somali views are taken more into consideration. More discussions are taking place compared to the past when work-plans were drafted in Nairobi. In Mogadishu, the UNDP supported JISU Unit at the Ministry of Justice is leading the PSG3 working group and has contributed to identify the Somalia ROL priorities.

There are however, several obstacles that hamper the sustainability of the project, as illustrated below.

The **lack of financial resources** from national budgets remains the main obstacle to the continuation of the initiative by Somali institutions. In Puntland, the case management project has stalled because courts cannot even afford to purchase the case registers and folders. On the contrary, a positive experience was developed in Somaliland where the salaries for the 5 staff at the Legal Aid Unit were initially paid by UNDP but are currently under the budget of the MOJ.

- In Mogadishu the financial support provided by UNDP for senior staff at the Ministries is not in line with the local market, which reduces the financial feasibility of the initiative continuing.
- In Mogadishu and Puntland **local capacities are improving but have still not attained the required standards** for running the activities without external support. One of the key informants summarized the current situation in Mogadishu as "*the Somali are leading, but they do not know how to do it*". In Somaliland local capacities are stronger as they have received support from international community for almost 10 years.
- In general there is still a strong need for developing managerial capacities and a culture of accountability required to develop effective organizations that are independent from international donors.

3.5 Impact

In the absence of impact indicators in the Annual Reports, the changes produced by the project for the population and civil society (rights holders) and the justice institutions (duty bearers) are assessed on the basis of the opinions of the interviewed persons.

3.5.1 Changes produced for right holders

Impact on the population:

- The A2J project has increased the confidence of the population in the formal Justice system as indicated by the increase in the number of cases received by legal aid providers and by mobile courts. An IDP beneficiary of legal aid in Mogadishu prefers *"the formal Justice because the Elders take into consideration the story of the clan, so only half Justice is made"*.
- The educational impact of the project on the population could not be assessed as specific indicators are not included in the Annual Report. Legal awareness sessions are indeed organized as confirmed by an IDP beneficiary from Mogadishu who explained that after a training class she understood that she has a right to inherit, and that the Elders should not rule that only boys could inherit.
- Legal services tailored for women (such as the SGBV Prosecution Units or the women volunteers in police stations) have facilitated access to Justice for women in a culturally sensitive manner and increased the reporting of rape cases.
- Mobile courts provided an opportunity to increase access to Justice for the rural population.
- The impact of the project on prison inmates could not be measured as specific data is not available, but at least in Somaliland it can be assumed that the project had an impact on the rights of persons in detention given the presence of the "prison receptionist desk" and the high number of mobile courts that visit Mandera prison.

Impact on the legal aid providers:

- The number of lawyers (included women lawyers) has increased in all 3 areas,
- Lawyers have improved their knowledge of GBV related matters,
- The "Policy on Legal Aid in pretrial phase" has facilitated the access to prison of lawyers in Puntland and Somaliland,
- Legal aid providers have platforms where to meet and share information.

3.5.2 Changes for justice institutions actors (duty bearers)

Impact on judges, prosecutors and judicial staff
- Justice institutions have adequate and equipped premises,
- Justice institutions in Somaliland are starting to develop a culture of accountability as indicated in the results achieved by the Inspection scheme and the case management system,

- Justice actors have become more aware of women's rights and more women are accessing the legal professions as lawyers, prosecutors, judicial clerks but not yet as judges,
- Justice actors in Somaliland and Mogadishu are starting to develop a culture of information sharing and coordination as a result of the different mechanisms that have been established (PSG3 and local justice coordination *fora*).

4 SPECIFIC ANALYSIS CPP

4.1 Overall

As said previously (cf. § 2.3.1 NOTA) the CPP has suffered from a dramatic confusion of concept and terminology. The first P of the project acronym has either been at various times, "policing" (a system to ensure security) or "Police" (a body to deliver security services in an interactive way). This confusion in terminology creates ambiguity about the perimeter and the substance of the project that could hamper the relevance of the project activities and the efficiency of the project, including synergies and complementarities with other projects.

4.2 Relevance

The relevance of the project is evaluated with respect to (i) the national and international policies, strategies and programmes (ii) the environment and the situation of the beneficiary (iii) the activities of other players and (iv) cross cutting issues.

4.2.1 Versus national and international policies/strategies

As defined by the GROL programme and by the Bridging and Inception document, the project activities reflect some of the key objectives of the national and international policies and strategies. However it misses some others. Therefore it is necessary to first check what has been achieved under different approaches and in different areas (evaluating relevance by action) and second, to assess where the project was expected to be present but has not been (evaluating relevance by default).

- Relevance by action: The CPP has covered the areas it was tasked to. It has addressed the community–Police relationship and developed operational capacities. It has improved training either by enhancing training capacities or by supporting direct training. It has introduced new practices and supported their implementation by delivering equipment when necessary.
- Relevance by default: The CPP has not played a great role in governance, oversight and has had a limited one in strategic development planning. In a different area it has not really supported the development of administrative capacities such as human resource management or budget/financial management.
- Deficiency in governance/oversight/strategy: This is related to the project management weakness and to the limited relevant knowledge and understanding of these matters. It is also due to the limited absorption capacity of the beneficiary

in this area and to the continuous political instability. This was the case when the project abandoned the support to the Police Advisory Committee in Mogadishu, an independent and external civilian oversight body. For unknown reasons and against the expectations of the current minister the project instead oriented to support an "internal oversight body" that is not relevant to the project governance goal. At best this would be an internal affairs body to strengthen internal control and management.

- Governance and ministerial level functional reviews: When working at ministerial level CPP had to work with SIDP, as it was the case in Puntland when the functional review was government wide. Coordination was easy for assessment but the implementation of recommendations was trickier to coordinate, which questioned the project relevance. Additionally it is worth underlining that the beneficiary has not always been very cooperative. The Somaliland Police Commissioner did not support the functional review of his force and did not provide full access.

In fact the project proved to be partly relevant to the strategic objectives it was given. Consequently while it should have been of an institutional building nature it became mostly a train and equip project.

4.2.2 Versus the beneficiary

The project proved to be relevant to the beneficiary both in terms of situation, needs and expectations and absorption capacities with respects to operational matters. Personal interests that were not satisfied could explain some of the expressed frustration of the beneficiary, as it is the case in such situation.

- Activities clearly addressed the needs of the country and of the Police with respect to police operations. Training helped to improve skills and to introduce new practices and new techniques and would not have been delivered without the support of the project. The same can be said for some key equipment. Similarly the integrated approach to develop community policing around the Model Police Station (MPS) has to be seen as an initiative that the beneficiary would not have been able to develop alone. A few minor mistakes were recorded such as the introduction of a register in police station for found objects that is never used.
- The beneficiary appreciates the support it is given. A clear indicator is that it is asking for more support of the same nature. Some complaints were heard but they have to be considered against other mitigating factors. While some of these critiques can be taken on board such as the choice of Ford pick up in a country that has almost no Ford retailers nor maintenance depots, therefore questioning the relevance of the choice and the sustainability of the support. Others claims are more questionable like the supply of uniform. The beneficiary does not agree on the colour and would prefer a khaki one that is close to the military model and consequently not in line with the civilianisation of the police at the core of the rationale of the project. Still, on the issue of uniforms, the preference for a local manufacturer could hide some personal interests.

- Activities were defined and implemented according to the absorption capacities of the beneficiary. The reliance on local service providers ensured that the activities were compliant with the local culture, facilitated understanding and avoided most of the language barriers. The weakness of this approach is the difficulty to initiate and introduce a qualitative upgrade. For that reason one can say that the project has not developed an indirect leveraging strategy of supporting the local service providers to enrich the substance of the product that they deliver.
- Last the regionally differentiated approach of the project has also ensured full relevance with beneficiary organisations across three forces. This was the case during the project period 2012-2013 with three clearly distinctive entities in South Central (with SPF), Puntland and in Somaliland. Nevertheless the federal trend and the convergence between Puntland and Mogadishu could hamper that relevance in the future.

4.2.3 Versus other players

The evaluator has not observed any divergence or conflict of the project activities with those of the other partners, either international organisations or individual countries. On the contrary a close cooperation has been developed with most of them.

The forms of this cooperation as indicators of relevance with the partners can be considered in two parts. The first is through joint activities such as training with AMISOM or EUCAP. There is however a risk that the CPP activities become relevant to the partner's goals and lose their relevance to its own ones with this practice. When speaking about international police missions it is clear that this is an actual risk. Missions usually have a strong political leverage and look for immediate achievements in terms of operational capacity while projects have lower political connections and are oriented toward longer-term institutional building. Missions have a strong manpower but limited financial resources while projects are the opposite. Therefore there is risk in having one of the two capturing the other's main resource. Training large number of rank and files could be questioned in that sense.

The second is through complementarities and synergies. It has been the case that for example, the strategic development planning activities were built both with SPF and Puntland on initial UK initiatives. These examples and the difficulties they faced also show that the continuity is a huge challenge during hand over. Similarly the project did not invest too much in crime investigation capacity in Somaliland when compared with Puntland because the UK has contracted Adam Smith to work in this field in that region.

This relevance with respects to complementarity with other international actors has guided the project in the selection of activities in the area of building operational activities outside the public safety/community policing core line. For that reason this gives the impression of a lack of strategy in this area.

A particular attention has to be given to the management of stipends UNDP is distributing to each individual police officer on behalf of the international community. This is a demanding and sensitive task that includes a high risk of corruption and consumes UNDP

managerial capacity. It is relevant to the immediate need of the beneficiary to " keep the police organization afloat" and to the commitment of the international community. However it is also very questionable with respects to sustainable institutional development. Without being accompanied by an administrative capacity development in budget and human resource management it will have no impact on the development of the Police as a sustainable organization. Additionally it flaws the relationship with the beneficiary by creating a type of welfare culture. It is the view of the evaluator that the current practice is not relevant with long term oriented institutional development. This deficiency will be corrected in the future with stipends management being completed by UNOPS and UNDP being able jointly with SIDP and CPP to focus on creating budget and human resources capacities therefore making stipends useless.

4.2.4   About perception and capacity

The project has suffered a lot from managerial instability and from inappropriate profiles. This has hampered both the relationship with the beneficiary and the partners and diminished their perception of the project. It has also weakened its own management. The choice of a two-level decentralized architecture for functional reasons need not be questioned even if a matrix approach could have been envisaged with area managers being also experts in charge of a particular domain such community policing, investigation, training and HR management. However this choice requested specific profiles and this requirement was apparently not fully taken into account when recruiting and managing the four managers of the project.

The team leader should have had both strategic and managerial skills. He should have been able to develop a strategic vision for the project and its substance and to coordinate with executive levels within the beneficiary institutions (ministers, parliamentary leaders, general directors and commissioners). Then he should be able to manage closely the area managers through guidance, monitoring and support. In that latter role he should have been travelling across the three regions at last half of its time. Additionally this position among others is the one that demands the greatest continuity of presence. Unfortunately the June 2013 bombing by pulling out the project manager of that time and by hurrying the recruitment of a new one has prevented to fill the requirements of the role. This has to be seen nevertheless as a "force majeure". Ideally a senior police officer with both an HQ strategic and field executive management experience would fit the role. This was not the case. Nevertheless due to his education experience and character the first project manager had a different profile but performed well.

The area managers should be operational practitioners. Working under the supervision of the project manager and with his support they were expected to cover the whole range of the project activities meaning they should be able to understand the substance of each activity to ensure their successful implementation. Mid-level police managers match this requirement. The issue is that they were all more or less specialized in one area and because they were left alone and isolated they could not ensure the appropriate relationship with the executive level of the beneficiary and had a tendency to focus on their

area of expertise and to pay less attention to others. For that reason criminal investigation was high on the Puntland agenda and training a core activity in South central/federal.

With respects to the architecture of the project and to its operations and partnerships the management was not fully relevant over the duration of the implementation.

UNDP intends to rely more in the future (joint ROL programme) on national staff. In that perspective it could be appropriate to (i) keep a strategic/executive capacity with a leading international manager, (ii) deputize two mid level international managers with respective skills in training and community policing, (iii) add a sequential short term international expertise in Human resources management (iv) give some national staff the responsibility of managing and implementing activities at area level provided they are given guidance and support and are closely supervised.

4.2.5   About cross cutting issues

The activities of the project have addressed the cross-cutting issues of human rights, SBGV and gender balance. However relevance has not been equal for each of them.

- Human rights: The project has relied on training of trainers and raising their awareness on that matter; it has been integrated in specific training courses like the investigation ones; furthermore it has been used as a guideline in other areas like the introduction of case/registers. Therefore it can be said that the project has been able to promote an HR sensitive attitude.
- SGBV: The subject has been addressed in the appropriate way. It is fully taken into account by the public safety/community policing approach. This is reflected especially by the women and child units that have been established in each police station and by the presence of women not only on the basis of gender balance but also because female officers are more relevant than men to address SGBV cases that are presented by female victims. Additionally the training of CID investigators and once more the presence of women in CID proved to be fully relevant.
- Gender balance: There were almost no female officers before the project. The project has helped to increase their presence in all functions especially in sensitive positions where the police officer has to deal with female victims. They have been systematically present in almost all training courses. It will take time to have them in the hierarchy but they are already present in police stations and CID.

4.3   Effectiveness

4.3.1   Overall

The achieved results are assessed against the CPP Outputs of the GROL (2.4.1) and from the B&I (1). Activities are deducted from the UNDP AWPs and of the B&I work-plan and are included to complete the evaluation framework. The evaluation grid combines these different sources and articulates them around coherent action lines.

The articulation of activities reflects the orientation of GROL and B&I but had to be accurately fixed by the evaluator due to the lack of a clear project action strategy. The presented articulation is based around what the evaluator perceived as action lines.

The table below indicates the evaluated activities and consolidated the status of achievement of the expected results for each activity. The evaluation is based on annual reports and on the outcomes of the field meetings and site visits.

Table N° 12. - *Status of achievement of expected results – CPP*

achieved – partially achieved – not achieved – not applicable NA

Description of the activity	FL	PL	SL
INSTITUTIONAL/ GOVERNANCE/REFORM /STRATEGY			
⇒ Police Act/reform	not achieved	NA	partially achieved
⇒ Oversight	partially achieved	not achieved	NA
⇒ Strategic Development Planning	partially achieved	partially achieved	achieved
SPECIFIC OPERATIONAL CAPACITY/COMMUNITY POLICING			
⇒ Building Model Police Station/Station Rehabilitation (SPF)	partially achieved	achieved	achieved
⇒ Management: Training, manual, SOPs	partially achieved	achieved	achieved
⇒ Rank and files training	partially achieved	partially achieved	achieved
⇒ Equipment : radio, IT, furniture, vehicles	partially achieved	achieved	achieved
OPERATIONAL CAPACITY			
⇒ Command and Control	partially achieved	partially achieved	partially achieved
⇒ Criminal Investigation	partially achieved	achieved	partially achieved
⇒ Miscellaneous: election security, Traffic police, VIP protection	achieved	achieved	achieved
ADMINISTRATIVE SUPPORT CAPACITY			
⇒ Biometric registration	achieved	achieved	NA
⇒ Human resources management	not achieved	partially achieved	not achieved
⇒ Budget management	not achieved	not achieved	not achieved
CROSS CUTTING			
⇒ SGBV	achieved	achieved	achieved
⇒ Human rights	achieved	achieved	achieved
⇒ Women inside the police	achieved	achieved	achieved

A quick horizontal (right to left) look at the table clearly indicates that achievements took place first in Somaliland and second in Puntland that have benefited from an earlier and greater stability. These are also places where UNDP operations had been until now, easier due to lighter security constraints. Things are far more difficult in Mogadishu due to security and also the challenge of having to support police deployment in the recovered areas where everything has to be established from scratch.

Similarly a vertical look shows that the project has not been effective in Governance/reform /Strategy and in administrative support especially with the critical issue of human resource management. The reason for the first gap is two-fold: this is a sensitive subject and the beneficiary is not always ready to touch its power base; the project management did not possess the necessary skills for that. About the second gap it is clearly the lack of a strategic vision at project level.

4.3.2 Institutional/Governance/Reform/strategy

Under this title are all the activities that are relevant to the architecture of a policing system that ensures governance mechanisms and accountability. The slow and limited commitment of PSG 2 in police matters did not push nor facilitate the project work in this area.

- This is an area where the project suffers much of the 2013 events. The CPP project manager of that time left for personal reasons due to the security situation. Therefore the project not only missed its long-standing experience of the situation (he had been present since 2009) but also its commitment in strategic capacity development. Working in close coordination with UK that was very active in this area he had initiated a well-structured process of work that encompasses both the federal government and Puntland. This was lost and the project never regained a similar momentum.

- Police Act/reform: At the present stage Somaliland is the only state where the parliament has adopted a Police Act that was drafted with UNDP support. However the government has not endorsed this and all the implementing regulation (bylaws and decrees) have to be drafted. The Federal Police, namely Somali Police Force is also initiating a process of drafting a new police act to replace the 1972 one. The force could rely on the reform that was supported by UK in 2012 and then by UNDP (successful approach was disrupted by UNCC bombing and departure of the project manager and was not resumed). However it faces a huge challenge due to the federal nature of the force. The leadership is now in the hands of UNSOM that has hired a Belgium consultant to support the SPF.

- Oversight: Puntland has initiated a process to develop some type of ministerial oversight of the police. However the planned UNDP support by an International Consultant (IC) has been postponed due to a delayed payment by the donor. In Mogadishu, the existing Police Advisory Committee that operated as an independent complaint/oversight body had been supported by UNDP until mid 2014 but for an unknown reason this support was not continued therefore frustrating the MOIS. On the same time the SPF developed the idea of an internal oversight unit. This is questionable since an internal body would not have the necessary independence for oversight.

- Strategic Development Planning: At different levels all three police forces are committed to Strategic planning. Somaliland has produced a Five Years plan and is about to define the first two years action plan. In Puntland the situation is confused and closer proximity with SPF should not bring more clarity. A plan was defined and adopted in 2012 and a task force established in 2013 with limited results while a security sector reform was established in 2014 with a view to define a Police reform strategy. In Mogadishu UNDP was taking over a UK initiative of Police reform that included both SPF and Puntland Police with a strategic team in place when the 2013 UNCC bombing totally disrupted the foreseen support. The team continued and was funded. Unfortunately it was left alone without guidance and technical support and did not produce substantial results. Consequently the donor (UK) withdrew and the team and its process are still pending. Activities could be resumed part of the UNSOM initiative for a Federal Police Act.

4.3.3 Specific operational capacity/Community policing

Activities have to be seen here as converging along an action line that may be called public safety/community policing. The main focus of implementation is the police station,

either as a model or a rehabilitated one. Beyond the building itself it is a comprehensive concept that combines professional practices and techniques, SOPs, manuals, new management style, new equipment and ultimately should produce a new police-community relationship. To some extent this is the project's most successful action line.

- Building and Rehabilitating police stations: In all three states the UNDP approach has been to support the establishment of police stations that offer a new picture of the Police. In Puntland and Somaliland it was to put in place model police station that should symbolise the move to community policing. In South Central the approach was slightly different with a view to facilitate the relationship with the population but also to show the return of the State authority especially in newly recovered areas.

- Management: Training of managers, manual, SOPs: All Somaliland police station commanders received a two weeks training. An SOP manual was defined and widely distributed in Puntland. Both in Somaliland and Puntland, UNDP supported the definition and printing of registers to record cases and individuals in custody. Additionally both in Puntland and Somalia UNDP supports a scholarship scheme that sees police officers going to university to graduate in law. This was developed on the basis of the A2J successful scholarship scheme. Currently 30 (Somaliland) and 25 (Puntland) officers are involved.

- Training: In Somaliland there has been an intensive training of all the staff of the two model police stations. In all three academies of Mandhera (Somaliland) Amhra (Puntland) and Mogadishu (Federal) the cadet training has integrated basic community policing practices. These same academies have benefited from Training of Trainer (TOT) activities with the support of AMISOM (SPF), Uganda police (Somaliland) and Djibouti (Puntland).

- Equipment: radio , IT, furniture vehicles: all model police stations (6) in Puntland (6) and Somaliland (2) have been equipped with radio, IT, furniture and vehicles. However it is not sure that the staff has been really prepared to make the best use of these. Radio remains almost unused and IT is widely underused.

4.3.4   Operational capacity in various technical fields

Achievements are here more the outcome of a pragmatic approach that has been guided by relevance with the beneficiary to address needs and expectations and with other international partners commitments to avoid overlapping and instead develop synergies and complementarities.

- Command and Control: In all three states particular attention was given to command and control but in each case it took different forms. Functional reviews were conducted of police HQ (Somaliland with limited success) and of Puntland MOS. Radio equipment where put in place along the Galkayo-Bossaso so called "tarmac line". A similar scheme was implemented in Somaliland.

- Criminal investigation: Puntland saw a comprehensive effort of UNDP to develop a real CI capacity. This included the refurbishment of a CID building, the training of 50 investigators in different techniques (Piracy, Crime investigation, SGBV), the development of forensic with 50 forensic kits, the initialisation of an AFIS system

with 3000 recording files and a central data base, and the establishment of a criminal record data base. A joint training of 20 senior investigators and 10 prosecutors was implemented to improve case and investigation management. This impressive achievement reflects the expertise of the project area manager who had been previously an investigator in his own country. When compared other states conducted mostly ad hoc and more limited training therefore staying away from a similar capacity building.

- Miscellaneous: election security, Traffic police, VIP protection: A series of specialised capacities were developed mostly through training in the different states. Somaliland benefitted from such a support for security election in 2014 and for strengthening the traffic police. More recently and in order to address the security threat that targets key civil servants and magistrates a VIP protection capacity was developed within the SPF. The choice to implement such activities is mostly guided by the willingness to answer some of the beneficiary expectations and to ensure complementarity with other actors. While this creates apparent incoherent pictures it is however built on solid reasons but misses coherence.

4.3.5 Administrative support capacity

This is a key area for institutional capacity in the organizational dimension of being able to support operational activities by managing the necessary resources and especially the staff. This is generally called "administration". This also ensures the long-term sustainability of the project by having the right men and women in positions that have benefited from the project support. It is also a need that was expressed in all three states due to the challenges regarding human resources: pyramid of age, lack of a skills and job management, and instead clan based and clientelism management. The project has done a lot ensure the right persons are in the Police but not much to have the right person at the right place. The stipend practice (cf. § 4.2.3 last alinea) brought confusion, consumed resources and diverted the project from the right goal.

- Biometric registration: Biometric registration of all officers has been conducted in Puntland and for SPF. In this latter case it is linked to the payment of stipends. In Puntland an ID card delivery was part of the system but was refused. Somaliland envisages a similar registration. It should be noted that this practice had also been used for custodial police and for Special Protection Units (SPU).

- Human resource management: This item was part of the objectives of the initial GROL programme. It has been constantly repeated since. However and with the exception of Puntland where initiatives were taken but so far not really implemented to strengthen the human resource management the other states have not undertaken anything.

- Human resource management and biometrics: This is a missed opportunity. Biometrics registration helps to build a sound database of personnel. It could have been the basis to promote efficient human resource management. Unfortunately this was not used as such by the project. There could have been some difficulties but once more the project did not have the managerial and expertise resources to address effectively. Nevertheless one could expect that the biometric

achievements are not lost and could be used as a sound basis for Human resource management activities eventually in a close future.

- Budget: Even if the initial GROL programme called budget and financial management capacity, as it has been the case for the human resource management, nothing has been done in that matter. Similarly one could expect that stipend management experience can be used to develop a payroll management system. Unfortunately this was not the case.

It is obvious that situation and attitude on the beneficiary's side are not facilitating the build up of administrative capacities despite stipends. Nevertheless there is no alternative for the development of limited and robust capacities than to implement a progressive and tight practice of conditionalities by linking stipends to administrative reform.

4.3.6   Cross cutting

- SBGV: Training on SGBV issues has been given to personnel of all ranks wherever they are assigned in CID and in model police stations. Specialised units have been developed for women and children in model police stations.
- Human Rights: Similarly to SGBV human rights awareness and compliance been integrated into training. The introduction of registers (cases and arrested persons) in all police stations of Puntland and Somaliland and in a near future of the SPF is also a safeguard in the field of human rights.

Both SGBV and human rights matters have been taught to trainers in the three police academies and taken into account within the curricula.

- Gender balance in the Police: This issue has been systematically addressed in all activities. There is no activity of CPP that deals with police staff that does not include female officers. They are part of all training, where they usually number one-fifth to one quarter of the total. They are present in the model station where they are given a specific and exclusive role in SGBV, female and juvenile affairs.

To summarise the project effectiveness up to today consists of:
- The training of police managers, police investigators, TOT, females, officers serving in model police stations, cadets
- The building of 10 police stations
- The delivery of 1 bus, 19 pick up or sedans and 19 motorcycles

Further, it is useful to stress again (cf. § 4.2.3) the role of UNDP in stipends management. This activity aims to keep the motivation and the presence in the ranks of the police staff in SPF as well as SPU personals in Puntland and Somaliland. This is a non-rewarding task that hampers the managerial capacity of CPP and impacts its relationship with the police that is kept in an assistee's position. This task has been completed regularly as far as donors have provided the necessary funds. In the future it should be transferred to UNOPS. This should help UNDP to focus on its core business of institutional development.

4.4 Efficiency

Efficiency should be a principle in the implementation of the project. However its very nature make it difficult. On one hand the reliance on local service providers (cf. § 5.1.2.3) and the attention given by management to a tight control of expenses and a value for money procurement practice help efficiency. On the other hand UNDP internal procedures, the regional differentiation along three areas with three different partners and local activities, the differences of donors prove to be obstacles for efficiency.

4.4.1 Management and monitoring

Much of the analysis of efficiency with respect to management and monitoring is common to both projects A2J and CPP and is consequently presented in the relevant paragraph (cf. § 5.2.2.3)

4.4.2 Allocation of resources and budget

Much of the analysis of efficiency with respects to allocation of resources and budget is common to both projects A2J and CPP and is consequently presented in the relevant paragraph (cf. § 5.1).

Nevertheless the specific nature of certain CPP activities, such as the procurement of uniforms and vehicles and equipment raises a few observations:

- The regional organisation of the project and the high level of decentralization in the definition of activities produce duplication of efforts.
- There are some discrepancies for uniform procurement with costs per officer presenting different rates, ranging from $100 per set (Puntland AWP 2013) through $150 (Somaliland AWP 2013) to $900 (SPF joint programme). It is not the mission of the current evaluation to conduct a financial audit however it is legitimate to raise efficiency questions (differences of costs for similar products) or relevance ones (differences of products with different costs) in front of such figures.

4.4.3 Partnership

Much of the analysis of efficiency with respect to partnerships such as with local service providers is common to both projects A2J and CPP and is consequently presented in the relevant paragraphs (cf. § 5.1.2.2 and § 5.1.2.3)

4.4.4 Specific synergy A2J-CPP

The project has worked closely with A2J. This has helped to build a fruitful synergy to support a coherent effective penal chain that is taking care of human rights and SGBV. Volunteers, legal aid or lawyers, depending upon the situation are present in police station to assist victims and suspects in parallel to police investigations that have been fully reorganised for SGBV cases. One can say that the Police and access to justice workflows are now, due to both projects support, well coordinated. The ultimate outcome of this synergy is a safety net that gives Somali men, women and children a new perspective that protects them against violence either in a preventive or law enforcement manner.

4.4.5 Linkages and synergies

Here again much of the analysis of efficiency with respects to linkages and synergies is common to both projects A2J and CPP and is consequently presented in the relevant common analysis paragraph (cf. §)

4.4.6 UNDP Strengths and weaknesses

This is detailed in the common analysis.

4.5 Sustainability

4.5.1 Beneficiary's attitude

The beneficiary has welcomed the project support. However, there are diverging views. It has fully endorsed the public safety and community policing approach even if it is not fully understood with respect to ultimate consequences especially when it goes to power. The question of maintaining the system that has been established is about human resource management, of how long the well-selected and trained personal will remain in place. Are they going to be used to disseminate the concept either by training promotion or strategic transfers? The answer lies in the beneficiary's capacity that is addressed thereafter.

4.5.2 Beneficiary's capacity

So far the different police forces do not have that capacity to properly manage staff, which therefore hampers sustainability. The same can be said about the equipment that are necessary, due to the lack of finance/procurement/logistics capacities. It would be a disaster if the registers that have been established in police stations for cases and prisoners were not replaced. This would disrupt the global case management and open up the possibility to return back to human rights violations and to denial of access to Justice.

4.5.3 Follow up

Provided that the project has built the appropriate instruments and developed the necessary management, it can consolidate the experiences that have been built through achievements. Lessons learned and identified best practices can be disseminated and it is possible to build upon to move further in a progressive learning circle. Once more when considering any kind of handover this has to rely on administrative support capacities that are dramatically absent. The alternative could be again to rely on local service providers as a temporary interim solution.

4.6 Impact

The project's impact is may be not as visible as it could be. Nevertheless it should not be neglected. Systems have not been highly impacted on a large scale but all individuals who have been directly or indirectly in touch with the project are impacted and have stretched their mind.

4.6.1 Ministries and forces

The instability at the political and leadership level prevents the project from producing systemic impact especially when taking into account the low effectiveness in the field of governance/oversight/strategy. However it is obvious that the public safety/community policing approach and its numerous attractive and various activities has initiated a mind-set change. Of course the supportive efforts have to be continued to ensure that such a concept is deeply rooted and followed by commitments.

4.6.2 Police

Police forces have not been really impacted systemically but they were at least impacted in terms of group awareness. Even if the organisations did not change they were able to know that there could be a different model. It is possible to say that the project has impacted mind-sets.

4.6.3 Civil Society and individuals

It is too early to draw conclusions with respect to the impact on the society and individuals. The evaluation brought information from visits to the capital cities and it is difficult to know about more remote places. Nevertheless the exchange with the groups of representatives of the civil society proved that some parts of the society are fully aware of the on-going process and have measured the benefit for them. This is the case for CSOs, Universities and some of the local service providers who ensure a broader awareness of the project in the society. Therefore one can say that the project has a substantial but indirect impact on the society and on individuals. The only differentiation is about rural areas and small cities that could have been out of the project arm.

5 JOINT ANALYSIS AND CONCLUSIONS: EFFICIENCY AND MANAGEMENT

At the end of the analysis the two evaluators who have worked separately in their respective fields of competencies drew their conclusions. They came to the point that while they had to draw different conclusions, some points appeared to be common in the evaluation of the two projects. They all more or less relate to efficiency and ultimately on UNDP practices and management. Consequently the conclusions are presented here are relevant to:

1. Financial issues
2. UNDP practices
3. UNDP management

5.1 Financial issues

Programme budget and expenditure: The ROLS III Programme budget and expenditure for the period January 2012 – December 2012 is summarised in the budget table (cf. annex 4). Unfortunately, due to the way expenditure has been reported by UNDP, it has not been possible to provide a break-down against specific project outputs and activities. This makes it difficult to undertake a detailed assessment of the programme's (and individual

projects') value for money. It is worth to note that a similar conclusion was drawn by the 2009-11 ROLS III evaluation.

Allocation of resources: A close look of the budget table and of the breakdown by nature of expenses raises the following. The total expenditures for the two projects were respectively $10,940,346 (A2J) and $41,684,814 (CPP). With reference to the CPP budget it is worth noting that almost one quarter of that amount was dedicated to stipends for the police and for the special protection units (SPUs). Overall around 20% of the total budget was spent on LoA to fund local service providers.

Financial management: As a result of external funding and to UNDP procurement rules the financial management of the project induces long delays, postponements and consequently makes it difficult to know what is the real status of an activity. This has a negative impact on the beneficiary and does not set a good example when at the same time the projects intends to improve the efficiency of the beneficiary's own management. Particular attention should be given with respect to CPP for small repetitive procurements (registers, radio, furniture, stationary and lap top for police stations, vehicles). A Long Term Agreement (LTA) with additional purchase orders can simplify procedures, ensure standardisation of products and reduce delays as well as maybe reduce expenses.

Value for money: However, the programme seems generally to represent value for money (in terms of completing activities within a realistic budget) when compared with other similar-sized programmes. This has to bear in mind the additional administrative and operational costs incurred in having (i) to run the programme from different and distant places (ii) to rely on uneasy procurement and (ii) to support security costs,

5.2 UNDP Practices

Over the years and through the different ROLS programmes and more recently through GROL, UNDP has developed and successfully experienced the benefits of some specific practices. These have given UNDP both a strong footprint and a competitive advantage. Nevertheless they also present some disadvantages that the project has not always avoided.

5.2.1 Scholarship/internship

The scholarship/internship scheme is a long-term endeavour that has been initiated by UNDP in the previous ROLS programmes. It consists mainly in supporting law students in universities by taking charge of the tuition fees and supporting them with internships either within a Justice or Police institution or in the legal aid network of lawyers and CSOs.

The scheme has been continuous in A2J and extended to CPP. It is now becoming fruitful in the Justice Sector with several hundreds of young students being supported and given a position and a professional perspective either as paralegals, lawyers, prosecutors or judges. The evaluators have met with tens of these and with the partner universities in Garowe and Hargeisa where the process is deeply rooted. All these scholars proved to be actively committed and bound to a positive dynamic.

Even if the scholarship/internship programme is a success story the evaluators have identified some risks that could derail it. It is the responsibility of the projects to mitigate and prevent any shift.

- The scholarship/internship scheme has already produced some tangible results. The cruise will come soon but should be anticipated to avoid excessive expectations and frustration and ensure the sustainability of the scheme.
- The scheme has worked well with students who are committed to a learning experience; it could be less fruitful with students who come from the professional world and see the studies only as some mandatory attendance for promotion. In that latter sense the view of police officers attending a course in Hargeisa University without any notes or sheets of papers while all the students around and kids from primary schools and madrasas were holding notebooks or file holders is not a good sign.

5.2.2 The use of local service providers description

Both projects have widely relied in Somalia on local service providers, either nationals or internationals who are present in the country, not just for procurement but also to implement operational activities like training, manual drafting, SOPs definition. These have worked either as facilitators to organize the delivery of services, or more frequently as real service providers in a position that appears to be a kind of subcontractor. This is something that is very specific to UNDP when compared to projects implemented in different frameworks like EU/EC USAID or DFID projects by public or private operators. This situation offers great benefits but also presents serious risks.

- Nationals:
  ⇒ There is a great diversity of national providers as well as a great diversity of the services they provide. Public bodies like State Universities, Police academies, Police HQs, CSOs type organisations like the Puntland Research and Development Centre (PRDC), legal aid providers and the Observatory of Conflicts and Violence Prevention are among the most commonly used service providers.
  ⇒ There are two main ways for UNDP to use these bodies through LoAs. The first one is to use them as facilitators mostly in the field of logistics to organize events like workshops, training course or to issue documents that have been defined by UNDP. In terms of substance this is a passive role. The second one is to give them a more operational role like building attendance, delivering training and producing training materials, drafting manuals and official forms (i.e. police registers). Here with respect to substance it is an active role.
  ⇒ Nationals can be combined with international service providers, as is the case in police academies that build attendance and provide accommodation, foods and stationaries while internationals define curricula and either train trainers or directly deliver the training. This feature is especially present in CPP.

- Internationals:
  ⇒ International organizations that the project is using are mostly international missions in Somalia such as IDLO, AMISOM (Police) and EUCAP-NESTOR or agencies from the UN family like UNODC, UN Women, UNHCR or UNOCHA.
  ⇒ They provide assistance in terms of substance for training (curriculum, trainers, training materials) or advisory (assessment, recommendations). They can be given either a full responsibility like AMISOM Training in Human Rights or SBGV to the Police or be part of a consortium along some other internationals and nationals.
  ⇒ The current situation of CPP in Mogadishu sees an intensive use of internationals mostly from AMISOM. This reflects the positioning of the CPP SC area manager in an integrated team under UNSOM police section flag.
  ⇒ The use of internationals that are deployed in Somalia under another flag is also the consequence of a very limited use by UNDP of International Consultants of its own. The lack of expertise has to be compensated by another source. Here the projects have moved away from the GROL self declared practice of "International advisers to provide consistent support over a period of weeks, returning at regular intervals".

5.2.3 Local service providers advantages/disadvantages

The intensive and almost exclusive use of service providers appears to be very specific to UNDP Somalia. There are obvious good reasons in terms of benefits. There is also however a dark side that cannot be ignored. The total number is around 100 LoAs with the local service providers (nationals only) with a total of a little more than $10 million. This counts for almost a third of the CPP/A2P real support in technical assistance (outside UNDP running costs, stipends, international consultants and infrastructures).

- Advantages: low cost experience suitability and footprint
  ⇒ A first advantage is the low cost of the nationals and internationals when compared to UNDP national and international staff including international consultants. Project efficiency is enhanced at first glance.
  ⇒ The second advantage is that all nationals and most of the internationals especially with respect to AMISOM develop activities that are practical and at the level of the beneficiary, therefore avoiding any absorption issues. Nationals are fully in line with the local culture and can easily introduce new concepts in the appropriate manner.
  ⇒ The third advantage is more political. Working closely and in fact participating in joint endeavours with the internationals keeps UNDP in the mainstream and ensures that activities are in line with the international community. Similarly local partners as far as they are not in a conflicting situation with other nationals are a guarantee to stick to national policies and to be compatible with the local culture.
  ⇒ Last the use of national and international service providers puts UNDP at the heart of the network of key actors and ensures the footprint of the projects

and their integration, both in national and international strategies especially with respects to the Somali Compact. The projects can be seen as involved, present and active.

- Disadvantages: risks of weakened substance/identity hijacking and loss of control
  ⇒ The services that are delivered by the external service providers could reflect not real practicalities but poor substance especially if these providers do not possess the necessary skills and expertise. The projects have taken the providers as they are and not given them some support nor really assessed their capacity for quality. This is a move backward when compared to the ROLS projects that have supported the build up of local providers, as it was the case for OCVP.
  ⇒ While leaving the substance to the providers the projects have limited themselves quite often to funding and logistics coordination, therefore taking a secondary role and even losing the control of the activity. This is not the case for A2J that has almost no other international mission present in the field of Justice but is far more common with CPP. The goal of a mission like AMISOM is to create an operational capacity in a short time. The goal of a project like CPP or A2J is to develop a system that ensures such a capacity in a sustainable way. There is a difference and when working closely with such a mission UNDP could lose its goal.
  ⇒ At the end there could be a kind of inversion of roles. Instead of having the projects following their goals and asking service providers to contribute they could become themselves service providers mostly in logistics, funding and procurement leaving the key decisions of orientation and substance to others. Once more this definitively is the case for CPP but not for A2J.
  ⇒ Ultimately the risk is that by limiting themselves to national and international expertise that is immediately available, the projects had limited the scope of activities to low level ones. This is especially the case of CPP that has been more or less absent from higher-level activities in the field of governance and strategic planning as well as executive and senior level management.

It is the view of the evaluators that A2J has kept a balanced approach with more advantages than disadvantages, but this has not been the case of CPP. Weak management and poor expertise have put this project in a situation where it too often ensures the logistics of activities the substance of which is defined by others with limited UNDP guidance oversight and visibility. This questions the role of CPP management.

5.3 UNDP Management

The two projects have used a lot of resources and spend much energy with tangible results. However these are offering neither for the beneficiary nor for the donor the full benefit expected. A compartmented organisation of work and management as well as an activity/resources policy prevent capitalization of current achievements through synergies, effective complementarity and better use of local resources and to draw lessons to move further and improve.

5.3.1 Managerial cohesion and stability

With the exception of some national staff the two projects have suffered from a lack of managerial stability and cohesion. None of the managers has been present over the duration of the project and the rule is an average of two persons for one position even including some interim vacancy, as it was the case at the time of the evaluation with two positions out of eight only being occupied (cf. 2.4.1).

The consequence is a lack of cohesion, of continuity and of experience that weakens the implementation of the projects. There are several factors for that. Some are real constraints while other factors are fully in the hands of UNDP.

- The conditions of work are difficult and do not attract the best candidates. While UNDP can not change neither the security situation nor the local comfort, the programme can decide the job description and offer some incentives.
- The definition and the articulation of jobs in a coherent structure as well as the selection of managers and their management also impact their commitment and their performances. The geographical structure of the project management carries the risk of a feudal model if the project manager does not play a guidance/support/monitor role.

A2J did not suffer too much by this situation. This is largely due to the strong character of the current project manager who is highly committed, eager for results beyond activities even if working in a centralising mode. This is different with CPP that apparently relied on managers with a specialised background in training or investigation that cannot fit a real police reform. Consequently the project has reduced itself to a limited scale "train and equip project". The temporary substitution of the CPP project manager by a more senior and academic individual cannot be seen as a solution at ground level in the country. It cannot also replace the entrepreneurial and managerial leadership that is necessary at project level as it was the case in A2J.

5.3.2 Lack of lateral coordination: compartmented management

The stove piped organisation of the GROL programme outside the close proximity of A2J and CPP does not facilitate the fruitful interactions between projects. The Bridging and Inception aggravated this factor and further isolated the two projects from the mainstream of GROL (cf. § 2.1.3 fore last al). Cross cutting issues were limited to human rights, women and gender while the programme obviously had some strong horizontal connections around (i) governance and institutional development that determine the policymaking the projects intend to support and (ii) the local communities where concrete actions have to be developed locally like community policing and local access to Justice.

When questioned both the A2J and CPP managers and national staff on one hand and the SIDP and CSP managers on the other, confirm their lack of mutual coordination therefore leaving the benefit of synergies and well-coordinated complementarities aside. There is at that level a lack of efficiency, while if properly managed this would give UNDP a strategic advantage. Additionally it is difficult in such circumstance to prove to the beneficiary that

these are interconnected and that they are expected to develop a comprehensive approach. The three main deficiencies are the following:

- Governance Institutional building and policymaking: While both projects have an interest for the legal framework (Police Act, architecture of the Judiciary, judicial procedures) and the establishment of institutions, they are not coordinated with the activities of SIDP in this sector (parliamentary and governance support, promotion of accountability…). The consequence is a stalemate in which none is feeling fully responsible, as it is currently the case for Police Acts in Mogadishu and Hargeisa. Similarly the functional reviews that are conducted by SIDP in Justice and Security ministries that fall in the scope of CPP and A2J are at best known by the projects but neither given any feed back nor used by the two projects.

- (Local) Communities: CSP perception has been reduced to a youth programme. Consequently three of its action lines are fully ignored by the projects despite the fact they could interact and add value.

  ⇒ Actions to educate young people to manage security issues and properly address their relations with the Police and Justice are ignored and not highlighted to the relevant beneficiaries. With respect to CPP this does not help to promote community policing and as for A2J to facilitate access to Justice.

  ⇒ District security councils that include Police are by definition pure community policing instruments are also left aside and CPP does not guide the Police in making sound use of them.

  ⇒ CSP has supported the Observatory of Conflict and Violence Prevention(OCVP) that produces a good knowledge of the security situation both in terms of threats, perception and needs by the communities. Once more this is ignored by the projects and not promoted to the relevant beneficiaries despite the fact these products are sound instruments for community policing and local prosecution policies. International organizations like EUCAP NESTOR even ignored the products of OCVP but were rather satisfied once they discovered them during the evaluation.

5.3.3 Monitoring standardisation and quality

UNDP internal management is rather complex. Work organization is rather compartmented (cf. § 6.1.3.2) and structured by operational, financial and administrative considerations. Consequently reporting lines are multiple. There is no doubt that each one of them has its own rationale and legitimacy. Consequently managers are spending a lot of energy in reporting. Huge stacks of documents are produced and sometimes contradict themselves according to the framework in which the information is processed. Overall efficiency is however questionable.

Financial reporting is tight and bound not only to UNDP direct expenses but also to LoA with the beneficiary and to agreement with the donors. This priority to financial reporting impacts the operational reporting. Because of the focus given on financial aspects, the programme reporting is activity and not result oriented. One UNDP senior manager mentioned that this is reflecting the managerial exclusive practice of work plans around

activities and budgets and not on action plans that are articulated around action lines and results. This point should however be limited to CPP only. A2J is clearly structured around clear outputs that provide clear action line. CPP on the contrary is bound by a very generic output of "strengthening police capacity".

This approach presents two major flaws. First due to delays and adjustments even if it is possible to know that the activity has been completed especially with respect to expenses it is very difficult to know exactly what has been done and achieved. Second because the reporting is based on the work organisation it is not possible to have a view of the overall outputs and of the final global outcome. For example, a model police station is made by infrastructure definition and building, working procedures, training of staff, equipment to be defined and procured (radio, furniture, registers) and vehicles. Each of these item will be reported regularly and separately but there is no way to know at any time the real operational status of the police station and ultimately to know if the station is really working and performing the way it is expected to do.

Reporting and monitoring focus on activity. They left no room for real and comprehensive assessment to draw lessons.

- Quality: It appears that activities are defined and implemented in a single shot approach. This can be accepted provided it is assumed that the targeted changes are achieved in one single shot. This is however a flawed understanding of the theory for change. Change is most of the time incremental and has to be addressed in a sequential mode. Consequently and according to Deming wheel there is a need to check and adjust once each step of any activity has been completed. This would help improve the implementation of the project by avoiding the repetition of mistakes and identifying efficient practices and factors of success. Unfortunately current reporting and monitoring look at passive instruments to record the completion of activities. They are not the dynamic and proactive instruments that are necessary to drive further activities and to make full use of previous achievements.

- Standardisation: In all three geographical areas the project implements similar activities like developing model police stations and their relevant set of community policing techniques and practices. This is done separately and experiences are not confronted nor transferred. This could be done in the case of the new states that are starting behind the Somaliland and Puntland. There is a tendency to reinvent the wheel in each geographical area. Any standardisation would also benefit the three Police forces that could, first be offered as a Somali made solution, and second, be put in a situation where they could easily cooperate. Additionally and as was said in the efficiency analysis (cf. § 4.4.2) the lack of standardisation due to regional differentiation induces discrepancies in procurement.

Both with respect to quality and standardisation the project has all the pieces and resources in hand to introduce significant improvement but so far has taken very limited initiative to use them in a learning process.

These deficiencies of the monitoring practices are accentuated by the reliance on local and national service providers. Left with lax guidance and no real assessment of the outcome of their activities in terms of quality performance and results they are allowed to repeat their flaws and not pushed to make progress and increase the quality the service they deliver.

5.3.4   Synthesis of common analysis and conclusions

The common conclusions that have been presented previously can be summarized in one sentence and articulated around three axis.

Despite sound organisation and initial programming the projects, especially CPP, have progressively flown down and reduced their span. The strong commitment has focused on tasks and delivery. This has trapped the organization into a mechanical bureaucracy.

1. Focus on activities and budget has (i) forgotten incremental processes and results and (ii) bound managers to verticality of implementation and reporting
2. Easy reliance on local service providers and partners working as subcontractors has put the projects in a comfort zone but pushed them aside from substantial inputs.
3. Consequently the projects are not making the full use of their achievements and miss the added value they could bring in; UNDP's strategic advantage is reducing.

6   SPECIFIC CONCLUSIONS CPP

They are summarized thereafter in Table N° 14

1. RELEVANCE	
Positive points	**Negative Points**
▪ Project matches needs and expectations ▪ Well accepted by the beneficiary (asks for more) ▪ Implementation the Somali way (local service providers) ▪ Coordinated with other actors for synergy ▪ Regional/force differentiation	▪ Irrelevant management of governance/strategic approach
2. EFFECTIVENESS	
Positive Points	**Negative Points**
▪ Public safety/community policing comprehensive strategic approach ▪ Pragmatic operational capacity building ▪ SGBV, HR and gender balance success	▪ Reform/Strategic/oversight failure ▪ No strategy for building support capacity

3. EFFICIENCY	
Positive Points	**Negative Points**
■ Fruitful coordination with A2J ■ Reliance on non expensive local service providers	■ Incapacity to capitalize experience for quality, standardisation ■ Limited coordination with other projects, CSP and SIDP

4. SUSTAINABILITY	
Positive Points	**Negative Points**
■ Workflows and new practices introduced and full adopted especially in public safety and community policing ■ New relationship police/community in the site of the model police stations ■ Women present in police stations and CID should stay in place	■ Lack of national support capacities (human resources, budget)

5. IMPACT	
Positive Points	**Negative Points**
■ High on individuals in touch with the project ■ Professional awareness enhanced	■ System not altered

7 SPECIFIC CONCLUSIONS A2J

Table N° 15

1. RELEVANCE	
Strengths	**Weaknesses**
■ Project is relevant to national/regional justice strategies (Somali Compact) ■ Project has adapted to changed context ■ Strong commitment from justice authorities ■ Project is very relevant to needs of beneficiaries from supply side of justice	■ Some needs of beneficiaries from the demand side of justice are not fully addressed by the project (limited legal awareness of the population, weak capacities of legal aid provider to perform as effective CSO, weak capacities of lawyers to litigate specific non-GBV cases).

2. EFFECTIVNESS *	
Strengths	**Weaknesses**
■ Ministries of Justice in all 3 areas strengthened and supported to draft Justice Sector Strategies ■ HJC established (SL/PL/FL) and accountability of the judiciary strengthened (case management and inspection scheme SL) ■ SGBV Units established at Prosecution Offices (SL), first female prosecutors appointed in Mogadishu and SGBV survivors provided with legal aid ■ Improved access to prisons as a result of Receptionist Desks and the "*legal aid in pretrial phase policy*" (SL)	■ Weaker focus on the demand side of justice ■ Lack of a yearly capacity building plan, so trainings are organized on an *ad hoc* basis ■ No activities implemented in support to the Elders under A2J project (ADR is CSP project) ■ Lack of a common understanding of paralegalism and absence of a strategy to set up community-based paralegals ■ No capacity building activities were implemented in Gardo prison after the construction + structural defects of the building ■ Lack of support to build the capacities of 10 LAP

■ Scholarship and Internship programs established in all 3 areas ■ 10 legal aid providers supported (4 in SL, 3 in PL and 3 in FL) for a total of 21 LoA signed ■ Mobile courts have provided justice in remote areas ■ ADR pilot project registered 650 cases and constructed 5 Dispute Resolution Houses (PL)	to become effective CSOs ■ The absence of Bar Associations has allowed the MOJ to take up the coordination of legal aid providers and the registration of lawyers (SL, PL) ■ A strategy for mobile courts is not available and mobile courts continue to be organized on demand

3. EFFICIENCY

Strengths	Weaknesses
■ Improved coordination among UN agencies/UNSOM	■ Weak coordination with INGOs and IO which are not included in the UN joint project ■ Weak project monitoring (inconsistent data in Annual Reports, lack of databases and online repositories for project documentation) ■ Lack of knowledge management tools to consolidate best practices ■ UNDP national staff would need support to acquire managerial skills, which are still weak

4. SUSTAINABLITY

Strengths	Weaknesses
■ Embedded local consultants in Ministries ■ Increased number of legal professionals ■ Project activities are mostly led by national actors ■ Increased national ownership following the implementation of the Somali Compact	■ Lack of financial resources on the national budget to continue project activities ■ Local capacities have not attaint the required standards to continue the activities without external support (PL, FL)

5. IMPACT

Impact on right holders	Impact on duty bearers
■ Increased confidence in formal justice ■ Women are facilitated to access justice (police and prosecution special SGBV units) ■ Rural population is facilitated to access justice (mobile courts) ■ Increased number of legal professionals ■ Lawyers are facilitated to access prisons (SL) ■ Improved knowledge of lawyers in SGBV field	■ Justice institutions have adequate/equipped premises ■ The judiciary is starting to develop a culture of accountability (SL) ■ Justice actors are more aware of women rights and women prosecutors are appointed ■ Coordination of justice actors and partners is improving

8 RECOMMENDATIONS

8.1 Common

1 Improve the capacity of local service providers

- Apply a close and tight guidance through accurate TOR
- Closely monitor their activities and assess their products
- Provide them with support to enhance their capacity and leverage effect

2 Capitalize regional experience

- Complete a comparative assessment of similar activities
- Draw lessons learnt and identify best practices (UNDP and beneficiary)
- Develop activity standardization and harmonize/consolidate procurement

3 See Theory of Change as incremental

- Develop multi step implementation of change projects
- Assess each step for adjustment
- Build following step on previous achievements

8.2 Specific CPP

4 Build and Keep an efficient and respected team

- Define a balanced matrix team to benefit from expertise and ensure an appropriate presence
- Select the profiles accordingly and carefully with a view to ensure the coherence, cohesion and the sustainability of the team
- Improve the existing instruments (reporting mid term review) to monitor the compliance and the performance of the team and take corrective measures

5 Stay away from the mission trap and remain an institutional building project

- Liaise closely with existing police missions but keep the project bearing to articulate joint activities with the project core rationale
- Focus on institutional development (strategy, management and support capacity)
- Think long term and in terms of sustainable achievement

6 Focus on key leveraging institutional capacity builders

- Define a strategy to build the beneficiary support capacity with a focus on human resources
- Pay attention to the management (organisation and men)
- Help the beneficiary develop a comprehensive strategic approach that ensures the coherence of the project support

8.3 Specific A2J

7 Adopt a more strategic approach to programming

- Develop a yearly capacity development strategy for all justice actors
- Develop a legal aid strategy (the current one only covers pretrial justice)
- Develop a strategy for mobile courts
- Develop a strategy to ensure that Legal Aid Providers grow as effective CSOs
- Develop an exit strategy for the support to consultants in Justice Institutions

8 Strengthen the monitoring system to improve project statistics and analysis

- Introduce quality indicators (i.e. analyze the results of inspection schemes)
- Analyze activities in the prisons to monitor the impact on pretrial detention
- Capitalize best practices and lessons learned
- Restructure annual work-plans, introduce databases and online repositories

9 Engage more in the implementation of activities for the demand side of justice

- Implement a legal awareness campaign for the population
- Develop community-based paralegal schemes
- Develop Bar Associations
- Replicate the Alternative Dispute Resolution (ADR) model of the CSP project

10 Take the project to the next stage

- Develop the court case-tracking system into a case-management system
- Ensure that justice SGBV structures (Prosecution Units) are geographically integrated with police structures (Women Desks at police stations)
- Support governments to provide legal representation schemes for serious cases,
- Encourage governments to increase the budget for justice
- Continue to build the capacities of national partners
- Develop a plan to build the managerial capacities of UNDP national staff in the light of their increased responsibilities

LIST OF ANNEXES

1: Analysis Matrix

2: Desk and Literature review

3: Evaluation Calendar

4: List of persons interviewed

5: Budget

ANALYSIS MATRIX

Evaluation of UNDP Somalia Rule Law Programme   *(Access to Justice and Civilian police components / 2012 - 2015)*   **EVALUATION MATRIX**

1. RELEVANCE

Relevance concerns the extent to which a development initiative and its intended outputs or outcomes are consistent with national and local policies and priorities and the needs of intended beneficiaries*.

QUESTIONS	DATA SOURCES	DATA COLLECTION METHOD
Q.1.1. Are the project design and intended outputs still consistent with the national priorities and in synergy with other similar interventions by other donors? **Q.1.2.** What has been the level, degree and appropriateness of participation by the beneficiaries, stakeholders, government and donor partners in the project, including the methods and procedures followed in identification and prioritization of beneficiary needs (IDPs, CBOs/local NGOs, state ministries and local authorities') **Q.1.3.** To what extent is the political and security climate impacting project progress and how can the project best responds in the current political situation especially with regards to the coming federalization **Q.1.4.** To what extend is the programme organization and management reflecting the overarching goals and matching the institutional (national and international) environment and general orientations **Q.1.5** cross-cutting issues gender and human rights been given sufficient attention and if they been integrated in the project in an adequate manner	- National Justice - Sector strategies - UNDP planning documents - MOU between UNDP and MOJ - Needs assessment or baseline analysis reports - Research reports -- Reported opinions from key informants	- Online research - Request CO - Interviews

2. EFFECTIVENESS

Effectiveness is a measure of the extent to which the initiative's intended results (outputs or outcomes) have been achieved or the extent to which progress toward outputs or outcomes has been achieved*

QUESTIONS	DATA SOURCES	DATA COLLECTION METHOD
Q.2.1: To what extent have UNDP outputs and assistance contributed to outcomes? **Q.2.2:** Whether the outcomes and outputs have been achieved, the quality of the results and, if not achieved, whether there has been	- UNDP Planning and monitoring documents - Databases	- Interviews with key informants

progress made towards the achievement of both qualitative and quantitative targets of selected projects. **Q.2.3:** What were the key challenges in implementing the project work plans? **Q.2.4:** What factors contributed to effectiveness or ineffectiveness of the project; and how best can the bottle necks be countered?	/statistics - Reported opinions from key informants - Project performance indicators - Judiciary/Police reports	- Request CO

3. EFFICIENCY

Efficiency measures how economically resources or inputs (such as funds, expertise and time) are converted to results. An initiative is efficient when it uses resources appropriately and economically to produce the desired outputs. (…)It is also important to assess how the partnership strategy has influenced the efficiency of UNDP initiatives through cost-sharing measures and complementary activities.*

QUESTIONS & SUB-QUESTIONS	DATA SOURCES	DATA COLLECTION METHOD
Q.3.1: Has the UNDP partnership strategy been appropriate and effective? Assess the viability and effectiveness of partnership strategies in relation to the achievement of the project outputs. **Q.3.2:** Discuss what has been the comparative advantage of UNDP vs other development partners in terms of effective project delivery and results achieved. **Q.3.3:** Analyze whether the management arrangements for project delivery were enabling and responsive to implement the substantive activities with a focus on management capacity and timeliness of generating outputs, and how processes were managed/carried out. **Q.3.4:** linkages and synergies between the judiciary and policing projects as well when relevant with the community security project. **Q.3.5.**Assess the monitoring system used during the implementation period and the capacity to analyze and synthetize lessons learnt from different areas	- UNDP Planning and monitoring documents - Reported opinions from key informants - Judiciary/Police reports	- Interviews - Request CO

4. SUSTAINABILITY

Sustainability measures the extent to which benefits of initiatives continue after external development assistance has come to an end. Assessing sustainability involves evaluating the extent to which relevant social, economic, political, institutional and other conditions are present and, based on that assessment, making projections about the national capacity to maintain, manage and ensure the development results in the future.*

QUESTIONS & SUB-QUESTIONS	DATA SOURCES	DATA COLLECTION METHOD
Q.4.1: Assess and measure the relevant effective and present use by the beneficiaries of the programme delivery (technical assistance, training, equipment)	- UNDP Planning and monitoring documents - Reported opinions from key informants –	- Interviews and on site visits -Interviews and on site visits
Q 4.2: Identify the major obstacles that could hamper the sustainability of the programme delivery. Were exit strategies appropriately defined and implemented? How were different stakeholders engaged designing, monitoring and implementing the interventions? **Q 4.3:** Assess the beneficiaries actions to keep the programme impact alive and prevent return to previous situation(if relevant identify necessary support). What steps were taken to ensure that the effects of the intervention would continue beyond UNDP's support?	-Reported opinions from key informants	

5. IMPACT

Impact measures changes in human development and people's well-being that are brought about by development initiatives, directly or indirectly, intended or unintended.*

QUESTIONS & SUB-QUESTIONS	DATA SOURCES	DATA COLLECTION METHOD
Q.5.1: Assess the pre and post programme beneficiaries perception, attitude, behavior, process of work, regulation and measure improvement **Q.5.2** Assess the beneficiaries' (duty bearers and rights holders) perception of the benefit of the programme on their daily life **Q 5.3** Identify the factors of limitation or of support and assess how they have been addressed?	Reported opinions from key informants	Interviews and field visits

Desk & Literature review

A) Key reference documents for the evaluation. (= documents/resource frameworks that will be used to measure results)

DATE	KEY REFERENCE DOCUMENTS FOR THE EVALUATION
Oct 2010	**CPD - UNDP Country Programme Document for The Republic of Somalia (2011-2015)**
Nov 2011	**GROL - Strengthening Governance and Rule of Law in Somalia (2012-2015)**
	AWP 2012 (A2J & Police)
	AWP 2013 (A2J & Police)
Sep 2013	**Somali Compact (2014-2016)**
Nov 2013	**Rule of Law (ROL) in Somalia - Bridging and Inception project (Dec 2013 – June 2015)**
	AWP 2014 (A2J & Police)
	AWP 2015-draft status (A2J & Police)
Feb 2015	**Somalia Joint Rule of Law Programme (2015 – 2016)**

B) Other reference documents (to be used for information purposes)

DATE	OTHER DOCUMENTS
Aug 2011	**Somaliland Judicial Reform Work-Plan (2011-2015)**
Nov 2011	Evaluation of ROLS III Programme + management response (sept 2012)
Dec 2012	**Project #47, "Piracy Trials Programme" UNDP/UNODC (2013-2015)**
	Annual report UNDP A2J & Police Project (Jan 2012 to Dec 2012)
	The Somali Constitution
	FGS Strategic Action Plan for Policing 2013-2017
April 2013	**National Dialogue for Justice Reform report**
Mai 2013	**National Strategic Plan For Justice Reform 2013-2015**
Jun 2013	Review of the Norwegian Support to Somalia through UNDP
Dec 2013	**Annual Reports UNDP A2J & Police Project (Jan 2013 to Dec 2013)**
	UNDP Gender equality strategy (2014-2017)

	Somali Rule of Law Priorities (2014-2016)
	Plan to Implement the Somali Rule of Law Programme Priorities (2014-2016)
	Somalia Gender-Based Violence Working Group Strategy 2014 – 2016
	The Puntland Priorities 2014-2016
Feb 2014	**Vision 2016 & Framework of Action for implementing Vision 2016**
Mai 2014	**Mobile Court evaluation report**
Jun 2014	**Judicial Services Commission docs**
Oct. 2014	**Integrated Strategic Framework (ISF) for Somalia (2014-2016)**
Nov 2014	**Somali Compact Progress report**
Nov 2014	**National Action Plan on Eliminating Sexual Violence in Conflict (Somalia)**
Dec 2014	**Annual reports UNDP A2J & Police Project (Jan 2014 to Dec 2014)**
Dec 2014	IDLO Somalia project - Annual Report 2014
	Somaliland Strategic Plan Document (2015-2019)
	Puntland Justice Sector Reform Plan (2016- 2019)
Mar 2015	**Assessment of Development Results, UNDP**
Mar 2015	**DIM Audit A2J and CCP (preparation documents)**
	Letters of Agreement for implementation of project activities (on request, if needed). i.e. LoA with IDLO, LoA with MOJ Puntland for ADR component of CPP
	CPFT Annual reports (CCP and A2J) – 2013-2014

C) Literature review

- **Human Rights Watch** "*Here, Rape is Normal" A Five-Point Plan to Curtail Sexual Violence in Somalia*", 2014
- **Human Rights Watch, "***The Courts of "Absolute Power" Fair Trial Violations by Somalia's Military Court*", 2014
- **International Crisis Group, "***Somalia: Al-Shabaab– It Will Be a Long War*", 2014
- **UN Monitoring group on Somalia Report,** 13 October 2014
- **Report of the Independent Expert on the situation of human rights in Somalia,** Sept 2014
- **Report of the Secretary-General on Somalia,** Jan 2015
- **UNODC/UNICEF**,UNPOS, Assessment of the Prison System in Mogadishu/South Central Somalia, 2012
- **Alejandro Bendaña and Tanja Chopra** in "*Women's Rights, State Centric Rule of Law, and Legal Pluralism in Somaliland*" Hague Journal on the Rule of Law / Volume 5 / Issue 01 / March 2013.

– **Centre for humanitarian dialogue**, « S*tateless justice in Somalia: formal and informal rule of law initiatives* », Andre Le Sage, 2005
– **Human Rights Watch**, "*Hostages of the gatekeepers. Abuses against Internally Displaced in Mogadishu, Somalia*", 2013
– **Minority Rights Group** "*No redress: Somalia's forgotten minorities*", Martin Hill, 2010
– **Dickie Davis and Greg Mills** *"Less is More? The Role of Outsiders in 'Fixing' Somalia", 2015*
– **Adam Smith**, '*Evaluation of the UNDP Strategic Partnership for Somalia*" June 2009
– **Center for Strategic and International studies, "***Somalia redux: assessing the new Somali Federal Government*" 2013
– **Integrity consultancy***, "Cross Cutting Evaluation of DFID's Approach to Remote Management in Somalia and North-East Kenya", 2015*
– **Clingendale Institute**, Independent Progress Review on the UN Global Focal Point for Police, Justice and Corrections, 2014
– **Independent Commission for Aid Impact (ICAI)** Review of UK Development Assistance for Security and Justice (2015)

Evaluation Calendar

Date	Location	Activity
NA	Home	Open source review
NA	Home	Open source review
May 4th	Nairobi	Inception
May 5th	"	SSAFE training
May 6th	"	"
May 7th	"	"
May 8th	"	"
May 9th	"	Desk and literature review/inception
May 10th	"	"
May 11th	"	"
May 12th	"	"
May 13th	"	"
May 14th	Mogadishu/SC	Meetings
May 15th	"	"
May 16th	"	"
May 17th	"	"
May 18th	"	"
May 19th	"	"
May 20th	"	"
May 21st	Garowe/Puntland	Meetings
May 22nd	"	Intermediate analysis
May 23rd	"	Meetings
May 24th	"	Meetings and site visits
May 25th	"	Meetings and site visits
May 26th	Hargeisa/Somaliland	Meetings
May 27th	"	Meetings
May 28th	"	Meetings
May 29th	"	Travel to Nairobi
May 30th	Nairobi	Analysis
May 31st	"	"
June 1st	"	"
June 2nd	"	"
June 3rd	"	"
June 4th	"	Debriefing
June 5th	"	Finalization

LIST OF PERSONS INTERVIEWED

NAIROBI		
04/05	✓ Mr **Ahmad Al Hammal**, UNDP, Assistant Country Director ✓ Ms **Bushra Hassan**, UNDP, Monitoring and evaluation specialist	**MR +DL**
04/05	✓ Ms **Ruth Pfeiderer** UNDP, Project Management Specialist a.i. Rule of Law – Justice and Corrections and Civilian Police	**MR +DL**
	SSAFE training 05 to 08	**MR +DL**
08/05	✓ Mr **David Akopyan,** UNDP,Deputy country director Programme	**MR +DL**
10/05	✓ Ms **Ruth Pfleiderer**, UNDP Project Management Specialist	**MR +DL**
11/05	✓ Ms **Christine Fowler**, UNDP Senior Rule of Law Adviser and Access to Justice project manager a.i	**MR +DL**
12/05	✓ Mr **Timothy Baines,** UK/DFID, Rule of law /Security Sector Reform, + EU	**MR +DL**
12/05	✓ Mr **David Akopyan**, UNDP Deputy country director Programme	**MR +DL**
13/05	✓ Mr **Patrick Fruchet**, UNOPS Nairobi office deputy director	**MR +DL**
13/05	✓ Ms **Ane Birk Kamara**, UNODC Associate Expert,	**MR +DL**
13/05	✓ Mr **Kevin Curreri -** UNICEF Child Protection Specialist,	**MR +DL**
02/06	✓ **Abdulhakim Mohamed Abdi,** Former Access to Justice Team Leader	**MR**
02/06	✓ **Mr Peter Cross** former CPP manager	**DL**
02/06	✓ **Mr Albert SOER SIDP manager**	**DL**
MOGADISHU		
14/05	✓ Mr **Ivan Dielens**, UNDP Community Security Project Coordination Specialist	**MR +DL**
14/05	✓ **Nina Schepfer** UNHCR Rappresentative Mogadishu	**MR +DL**
14/05	✓ Mr **David Bruce**, UNDP Acting manager Civilian police project	**MR +DL**
14/05	✓ UNSOM/ROLSIG/JJCS UNSOM: Mr **Khaled Abou-Elyousr**(Justice and Judicial Affairs) Mr **Stephen Cox** (Corrections) and Mr **Francis A.K.Benon**(Corrections)	**MR +DL**
14/05	✓ Mr **Franco Sanchez,** UNDP Governance Rule Of Law Programme manager	**MR +DL**
15/05	✓ **Mr Joseph OWUZU,** UNPOL police section Deputy Commissionner	**DL**

15/05	✓	**Mr Jeff SIMS,** UNSOM National Strategic Security Adviser	**DL**
15/05	✓	**Mr Oskar Lehner,** UNDP Chief technical adviser Parliamentary and Constitutional Support	**DL**
15/05	✓	Ms **Christine Fowler**, Senior Rule of Law Adviser, UNDP	**MR**
16/05	✓	Group meeting with 3 Legal aid providers (Abidfitah Hassan Ali, Omar Abdi Aden, and Mohamed Mohamoud Arale) + 9 beneficiaries	**MR +DL**
16/05	✓	Group meeting with Mogadishu University (Abdirashid Ali Adle and Abdiweli Sheikh Mohamed) + 3 Students from the Scholarship Programme	**MR +DL**
16/05	✓	Meeting at Airport Police Station General Ahmad Mohamed and Mohamed Abdi	**DL**
16/05	✓	**Mr Pierre Aime RIICCIO** EUCAP-Nestor Head of Country office Somalia	**DL**
17/05	✓	Group Meeting with Attorney General (**Dr Ahmed Ali DAHIR**)and 2 representatives of the Judicial Services Commission (Prof.Isse Ahmed Warsame and Drs.Maryan Haji Elmi)	**MR +DL**
17/05	✓	Mr **Stephen Kinloch Pichat**, Head of Sub office, Hargeisa, UNDP	**DL+MR**
18/05	✓	**Mr Mohamed Jama,** Director general, Ministry of Internal security	**DL**
18/05	✓	Representatives of the MOJ (Mohamed Abbi Hassan- Director of Admin and Finance Unit, Abdirisak Ahmed Sh. Mustafa-Legal Adviser at MOJ, Ahmed Mohamed Sh. Mohamed-Project Officer at JISU) and 2 Graduate Interns.	**MR**
18/05	✓	Mr **Ivan Dielens**, UNDP Community Security Project Coordination Specialist	**DL+MR**
18/05	✓	Mr **David Akopyan,** Deputy Country Director Programme	**DL+MR**
18/05	✓	UNDP Project officer and Project Associate	**MR**
19/05	✓	Mr. Ahmed Mukhtar, Corrections Advisor, Ministry of Justice	**MR+DL**
19/05	✓	**Luca Bruccheri**, GROL Deputy Programme Manager	**MR**
19/05	✓	**Mr Franco SANCHEZ** GROL Programme manager	**MR+DL**
20/05	✓	Mr. Lucien Vernier UNSOM/UNPOL Commissioner	**DL**
20/05	✓	Mr. Adnan Pillay AMISOM Police Commissioner	**DL**
20/05	✓	Head of Human Rights Section UNSOM	**MR**
20/05	✓	**Gender UNSOM**	**MR**
20/05	✓	**Mr Stein** prosecutor EUCAP NESTOR	**MR**
20/05	✓	**Mr P-A RICCIO** head of EUCAP NESTOR Somaia	**DL**
20/05	✓	**Mr Howard Bell** stabilization section UNSOM	**MR+DL**

PUNTLAND		
21/05	✓ **Mr, Sayed Sahibzada,** UNDP Head of Office Garowe	**MR+DL**
23/05	✓ **Colonel AbdirashidAde'ed** Director of Community policing Puntland Police	**DL**
23/05	✓ **Mr Ali FarhAls** Puntland Research Development Center	**DL**
23/05	✓ **Mrs Muhubu Said Mohamed + Mrs Faduno Abdulahi Numin** volunteer lawyers	**MR+DL**
23/05	✓ **Captain Abdullah Shid Hassan** regional community policing director **and leutnant Ali Mohamed Musef** chief of Garowe central police station (during a visit to Garowe central police station)	**DL+MR**
23/05	✓ **Ms Bahsan Ahmed Said** UNFPA	**MR**
24/05	✓ Minister of justice, **Hon.Ismail Mohamed Warsame**	**MR**
24/05	✓ Technical advisors MOJ (**Mr Mohamed Bashir Warsame** project officer, **Mr Ahmed Issack Mohame** technical advisor, **Mr Ali Mahmoud Warsame** Director of finance and admin dept)	**MR**
24/05	✓ Representatives of the judiciary (**Mr Hassan Abdi Elmi** deputy chief of justice, **Mr Mohamed Nuur Adam** Mobile court coordinator, **Mr Abdirahman Mahamed Abshir** Case management coordinator, **Mr Abdulahi Cisman Mahmoud** , Technical advisor inspection team, **Mr Abdirahman Mohamed Ahmed** chief registrar at Supreme Court)	**MR**
24/05	✓ Legal aid providers (Mr **YUSUF Haji Nour** Director of Puntland Legal Aid Center and 2 paralegals, 2 lawyers and 1 admin officer- **Mr Burhan Adam Omar** Dean of Faculty of Law)	**MR + DL**
24/05	✓ 18 Law graduates (5 female)	**MR + DL**
24/05	✓ **Mr Ali Farah** CPP national expert Garowe	**DL**
24/05	✓ 4 Law professors + **Mr Salim Said Salim** clinical instructor for Legal aid clinic	**MR + DL**
24/05	✓ Mr **Mahmoud Hasan Cisman** Attorney General and Mr **Mohamed Hareed Farah** Deputy Attorney General	**MR + DL**
25/05	✓ Sarah, community Security project	**MR +DL**
25/05	✓ Former NRC staff	**MR**
25/05	✓ **Ms Hawo Idil Omar Mohamud,** project officer A2J, UNDP	**MR**
25/05	✓ PUWLA legal aid **Ms SahraYasiin** Director and **Ms FadumoAbdulahi Mumin** lawyer	**MR**
25/05	✓ **Mr Abdlekadar Muse Gure** Director General Puntland Ministry of Security and DDR	**DL**
25/05	✓ **Mr Ahmed Suliman** UNSOM Human right officer Garowe, **Mr Patrick T SEidu** Corrections officer UNSOM Garowe , Mr Dragan LOSNIC , Mrs GwladysMpene and Mrs Lila Havvsela UNPOL Garowe	**MR=DL**
26/05	✓ **Ms Bahsan Ahmed Said** UNFPA	**DL**
26/05	✓ **Mr Omar Aboud**head of UNSOM Puntland office	**DL+MR**

SOMALILAND		
26/05	✓ **Mr Sergey Pushkarev** acting head of UNDP bureau in Hargeisa -	**MR+DL**
27/05	✓ **Mr Saed Ali Abdillahi** CPP project officer Hargeisa	**DL**
27/05	✓ Hon. Hussein Ahmed Aideed, Minister of Justice	**MR**
27/05	✓ **Mr Aabdi Daahir Cammud** vice minister of security Somaliland, **Mr Mohamed Oreedi**director security department, **Mr Mubark Muhamud** legal adviser, **Mr Abshir Abdillahi** Senior consultant of the police reform team, **Mr Omar Devia Ahmed**, director of planning	**DL**
27/05	✓ **Meeting with Technical Units at the Ministry of Justice (Mr Khadar Suldan Aden**, Director of technical Reform Unit, **Mr Suleiman Abdi Ahmed**, Legal Aid Unit Lawyer, **Mr Mohamed Ismail Essa**, Director of Prisons Department, **Mr Yasin Abdi Osman**, M &E Officer of Technical Reform Unit, **Mr Muhyadin Mohamed Abdi**, Legal Aid Unit Coordinator)	**MR**
27/05	✓ **Meeting with representatives of the Judiciary (Mr Yasin Hassan Ismail**, Acting Chief Justice / Chair of HJC, **Mr Abdirasheed Duale**, HJC/Assistant Case management, **Mr Abdiqadir Ahmd,** HJC/High Judicial Commission, **Mr Mohamed Omer Geelle**, Judge Supreme Court, **Mr Sharmarke Yusuf farah** Mobile Court Coordinator, **Mr Abdilahi Abdi Aden,** Inspection Scheme Coordinator	**MR**
27/05	✓ **Mr Assan Adan** Attorney general and 5 members of his team	**MR+DL**
27/05	✓ **Mrs Hinda Hassan,** UNDP CSP, **Ms Lydu-ia Osbourne** UNDP/CSP/OCVP, **Mr Abdullahi Mohamed Odowa** director general OCVP	**MR+DL**
27/05	✓ **Meeting with Legal Aid Providers** (11 representatives from: NAGAAD Network, WAAPO Organization, SWLA, Hargeisa University Legal Clinic, Baahikoob, SOLLA)	**MR+DL**
27/05	✓ Meeting with 16 beneficiaries of legal aid	**MR + DL**
27/05	✓ **Mr Mohammoud Hussein Farah** dean of Hargeisa Law faculty	**MR+DL**
28/05	✓ **A group of Somalilalnd police officers** during the visit of the G-Hargeisa model police station	**DL**
28/05	✓ **Brigadier General Guuto Abdullahi Fada Iman** Somaliland Police Commissioner	**DL**
28/05	✓ **Mr James Mccarthy** Eucap-Nestor Somaliland Police expert	**DL**
28/05	✓ Head of Appeal court of Hargeisa	**MR**
28/05	✓ **Visit to the archives of 3 courts** (meeting with 3 judicial clerks who manage the case management system)	**MR**
28/05	✓ **Visit of 2 legal aid offices** (SOLLA and Hargeisa University Legal Clinic)	**MR**
?	✓ **IDLO**	**MR**

MR: Monica Rispo / **DL** : Dominique Lapprand